

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

Volume III, 1942

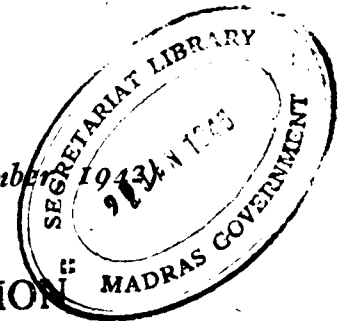
(14th September to 24th September 1942)

SIXTEENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY

1942



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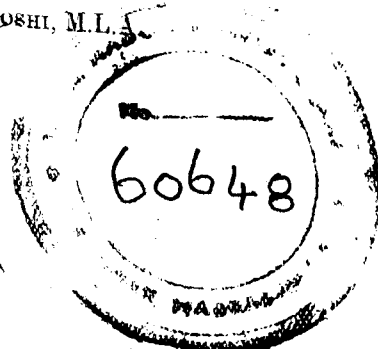
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LEGISLATIVE ASSEMBLY

Monday, 14th September, 1942.

The Assembly met in the Assembly Chamber of the Council House in New Delhi, at Eleven of the Clock, being the First Day of the Sixteenth Session of the Fifth Legislative Assembly, pursuant to Section 63-D (2) of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. Mr. President (The Honourable Sir Abdur Rahim, K.C.S.I.) was in the Chair.

MEMBERS SWORN:

- The Honourable Malik Sir Firoz Khan Noon, K.C.S.I., K.C.I.E.
(Defence Member);
- The Honourable Sir Edward Charles Benthall (Member for War Transport);
- The Honourable Dr. Bhimrao Ramji Ambedkar (Labour Member);
- Mr. Frank Reginald Anthony, M.L.A. (Nominated Non-Official);
- Sir Guramath Venkatesh Bewoor, C.I.E., M.L.A. (Secretary, Posts and Air Department);
- Mr. John Dawson Tyson, C.B.E., M.L.A. (Secretary, Department of Education, Health and Lands);
- Mr. Chandula Madhavlal Trivedi, C.S.I., C.I.E., O.B.E., M.L.A. (Secretary, War Department);
- Sir John Hugh Francis Raper, M.L.A. (Government of India: Nominated Official);
- Mr. Prem Nath Thapar, M.L.A. (Government of India: Nominated Official); and
- Mr. Aga Hilaly, M.L.A. (Government of India: Nominated Official)

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

ABOLITION OF THE TELEGRAPH OFFICE AT MANOOMUKH, ASSAM.

1. *Mr. Ananga Mohan Dam: (a) Will the Secretary of the Posts and Air Department be pleased to state why the telegraph office of more than fifty years' standing at Manoomukh (Assam) has been abolished?

(b) Is he aware that the Post Office at Manoomukh was a combined Post and Telegraph office?

(c) Is he aware that there is no other telegraph office within ten miles radius of Manoomukh?

(d) What is the criterion adopted by Government in deciding to reduce the Post and Telegraph facilities for the public?

Sir Gurunath Bewoor: (a) The telegraph branch of the combined Post and Telegraph office at Manoomukh has been closed down temporarily as the signalling establishment of that office was required for employment in a more important office where, owing to the emergency created by the war, it was essential to keep the latter open for 24 hours.

(b) and (c). Yes.

(d) Due to circumstances created by the War, it has become necessary to increase the working hours of certain telegraph offices for defence and administrative reasons and as the additional signalling hands required for the purpose are not readily available from outside, it has been decided to withdraw such staff from the less important telegraph offices, in consultation with the local authorities, closing down the telegraph branch of such offices temporarily until more trained hands become available.

Pandit Lakshmi Kanta Maitra: Do I understand the Honourable Member to say that it is because of the shortage of signallers that these telegraph offices have been closed down?

Sir Gurunath Bewoor: Yes, Sir. The shortage has been caused due to the increased working hours of certain offices which formerly worked shorter hours and did not want so many signallers. Now, in war these offices have to be kept open for 24 hours for urgent traffic and therefore as we could not find the additional signalling hands required for the purpose we have drawn them from the less important telegraph offices, but they will be replaced as soon as the men now under training are available.

Mr. Lalchand Navalrai: May I know from the Honourable Member how much was it costing the Government to maintain the telegraph portion of the combined Post and Telegraph Office at Manoomukh?

Sir Gurunath Bewoor: I have not got the information at the moment.

Mr. Lalchand Navalrai: May I know from the Honourable Member which is the convenient way for the people to send telegrams or to receive telegrams?

Sir Gurunath Bewoor: Is the Honourable Member referring to the Post Office at Manoomukh?

Mr. Lalchand Navalrai: Yes.

Sir Gurunath Bewoor: They will have to go to the nearest telegraph office or hand over the telegrams at Manoomukh Post Office to be sent to the nearest telegraph office by post.

Mr. Lalchand Navalrai: May I know from the Honourable Member how far is that telegraph office from this post office?

Sir Gurunath Bewoor: Ten miles.

Mr. Lalchand Navalrai: Will the Honourable Member give instructions that the telegrams handed over at this post office should be sent at a certain time of the day to the nearest telegraph office?

Sir Gurunath Bewoor: That is the arrangement, Sir. The telegram is booked and is sent with the next mail despatched to the nearest telegraph office.

Dr. Sir Ziauddin Ahmad: May I ask whether he is sure that petrol will be available for that?

Sir Gurunath Bewoor: It is sent through runners, or railway whichever is available.

Mr. Ananga Mohan Dam: Is the Honourable Member aware that the present Postmaster at Manoomukh knows telegraphy also and he would be there? What is the justification, therefore, of reducing this facility to the public when the present postmaster knows signalling?

Sir Gurunath Bewoor: I will make an enquiry as to whether what the Honourable Member states is correct.

Mr. Ananga Mohan Dam: Is the Honourable Member prepared to open the telegraph branch of this post office when the circumstances permit?

Sir Gurunath Bewoor: Certainly.

PROPAGANDA AND PUBLICITY ACTIVITIES OF THE AGENT GENERAL OF INDIA IN THE UNITED STATES OF AMERICA.

2. *Mr. K. C. Neogy: (a) Will the Foreign Secretary please state in what official relationship, if any, does the Agent General of India in U. S. A. stand with the British Embassy?

(b) Are propaganda and publicity among the recognised functions of Sir Girja Shankar Bajpai, Agent General of India in the United States?

(c) Are the activities of Sir Girja Shankar Bajpai and Mr. Henney, his Publicity Officer, in this behalf, intended to bring about a good understanding between U. S. A. and India, and are they in constant touch with the U. S. A. Press?

(d) Does Sir Girja Shankar Bajpai regularly receive instructions from the Government of India as regards the line that he has to take in the matter of carrying on propaganda in U. S. A., and does he regularly inform the Government of India of his activities in this behalf and the results achieved thereby?

(e) Is the Honourable Member prepared to lay on the table the correspondence that has passed between any Department of the Government of India and Sir Girja Shankar Bajpai, or his Publicity Officer, regarding their propaganda and publicity work in the U. S. A., since April last?

Mr. O. K. Caroe: (a) The Agent General for India in the United States of America is attached to His Majesty's Embassy at Washington.

(b), (c) and (d). Yes.

(e) No.

Sardar Sant Singh: May I know from the Honourable Member if Sir Girja Shankar Bajpai was supplied with a copy of confidential circulars of Sir Frederick Puckle in this connection?

Mr. O. K. Caroe: I would like to have notice of that question. I have not heard of it.

Sardar Sant Singh: May I know whether the Foreign Department is aware of the fact that the instructions issued by Sir Frederick Puckle to the various leaders to publish statements condemning the Congress movement were communicated to him and he was getting his inspiration from those circulars?

Mr. O. K. Caroe: I think the Honourable Member should put that question to the Honourable Member in charge of Broadcasting.

Sardar Sant Singh: From how many Departments of the Government of India does he receive instructions?

Mr. O. K. Caroe: He may receive instructions from any Department, e.g., the Commerce Department. But he works in direct communication with the External Affairs Department on matters of policy and there are many other matters in which he may receive instructions from that Department.

Mr. K. C. Neogy: Although attached to the British Embassy, is he working directly under the instructions of the Government of India?

Mr. O. K. Caroe: Yes. If the Honourable Member will refer to a previous question which was asked on this very subject, he will find the answer to that question is in the affirmative.

Mr. K. C. Neogy: Is the Honourable Member forwarding the suggestions as regards his propaganda work in America, as received from the other Departments of the Government of India?

Mr. O. K. Caroe: On occasions, yes; on occasions, no.

Mr. K. C. Neogy: With regard to the present political situation, has the Honourable Member forwarded the instructions of any Department of the Government of India to the Agent General for being utilised in propaganda in America?

Mr. O. K. Caroe: I have forwarded instructions from the Government of India on certain occasions regarding publicity and propaganda.

Mr. K. C. Neogy: With regard to the present political situation? To what effect were they?

Mr. O. K. Caroe: I am not prepared to disclose those instructions.

Sardar Sant Singh: May I know if the Honourable Member is willing to forward instructions to Sir Girja Shankar Bajpai to make propaganda of the views of the opposition in this country against the American writings?

Mr. O. K. Caroe: Views of the opposition in this country against the American writings?

Sardar Sant Singh: Yes, Sir.

Mr. O. K. Caroe: What opposition and what writings is the Honourable Member referring to?

Sardar Sant Singh: I will try to explain it. The Honourable Member knows that there is a very important section in this country who resents writings in the American press about India. Is he prepared to forward them before he sends on these reports?

Mr. O. K. Caroe: I do not think it is necessary to forward publicly expressed views. There are many American correspondents in this country.

Mr. K. C. Neogy: Isn't it a fact that American correspondents have already complained about the rigid censorship which the Government of India is exercising over their work?

Mr. O. K. Caroe: They have not been under any more than the ordinary restrictions.

Mr. N. M. Joshi: May I ask if Sir Girja Shankar Bajpai is asked to make periodical reports of his activity in the United States to the Government of India?

Mr. O. K. Caroe: Yes. Sir Girja Shankar Bajpai does make periodical reports.

Mr. N. M. Joshi: May I ask whether the reports of the other Agents of the Government, e.g., in South Africa and other places publish their reports? Will the Government of India be pleased to publish the reports from Sir Girja Shankar Bajpai?

Mr. O. K. Garoe: Confidential reports cannot be published. If the reports relate to publicity, it could be considered.

Sir Cowasji Jehangir: The Honourable Member has used the word "Instructions" on several occasions. Does he mean to imply that any advice given from India Sir Girja Shankar Bajpai is forced to follow? Are they instructions, or advice, or information that is sent from here? What does he mean by instructions?

Mr. O. K. Garoe: The Agent General must be kept properly informed. All diplomatic agents have a very considerable amount of discretion.

Sardar Sarit Singh: May I know, Sir, in connection with the reply just given by the Honourable Member, whether any adverse views can be sent at public expense? Is the Honourable Member prepared to assure this House, that if some Members of the opposition want to forward the real state of affairs in India, Sir Girja Shankar Bajpai will publish them in the American press: or will it not be censored?

Mr. O. K. Garoe: I am not prepared to give that undertaking.

STEPS FOR PRODUCTION AND SUPPLY OF WAR MATERIALS.

3. ***Sir P. E. James:** Will the Honourable Member for Supply be pleased to state what steps he has taken since the last Session of the Legislative Assembly:

- (a) to increase the production and supply of war materials in India;
- (b) to put into effect the recommendations of the United States of America Technical Mission; and
- (c) to rationalise those industries dealing with essential war requirements so as to ensure greater production and more effective utilization of such transport facilities as are available."

The Honourable Sir Homi Mody: I propose to give very full answers to these questions.

(a) The work of the Supply Department being continuous it is difficult to give information with precise reference to a particular starting date. The following are some of the more important developments of 1942:

(i) *Directorate General of Munitions Production.*—Two important additions to the Ordnance Factories have been sanctioned, and a third is under discussion with His Majesty's Government.

Two schemes to increase the production of steel have been decided upon in agreement with the Steel industry. One of these schemes will expand present production by about 25 per cent.; the other provides for the manufacture of alloy and tool steels. A third scheme will improve production of a category of steel now in short supply. A fourth scheme, still under technical examination, provides for the addition of important balancing equipment.

A "Civilian Repair Organisation" for service aircraft has been established, and is undertaking a considerable volume of work.

Assistance has been given to a company engaged on the production of aluminium from Indian bauxite.

Assistance has also been given to a new cable company which up to date has made good progress, and is expected to begin production within a few months.

The machine tools required to balance the plant of five selected machine tool manufacturers have been ordered, and His Majesty's Government have agreed to make a team of six technical officers available to organise production.

Plans have been approved, and are being executed, for the provision of alternative industrial capacity in case dispersal becomes necessary.

(ii) *Directorate General of Supply.*—In the cotton textiles group agreement has been reached with the industry for the reservation of 35 per cent. of mill capacity for war work.

In the miscellaneous textiles group an important scheme for the filature reeling of silk has been sanctioned and is being executed. This scheme will more than double present output.

Clothing production is being stepped up rapidly. The manufacture in India of statichutes has been established. Plans for the production of barrage balloons in India are being finalised.

The production of leather goods is being stepped up with an organisation similar to that successfully adopted for clothing. A scheme to double the production of army boots has been sanctioned, and the machinery is being ordered. The export of hides of the types required by the Defence Services has been prohibited. Twenty-seven tanneries are being brought under special control for this purpose.

An important agreement has been reached under which exploration for petroleum will be resumed immediately.

Progress has been made with the refining of Baluchistan Sulphur, though up to the present the quantities refined are small. The Sulphur rock is being used directly in chamber plants on a considerable scale. A plan for the production of carbide in India is being finalised.

The production of an improved stirrup pump designed in India has been established, and the assembly of trailer pumps in India has been increased.

Sawmill capacity is being expanded by the Timber Directorate, and a complete new sawmill unit is expected from America.

Plant has been ordered from America to double the production of army biscuits.

(iii) *Directorate General of Ship Repairs and Ship Construction.*—This new organization is taking over ship construction from the Directorate General of Munitions Production, and is also improving the repair facilities of India. It has undertaken one scheme at Government expense for the provision of a new repair shop, and has assisted a private firm in the execution of another similar scheme.

(iv) *Electrical Commissioner.*—Orders have been placed for a reserve of generating sets and boilers of a well-known type.

(v) *Small scale industry.*—(a) The scheme for the use of small scale industry has been developed, and a large number of orders have been placed. Some idea of the volume of production obtainable from the organisation of local resources is given by the fact that, in one Province alone, the output of pith hats has exceeded 30,000 in one day.

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(b) The report of the American Technical Mission was referred to the newly constituted War Resources Committee for further action. Each recommendation of the Mission has been carefully examined, and satisfactory progress has been made. Many of the new developments to which I have already referred were among the projects recommended by the Mission, and they are receiving the Mission's active support.

(c) In the field of rationalization of industry, the War Resources Committee instructed the Directorate General of Supply to deal first with the tanning and boot making industries and with the rubber manufacturing industry. The tanneries capable of making leather of the quality required for the Defence Services are being brought under control. The Controller of Rubber Manufactures is proceeding gradually with his plans for the more effective use of India's supply of raw rubber.

On the Munitions Production side, the War Resources Committee approved the appointment of an Additional Director General to report on the possibility of rationalizing the general engineering industry. The Additional Director General (Major General Wood) examined 101 cases, and has selected 19 for more detailed examination. Seven schemes have now been propounded for immediate execution.

In addition to the rationalization measures referred to above, the Jute Mills Association were invited by the Commerce Department to undertake certain measures to reduce their demands for railway wagons. The Association have introduced a scheme which is expected to result in a considerable reduction.

Sir F. E. James: Can my Honourable friend give me details as to the progress that has been made in the rationalization of the machine tool industry?

The Honourable Sir Homi Mody: Five machine tool making plants are going to be assisted with plant and equipment from the United Kingdom at Government expense and a technical team is coming out from the United Kingdom for that purpose.

Dr. Sir Ziauddin Ahmad: Will the Honourable Member please elucidate one of the discoveries on the production side which he has made, which I would call epoch-making, that he has stopped all export of hides thus allowing a large number of hides in this country to be rotten away?

The Honourable Sir Homi Mody: I am going to answer that question presently; but I would only like to say now that I do not claim it either as an invention or a discovery.

Dr. Sir Ziauddin Ahmad: He has described it as an achievement of production which he has made; is it a production?

The Honourable Sir Homi Mody: I was dealing with the activities of the department and these activities go beyond merely production; they embrace schemes of production, rationalization and the like.

STARRED QUESTIONS AND ANSWERS

Dr. Sir Ziauddin Ahmad: It is a negative activity, letting a particular article to be rotten away without being of use to anybody.

The Honourable Sir Homi Mody: My Honourable friend will be able to satisfy himself presently when he asks his question, whether it is my intention to allow hides and skins to rot away or to be utilised to the greater benefit of the country.

Mr. Lalchand Navalrai: May I know if these schemes which the Honourable Member has mentioned are temporary for the war time only or whether they will subsist after the war?

The Honourable Sir Homi Mody: Some schemes will certainly, I hope, continue to exist after the war. Those schemes which are intended purely for the purpose of increasing munition production may have to be scrapped, but these are questions on which it is impossible to dogmatise at this stage.

Sardar Sant Singh: Have these recommendations been published and if so, have copies been supplied to Members of this Assembly?

The Honourable Sir Homi Mody: A very full summary has been published. It records all the recommendations.

Sardar Sant Singh: Why not the full text be published so that we may know the whole thing?

The Honourable Sir Homi Mody: The full text contains confidential matter which the Mission themselves wished to be regarded as confidential.

Sardar Sant Singh: Has the Honourable Member read the full report himself?

The Honourable Sir Homi Mody: Whenever I have a little time I try and do my job!

Sardar Sant Singh: Why not the Honourable Member give a straight reply—has he read the recommendations as a whole?

The Honourable Sir Homi Mody: What does the Honourable Member think I am here for?

STEPS FOR FULLEST UTILIZATION OF ALL FORMS OF TRANSPORT. GREATER USE OF PRODUCER GAS AND PROPER ALLOCATION OF PRIORITIES FOR FOODSTUFFS.

4. ***Sir F. E. James:** Will the Honourable Member for Railways and War Transport be pleased to state what steps have been taken, or are in contemplation, to ensure:

(a) the fullest utilization of all forms of transport by rail, sea, inland waters, road and air;

(b) the greater use by buses, lorries and private cars of producer gas, and the production of the necessary apparatus at a reasonable cost; and

(c) the proper allocation of priorities for foodstuffs for the civil population in view of the undoubted hardships now suffered in various parts of India, particularly by the poorer classes?

Sir Edward Benthall : (a) The Honourable Member is doubtless aware that the new Department of War Transport, whose creation was announced on the 9th July last, was designed to secure the very object mentioned in this part of the question. The Department includes Major Ports, Railway Priorities, the utilisation of Road and Inland Water Transport, Petrol Rationing and the use of Producer gas. The portfolio of the Member for War Transport also includes the Railway Department, but not Civil Aviation and Indian registered shipping. The question of Civil Aviation is one of communications rather than war transport. As regards sea transport, Indian registered shipping is under the Commerce Department, while British registered shipping is controlled by the British Ministry of War Transport. The closest liaison is maintained between the War Transport Department, the Commerce Department and the representative of the Ministry of War Transport in Delhi in day to day administration and also through a Central Priorities Committee on which these Departments are represented.

(b) The question of the conversion of transport vehicles to producer gas has engaged the active attention of my Department, and before that, of the Communications Department, in consultation with Provincial Governments, for the past six months. I am glad to say that the Madras Government has led the way in this matter and by the end of June last had carried through the conversion of 3,000 vehicles. I have not up to date figures with me, but provincial returns show that throughout British India 5,377 transport vehicles have been converted to producer gas. Quotas for steel have been obtained with the object of converting a further 12,000 vehicles by the end of the year, but whether this programme can be completed by the time indicated I am not in a position to say. As private cars consume much less petrol than transport vehicles, we devoted our attention in the first instance to the latter, but are now considering how far we can allot controlled steel for car plants. As regards the price of producer gas plants, there have recently been complaints that exorbitant prices are being charged. I recognise that this problem must be tackled and it is receiving the attention of my Department.

(c) The food requirements of Provinces are receiving priority. During the period 5th to 29th August, all Railways were instructed to concentrate on the movement of food grains, salt and sugar to the greatest possible extent. Since then, instructions have issued that special efforts should be made to meet the programmes of inter-provincial movements arranged by the Wheat Commissioner and the Sugar Controller, and that endeavours should be made to meet the requirements of Provincial Governments on a liberal scale, in regard to inter-provincial as well as internal movements of all foodstuffs. These orders will expire at the end of this month and thereafter, after reviewing the food position in the Provinces, we shall continue to give such priority to the movements of essential foodstuffs as may be necessary.

Pandit Lakshmi Kanta Maitra : With regard to part (c), may I inquire of the Honourable Member if he is aware that whereas in Bihar about sixty wagons were available for the supply of salt, no wagons were available for the supply of salt to Bengal and a complaint regarding that was made to the Honourable Member?

The Honourable Sir Edward Benthall : I believe that the salt position in Bengal is satisfactory at the moment.

Pandit Lakshmi Kanta Maitra : I want an answer to my question. Is it not a fact that the Honourable Member's Department did not pay any attention to the Bengal Government demand for wagons for the supply of salt to that province, whereas sixty wagons have been made available to the Province of Bihar?

The Honourable Sir Edward Benthall : My Department was endeavouring to arrange transport of salt by sea, and, as I have previously answered, with some success, as the salt position in Bengal is at the moment satisfactory.

Pandit Lakshmi Kanta Maitra : Is he aware that for the province of Assam no wagon was available for the supply of sugar?

The Honourable Sir Edward Benthall : I am not aware of that factor.

Dr. P. N. Banerjea : With regard to the answer to part (c) of the question, will the Honourable Member consider the desirability of including a few members of the Opposition in the Assembly as members of the Priorities Committee in view of the fact that a great deal of dissatisfaction has been expressed in regard to priorities for foodstuffs?

The Honourable Sir Edward Benthall : I am afraid that I cannot accede to that request, but I am always anxious to receive information from the public on any shortages of foodstuffs.

Mr. Lalchand Navalrai : May I know from the Honourable Member with regard to his answer to part (c) of the question, if any proportion or ratio has been fixed for the allocation of priorities of foodstuffs for civil population with regard to the giving of wagons and transport? Has any ratio been fixed, or any proportion such as, so much will be for the general public and so much for war purposes and so on?

The Honourable Sir Edward Benthall : No particular proportion has been fixed, but the priorities organisation is constantly watching the position. They are not only asking the railways to give priorities in general to foodstuffs, but are also from time to time arranging for special movements of foodstuffs whenever they may be found necessary.

Pandit Lakshmi Kanta Maitra : May I know whether there is any agency which is responsible for this allocation business?

The Honourable Sir Edward Benthall : The Department, acting on the advice of the Central Priorities Committee, gives general instructions to the railways, or inland water transport as the case may be, which move the goods.

Mr. K. C. Neogy: What is the composition of this priorities organisation?

The Honourable Sir Edward Benthall: It consists of myself in the Chair and representatives of the different Departments of the Government including the military authorities.

Mr. K. C. Neogy: To what extent have the local administration authorities of the railways a free hand in regard to the allocation of priorities?

The Honourable Sir Edward Benthall: Considerable general latitude is given to the local railway authorities to act in accordance with the general instructions which are given to them.

Mr. K. C. Neogy: Will the Honourable Member be pleased to lay on the Table of the House a copy of the general instructions to which he has just made reference?

The Honourable Sir Edward Benthall: No, Sir. They are constantly changing. Instructions are given from day to day.

Mr. N. M. Joshi: May I ask whether the Honourable Member is making any effort to co-ordinate the activities of the Departments in moving goods from one place to another in order to avoid waste of effort? I had heard that sugar from the Deccan is moved to Northern India by the military, while the Civil Departments of the Government move sugar from Northern India to the Deccan, thus causing unnecessary waste of effort.

The Honourable Sir Edward Benthall: Government gives its attention to those sorts of questions every day and it welcomes information from the public on all such cases so that we may be able to adjust them.

Pandit Lakshmi Kanta Maitra: With regard to the reply to part (b) of the question, the Honourable Member said that about 5000 motor transport vehicles were changed over to producer gas. Is the Honourable Member in a position to give us the number of motor-transport vehicles in this country and the percentage of those driven by the producer gas?

The Honourable Sir Edward Benthall: There are about 45,000 transport vehicles in civil use in the country at the present time, and I think 28,000 of them are motor buses and 17,000 are lorries.

Pandit Lakshmi Kanta Maitra: Out of this 45,000 transport vehicles, the bulk is under the command of the military or is requisitioned for military purposes. I am now asking the Honourable Member what percentage of the public transport vehicles is available for transport of food-stuffs and other commodities so as to relieve congestion on the railways?

The Honourable Sir Edward Benthall: I cannot answer that question offhand.

Pandit Lakshmi Kanta Maitra: I am asking if his mind has been applied to this question of relieving the congestion on the railways by utilising these transport vehicles for transport of foodstuffs?

The Honourable Sir Edward Benthall: During the course of the last week, it was the subject of discussion by the Transport Advisory Council.

Sir Cowasji Jehangir: May I ask whether the Honourable Member's attention has been drawn to the shortage of food in several provinces, which could be supplied by facilities of transport?

The Honourable Sir Edward Benthall: Yes. We have, as I stated, during the last month provided special priorities for foodstuffs in order to meet the demand to which the Honourable Member has referred.

Sir Cowasji Jehangir: What does special priority mean exactly?

The Honourable Sir Edward Benthall: Special priority in that case means priority on a level with or immediately after military movements.

Mr. Muhammad Azhar Ali: May I know from the Honourable Member in whose hands is the final decision on priority? Is it with the General Manager of the Railways or his underlings? In whose hands is the final decision on the priorities?

The Honourable Sir Edward Benthall: That depends largely on the size of the movement in question.

Mr. Lalchand Navalrai: May I know if any sub-agencies have been created in every division of the railways to give facilities of transport in local places, instead of getting orders from the central agency?

The Honourable Sir Edward Benthall: Yes, that is part of the ordinary business of the railways.

Pandit Lakshmi Kanta Maitra: With regard to the answer to part (a) of the question, is the Honourable Member aware that in parts of Bengal and Assam and even in Orissa, country boats have been seized? What alternative modes of transport have been provided in such cases for the transport of foodstuffs, by the Government?

The Honourable Sir Edward Benthall: I am not quite clear what the Honourable Member's precise question is.

Pandit Lakshmi Kanta Maitra: My question is this. In certain parts of Bengal, Orissa and Assam, country boats have been seized by the Government in order that they may not be used by the Japanese in case of invasion. Will the Honourable Member give us an idea if any alternative modes of transport have been provided in such cases?

The Honourable Sir Edward Benthall: So far from being abolished, we have instituted special enquiries as to how to make better use of the country boats.

Mr. E. L. C. Gwilt: May I ask whether the Priorities Committee is represented in the industrial centres?

The Honourable Sir Edward Benthall: Yes. There are regional priority officers in Calcutta, Bombay and Madras.

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

DAMAGE TO THE POSTAL DEPARTMENT PROPERTY RESULTING FROM THE RECENT MOB VIOLENCE.

5. *Mr. K. C. Neogy: (a) Will the Secretary of the Posts and Air Department be pleased to make as comprehensive a statement as is possible on the basis of information already available to him, indicating the nature and extent of damage to the property of the Postal Department as a result of the recent outbreak of hooliganism and acts of sabotage?

(b) How long was normal communication by post, telegraph and telephone interfered with in any area as a result of such sabotage?

Sir Gurunath Bewoor: (a) Sir, as desired by the Honourable Member, I will try to give as comprehensive a statement as is possible on the information so far available, but I hope it will be understood that the information is neither exhaustive nor absolutely up to date.

A noticeable feature of the recent disturbances in the country has been the numerous attacks on the means of communication. In the case of post offices, mobs attacked the buildings, took out the furniture, records and forms and burnt or scattered them. In a number of cases, however, the buildings themselves were set fire to. In some cases, the cash and stamp balances in the offices as well as valuable articles were looted and apparatus damaged. Apart from the attack on post offices, a number of letter boxes fixed in public places were stolen or damaged, and in other cases acid or other burning material was thrown inside the letter boxes damaging its contents. Few cases have occurred of attacks on mail runners with resultant robbing of mails, and the work of certain village postmen was interfered with in a few places. The total number of post offices attacked, as ascertained so far, was approximately 559, of which 53 were completely burnt down and serious damage was done to about 200. Over 200 post offices had to be closed down in certain areas as the conditions were such that it was felt that the staff could not continue to work with safety for the time being.

Telegraph and telephone lines and posts were tampered with in a large number of places, both in urban and in rural areas, and in some cases the posts were pulled down over considerable lengths. In certain cases, the wire was stolen. Some cases have been reported where parties which went to repair the lines were either attacked or interfered with by mobs and frequently, after repairs had been done, the lines were again tampered with.

It is not possible at present to give any estimate of the total loss caused to the Indian Posts and Telegraphs Department as a result of the acts of violence committed in different parts of the country. Reports received so far indicate that the total loss on account of cash and stamps looted is about one lakh of rupees. No estimate can yet be made of the loss to the Department caused by the theft of valuable articles and wires

and by the destruction of, or damage to, buildings, furniture, lines, wires and apparatus. This loss is in addition to the considerable loss of revenue caused by the loss of traffic on account of the interruption of the normal channels of post and telegraph communications. Account has further to be taken of the very grave inconvenience and serious loss caused to the general public, and particularly to the industrial and commercial community and to all business interests.

(b) The period has varied in different areas according to the extent of the damage done and the period during which the disturbances continued. Normal communication has now been restored, except in certain parts of some provinces, and every effort is being made to restore normal conditions everywhere as soon as practicable.

Sir F. E. James: May I ask my Honourable friend whether he can tell us the total number of post offices in India and the percentage of post offices which have been burnt or attacked?

Sir Gurunath Bewoor: I informed the House just now that 550 post offices were attacked, of which 53 were completely burnt down. 200 were seriously damaged. There are about 25,000 post offices in the country.

Sir F. E. James: May I ask my Honourable friend whether he is satisfied that the staff of his department has shown loyalty and devotion to duty in the discharge of their work?

Sir Gurunath Bewoor: I am glad and proud to say, Sir, that the department's staff have stood up to the troubles. They have had to work under great difficulties in scattered areas where they could easily be over-persuaded or intimidated, but in spite of that I am glad to say that the staff has loyally stuck to its work.

APPOINTMENT OF A NON-MUSLIM STENOGRAPHER IN THE RESEARCH BRANCH OF THE CENTRAL STANDARDS OFFICE FOR RAILWAYS.

6. *Syed Ghulam Bhik Nairang: Will the Honourable the Railway Member be pleased to state whether:

- the Chief Controller of Standardisation, Central Standards Office for Railways, by Office Memorandum, dated the 24th June, 1942, invited applications for a permanent post of Stenographer in the Research Branch of the Central Standards Office for Railways in the scale of Rs. 92-3-125;
- it was stated in the said Office Memorandum that, other qualifications being equal, preference would be given to a candidate belonging to the Muslim community or other minority communities;
- the candidate who applied, were tested and a Muslim candidate with considerable previous experience stood first in the test;
- in spite of the facts stated in part (c) above, a non-Muslim with no previous experience was appointed and the Muslim candidate was passed over; and

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(e) if the answer to all the parts above are in the affirmative, whether the Honourable the Railway Member proposes to take steps to right the wrong by cancelling the appointment of the non-Muslim candidate concerned and appointing the Muslim candidate concerned; if not, why not?

The Honourable Sir Edward Benthall: (a) and (b). Yes.

(c) 17 out of the 19 candidates who applied were tested, as regards the second part the reply is in the negative.

(d) The candidate who was finally appointed has had previous experience, mostly in commercial firms.

(e) Does not arise.

Mr. Lalchand Navalrai: May I know if the recruitment was made through the Public Service Commission or through the office?

The Honourable Sir Edward Benthall: Through the office.

RAILWAY JOURNEY PASSES ISSUED TO OFFICERS AND SERVANTS OF THE STATE RAILWAYS.

7. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Railway Member be pleased to state:

(a) the various classes of Railway Journey Passes issued to officials and servants of the State-managed Railways and the number of such passes issued every year to each grade while in service;

(b) the various classes of Railway Journey Passes issued to officers of high rank and other servants of the State-managed Railways after retirement from Railway service; and

(c) the period for which the officers and men referred to in part (b) are entitled to such passes?

The Honourable Sir Edward Benthall: Government have no information regarding the number of passes issued to officials, servants and the retired personnel of State Managed Railways. On the assumption, however, that the Honourable Member wishes to know the number of passes admissible, I lay on the table a statement of the information required.

Statement.

(a) The various classes of passes issued on State-managed Railways are:

- (i) *I Class.*—Gazetted officers, including those holding honorary ranks Matrons and Sisters-in-Charge of railway hospitals.
- (ii) *II Class.*—Subordinates drawing not less than Rs. 176 p.m. Female employees irrespective of pay.
- (iii) *Inter Class.*—Subordinates drawing between Rs. 76 and 175 p.m.
- (iv) *III Class.*—Employees drawing less than Rs. 76 p.m.

The number of passes admissible to each grade are:

	No. of sets p. a.
(i) Gazetted officers (appointed before 1st January 1939)	12
(ii) Gazetted officers (appointed on or after 1st January 1939)	6
Matrons and Sisters-in-Charge of railway hospitals	6
	including 2 sets over foreign lines.

(ii) *Other staff.*

2nd to 5th year of service

6th to 15th year of service

16th and over

25th year and over (those on old scales of pay only)

(b) Passes to retired employees on State-managed railways are issued on the following scale per annum, the class being in accordance with the pay on retirement:

(i) Gazetted officers of over 25 years' service.

(ii) Subordinates with not less than—30 years' service

35 years' service

(iii) Inferior servants

(c) For life.

1 } including one set over foreign lines.

2 }

3 }

4 }

3 sets over home or foreign lines.

1 set over home or foreign lines.

2 sets, including 1 over foreign lines.

Nil.

Mr. Muhammad Azhar Ali: Is it not a fact that gazetted and non-gazetted staff are provided with metal and card passes respectively for travelling on duty?

The Honourable Sir Edward Benthall: I think that is a fact.

Mr. Muhammad Azhar Ali: Is it not a fact that the holder of a metal pass is entitled to take his family and the holder of a card pass is not so entitled?

The Honourable Sir Edward Benthall: I should require notice of that question.

Mr. Lalchand Navalrai: May I know if the Honourable Member knows that these pass rules were taken into consideration by the Railway Board and by the railway authorities and may I know if the Honourable Member will look into the complaints that have been made when the final revision is made?

The Honourable Sir Edward Benthall: I will certainly inquire.

RESERVATION FOR MUSLIMS IN THE RECRUITMENT OF TELEGRAPHISTS AND TELEGRAPH MASTERS.

8. *Maulvi Muhammad Abdul Ghani: Will the Secretary of the Posts and Air Department please state:

(a) whether the Central Postal Circle and the United Provinces or other Circles have advertised for recruitment of Telegraphists and Telegraph-Masters; if so, the total number of persons who were recruited as Telegraphists and Telegraph-Masters in every Circle.

- (d) whether his attention has been drawn to the figures of such services in Appendix XVIII, part IV, page 51 of the Report on the work of Indian Posts and Telegraph Departments for 1940-41; if so, what steps the Department has taken to make up the deficiency in percentages for Muslims under that particular head of service?

Sir Gurnath Bewoor: (a) and (b). A competitive examination for the recruitment of telegraphists, clerks and male telephone operators is generally held every year in all Postal Circles and advertisements regarding this examination were published recently in all the Circles. Telegraph masters are not directly recruited, but are appointed solely by promotion of suitable and qualified telegraphists. The authorised number of telegraphists intended to be recruited in each Circle through the forthcoming competitive examination is given in the statement which I place on the table. The statement also shows the approximate number of posts reserved for Muslims as the exact numbers are not readily available.

(c) Yes.

(d) The reply to the first part is yes; as regard the latter part, the Honourable Member is presumably referring to the total strength of the cadre of telegraphists and telegraph masters. I may explain in this connection that the Home Department Resolution of 1934 applies only to vacancies filled by direct recruitment and does not contemplate making good existing deficiencies.

Statement showing (a) the authorised Number of Telegraphists intended to be recruited through the Competitive Examination and (b) the approximate Number of Posts reserved for Muslims.

Name of the Circle.	Total number to be recruited.	Number reserved for Muslims.
Bengal and Assam		
Bihar and Orissa	35	11
Bombay	8	1
Central		
Madras	7	
Punjab and N.-W. F.	33	2
United Provinces	46	17
Sind and Baluchistan	21	3
	3	1

STOPPAGE OF EXPORT OF RAW HIDE.

9. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Supply Member please state whether it is a fact that the Government of India have stopped the export of raw hide from India on the plea that the total quantity will be required for war purposes?

(b) What is the annual production of raw hide in this country?

(c) What is the quantity which can possibly be tanned for war purposes in this country?

(d) In what way do Government propose to purchase the balance at the market rates? If so, in what way would they like to utilise this hide?

(e) Will the Honourable Member be pleased to state under whose advice such action was taken by Government which will further deplete our export?

The Honourable Sir Homi Mody: (a) The Government of India have stopped the export of hides of a definite range of weights only.

(b) The annual production of hides in India is estimated at 25.7 million pieces, of which only a proportion estimate at 4.7 million pieces comes under the ban.

(c) The potential tanning capacity of India for war purposes is limited only by the supply of hides of suitable types and of training materials.

(d) Government do not propose to purchase the balance, as all hides can be utilised by the tanning industry in the country whether engaged on war supply work or not. The civilian demand for leather of all qualities is large and there exists a considerable demand for tanned leather the export of which is still permissible.

(e) The decision to prohibit the export of hides of specified types was taken by the Governor General in Council on the advice of his experts.

Dr. Sir Ziauddin Ahmad: Is it a fact that the Notification issued by the Supply Department in July clearly said that the exports of all kinds of hides is prohibited?

The Honourable Sir Homi Mody: It is not the case. The Notification did specify the types of hides. I have before me a copy of the Notification which clearly lays down the various categories of hides. I shall read the items in the Export Control Notification:

- Wet salted cow hides (trimmed according to trade custom) from 13 lbs. to 28 lbs.
- Dry salted or dry (arsenicated or otherwise) cow hides (trimmed according to trade custom) from 6 lbs. upwards,
- Wet salted buffalo hides (trimmed according to trade custom) from 25 lbs. upwards.

From this, my Honourable friend will see that the categories which are sought to be brought under control were clearly defined.

Dr. Sir Ziauddin Ahmad: May I ask whether the hides from 13 to 28 were required for war purposes and purchased for tanning?

The Honourable Sir Homi Mody: Yes, I think so.

Dr. Sir Ziauddin Ahmad: Is the Honourable Member sure of his figures that the total production is only 25 million pieces and not over 50 million pieces?

The Honourable Sir Homi Mody: I have taken my figures from the report on the marketing of hides, which shows the total production as 25.7 million pieces and the various categories which are left without any control are all but 4.7 million pieces.

Dr. Sir Ziauddin Ahmad: Is it the total production or only particular grades?

The Honourable Sir Homi Mody: All grades of hides.

Dr. Sir Ziauddin Ahmad: My Honourable friend is not correct in his figures. Has he consulted the Commerce Department on this matter before taking any action?

The Honourable Sir Homi Mody: The draft Notification was forwarded to the Commerce Department and issued by them after concurrence. Since an adjournment motion has also been tabled, perhaps the necessity for discussing it may be avoided if I give some more information on this point. The Deputy Director General had called a Conference of the Adviser Tanning and Leather Industries, the Adviser on Hides, the two Directors concerned with this matter and the Industrial Planning Officer. Unfortunately, the Adviser on Hides was unable to be present. The Deputy Director General, however was able to see the Hides Adviser the day after and he quotes below an extract from his note recording the discussions. I will read it out:

"I also showed the Hides Adviser the Order which we have requested the Commerce Department to issue prohibiting the export of certain types of hides and of leather. In the main, the Hides Adviser considered that the correct types of hides had been included in this Order. He felt however that it would be possible to exclude some types of hides from this prohibition without affecting in any way the types of supplies required by Government. I have asked him to examine the order carefully and to let us have his suggestions as to the types of hides which could be excluded."

The question was further discussed with the Hides Adviser as well as the Chairman of Hides Shippers Association, Calcutta. The result of these discussions is that we have agreed to examine the possibility of relaxing the total prohibition in respect of certain of the hides included in this Order and to permit their export under licence. It is hoped to be able to arrive at a decision within the next few days.

Dr. Sir Ziauddin Ahmad: The note which my Honourable friend has just read out does not convince me because it only says that he is pulled by one man. He did not say definitely what was the opinion of the Commerce Department on this point.

The Honourable Sir Homi Mody: The control of any commodity which is required strictly for war purposes is a matter for the Supply Department. The Commerce Department are consulted with regard to questions which affect the general interests of the commercial or the industrial community and they were consulted in this case.

Dr. Sir Ziauddin Ahmad: But not the prohibition and export. May I ask if the Honourable Member is aware that a very large number of hides are really lying at Dacca and they are allowed to rot and which cannot be used by his Department and which have, in fact, by the order of his Department been stopped and thus the wealth of the country is wasted?

The Honourable Sir Homi Mody: I am not aware of any such thing. If, however, that is the case, then we are prepared certainly to examine it. All that my Honourable friend has got to do is to send the facts to me officially.

Dr. Sir Ziauddin Ahmad: These facts have already been supplied to the Honourable Member by means of various notices by the Associations of Hides and Skins. It is generally interpreted that his orders were simply intended to harm the depressed classes and the Mussalmans.

The Honourable Sir Homi Mody: I did not think I had any particular bias against the depressed classes or the Mussalmans.

Dr. Sir Ziauddin Ahmad: The depressed classes and the Mussalmans are the only persons who are interested in this industry, and who are affected by his ordinance.

DAMAGE TO THE POSTAL DEPARTMENT PROPERTY RESULTING FROM THE RECENT MOB VIOLENCE.

10. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Posts and Air be pleased to state the names and number of post offices, province by province, burnt down and damaged between 10th and 31st August, 1942, on account of mob violence?

(b) Has the normal work of Postal Department been restored?

(c) How many post boxes were damaged and destroyed during the aforesaid period in different provinces?

(d) What would be the approximate financial loss to the Department caused by such damage and destruction of Post Offices, Telephone and Telegraph connections and by the looting of mails during transit, and on account of burning of Post Offices and destruction of boxes?

(e) Have normal conditions been restored and the delay in transit of Telegrams and Trunk Calls been remedied?

(f) What precautionary and preventive measures have been taken to prevent repetition of similar disturbances to postal department in future?

Sir Gurunath Bewoor: (a) to (e). I regret that the detailed information asked for by the Honourable Member is not readily available and cannot be collected without undue expenditure of labour, especially at a time when all local authorities are busily engaged in restoring normal conditions. I would, however, refer the Honourable Member to the comprehensive statement which I have just made in reply to a question by Mr. K. C. Neogy.

(f) Provincial authorities who are responsible for law and order have been and are taking all the necessary precautionary and preventive measures by every means open to Government under the law, including the enforcement of joint responsibility.

DAMAGE TO RAILWAY PROPERTY RESULTING FROM THE RECENT MOB VIOLENCE.

11. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Railways and War Transport be pleased to state in detail the damage done to the different Railways in India, Province by Province, as a result of the unrest created by the arrest of Congress Leaders?

(b) Will the Honourable Member be pleased to state the extent of damage in lineal measure, i.e., in yards and miles, and in money value as well?

(c) For how long had such damages to be left unrepaired and for how long had the normal running of trains to be postponed?

(d) Have all such damages been repaired and all normal running of trains been resumed?

(e) How many railway stations have been damaged and burnt down and what was the extent of damage? Have they been restored? What was the financial loss on account of such damages to stations and what amount has been already spent, and what is the estimated budget, for reconstruction of such damaged stations?

The Honourable Sir Edward Benthall: (a) to (e). It has not yet been possible to compile detailed information of all the damage caused to Indian Railways by the civil disobedience movement, but from available information over 250 stations have been damaged to a greater or lesser degree and there have been many instances of tampering with the track which have resulted in at least 24 derailments of trains. Many empty passenger vehicles have been burnt and goods wagons looted and damaged.

The greater part of the sabotage occurred in Northern Bihar and the eastern districts of the United Province.

No estimate of the cost of the damage to the railways has yet been prepared, but it is not likely to be less than one crore of rupees.

The restoration of the track has received first consideration, and in most areas this has already been accomplished. Other repairs are being and will be effected as early as possible.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that the figures relating to damages to railway tracks caused by the civil disobedience movement could not be readily ascertained, and the figures and balances? Did he say that?

The Honourable Sir Edward Benthall: That is so.

Mr. Muhammad Azhar Ali: Is the Honourable Member aware that the damage might have been done by discharged railway servants who have got grievances against the Railways?

The Honourable Sir Edward Benthall: That is possible, but we have no evidence at all that the railway servants in the employ of the railways have had anything to do with the destruction.

Mr. Muhammad Azhar Ali: Is it not a fact that some station masters have been found with currency notes that had been looted from certain stations in the vicinity of Gorakhpur?

The Honourable Sir Edward Benthall: I am not aware of that fact.

Sir Syed Raza Ali: Is the Honourable Member in a position to say how many of the 250 stations damaged or burnt are on the B. N. W. Railway?

The Honourable Sir Edward Benthall: Sir, I do not propose to go into the details of the exact number of stations burnt on a particular railway or of sections of the railways as that would be information which would be valuable to the enemy.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether this number includes the sabotage committed in Sind by the Hurs, who are out to disturb the tranquillity there?

The Honourable Sir Edward Benthall: No special consideration was given to that fact. These figures are general figures.

Mr. Muhammad Azhar Ali: Will the Government take this suggestion that a Committee of this House or of some non-official members of the local places where these atrocities have been committed be appointed to inquire into these cases of sabotage?

Mr. President (The Honourable Sir Abdur Rahim): That does not arise out of this question.

EXTENT OF DISLOCATION IN WAR TRANSPORT RESULTING FROM THE RECENT MOB VIOLENCE.

12. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Railways and War Transport be pleased to state how far the damage of railway track all over India affected war transport during the period between 10th August and 31st August?

(b) What steps have been taken to ease this condition to enable war transport to be run normally?

(c) What steps have been adopted to speed up war transport to make up the delay caused by such mob violence on railway tracks?

(d) What precautionary and preventive measures have been taken to render repetition of such mob violence impossible in future?

The Honourable Sir Edward Benthall: (a), (b) and (c). A temporary setback to war transport was experienced but this was rapidly overcome. This has been done chiefly at the expense of the travelling public by the curtailment of passenger services.

(d) Preventive measures are the responsibility of Provincial Governments and steps are being taken to obviate such disturbances in future by every means open to Government including the imposition of joint responsibility in districts through which the lines run.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that a portion of the track between Delhi and Mughalserai is intact? If that is so, will the Honourable Member tell us why a sufficient number of passenger trains are not running on that track? Only one train is allowed to run from Mughalserai to Delhi.

The Honourable Sir Edward Benthall: In these times it is necessary to give priority to goods. I am sorry for those passengers who will suffer as a result of these disturbances.

Mr. K. C. Neogy: The Honourable Member referred to the joint responsibility which has been enforced in certain areas. Is the Honourable Member in a position to indicate the legal authority on which such joint responsibility is being enforced?

The Honourable Sir Edward Benthall: No, Sir. That question should, I think, be addressed to another Department.

Mr. K. C. Neogy: What does the Honourable Member mean actually by "joint responsibility" in this context?

The Honourable Sir Edward Benthall: The collective responsibility of the local inhabitants.

Mr. K. C. Neogy: That is exactly what I wanted to know. Under what authority has such responsibility been enforced?

The Honourable Sir Edward Benthall: That, Sir, is a question which should be addressed to another Department.

Sir F. E. James: Is my Honourable friend satisfied with the loyalty of all grades of the railway staff in the face of very great provocation and in many cases danger?

The Honourable Sir Edward Benthall: That question arises on the next question, but I should like to take this opportunity also of saying that no praise could be too high for the conduct of the railway servants. I am not aware that there have been any resignations at all.

COMPLICITY OF RAILWAY LABOUR AND EMPLOYEES IN CAUSING DAMAGE TO RAILWAY PROPERTY.

13. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Railways and War Transport be pleased to state if the Railway labour was involved in injuring the railway tracks in conspiracy with the political parties? If so, did the Railway Board approach the Railway Unions with a view to bringing about a reconciliation between employees and Unions?

(b) How many people belonging to the Railway service have been found to have some active share in the burning and damaging railway tracks and stations? If none, were the damages to railway offices, stations and tracks done by outside mobs? If so, how many have been arrested and sent for trial?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the negative so far as I am aware. The second part does not arise, but I may mention that the majority of Railway unions led by the All-India Railwaymen's Federation have impressed on railway labour the necessity for railway servants to stick to their posts under war conditions however difficult.

(b) As regards the first part, none so far as I am aware. The reply to the second part is in the affirmative. As regards the third part, I have no information.

(b) WRITTEN ANSWERS.

MEETINGS AND FUNCTION OF THE SUPPLY COMMITTEE.

14. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Supply be pleased to state the function of the Supply Committee? Is it to lay down the general policy of the Department, the policy of employment in the Department or the policy of fixing quantum of supply to be made by different Provinces? If not, what nature of business the Supply Committee has to do or discuss at their meetings from time to time at different centres?

(b) How many meetings of the Committee were held during 1941 and 1942 and at what places and for how many days?

The Honourable Sir Homi Mody: (a) I take it the reference is to the Standing Committee attached to Supply Department. The attention of the Honourable Member is invited to the Notification of the Government of India in the Home Department No. F49, dated the 22nd August, 1922, as subsequently amended, a copy of which is available in the Library of the House. The Standing Committee works in accordance with the rules laid down in that Notification.

(b) Six meetings were held in 1941 and three have so far been held in 1942. The business of every meeting was concluded at one sitting. Of these nine meetings, one was held at Calcutta, two at Bombay, two at Simla and four at New Delhi.

RECRUITMENT OF TRAINEES FOR APPOINTMENT AS DEPUTY ASSISTANT CONTROLLERS OF PURCHASE.

15. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Supply state whether it is not a fact that there was a recruitment of trainees as Deputy Assistant Controllers of Purchase? Was the recruitment for these trainees advertised? If so, in what newspapers? How many applied, how many were recruited and out of the recruited number how many were technical men and how many non-technical? How many had business training already and how many were raw men from Colleges or schools? Of the total number, how many were Moslems?

(b) Is there any proposal for recruiting fresh trainees for Deputy Assistant Controllers of Purchase appointments? If so, have all the trained men been absorbed? When will fresh trainees be taken again? Is it the policy of the Department to take recruits from outside instead of promoting men already working in the Department?

The Honourable Sir Homi Mody: (a) and (b). Recently a class was opened for training candidates for appointment as Deputy Assistant Controllers of Purchase. Applications were not invited by advertisement but candidates were selected from the list of those who had appeared in the I. C. S. and other competitive examinations but had failed to get in. Applications received in response to advertisements published from time to time for regular posts of D. A. C. P. and from other sources were also considered. 80 candidates were interviewed out of whom 45 were selected for appointment as trainees. Out of these 45, 22 were Muslims and 23 belonged to other communities. 10 of these 45 candidates comprising two Muslims and eight others, declined the offer. The class was

therefore continued with 35 candidates consisting of 20 Muslims and 15 members of other communities. Seven of these candidates had technical qualifications and five were Government employees. All of them have since qualified but one Muslim has declined the appointment. The result, therefore, has been that 19 Muslims and 15 members of other communities have been finally appointed. 29 of these 34 candidates have already been absorbed in regular vacancies while the remaining five are at present employed as supernumeraries. It is hoped that they will also be absorbed in regular vacancies in the near future. The question whether a fresh batch of trainees should be recruited or not has not yet been taken up. Departmental promotions are a common feature, but all the vacancies cannot be filled by promotion as we must periodically infuse new blood into the administration.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to unstarred question No. 20A, asked by Pandit Lakshmi Kanta Mahtia on the 28th October, 1941.

WAGE PERIODS FIXED IN LOCAL AREAS ON STATE RAILWAYS UNDER THE PAYMENT OF WAGES ACT.

Statement showing the particulars of wage-periods fixed under section 4 (1) of the Payment of Wages Act, 1936.

NORTH WESTERN RAILWAY.

Particulars of staff in respect of which wage periods have been fixed.

Wage periods fixed.

(1) Headquarters office staff	} Calendar month, i.e., 1st to last date of a month.
(2) Office staff under D. S.'s and Extra Divisional Officers including Works Managers, Loco. and C. & W. Shops and in other factories.	
(3) S. T. Es.	
(4) Controllers	
(5) Workshop staff in Moghalpura, Jhelum, Dhillwan and Raiwind.	
(1) All Station staff	} From 3rd to 2nd of the following month.
(2) All superior staff of Loco., C. & W., Engineering, Medical, Electric, Signal and Interlocking Branches.	
(3) Inferior staff of Medical Branch	
1) Loco. Running Staff	} From 8th to 7th of the following month.
(2) Traffic Running Staff	
(1) Labourers and inferior staff of Loco., C. & W., Engineering, Electric and Signal, and Interlocking Branches.	} From 15th to 14th of the following month.
(2) Labourers and inferior staff of the Track Depots, Sukkur, Ghaziabad and Raiwind.	
Inferior staff and labourers of the Bridge Engineering Branch.	From 12th to 11th of the following month.

EASTERN BENGAL RAILWAY.

(Now known as Bengal and Assam Railway.)

Staff in the offices of or under the control of officers named below.

Wage periods fixed.

1. General Manager	} Calendar month, i.e., 1st to last date of month.
2. Chief Engineer	
3. Chief Mech. Engineer	
4. Chief Accounts Officer	
5. Traffic Manager	
6. Chief Medical Officer	
7. Statistical Officer	
8. Signal Engineer	} Calendar month 16th to 15th.
9. Asstt. Signal Engineer, Saidpur	
10. Executive Engineer, Calcutta	
11. Executive Engineer, Kanchrapara	
12. Executive Engineer, Paksey	
13. Executive Engineer, Saidpur	
14. Executive Engineer, Lalmonirhat	
15. Executive Engineer, Katihar	
16. Engineer-in-Charge, Hardinge Bridge	} Calendar month and 16th to 10th.
17. Engineer-in-Charge, Quarries, Calcutta	
18. Bridge Engineer, Calcutta	} Calendar month and 11th to 10th.
19. Distt. Traffic Supdt., Calcutta	
20. Distt. Traffic Supdt., Chitpur	
21. Distt. Traffic Supdt., Paksey	
22. Distt. Traffic Supdt., Domohani	
23. Distt. Traffic Supdt., Katihar	
24. Distt. Traffic Supdt., Dacca	
25. Marine Superintendent, Paksey	} Calendar month.
26. Superintendent, Watch & Ward, Sealdah	
27. Dy. Chief Mech. Engr., Shops, Kanchrapara	} Calendar month and 16th to 15th.
28. Dy. Chief Mech. Engr., Electrical, Calcutta	
29. Distt. Carr. & Wagon Supdt., Calcutta	
30. Distt. Loco. Supdt., Calcutta	
31. Distt. Loco. Supdt., Paksey	
32. Distt. Loco. Supdt., Lalmonirhat	
33. Asstt. Loco. Supdt., Dacca	
34. Works Manager, Carr. & Wagon, Kanchrapara	} Calendar month.
35. Works Manager, Loco., Kanchrapara	
36. Works Manager, Kanchrapara	} Calendar months and 16th to 15th.
37. Distt. Elec. Engr., Saidpur, South, Kanchrapara	
38. Distt. Elec. Engr., North, Saidpur	
39. Distt. Controller of Stores, Calcutta	
40. Distt. Controller of Stores, Halishar	
41. Distt. Controller of Stores, Saidpur	
42. Distt. Medical Officer, Calcutta	
43. Distt. Medical Officer, Kanchrapara	} Calendar month.
44. Distt. Medical Officer, Saidpur	
45. Distt. Medical Officer, Lalmonirhat	
46. Controller of Stores, Calcutta	

B. B. & C. I. RAILWAY.

Staff in the offices of or under the control of officers named below.

Wage periods fixed.

The General Manager	} 1st date to last date of a calendar month.
Compilation Officer	
Junior Accounts Officer, Bombay	
Deputy Chief Accounts Officer (Traffic), Ajmer	
The Chief Medical Officer, Bombay	
The Controller of Stores, Mahalakshmi	
The Superintendent of Stores, Ajmer	
The Loco. & Carriage Supdt., Parel	
The Carriage Works Manager, Parel	

Staff in the offices of or under the control of officers named below.

Wage periods fixed.

The Divisional Elect. Engineer (Loco.), Bombay

1st date to last date of a calendar month for all staff excluding carriage staff. 11th of a month to the 10th of the following month for Carriage staff.

The Distt. Loco. & Carr. Supdt., Parel
The Distt. Loco. & Carr. Supdt., Bulsar
The Distt. Loco. & Carr. Supdt., Ahmedabad
The Distt. Loco. & Carr. Supdt., Gangapur

1st date to last date of a calendar month for office staff and 11th of a month to the 10th of the following month for Shed, Running and Train Examining Staff.

The Loco. & Carr. Supdt., Ajmer

1st date to last date of a calendar month.

The Divl. Elect. Engineer (Loco.), Ajmer

1st date to last date of a calendar month for office staff and Workshop staff. 21st of a month to the 20th of the following month for out station staff.

The Distt. Loco. & Carr. Supdt., Mhow
The Distt. Loco. & Carr. Supdt., Bandikui
The Distt. Loco. & Carr. Supdt., Delhi
The Distt. Loco. & Carr. Supdt., Abu Road
The Dy. Chief Traffic Manager (Claims) and in his absence Asstt. Traffic Supdt.
The Distt. Traffic Supdt., Grant Road
The Distt. Traffic Supdt., Bulsar
The Distt. Traffic Supdt., Ahmedabad
The Distt. Traffic Supdt., Ratlam
The Distt. Traffic Supdt., Kotah
The Goods Agent, Carnac Bridge
The Watch & Ward Supdt., Bombay
The Superintendent of Telegraphs, Ajmer

1st date to last date of a calendar month for office staff and 11th of a month to the 10th of the following month for Shed, Running and Train Examining Staff.

The Distt. Traffic Supdt., Delhi
The Distt. Traffic Supdt., Abu Road
The Distt. Traffic Supdt., Bandikui
The Distt. Traffic Supdt., Fatehgarh
The Distt. Traffic Supdt., Mhow
The Asstt. Traffic Supdt. (Branches), Ahmedabad
The Traffic Supdt., Ajmer
The Chief Electrical Engineer, Bombay

1st date to last date of a calendar month.

The Divl. Elect. Engineer (Power), Bombay

1st date to last date of a calendar month for office staff and electrical shop staff. 21st of a month to the 20th of the following month for labour staff other than shop staff.

The Asstt. Elect. Engineer (Power), Dohad

The Divl. Elect. Engineer (Power), Ajmer

The Chief Engineer, Bombay

1st date to last date of a calendar month.

The Executive Engineer, Bombay
The Executive Engineer, Baroda
The Executive Engineer, Allahabad
The Executive Engineer, Ratlam
The Executive Engineer, Kotah

1st date to last date of a calendar month for office staff. 21st of a month to 20th of the following month for labour staff including the conservancy staff.

Staff in the offices of or under the control of officers named below.

Wage periods fixed.

The Engineer-in-Chief, Ajmer

1st date to last date of a calendar month.

The Executive Engineer, Bandikui
The Executive Engineer, Ajmer
The Executive Engineer, Abu Road
The Executive Engineer, Mhow
The Executive Engineer, Fatehgarh
The Executive Engineer, Sirsa

1st date to last date of a calendar month for office staff, 21st of a month to the 20th of the following month for labour staff including the conservancy staff.

The Assistant Engineer, Phulera
The Assistant Engineer, Benwar
The Assistant Engineer, Sabarnati
The Assistant Engineer, Neemuch
The Assistant Engineer, Muttra
The Assistant Engineer, Delhi

21st of a month to the 20th of the following month for conservancy staff.

The Deputy Chief Engineer, Signals, Bombay
The Divisional Signal Engineer, Bulsar
The Signal Engineer, Ajmer
The Divisional Engineer, Kotah
The Divisional Engineer, Bombay

1st date to last date of a calendar month for office staff, 21st of a month to the 20th of the following month for labour staff.

EAST INDIAN RAILWAY.

Particulars of staff in respect of which wage periods have been fixed. Wage period fixed.

Particulars of staff in respect of which wage periods have been fixed.	Calendar month.
1. Divisional Superintendent's Office, Howrah	Do.
2. Divisional Superintendent's Office, Traffic	Do.
3. Divisional Superintendent's Office, Loop Section	Do.
4. Divisional Superintendent's Office, Loco Section	Do.
5. Divisional Superintendent's Office, R. S.	Do.
6. Divisional Superintendent's Office, Way and Works	Do.
7. Divisional Superintendent's Office, D. S. E.	Do.
8. Divisional Accounts Office	Do.
9. D. S. Office Ticket Checking staff	Do.
10. A. S. W. Office No. 1, Howrah	Do.
11. A. S. W. Office No. 2, Howrah	Do.
12. Block Signal Inspector	Do.
13. Signal Inspector, Howrah	Do.
14. Train Controller, Howrah	Do.
15. Inspector, Watch and Ward, Howrah and Lillooah	Do.
16. Telegraph Office, Calcutta, Head Signaller	Do.
17. Running Shed Staff, Superior including Indian Audit School Teacher, Howrah	Do.
18. Running Shed Staff, Superior including BDC, BWN, IXJ	Do.
19. Running Shed Staff, Superior including RPH, AZ, SBG, Jmp.	Do.
20. D. S. Office and Traffic Inspector, Trolleyman, HWH, RPH, BDC, BWN, JMP, AZ, & SBG	Do.
21. A. S. W. Office, BWN, RPH, SBG & JMP	Do.
22. S. I. & B. S. I. Office, SBG	Do.
23. D. M. O.'s Office, Howrah	Do.
24. Sub Assistant Officer, Main Line Section HLO, BDC, BWN, MQU, UDL	Do.
25. Sub Assistant Officer, Loop Section, RPH, SBG & AZ	Do.
26. Inspector, Watch & Ward, BWN, BDC & JMP	Do.
27. Ferry Superintendent's Office, SBG	Do.
28. C. T. I., P. W. I., M. T. I., S. T. I., T. L. I., Howrah	Do.
29. Do. BDC, BWN, RPH, SBG, JMP, AZ	Do.

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Particulars of staff in respect of which wage periods have been fixed.	Wage periods fixed.
30. School Staff, RPH, BDC, BWN & SBG	Calendar month.
31. Lorry Garage staff	Do.
32. Loco. Running Staff, Indian E. & A. I. HWH.	Do.
33. Loco. Inferior staff, Howrah	5th to 4th.
34. C. & W. Training Examining Staff, subordinates, HG. Coach & LLH S. Yard	Do.
35. Loco. Inferior, BWN, BDC, DCJ, RPH, AZ, SBG, JMP	Do.
36. C. & W. Sub. and Menials, DCJ, BDC & BWN	Do.
37. Shalimar Gate Staff	Do.
38. Howrah Goods S. Q. Rs. entire R. R. Cooks LLH	Calendar month.
39. E. & A. I. Indian Guards, BDC, BWN, Loop Section, RPH, AZ SBG, JMP, & SBG.	Do.
40. Guards Auxy. BDC, BWN, RPH & AZ.	Do.
41. Sunday Bonus bills Engineering Department, Upper Sub Staff	Do.
42. Sunday Allowance bills of W. & W. Staff	Do.
43. Overtime bills under hours of Employment Rules C. & W. Loco. Staff	Do.
44. Do. Station Staff	Do.
45. Chitpur Box Cooly	Do.
46. T. C. Staff temporary JMP.	Do.
47. T. C. & T. E. E. Temporary Howrah	Calendar month 5th to 4th.
48. Loco. Rg. Staff E. & A. I. Indian BDC, BWN, EJC, RPH, SBG, JMP & BGP.	Do.
49. C. & W. Train Examining staff Menials Howrah Goods, HTXR, LLH, Sorting Yard. Coaching (Carriage Foreman).	Do.
50. Head Trains Clerk, DCJ.	Do.
51. W. & W. Inferior staff, HWH, LLH, BDC, BWN & JMP	8th to 7th.
52. C. & W. Sub. & Menials, SBG, RPH, AZ & JMP	Do.
53. Howrah Goods Staff Sub.	5th to 4th.
54. Goods Accountant Staff	8th to 7th.
55. Train Staff	Do.
56. Traffic Deptt. Station Subs: Howrah	Do.
57. Ferry Crews	Do.
58. Calcutta City Booking Offices	Do.
59. Overtime pay sheet of C. & W. staff	Do.
60. T. C. & TTE staff BDC, BWN, RPH, SBG, BGP, AZ & JMP	5th to 4th.
61. Sahibganj Station	8th to 7th.
62. LL to SHE and SHE to TAK	Do.
63. Goods Supervisor Menial Staff.	Do.
64. C. Y. M. Menials	Do.
65. Relg. A. S.-Ms. Clerks and Reserve Force Menials, HWH, BDC & BWN	Do.
66. Do. RPH, AZ, SBG, JMP & BGP	Do.
67. Station Menials	Do.
68. Guards R. R. Staff	Do.
69. TTE & T. C. Howrah	Do.
70. Station Paysheets (Road side)	Do.
71. Do. BGP, RPH, BDC, BWN, JMP, AZ and MGP	Do.
72. Sunday allowance of HWH, IVAE, SHM & Salkia	Do.

Particulars of staff in respect of which wage period have been fixed.	Wage period fixed.
73. E. & A. I. Indian Guards Main Line Sec., Howrah	11th to 10th.
74. S. W. T. Guards, Howrah	Do.
75. Engg. Labour Staff under P. W. I., Howrah	16th to 15th.
76. Engg. Labour Staff, Rajbandh & Construction.	Do.
77. Engg. Labour Staff, Gurup	Do.
78. Engg. Labour Staff, Rampurhaut	Do.
79. Engg. Labour Staff, Colgong	Do.
80. Engg. Labour Staff, Dhulian Ganges	Do.
81. I. O. W., Rampurhaut	Do.
82. A. S. W., Rampurhaut	Do.
83. P. W. I., Nabadwip	Do.
84. I. O. W., Howrah	Do.
85. Workshop Foreman, HWH	Do.
86. Bridge Inspector, HWH.	Do.
87. Sanitary Inspector, HWH	Do.
88. L. P. S. of Welder Office	Do.
89. A. S. W., Howrah No. 1	Do.
90. A. S. W., Howrah No. 2.	Do.
91. Trollymen under S. S. W., Howrah	Do.
92. P. W. I., Lillooah	Do.
93. P. W. I., Bandel	Do.
94. P. W. I., Bolpur	Do.
95. P. W. I., Azimganj	Do.
96. P. W. I., Pakur	Do.
97. P. W. I., Bhagalpur	Do.
98. I. O. W., Azimganj	Do.
99. I. O. W., Hooghly	Do.
100. I. O. W., LLH.	Do.
101. I. O. W., Bally	Do.
102. Sanitary Inspector, Bandel	Do.
103. L. P. S. of Punkha Pullers	Do.
104. Paysheet of Chairman SW (U)	Do.
105. Labour Engr. Staff under Surveyors	Do.
106. A. S. W., BWN.	Do.
107. P. W. I., BWN.	Do.
108. P. W. I., Sahabganj	17th to 16th.
109. A. P. W. I. JMP.	Do.
110. I. O. W., Burdwan (U)	Do.
111. I. O. W., Burdwan (L)	Do.
112. I. O. W., Sabahganj (U)	Do.
113. I. O. W., Sabahganj (U)	Do.
114. I. O. W., Jamalpur	16th to 15th.
115. Sanitary Inspector, Burdwan	Do.
116. Signal Inspector, Howrah	Do.
117. Do. , Bandel	Do.
118. Do. , Sahibganj	Do.
119. A. S. W., Sahibganj	Do.
120. B. S. I., Sahibganj	Do.
121. Do. Howrah	Do.
122. A. B. S. I., Bandel	Do.

[14TH SEPT. 1942]

Particulars of staff in respect of
which wage-periods have
been fixed.

Wage-periods fixed.

Lucknow Division.

1. Accounts staff, D. S. Office staff including menials, all T. Is., B. T. Is., M. T. Is., Traffic apprentices, Weigh Bridge Inspector, F. I. O. (Pump), P. T. Is., T. L. Is., S. T. I., Controllers, D. M. O. Office, LKO, Watch and Ward Office, Lucknow, A. S. W. Offices, Surveyors, Shed Offices	Calendar Month.
2. Loco. and Traffic Rg. staff (other than LKO Hd. Qrs.)	6th to 5th.
3. Station staff Relieving, Medical other than the D. M. O.'s Office, Watch & Ward outstation, T. T. Es.	8th to 7th.
4. Loco. & Carriage Superior & Inferior Shed staff other than cleaners	11th to 10th.
5. Loco. and Traffic Rg. staff Lucknow Head Quarters	16th to 15th.
6. Eng. staff, i.e., P. W. Is., I. O. Wa., with clerical staff and Gangman, etc.	18th to 17th.
7. Cleaners	6th to 5th.

Moradabad Division.

1. Station staff and Relieving staff	9th to 8th.
2. Watch and Ward staff (Inferior)	8th to 7th.
3. Engg. staff except A. S. W.'s Office	16th to 15th.
4. All other staff	Calendar Month.

Jamalpur Workshops.

1. D. C. M. E.'s Office staff (Superior & Inferior)	Calendar Month.
2. Asstt. Elec. Engineer (Superior & Inferior)	Do.
3. District Controller of Stores (Superior & Inferior)	Do.
4. Workshop Medical Office (Superior & Inferior)	Do.
5. All Rly. Schools at Jamalpur (Superior & Inferior)	Do.
6. W. A. Os. & S. A. Os. Offices (Superior & Inferior)	Do.
7. All workshop labour staff including Apprentices and Sub-Supervising staff	Do.

Lillooah Workshops.

1. Dy. Chief Mech. Engineer's Office staff, L.L.H.	Calendar Month.
2. Asstt. Elec. Engineer's Office staff, L.L.H.	Do.
3. Mech. Workshop staff	Do.
4. Mech. Workshop staff, Ondal	Do.
5. E. & A. I. Day School staff, Lillooah	Do.
6. Mech. Apprentices, Lillooah	Do.
7. Workshop Medical Office staff, Lillooah	Do.
8. Electrical labour staff at Lillooah and Outstations	Do.
9. Workshop Accounts Office staff, Lillooah	Do.
10. Stores Accounts Office staff, Lillooah	Do.
11. Workshop Trainees, Lillooah	Do.

G. I. P. Railway.

Particulars of staff in respect of
which wage-periods have
been fixed

Wage-periods fixed.

All staff except Running staff, Engineering Gangs and Traction staff.	Calendar Month
Running staff	11th to 10th.
Traction staff and Engineering Gangs	19th to 18th.

Information promised in reply to starred question No. 52 asked by Sardar Sant Singh (on behalf of Mr. Lalchand Navarai) on the 30th October, 1941.

LISTS OF WAR REQUIREMENTS, ARTICLES MANUFACTURED AND DRUGS PRODUCED IN INDIA.

NOTE.—It should be noted that items in the vocabularies of Ordnance and Medical Stores include a considerable number of "common user" stores, i.e., stores which all branches of the Defence Services require. Certain branches such as the Engineer-in-Chief, Naval Headquarters and Air Headquarters have in addition specialized requirements towards which India makes a considerable and increasing contribution; but as these specialized requirements vary more directly with operational needs than do common user items, it is not practicable to indicate what percentage of them is found in India.

Vocabulary Section.	Class of stores.	Approximate number of headings in Section, i.e., total number of items imported and indigenous.	Approximate percentage of items produced in India.
1	2	3	4
A.—ORDNANCE STORES.			
A-1	Accoutrements	500	85%
A-2	Anti-gas stores	150	90%
B-1	Small Arms and Components	883	41%
B-2	Small Arms Accessories, Tools and packages	443	92%
B-4	Rifles, Muskets and Bayonets other than service pattern	150	100%
C-1	Machine Guns, Mountings, etc.	1,600	30%
C-2		1,150	8%
C-3	Bicycles and Components	500	10%
D-1	Harness and Saddlery	1,200	85%
D-2	Horse, Pony and Mule shoes	60	85%
E-1	Hand carts, wheeled stretchers, all horse-drawn vehicles and components	650	100%
E-2	Pontoon and Bridging equipment	150	5%
E-3	Lifting and Transporting Apparatus	190	65%
E-4	Coast Defence items	20	20%
F	Tools and Machinery	3,100	56%
G-1	Ironmongery	1,400	43%
G-2	Metals	1,000	70%
H-1	Oils, Paints and Chemicals	350	97%
H-2	Cordage and Textiles	360	93%
H-3	Timber, hard and soft woods	60	100%
H-4	Packing cases and crates	60	99%
J-1	Camp and tentage	580	99%
J-2		150	
K	Barrack and Hospital Stores	1,000	90%

Asansol Division.

Particulars of staff in respect of which wage periods have been fixed. Wage period fixed.

1. All office staff	Calendar month.
2. Watch & Ward (Subordinate staff)	Do.
3. Medical staff	Do.
4. Railway Magistrate's Office staff and Court Clerk at Asansol	Do.
5. Elec. Department (Subordinate staff)	Do.
6. All School staff (Indian and European)	Do.
7. Inspectors of all categories	Do.
8. Indian & European Drivers and Shed staff	Do.
9. Chairman of Surveyors and of Mining Adviser at Dhanbad	Do.
10. Guards	6th to 5th.
11. Train Examiner	8th to 7th.
12. Watch and Ward (Menials)	11th to 10th.
13. Station Staff	Do.
14. Relg. Staff	Do.
15. Elec. Dept. (Labour staff)	Do.
16. Engg. Labour staff.	16th to 15th.

Dinapore Division.

1. All office staff attached to the Divl. Supdt.'s Office, Dinapore, D. A. O.'s Office, Dinapore, A. S. Ws., Dinapore, Moghalsarai, Gaya, Patna and Dehri-on-Sone; Medical Staff and Watch and Ward Staff up to the rank of Hd. Watchman and Engg. Artisan staff	Calendar month.
2. European Loco Rg. & Shed Staff and Traffic Running staff	Do.
3. Traffic staff other than Rg. Staff	6th to 5th.
4. Watch and Ward Labour staff	8th to 7th.
5. Indian Loco Rg. and Shed staff	11th to 10th.
6. TXR Staff	16th to 15th.
7. Engg. Labour Staff	21st to 20th.

Allahabad Division.

1. Divl. Supdt.'s office staff	Calendar month.
2. Divl. A/Cs. Office Staff	Do.
3. Control Office staff.	Do.
4. All Inspectors	Do.
5. All medical staff	Do.
6. All Carriage and Wagon staff	Do.
7. All Watch and Ward Subordinate staff	Do.
8. All European and Indian Loco. "Shed staff"	Do.
9. All Guards at Moghalsarai, Allahabad, Mirzapur.	Do.
10. Indian and European Rg. Staff, Cawnpore	2nd to 1st.
11. Indian Rg. Staff at Allahabad	6th to 5th.
12. Traffic staff (stn. staff, Goods Shed staff, etc., of all Stations)	8th to 7th.
13. All Watch and Ward Inferior staff	Do.
14. Indian and European Loco. Running staff, Tundla	10th to 9th.
15. All Indian Loco. Shed Inferior staff	11th to 10th.
16. All Engg. Labour staff	16th to 15th.
17. European running staff at Allahabad	18th to 17th.
18. Guards at Cawnpore, Fatehpur, Hathras, Tundla, Phaphund, Farukhabad, Ghaziabad	29th to 28th.

Particulars of staff in respect of which wage-periods have been fixed.

Wage-periods fixed.

Workshop Accounts, Lucknow.

1. Works Manager, C. & W., AMV staff.	} Calendar Month.
2. Works Manager, Loco., CB staff	
3. D. C. O. S., CB & AMV staff	

Workshop Accounts Office, Tatanagar.

All staff at Tatanagar	Calendar Month.
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Audit Control of Accounts Officer (EXP).

1. B. R. I., Upper Dn. FY? & ALD	16th to 15th.
2. B. R. I., PD., MGS	21st to 20th.
3. B. R. I., Lower, Madhupur	Do.
4. I. O. W., Hd. Qrs., Calcutta	Calendar Month.
5. Manager, Signal Shop, Howrah	Do.
6. A. B. E. Curves	Do.

Audit Control of Accounts Officer (Establishment).

1. Chief Engineer, Sub. & Inferior staff	} Calendar Month
2. Signal Works staff, Howrah	
3. Bridge Plant Depot staff, Moghalsarai	
4. Bridge Inspectors	
5. Chief Mechanical Engineer's Office, Sub. & Inferior staff	
6. Chief Commercial Manager Office staff	
7. Cash and Pay Deptt. staff, Calcutta	
8. Inspector of Accounts	
9. Chief Electric Engineer Office staff, Calcutta	
10. Traffic Accounts Office staff, Howrah	
11. C. M. O.'s staff, Hd. Office	
12. Ticket Supply Sec. staff, Howrah	
13. Outstanding Section staff, Howrah and Printing	
14. Printing Supdt. staff at Calcutta & Howrah and Printing Workshops staff, Calcutta, Labour staff, Howrah	
15. Farashes and conservancy staff, Calcutta	
16. Liftman, Calcutta	
17. Operating Deptt., Coal Bill Section staff, Calcutta	
18. Oakgrove School (Sub. & Menials), Jharipani	
19. Accounts Dept. (Genl.) including Colliery Accounts, S. T. Accounts and Press Accounts	
20. Controller of Stores Office staff, Calcutta	
21. D. C. O. S. Offices staff at Lillooah and Howrah	
22. General Manager's Office, Central Registry Office & Dy. General Manager (P.'s) Office at Calcutta	
23. A. R. P. staff, Calcutta	
24. C. O. P. S. Office staff, Calcutta	
25. Railway Rates and Advisory, Calcutta and T. A. O.'s Office staff, Calcutta	
26. Watch & Ward staff, Calcutta	

Vocabulary Section.	Class of stores.	Approximate number of headings in Section, i.e., total number of items imported and indigenous.	Approximate percentage of items produced in India.
1	2	3	4
A.—ORDNANCE STORES—contd.			
6. 6" How.—			
Complete equipments :—			
Ordnance			
Carriage	1	Nil.	
Components :—	1	Nil.	
Ordnance			
Carriage	80	100%	
P. & T. Posts and Telegraphs Stores	616	99%	
P-2 6" Mk. VII, VII Gun on Mks. II and V Mountings—	700	90%	
Complete equipments :—			
Ordnance			
Mounting	2	Nil.	
Components :—	2	Nil.	
Ordnance			
Mountings	125	100%	
7. 5"—	925	99%	
Complete equipment :—			
Ordnance			
Mountings	1	Nil.	
Components :—	1	Nil.	
Ordnance			
Mountings	90	100%	
12-pdr.—	690	100%	
Complete equipments :—			
Ordnance			
Mountings	1	Nil.	
Components :—	1	Nil.	
Ordnance			
Mountings	50	100%	
Q-1 Fuzes, Tubes and Primers, etc.	120	100%	
Q-2 S. A. A. fuzes Tubes, Primers, etc.	50	60%	
R-1 Drill Ammunition	55	75%	
R-2 Gun Ammunition	90	90%	
S-1 Drill Ammunition	90	77%	
B. L. and Coast Defence Ammunition	124	99%	
	34	88%	

Vocabulary Section.	Class of stores.	Approximate number of headings in Section, i.e., total number of items imported and indigenous.	Approximate percentage of items produced in India.
1	2	3	4
A.—ORDNANCE STORES—contd.			
S-2 Drill Ammunition		62	93%
T-1 Explosives, ancillaries, Mortar Ammunition and Mines		60	60%
T-2 Drill equipment		80	75%
U Magazine stores		50	95%
UDLOS Laboratory equipment		300	90%
V-1 Instruments Angle of Sight		1	Nil.
Instruments components		50	Nil.
Binoculars		2	5%
Binocular components		800	25%
Clinometers		6	70%
Clinometers components		46	80%
Director		4	Nil.
Director components		140	3%
Gun Rules		3	100%
Gun Rule components		25	100%
Height and Rangefinder		1	Nil.
Height and Rangefinder components		25	Nil.
Periscopes		3	Nil.
Periscopes components		80	Nil.
Predictor		4	Nil.
Predictor components		765	Nil.
Sights Dial		1	Nil.
Sights Dial components		200	20%
Stands Instrument		18	100%
Stands Instrument components		365	100%
Telescopes		11	Nil.
Telescopes components		160	Nil.
Parallelosopes		1	Nil.
Parallelosopes components		Nil	Nil.
V-1 Other miscellaneous components		750	70%
Range-finder		4	Nil.
Range-finder components		265	Nil.
V-2 Surveying and Drawing Instruments and Watches		1,700	41%
W-1 Field Works, Mining, and Water Supply Stores		700	30%
W-2 Electric cable and wires Primary cells and Miscellaneous Electric stores		800	5%
X Search lights, Generating sets and General Electric light stores		1,000	10%
Y Signal Stores		1,200	20%
Z Wireless equipment		7,000	1.4%

Vocabulary Section.	Class of stores.	Approximate number of headings in Section, i.e., total number of items imported and indigenous.	Approximate percentage of items produced in India.
1	2	3	4
A.—ORDNANCE STORES—concl'd.			
CA	All clothing stores	520	99%
CB		650	100%
CC		95	99%
CD		60	84%
CE		16	100%
CF		25	92%
CG		60	100%
CH		18	100%
CJ		17	100%
CK		30	100%
CR		200	75%

B.—MEDICAL STORES.

1 of the P.V.M.S.	Drugs	403	58%
2 "	Vaccines and Sera	17	53%
3 "	Aseptic Furniture	77	100%
4 "	Anæsthetic Appliances	81	70%
5 "	General Instruments and Appliances	490	78%
6 "	Ear, Nose and Throat Appliances and Instruments	276	55%
7 "	Eye Instruments and Appliances	153	45%
8 "	Fracture and Orthopædic Equipment	96	98%
9 "	Gynæcological and Obstetric Instruments	50	55%
10 "	Dental Equipment	440	42%
11 "	Post-Mortem Equipment	13	100%
12 "	Surgical Dressings	39	85%
13 "	Ligatures	25	20%
14 "	Nursing Appliances	85	85%
15 "	Dispensary Appliances	58	86%
16 "	Laboratory Appliances	246	50%
17 "	Laboratory Stains and Chemicals	110	42%
18 "	Biological Reagents	104	100%
19 "	Hygiene Appliances	22	100%
20 "	Hygiene Chemicals	17	75%
21 "	Anti-Malaria Equipment	37	62%
24 "	Veterinary Instruments and Appliances	168	86%

Information promised in reply to unstarred question No. 26 asked by Mr. Lalchand Navarai on the 5th November, 1941.

APPRENTICE PERMANENT WAY INSPECTORS ON NORTH WESTERN RAILWAY DEPRIVED OF RENT-FREE QUARTERS.

(a) Apprentice Permanent way Inspectors, recruited prior to 1st August, 1928, when placed in charge of definite works, could be allowed the use of railway quarters, free of rent, if quarters were vacant and available, but had no claims to free quarters, or rent in lieu thereof.

(b) No. The agreement executed by an apprentice Permanent-way Inspector is valid only for the period of his apprenticeship. A fresh agreement is necessary on his confirmation as a Permanent-way Inspector. Such fresh agreements were executed by the employees referred to by the Hon'ble Member except in a few cases, where the omission to do so was due to an oversight.

(c) & (d) Under the rent rules introduced from 1st August, 1928, only those employees were entitled to rent-free quarters, who had held, prior to that date, posts in the cadre which carried that concession. Apprentices hold no posts in a cadre, and so an apprentice who had not been appointed before 1st August, 1928, to a post carrying the concession, is not an entitled person. Some of these employees were, however, granted the concession and continued to enjoy on the North Western Railway till 1937, as stated by the Hon'ble Member, but this was a mistake.

(e) In view of the reply to (c) & (d) above, this does not arise.

(f) The answer to the first part is in the affirmative; as regards the second part, staff are only eligible for the privileges attached to their appointments at the time they enter service.

(g) Presumably by Assistant Permanent-way Inspectors the Hon'ble Member means Apprentice Permanent-way Inspectors. If so, under the State Railway Provident Fund Rules, apprentices in technical departments had the option to subscribe to the Provident Fund. This concession, which was withdrawn in June 1934, does not, however, justify the grant of another concession, viz., free quarters, which was not admissible.

Information promised in reply to unstarred question No. 53 asked by Quazi Muhammad Ahmad Kazmi on the 11th November, 1941.

SENIORITY OF CERTAIN HINDUS VIS-A-VIS CERTAIN MUSLIMS IN THE BINDING DEPARTMENT OF THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

(a) Yes.

(b) Yes.

(c) & (d) Yes. The cases of men affected have been set right.

Information promised in reply to starred question No. 149 asked by Sardar Sant Singh on the 12th November 1941.

PRACTICE IN THE MATTER OF OBSERVING THE PERCENTAGE FOR REPRESENTATION OF MINORITY COMMUNITIES IN GOVERNMENT OF INDIA SERVICES.

Statement showing how the communal representation orders are observed in the subordinate offices of the Departments of the Government of India, at Simla, Delhi and New Delhi.

Name of Deptt.	Name of the subordinate office.	Whether the communal percentages are observed in each grade separately.	If not, the reasons, and the procedure followed.
Rly. Deptt.	Rly. Clearing Accounts Office.	Yes.	
Finance Deptt.	(1) Inspectorate of Customs and Central Excises, New Delhi. (2) Central Revenues Central Laboratory, Delhi.	No.	*The number of posts in each grade being small, the entire strength of the clerical staff is treated as one unit for the purpose of communal representation.
	(3) Other offices	Yes.	
	(1) Imperial Record Deptt. (2) Delhi Polytechnic (3) Survey of India Office.	Yes, as far as practicable No.* No.	
E., H. & L. Deptt.	(4) Imperial Agricultural Research Institute.	Yes; the subordinate services in the I. A. R. I. are classified into four distinct groups, viz. (i) Scientific, (ii) Technical, (iii) Artists, (iv) Ministerial. Each of these groups is again classified under two heads: (a) Upper, (ii) Lower. The communal reservations are applied separately to each of these divisions and grades in the offices located at one place.	*(There are only 4 clerical posts carrying different rates of pay, and it is not practicable to consider these posts separately for the purpose of communal representation in applying the communal orders. Vacancies in the survey of India, as a whole, are taken into account. Direct recruitment is made in the lowest grade and vacancies in the upper grades are filled by promotion.
Mty. Deptt.	Finance M. A. G.'s office	Yes; in the Third Division which is recruited direct. Recruitment to the higher division is generally by promotion or transfer.	
Labour Deptt.		Yes, in all the subordinate offices.	
Communications Deptt.	(1) Postal and Telegraph offices. (2) Offices subordinate to the Director of Civil Aviation. (3) India Meteorological offices.	Yes. Yes. Yes, as far as practicable. Where it is not practicable, posts on the same or approximately the same pay are grouped together for the purpose of communal representation.	
Information and Broadcasting Deptt.	All-India Radio, and its subordinate offices in Delhi.	Yes.	

Information promised in reply to starred question No. 23 asked by Mr. Amarendra Nath Chattopadhyaya on the 12th February, 1942.

AIR RAID CASUALTIES AMONGST INDIANS IN RANGOON, MOULMEIN AND TAVOY.

(a) Reports received show that 1,102 persons were killed and 1,650 injured in the two heavy air raids on Rangoon, and that 38 persons were killed and 80 injured in Moulmein. The majority of them are believed to have been Indians.

(b) and (c) Apart from air raids injured treated in hospitals in Burma, some 130 hospital cases were brought to Calcutta on a ship carrying evacuees; and some 25 injured persons are reported to have been landed in Vizagapatam. No record is available of the number of women and children included in these arrivals or of their province of origin.

(d) Between 75 and 80 thousand Indians were evacuated to India by sea and about 4,925 by air. About 4 lakhs of Indians are believed to have come to India by the land routes.

(e) No information is available.

Information promised in reply to part (b) of starred question No. 41 and unstarred question No. 15 asked by Mr. Lalchand Navalrai on the 16th February, 1942.

DISMISSALS FOR INSOLVENCY OR HABITUAL INDEBTEDNESS ON STATE RAILWAYS.

Starred question No. 41.—No employee was dismissed on account of insolvency or habitual indebtedness on the East Indian, Bombay, Baroda & Central India, and Bengal & Assam Railways. One employee was removed from service on the North Western Railway for habitual indebtedness.

STATE RAILWAY STAFF GIVEN CONSOLIDATED OR PERMANENT TRAVELLING ALLOWANCE.

Unstarred question No. 15.—(a) Reply to the first part is in the affirmative so far as the Bengal and Assam, East Indian, and North Western Railways are concerned. A list showing the categories in question on each railway is attached.

(b) No, because the travelling allowance is not in the nature of pay.

(c) Does not arise.

Railway.	Categories of staff.
North Western	Special Ticket Examiners.
"	Van Sorters.
Bengal & Assam	Travelling Ticket Examiners.
"	Crew-in-charge.
"	Crewman.
East Indian	Travelling Ticket Examiners.
"	Personal Inspectors.
"	Pass Inspector.
"	Labour Advisors.
"	Personal Inspectors' peons.
"	Train booking clerks.
"	Fitter-in-charge, outdoor on the Howrah, Dinaapore, Allahabad and Lucknow Divisions.
"	Van goods porters and cooks.
"	Surveyors (temporary) at Madhupur under Bridge Engineer.
"	Head Mistries (temporary) under Bridge Engineer.
"	Head Trolley men at Madhupur under Bridge Engineer.

Information promised in reply to part (d) of unstarred question No. 20, and parts (a), (b) and (c) of unstarred question No. 21 asked by Qazi Muhammad Ahmad Kazmi on the 16th February, 1942.

CATERING CONTRACTS WITH BALLABHDAS ESHWARDAS ON EAST INDIAN RAILWAY.

No. 20.—I am informed that this is not a fact. Divisional Superintendents are authorised to grant catering and vending contracts at any stations in their respective divisions to any contractor other than the firm mentioned.

MONOPOLY OF CATERING CONTRACT TO BALLABHDAS ESHWARDAS ON EAST INDIAN RAILWAY.

No. 21.—(a) This is not a fact. Divisional Superintendents are authorised to deal with all complaints against this firm and take such action as they consider necessary.

(b) The Hon'ble Member is referred to the information laid on the table in reply to part (d) of his unstarred question No. 20.

(c) The facts are as stated in the oral reply given to the Hon'ble Member's question and the information now laid on the table.

Information promised in reply to starred question No. 99 asked by Dr. Sir Ziauddin Ahmad on the 25th February, 1942.

WATER SUPPLY PROBLEM AT AJMER.

Mr. Griffin recommended that wells in Saraswati Valley placed at a sufficient distance apart should be sunk to provide a new source of supply for drinking water for Ajmer and that trial borings should be taken. Certain experiments were carried out and as a result thereof he advised that the idea of tube wells should be given up and that ordinary wells should be sunk. This is being done now. It is not possible to state when the new water supply will be available.

Information promised in reply to starred question No. 142 asked by Mr. N. M. Joshi on the 6th March, 1942.

REDUCTION IN PAY OF SWEEPERS OF THE OFFICE OF THE CONTROLLER OF SUPPLY, BOMBAY.

(a) No.

(b) No; the rates vary from office to office.

(c) No. As already explained, there is no uniform rate of pay for sweepers in Bombay offices and the Government of India rates also vary similarly.

(d) Does not arise.

Information promised in reply to parts (b) to (d) of starred question No. 147 asked by Bhai Parma Nand on the 6th March 1942

RESIGNED SORTERS RE-EMPLOYED IN THE POSTAL AND ENGINEERING CADRE IN THE PUNJAB AND NORTH-WEST FRONTIER POSTAL CIRCLE.

(b) Orders have now been issued that no relaxation of the recruitment rules should be allowed in the case of officials who have resigned their appointments.

(c) Yes.

(d) The position is that certain officials serving in the R. M. S. and Postal branches of the Department in the Punjab and N. W. F. Circle applied for transfer to other branches and in some cases this request was granted on condition that the officials concerned resigned their original appointments. In other cases similar requests were refused on administrative grounds. The Postmaster-General, Punjab and N. W. F. Circle, has been directed strictly to observe the orders on this subject in future.

Information promised in reply to starred questions Nos. 152 and 153 asked by Mr. Muhammad Nauman on the 6th March, 1942.

UNQUALIFIED EMPLOYEES PROMOTED AS MISTRIES IN LOCO. WORKSHOP, LUCKNOW.

No. 152.—(a) Three employees were declared as suitable at the selection held in January 1939.

(b) The standard by which the men were judged was subsequently lowered and thus a few who, at the first selection were declared as unqualified, became eligible for promotion.

PERFORMANCE OF RELIGIOUS CEREMONIES IN THE CARRIAGE AND WAGON SHOP, LUCKNOW.

No. 153.—(a) The reply is in the negative; it is understood that in September 1941 certain staff did hold Kirtans in the shops during the recess hour but this was prohibited when it came to notice.

(b) No, but Hindu staff are permitted according to a long-standing custom to perform worship of the machines and tools on Vishvakarma Puja day which is a shop holiday.

(c) Permission is granted to workshop staff but not to outsiders to worship in a temple which is within the boundary wall of the shop on Shivratri day which is also a shop holiday.

(d) It is understood that one such application was made which was rejected.

(e) Government do not propose to interfere in this matter. Only those requests which have the sanction of long established custom behind them are granted and Government consider it undesirable that such privileges should be enlarged; every request is dealt with on its merits in accordance with this policy.

Information promised in reply to unstarred question No. 46 asked by Maulana Zafar Ali Khan on the 7th March, 1942.

AVENUE FOR PROMOTION FOR ASSISTANT SURGEONS.

(a) There are no rules regarding the promotion of Assistant Surgeons to the rank of Civil Surgeon in the centrally administered areas.

(b) Does not arise.

(c) Yes.

(d) The total number of Assistant Surgeons and Civil Surgeons in the centrally administered areas and the number of Muslims holding these appointments in March 1942, were as follows:—

Province.	No. of Asstt. Surgeons.	No. of Civil Surgeons.	No. of Muslims holding these posts.	Remarks.
Delhi	7	3*	3	*One post held in abeyance.
Coorg		1	..	
Baluchistan	5†	2‡	2	†Excludes one temporary post. ‡One post held in abeyance.
Ajmer-Merwara	3 (including one lady Assistant Surgeon).	1§	..	§Excludes one post of Additional Civil Surgeon.

(e) None.

(f) to (h). Do not arise.

Information promised in reply to starred questions Nos. 172, 173 and 175, asked by Mr. Ananga Mohan Das on the 11th March, 1942.

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

No. 172.—(c) Sixty subordinates, whose services vary from 3 to 34 years.
(d) Nine.

EXPENDITURE ON AMENITIES FOR EMPLOYEES ON BENGAL AND ASSAM RAILWAY.

No. 173.—(a) Europeans (including Anglo-Indians)—965.
Indians—71,558.

(b) (i) and (ii) The amount spent on the education of European children from April 1941 to January 1942 was Rs. 40,164 and on the education of Indian children for the same period Rs. 27,197.

(iii) Contributions made from April 1941 to January 1942 to European Institutes was Rs. 36,601 and to Indian Institutes Rs. 10,420.

RAILWAY CLUB RESERVED FOR EUROPEANS

No. 175.—(a) There are separate Clubs or Institutes on the B. & A. Railway for Europeans and Anglo-Indians, and for Indians. Swimming facilities are provided at some of these which are used by the members of such Clubs or Institutes. In exceptional cases, outsiders are, however, allowed to become members. As regards the Pahartali Swimming Club, the reply is in the affirmative.

(b) The reply is in the affirmative so far as the A. B. Section of the B. & A. Railway is concerned, and in the negative as regards the E. B. section of that Railway.

Information promised in reply to starred questions Nos. 178 and 179 asked by Qazi Muhammad Ahmad Kazmi on the 11th March, 1942.

COMPLAINT AGAINST THE RAILWAY CINDER CONTRACTOR AT LUCKNOW.

No. 178.—(a) Yes, with the exception that there is a limitation on supplies.
(b) Yes.

(c) Yes; additional demands from railway employees who had not previously bought cinders increased the demand by 400 per cent.
(d) No.

(e) Yes so far as concerns the fixation of the quantity of cinders which could be supplied to an employee; delivery has always been charged on a fixed scale.
(f) Government have no information on the matter.

CINDER CONTRACT AT LUCKNOW RAILWAY STATION.

No. 179.—(a) The present Ash pit cleaning, cinder picking and disposal of ashes contract at Lucknow expired on the 31st May, 1942.

Information promised in reply to starred question No. 193 asked by Mr. H. M. Abdullah on the 17th March, 1942.

NOTICES BY DELHI IMPROVEMENT TRUST TO LESSEES FOR SPEEDING UP BUILDING.

(a) No. A lessee who has purchased land from the Trust and who has failed to complete his building within the period prescribed in the lease, is allowed an extension of one year without payment, and extensions beyond this period for the duration of the war are now granted on payment of additional premium at the rate of $\frac{1}{4}$ per cent per month.

(b) Steel can be purchased in accordance with the Steel Control Order.

(c) There has been a rise in the cost of bricks but the increase is not as great as suggested in the question. Wood can be obtained without great difficulty.

(d) Does not arise.

Information promised in reply to starred question No. 202 asked by Qazi Muhammad Ahmad Kazmi on the 17th March, 1942.

MUSLIM GRAVEYARD FOR ALIGANJ AREA, DELHI.

(a) Yes.

(b) and (c) A representation was received by the Chief Commissioner and enquiries are now being made with a view to selecting a suitable site for a graveyard, if one can be found.

(c) No, the Jangpura cemetery is between two and three miles from Aliganj.

(d) Government are not aware that any very great difficulty is being experienced.

Information promised in reply to starred question No. 216 asked by Mr. Amarendra Nath Chattopadhyaya on the 19th March, 1942.

CASH AND PAY CONTRACTORS ON NORTH WESTERN RAILWAY.

(a) Yes.

(b) Only a small proportion of the cadre of the Railway Clearing Accounts Office represents posts transferred from the cadre of the N. W. Railway Accounts Office. The Clearing Accounts Office is not a part of the N. W. Railway organisation but is an independent account office responsible for the foreign Traffic Accounts and Statistics of five railways. The question of N. W. Railway Cash Contractor being asked to undertake payment to the Clearing Accounts Office Staff as part of his N. W. Railway contract does not therefore arise.

(c) Reply to the first part is in the affirmative. As regards the second part, the tender was invited sometime in 1917 and is not now available. The procedure had been in vogue long before the agreement with the present contractor was executed.

(d) Yes. Contingent expenses amounting to approximately Rs. 12,000 per annum are paid to the contractor. The claims for contingent expenses are checked by the Accounts Department. No check is exercised over the working expenses which are paid by the contractor himself. Contingent expenses are not covered by the remuneration paid to the contractors in accordance with the terms of the agreement. Uniforms to peons are allowed outside the agreement. This concession has been in force since 1920 and is in the interests of the railway administration.

APPEALS AND PETITIONS BY STAFF OF THE ARCHAEOLOGICAL DEPARTMENT.

No. 220—

1	2	3	4	5
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.
1. Dr. M. Nazim, Superintendent, Archl. Survey, Muslim.	Government of India, Department of Education, Health and Lands.	Confirmation of Mr. H. L. Srivastava as Superintendent, before Dr. Nazim.	1. Confirmation of Mr. H. L. Srivastava as Superintendent in supersession of the appellant. 2. No reasons were communicated to the appellant for this supersession.	Non-selection of the appellant for a selection post was neither a penalty specified in Rule 49 of the Classification, Control and Appeal Rules nor an order altering to the appellant's disadvantage the conditions of his service. No appeal therefore lay either under Rule 56 or Rule 58 of the C. C. and Appeal Rules.
2. Dr. M. Nazim, Superintendent, Archl. Survey, Muslim.	Ditto	Orders in column 3 above.	That it was not embodied in any rules that the post of Superintendent in the Archl. Survey was a selection post for purposes of selection.	There was no reason for reconsideration of the orders already passed and the petition was therefore, rejected.
3. Mr. H. H. Khan, Superintendent, Archl. Survey, Muslim.	Ditto	Stoppage at the Efficiency Bar.	That the stoppage was not justified.	Rejected by the Governor General in Council as his work was not up to the required standard.
4. Mr. C. C. Das Gupta, Assistant Superintendent, Archl. Survey, Hindu.	Ditto	Termination of service after the probationary period.	That probation should have been followed by confirmation.	Re-employment on probation for one year allowed by the Governor General in Council as a matter of grace.
5. Mr. Zahurudd Ahmed, Muslim.	Director General of Archaeology in India.	Stoppage at the Efficiency Bar.	The procedure prescribed in the rules was not followed.	In allowing the appeal the Government of India remanded the proceedings for disposal in accordance with the rules.
6. Ditto	Ditto	Promotion of an Assistant as Office Superintendent.	Supersession	Withheld by Director General of Archaeology under clause 7 (14) of the Petition Rules.
7. Mr. Mohd. Yasin, Muslim.	Ditto	Promotion of a Clerk as an Assistant.	Do.	Government decided that no appeal lay in the case.
8. Dr. K. N. Puri, Hindu.	Superintendent, Archl. Survey, Central Circle, Patna.	Reversion to the minimum of time scale in the grade of Rs. 150—10—250.	Reversion	Restored to original pay on the ground that the Superintendent was not competent to award the punishment. A warning was administered to the appellant.
9. Mr. S. Bhattacharyya, Hindu.	Director General of Archy. in India.	Demoted from the post of Accountant to the post of Head Clerk.	Demotion	Rejected by the Government of India on the ground that the cases were fully considered by them in 1935 and that no fresh facts were advanced for revision of these orders.
10. Mr. N. K. Dass, Hindu	Ditto	Demoted from the post of Head Clerk to 2nd Clerk's post.	Do.	The Superintendent adhered to his previous decision and the D. G. A. was not disposed to exercise his powers as an appellate authority in such a petty matter.
11. Pandit Raj Nath Kalla, Hindu.	Superintendent, Archl. Survey, Northern Circle, Agra.	That the petitioner was entitled to officiating allowance as he was performing duties of the post of the Head Draftsman in addition to his own.		
12. Ninua, Farash, Hindu.	Superintendent, Archl. Survey, Northern Circle, Agra.	Ninua Farash was discharged as he was convicted by a Court in a criminal case.		As the dismissal was a sequel to the man's conviction by a Court of Law the D. G. A. declined to reinstate the appellant in service.

Name and community of the appellant or petitioner.

1

13. Mr. Mohd. Sharif, Muslim.

Superintendent, Archaeological Survey, Frontier Circle, Lahore.

Stoppage of annual increment for one year with the effect of postponing future increments for two years.

1. The grounds on which the increment had been stopped were not proved.
2. No formal charges were framed against the appellant and
3. No opportunity was given to him for defence as required by rules.

The entire question had been carefully considered at previous stages and as no new facts were revealed the appeal was rejected.

14.

Ditto

Director General of Archaeology in India.

Petition for review against D. G. Archaeology's orders embodied in column 5 above.

1, 2 & 3 as above.
4. The Superintendent, Archaeological Survey, Frontier Circle had previous consultations with the appellate authority.

All the circumstances of the case had been fully considered before in rejecting his appeal, hence rejected.

15. Mr. Mohd. Zaimud Din, Muslim.

Superintendent, Archaeological Survey, Frontier Circle.

Stoppage of annual increment for one year with the effect of postponing future increments for two years.

1. Stoppage of increment although audit objections were satisfactorily explained.
2. The appellant did not commit any misdeemeanour.

Rejected, there being no sufficient reasons to interfere with the order of the Archaeological Superintendent.

16.

Mr. Zahurul Hasnain, Muslim.

Ditto

Stoppage of annual increment for two years with the effect of postponing future increments.

1. No formal charges were framed against the appellant.
2. No chance for defence was given to him, thus denying the protection afforded by the C. C. & A. Rules.
3. The allegation that the appellant's work and conduct was unsatisfactory had not been proved.

The punishment awarded was thought to be justified and the appeal was rejected.

Brief subject of the orders passed or punishment awarded.

3

Grounds of appeal.

4

Orders passed by appellate or reviewing authority with reason in brief.

5

TEMPORARY AND WORK-CHARGED SUPERIOR STAFF EMPLOYED AT CERTAIN ARCHAEOLOGICAL EXCAVATIONS.

No. 223.—Temporary superior staff employed in connection with the Harappa excavations during the years 1927 to 1931.

No.	Designation.	Pay.	From	To	Temporary or work-charged.	Total.
Rs.						
1927.						
1	1 Temporary Overseer	60	1-1-1927	7-4-1927	Temporary	4
2	1 Temporary Overseer	50	1-1-1927	11-5-1927	Temporary	
3	1 Temporary Overseer	75	12-5-1927	31-12-1927	Temporary	
4	1 Temporary Overseer	75	22-11-1927	31-12-1927	Temporary	
1928.						
5	1 Temporary Overseer	75	1-1-1928	30-9-1928	Temporary	3
6	1 Temporary Overseer	75	1-1-1928	3-3-1928	Temporary	
7	1 Temporary Overseer	75	14-12-1928	31-12-1928	Temporary	
1929.						
8	1 Temporary Overseer	75	1-1-1929	31-3-1929 and	Temporary	2
9	1 Temporary Overseer	75	2-11-1929	31-12-1929	Temporary	
			19-10-1929	31-12-1929		
1930.						
10	1 Temporary Overseer	75	1-1-1930	31-12-1930	Temporary	3
11	1 Temporary Overseer	75	1-1-1930	31-12-1930	Temporary	
12	1 Temporary Overseer	100	1-12-1930	31-12-1930	Temporary	
1931.						
13	1 Temporary Overseer	75	1-1-1931	31-7-1931	Temporary	3
14	1 Temporary Overseer	75	1-1-1931	31-7-1931	Temporary	
15	1 Temporary Overseer	100	1-1-1931	31-3-1931	Temporary	

Information promised in reply to part (c) of starred question No. 250 asked by Mr. Lalchand Navalrai on the 24th March, 1942.

PROMOTIONS OF SUB-DIVISIONAL CLERKS ON NORTH WESTERN RAILWAY.

Signallers and Assistant Station Masters have never been placed on a common seniority for promotion.

Information promised in reply to starred question No. 262 asked by Mr. Umar Aly Shah on the 25th March, 1942.

UNSAFETY OF SHOPS IN NEW DELHI.

(a) Landlords and householders in Delhi, as in other threatened towns, have been advised to prepare suitable refuges for themselves either by strengthening a suitable room or by constructing a trench or shelter out of doors.

(b) Suitable measures will be taken by the authorities to deal effectively with any tendency to disorder.

(c) Almost all the shops in New Delhi are non-residential, and the occupants of the shops are not permitted to use them for residential purposes unless they include approved residential accommodation.

(d) Yes, but the remedy for defects of this kind lies in the hands of the shop-keepers; the risk of pilfering after an air raid can to a large extent be overcome by the installation of suitable protective arrangements behind the glass windows.

(e) Government have no information on this point.

(f) As already stated in reply to part (b), the necessary measures will be taken by the authorities concerned to deal with any situation that may arise.

Information promised in reply to starred question No. 285 asked by Mr. Lalchand Navalrai on the 31st March, 1942.

"COMMERCIAL STAFF" MEETINGS ON NORTH WESTERN RAILWAY AT KARACHI.

(a) Such meetings were started in February, 1942 and so far only two meetings have been held.

(b) About 70 employees attend the monthly meetings and of them only 16 are entitled to higher class accommodation. These men travel from different stations to Karachi, not necessarily on the same day or by the same train. It is understood from the General Manager, North Western Railway that he has not received any complaint of inconvenience on this account from the travelling public. The meetings are held to discuss many urgent problems that arise in connection with the existing abnormal conditions.

(c) Such monthly meetings are also held on Rawalpindi Division; the latter part does not arise.

(d) The travelling allowance paid to the employees for the meeting held in February last amounted approximately to Rs. 80; such expenses are justified for the reasons stated in the reply to part (b).

(e) No; these meetings serve a very useful purpose.

Information promised in reply to unstarred questions Nos. 90, 94 and 95 asked by Qazi Muhammad Ahmad Kazmi on the 31st March, 1942.

UNIFORMS FOR TRAINS CLERKS ON NORTH WESTERN RAILWAY.

No. 90.—The reply to the first part is in the affirmative. As regards the second and third parts, uniforms are supplied to staff who come into close contact with the public, to those whose duties expose them to extreme cold or to rain and to staff whose duties are liable to damage their clothes. The trains clerks satisfy none of these conditions and Government do not propose to change the present orders.

MUSLIM TRAFFIC INSPECTORS ON BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

No. 94.—The answer to the first part is in the affirmative as regards the Metre Gauge section also.

BAN ON CERTAIN PROMOTION OF INTERCHANGE STOCK VERIFIERS ON BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

No. 95.—The reply to the first two parts is in the negative, the third part does not arise.

Information promised in reply to parts (a) and (b) of unstarred question No. 98 asked by Maulvi Muhammad Abdul Ghani on the 31st March, 1942.

SUBLETTING OF CERTAIN VENDING CONTRACTS BY BALLABHDAS ESHWARDAS.

(a) Enquiries made from the North Western Railway show that Messrs. Ballabhdas Eshwardas have not sublet any part of their contract for vending certain commodities at Delhi Main Railway station to one Umrao Singh resident of Katra Lachho Singh near Fountain Delhi or to any other person. They are carrying out this contract themselves.

(b) Enquiries made from the East Indian Railway show that the contracts referred to have not been sublet to Ram Chander of Hathras or to any other party. Ram Chander Agarwal is an employee of Messrs. Ballabhdas Eshwardas.

Information promised in reply to unstarred questions Nos. 105 and 112 asked by Mr. Muhammad Azhar Ali on the 31st March, 1942.

CHEAP GRAIN SHOPS OPENED BY EAST INDIAN RAILWAY.

No. 105.—(a) & (b).—It is understood that grain has on some occasions, been transferred from the shops to refreshment rooms and food stalls run by Messrs. Ballabhdas Eshwardas on the East Indian Railway. Grain has also been sold to one employee of the contractors, who, however, assists in the management of the grain shop at Lucknow. Government are satisfied that no irregularity has taken place in these transactions.

(c) It is understood that Messrs. Ballabhdas Eshwardas employ about 2,000 persons in connection with their catering contracts. Government cannot undertake to furnish any detailed information regarding persons in the service of private contractors.

EXTENSIONS OF SERVICE DUE TO WAR IN RAILWAY BOARD AND STATE RAILWAYS.

No. 112.—The period of extension granted to non-gazetted staff on State-managed Railways does not exceed one year except in very rare instances.

Information promised in reply to starred question No. 309 asked by Sardar Sant Singh on the 1st April, 1942.

INSTITUTIONS GRANTED LANDS IN NEW DELHI.

(a) A statement containing the required information is laid on the table of the House.

(b) An application was received from the Gurdwara Parbandhak Committee in October, 1939, for the allotment of a site for a primary school. The allotment was sanctioned and the Committee was informed accordingly in October, 1940. Another application was received in December, 1940, from the Khalsa Youngmen Association for a site. This application is awaiting disposal pending a decision on the future policy of the Government of India to be adopted in such cases. There has been no discrimination in the matter.

Names of Institutions who have been granted land in New Delhi since 1926

Institution.	Date of application.	Date of sanction.
1. Masonic Lodge	26-12-21	29-1-26
2. Modern School	28-4-21	20-6-27
3. Red Cross Society	7-4-29	22-1-30
4. Lahore Diocesan Church Association	28-10-29	9-5-30
5. Rama Krishna Mission	28-2-29	9-6-30
6. Sanathan Dharma Sabha	1-2-29	17-9-31
7. Kali Bari	31-12-29	17-9-31
8. Sweepers Temple	4-3-30	17-9-31
9. South Indian Association	26-5-30	17-6-33
10. Hindu Mahasabha	6-4-33	10-8-33
11. Lady Irwin College	4-11-32	9-3-35
12. Maha Bodhi Society	29-11-34	10-7-35
13. Harcourt Butler School	28-12-33	9-3-37
14. Mata Sundri Road Temple Trust (Chamar.)	30-5-30	6-11-37
15. Lady Irwin School for Girls	28-2-36	19-1-39
16. Ramjas High School	25-9-34	19-1-39
17. D. A. V. High School	15-2-35	19-1-39
18. Union Academy	14-5-36	19-1-39
19. Arya Kanya Patshala	14-5-36	4-3-39
20. Delhi Children's Aid Society	12-2-36	19-8-39
21. Deaf and Dumb School	12-3-35	8-12-39
22. Boy Scouts Association	13-2-39	9-1-40
23. Managing Committee, Shiwala Apu Ganga Dhar	Nil.	18-1-40
24. Anjuman-i-Islamia	21-4-38	31-8-40
25. Gurdwara Parbandhak Committee	16-12-39	28-2-41
26. Garhwal Sarab Hiteshin Sabha	25-5-40	

[14TH SEPT. 1942]

Information promised in reply to unstarred questions Nos. 118, 119 and 122 asked by Babu Kailash Behari Lal on the 1st April, 1942.

NOTIFIED AREA COMMITTEE, SHAHDARA.

No. 118.—(a) The date is not readily ascertainable. The Notified Area Committee of Shahdara was constituted before the incorporation of this tract in the Delhi Province in 1915.

(b) The Notified Area Committee consists of 9 members including the President and is constituted for periods of three years at a time under section 242 of the Punjab Municipal Act. All the Members are nominated. The appointment of the Secretary and the other officers of the Committee is governed by the provisions of sections 38 and 39 of the Act.

(c) The population of Shahdara at the time of its constitution as a Notified Area is not known, but at the census of 1911 the population was 5107. The population according to the 1941 census is 15,970.

(d) The Hon'ble Member is referred to the reply given to part (b) of starred question No. 227, asked on the 20th March, 1942.

NOTIFIED AREA COMMITTEE, SHAHDARA.

No. 119.—(a) A statement giving the required information is laid on the table.

(b) The Punjab Municipal Act, 1911, as extended to the Delhi Province and applied to the Shahdara Notified Area with the various rules made thereunder.

(c) and (d). The audit of the accounts of the Notified Area Committee is conducted by an Accountant of the office of the Accountant General, Central Revenues. The audit note is laid before the Committee and the objections are disposed of in accordance with the instructions of the Committee. A copy of the audit note and the replies thereto are forwarded to the Deputy Commissioner and the Chief Commissioner. The procedure is not different from that of the other notified areas.

(e) Yes, through the nominated members.

(f) The annual audit of the accounts of the Committee provides the usual protection against waste and misuse.

(g) Yes. A sum of Rs. 30,000 is out-standing against a loan of Rs. 60,000 taken by the Committee on account of the water supply of the town. This amount is being liquidated by annual instalments of Rs. 3,000.

(h) The sanitation of the town of Shahdara and its suburbs is satisfactory. The Chief Health Officer, Delhi Province last inspected the town in November, 1941 and its suburbs in March, 1942.

The statement of income and expenditure of the Notified Area Committee, Shahdara for the years 1935-1941.

	1935-36	1936-37	1937-38	1938-39	1939-40	1940-41
Income ..	Rs. 37,123	35,124	41,185	42,453	37,674	53,610
Expenditure ..	27,855	33,580	34,733	42,746	43,428	42,735

APPLICATION FOR COMPENSATION BY ONE MUSAMMAT RAM PIARI, WIDOW OF KARAN SINGH, A PALADDAR ON SHAHDARA-SAHARANPUR RAILWAY.

No. 122.—(b) An application from the person mentioned was received by the Commissioner for Workmen's Compensation in Delhi (the District Judge) but there is no record in his office of the date and mode of its receipt.

(c) The records in the office of the Commissioner for Workmen's Compensation show that the application was returned to the sender on the 13th August, 1941 but as no copy of the application was retained it is not possible to say with what remarks it was returned.

(d) and (e). The Commissioner has been asked to invite the applicant to resubmit the application and pass such further orders on it as seemed to him appropriate.

DEATHS OF SIR IBRAHIM RAHIMTOOLA, DR. E. RAGHAVENDRA RAO, SETH HAJI SIR ABDOOLA HAROON AND LIEUT. COLONEL SIR HENRY GIDNEY.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, with your permission, I have to refer to the deaths of some of our distinguished colleagues who died after the last meeting of the Legislative Assembly. All of them were our distinguished country men, all of them, in one capacity or another, were connected with this Legislative Assembly.

First of all, I mention the death of late Sir Ibrahim Rahimtoola, an honoured name. As you are aware, Sir, he was the President of this Legislative Assembly for about two years. He had a distinguished career as a public man. He came from Bombay. He occupied the position of the President of the Bombay Corporation. He was a Member of the Provincial Legislative Council in olden days and he was also a Member of the Bombay Executive Council. He was a member of the Royal Commission on Labour and certain other important Committees also. As a Member of various Committees he displayed his great ability. He was one of those Muslims who was looked up to not only as a pious Muslim, but also a Muslim of broad and nationalistic outlook. Although his death had occurred at the ripe old age of 80, yet we still mourn it as premature. All of us feel all the more sorry that it had taken place at a time like this.

Next, I refer to the death of another distinguished Indian, the late Dr. Raghavendra Rao. While referring to his death, I feel almost overwhelmed with feelings. I had the privilege of working as his colleague in public life for about thirty years in my Province. You know, Sir, how he rose from one place to another by dint of his sheer merit and ability and enthusiasm and integrity which he had shown in the discharge of his onerous duties. He worked in the local bodies and immediately after the constitutional reforms were introduced, he came to the Provincial Council as a representative of the people, and on account of his ability, he was unanimously marked out by his colleagues as the man fit to occupy the responsible position of a Minister. Twice he was elected a Minister; he also worked as a Member of the Executive Council in that Province, and as you are aware, Sir, he also rose to the distinguished and rare position of the Governor of the Central Provinces and Berar, a rare honour for an Indian. After having assumed all these responsible positions and discharged those duties with distinction, he had the privilege of being appointed as an Adviser to the Secretary of State. Afterwards, he was persuaded to agree at considerable sacrifice to assume the duty of a Member of the Viceroy's Executive Council. All my colleagues will bear me out when I say that although he was suffering acutely physically, still he did not mind those sufferings and he tried his best to serve the country and discharge the onerous duties attached to his office. In fact, I will say that he fell a victim to his sense of duty.

Next, I wish to refer to the death of two other distinguished colleagues of ours. I refer to the death of Sir Abdulla Haroon. He was a man of business. We all know of the valuable contributions he used to make whenever there was any debate relating to commerce and industry. His practical experience of business had enabled him and qualified him to

[Mr. M. S. Aney]

pronounce his opinion on those questions with authority and he was listened to by all Members of the House with great respect and attention. Besides, Sir Abdoolla Haroon was regarded as an embodiment of dignity and whenever he entered this House, he used to inspire everybody with respect by his courteousness and the usual manner in which he was behaving towards his colleagues. I had the privilege of enjoying his hospitality. Everyone who had the privilege of being his guest had certainly found in him a very hospitable host. He was one of those men who commanded the respect both of Hindus and Muslims alike. We lost in him a very valuable colleague.

Then, I refer to the death of Sir Henry Gidney. He was probably the most familiar and popular figure not only in this Legislature, but in the city of Delhi. He has been a Member of this House from the year 1921 and probably with one or two short interruptions, he was continuously a Member of this House. If there is anybody who can be compared to him as regards the duration of his membership in this Assembly, I believe he is Mr. Joshi. These two have been continuously Members of this House since this House came into existence after the inauguration of the Montford Reforms. As a public man, Sir Henry Gidney's services were mainly in the interest of the Anglo-Indian community, and I believe there is no single man of whom it can more justly be said that he had given the best of what he had in the interest of his community. He was the doughty champion of the cause of the Anglo-Indian community in this House. I believe the Anglo-Indian community owes a great debt of gratitude to the late Sir Henry Gidney. Although he was standing for the interest of his community, still I know, and most of us know as well, how valuable his advice has been on matters of general interest to the country at large. Besides this, he had another charming quality in him. He was the most popular figure in the city of Delhi. At every social function he used to attend, I know that Sir Henry Gidney, through his sprightly wit and inexhaustible fund of humorous stories used to gather round him a circle of admiring friends very easily. Delhi has lost one of the most popular social figures in the death of Sir Henry Gidney. He was not only a public man who championed the cause of his minority community, but he was a popular society man also.

In this short period of a few months we have lost four distinguished colleagues and, Sir, it is my request to you that on behalf of this House you should convey to the members of the bereaved families our sincere sense of sorrow.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, on behalf of my Party I associate myself with the condolence motion and have to say that my Party and myself sincerely feel the loss which has been suffered by the country and by this House in the death of Dr. Raghavendra Rao, Sir Abdulla Haroon and Sir Henry Gidney who were Members of this Assembly and of one of the old Presidents of this House. Sir Ibrahim Rahimtoola, who although he had retired from this House, long ago was really a source of strength to all public movements and all public causes even in the retired life which he led after leaving this House. Sir Ibrahim Rahimtoola was a gentleman about whom no praise would be too much as an ideal citizen and a great administrator who had served in various capacities and proved the mettle of which he

DEATHS OF SIR IBRAHIM RAHIMTOOLA, DR. E. RAGHAVENDRA RAO, SETH
HAJI SIR ABDOOLA HAROON AND LIEUT.-COL. SIR HENRY GIDNEY.

was made and the great sense of duty which he possessed. He set a very brilliant example by resigning the presidentship and membership of this House as soon as he discovered that owing to ill-health he could not cope with the work which he had to do as President of the Assembly and could not do justice to the high ideals which he had in his mind. That will, I think, stand as one of the best testimonies to the high sense of duty which that gentleman had.

As to Dr. Raghavendra Rao, we associate ourselves with every word that has been said by the Leader of the House about him and it is a great regret indeed that a gentleman so highly qualified and with such vast and varied experience as Dr. Raghavendra Rao was not spared longer to serve in the responsible position of a Member of the Executive Council, and was taken away from us by the hand of death rather prematurely.

As regards Sir Abdulla Haroon, he was one of the pillars of strength of my Party and of the organization to which I have the honour to belong—the All-India Muslim League—and there is no doubt that in his death along with this House and the country, the All-India Muslim League and my Party have suffered an irreparable loss. He was a gentleman of the old school—if any one chooses to call him so—in the sense that he was not a man of modern education, but we know and we felt on every occasion that he took a very sound and sane view of every question that came up before the House and his opinions about matters relating to public affairs were always of the soundest and most valuable type.

As to Sir Henry Gidney, of course, he was one of the most popular figures in this House and his services to the cause of the country and to the cause of his own community—the Anglo-Indian community—were most invaluable. There is no doubt that he will be missed long and remembered long.

With these few remarks I join the Honourable the Leader of the House in the condolence motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): I associate myself and my Party with all that has been said by the Leader of the House. India today has become decidedly poorer by the passing away of these four distinguished persons.

Mr. Hooseinbhoj A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, I most sincerely associate myself with all the remarks that have fallen from the previous speakers. So far as Sir Ibrahim Rahimtoola is concerned, I need not say much because it is so well known that in every walk of life he was regarded as a leader and he fulfilled great tasks that were entrusted to him with the greatest sense of duty. In fact, Sir, he has been an example to many of us and it will be on the records of history that India can produce men like him, men of his calibre who can discharge their duties as admirably as any other great people can boast of.

Sir, with regard to Dr. Raghavendra Rao, after what has fallen from the Leader of the House, who knew him so very well, and after the great tribute he has paid and to which other speakers have also added, I will only say that he was another great man of whom this country could feel proud. The country feels his loss very much at this juncture.

[Mr. Hooseinbhoy A. Lalljee.]

So far as my friend, Sir Abdulla Haroon, is concerned, he was in the business and was a great businessman. In the business-life he made a name and we are proud to say that the manner and extent of business which he carried on will certainly remind many in this country as to how commerce and industry could be well-handled by Indians. Whatever task he undertook he saw it through. He first joined the Bombay Legislative Council when I was there as a member of the Swaraj Party and so long as he was a member of that party he most sincerely worked for it. For some years we have seen him as a member of the Muslim League Party and everybody ought to be proud of the manner in which he worked for his Party and for the objective for which his Party stood.

Now, Sir, coming to my old friend, Sir Henry Gidney, I knew him from 1917 when he joined the Corporation of Bombay. I can assure the House that he was always for maintaining and for obtaining equal status for the people of this country. He was proud of his mother country and he was second to none in obtaining, and attempted and tried his level best to get, the rights of the Indians established as equals. No doubt, Sir, he was very anxious to maintain the connection of this country with that of Great Britain, and that was quite natural, and the way in which he moved in that direction was also, in my humble opinion, very fair and laudable. It is regrettable to find that such attempts as he made were not so well appreciated some times, but all the same there they are and sooner or later they will be appreciated. In forming this Party, the only objective that he had, and the members of this Party had, was to be able to give to the representatives of the people in this House ample opportunity for being able to represent the case of their constituency and to maintain co-operation with the Government always remembering that the status of Indians in every walk of life ought to be equal.

With these words, I associate myself with all that has fallen from the previous speakers.

Sir Henry Richardson (Nominated Non-Official): Sir, I wish to associate the European Group with the sentiments expressed by the Honourable the Leader of the House, and the other Members who have spoken, and to join our sincere regrets with theirs at the loss of so many distinguished persons connected with this Assembly since last we met. In particular, I feel I must make a special reference to the late Sir Henry Gidney, who for nearly ten years was a Member of this Group. Although he was compelled to devote almost his entire attention, as leader, to his community and its problems, he nevertheless co-operated with his colleagues, and even after he joined the Independent Party, the friendly guidance and discussions so mutually helpful were continued and appreciated. During the last Session he occupied this seat next to me, and I had many opportunities of closely observing his devotion and constant action in support of his community's claims. We in this Group can appreciate the loss which that community has suffered by his passing, and with them we mourn him as an old colleague and as a personal friend. I request, Sir, that our expressions and sympathies be included with those which will be conveyed to the bereaved families.

Mr. F. R. Anthony (Nominated Non-Official): Sir, as the successor of the late Sir Henry Gidney to the leadership of the Anglo-Indian community, may I say how deeply I appreciate the sentiments that have been expressed about him to-day. Like every man in public life, he received his full share, perhaps more than his share, of vilification and abuse. But by sheer indomitable courage and inescapable brilliance he achieved what I believe will be a permanent place in Indian history. His whole life represented the realization, the incarnation of his motto: "The impossible is possible". The son of a railwayman he achieved not only national, but international fame as a great ophthalmic surgeon. To an unorganized, and politically inarticulate community, he gave, by his gift for leadership, his genius for organization, a very definite place in Indian national life; and while the protection and advancement of Anglo-Indian interests represented the beginning and the end of his political creed, he never forgot that he was a son of India. To his leadership, his guidance and his inspiration, is due to the fact that the Anglo-Indian community has become increasingly aware of its position as one of the Indian communities. Because of him we are today not only in fact, but, what is much more important, in spirit, the children of mother India. On behalf of my community, Sir, I salute the memory of a great Anglo-Indian leader and a great Indian gentleman.

Mr. President (The Honourable Sir Abdur Rahim): I share the profound sorrow that has been expressed on all sides of the House at the death of so many distinguished men connected with the Assembly who have passed away after the last meeting of this House. I do not think I can add anything to the tributes so eloquently paid to the memory of their great services to the country, and it will be my duty to communicate the sympathy and condolence of this House to the bereaved members of the families of the late Sir Ibrahim Rahimtoola, Sir Abdulla Haroon, Lieut.-Colonel Sir Henry Gidney and Dr. Raghavendra Rao.

Mr. President (The Honourable Sir Abdur Rahim): Before I take up the motions for adjournment of which notice has been given, I wish to inform the House that representation was made to me by some Muhammadan Members of this Assembly that this being the month of *Ramzan*, which began yesterday, it will be very hard and taxing for those Members who would be fasting according to their religious duty if they have to sit the usual hours from 11 o'clock practically till 5 o'clock in the evening. I discussed this matter with the Leaders of the different Parties and also with some senior Members of this House, who do not belong to any Party, and it was unanimously agreed that, having regard to the representation made by the leader of the Muslim League, the House will sit during this Session from 11 A.M. according to the new standard time to 2 o'clock, but if there be any adjournment motions, of which notice has been given and which have been admitted, then in that case the House will sit again from 3-30 o'clock to 5-30 o'clock. This was agreed upon by all the representatives of the different Parties, and I take it this arrangement will be accepted by the House generally. If that is so, we will adjourn at 2 P.M., and if there be any adjournment motion that will be taken up at 3-30 P.M.

(The House agreed to this arrangement.)

MOTIONS FOR ADJOURNMENT.

EXTRADITION OF PANDIT LAKHPAT RAM SHARMA, EDITOR OF THE DESHI RAJYA.

Mr. President (The Honourable Sir Abdur Rahim): The first motion of which notice has been given is by Sardar Sant Singh which is to discuss a definite matter of urgent public importance, namely, permission given by the Political Department of Government of India on inadequate grounds to extradite Pandit Lakhpat Ram Sharma, Editor of the Hindi Weekly *Deshi Rajya* of Jhansi to Datia State and contemplated arrest of the Editor, thus endangering the liberty of a British Indian subject.

Sardar Sant Singh (West Punjab: Sikh): The facts of this case are, Sir, that Lakhpat Ram is a British Indian subject and is a resident of Jhansi. He was once kidnapped from British territory to Datia and after a one-day trial he was convicted to 2½ years imprisonment. Later on, after undergoing that sentence, he came back and started this weekly. Now, again a false case has been instituted against him in the Datia State and attempt is being made to have him extradited from British India to the State where, of course

Mr. President (The Honourable Sir Abdur Rahim): Was he extradited by order of a Magistrate?

Sardar Sant Singh: My adjournment motion relates to the action of the Political Department in permitting these extradition proceedings to be sent to British India. We know that the liberty of the British Indian subject is not safe in the

Mr. President (The Honourable Sir Abdur Rahim): I want to know what the facts are, whether there were any proceedings before a magistrate or not. That is what I want to know.

Sardar Sant Singh: Extradition proceedings took place in Datia State and not in British India. My submission is that even technically if the offence can be tried in Datia State it can as well be tried in British India. Only one word more, Sir

Mr. President (The Honourable Sir Abdur Rahim): I do not want to hear anything more.

The Honourable Sir Sultan Ahmed (Law Member): Sir, the question has to be answered by the Legislative Department as it is a matter of extradition. The facts are that the person named in the adjournment motion, Pandit Sharma, for whose arrest and delivery a warrant has been issued under an order by the Political Agent of Datia, unsuccessfully tried to get the order upset first of all by the Provincial Government who have got the delegated power of the Central Government under section 15 of the Act, and then, afterwards, moved the Allahabad High Court, and the Allahabad High Court rejected that petition. After that the District Magistrate summoned him for appearance but as he failed to appear, he has issued a warrant. So all the necessary steps that could be taken judicially have been taken by him and nothing further can be done here. You have given various rulings on this point before and I submit this motion is out of order.

Sardar Sant Singh: I want to make it very clear that what the High Court held in this case was that technically the offence was triable both in Datia State as well as in British India. My point, the principle which I want to enunciate in this censure motion, is this; that in cases where the liberties of British subjects are involved and the offence can be tried in British India, it is the duty of the Government of India to see that the British Indian courts are given power to try them, not the state courts.

Mr. President (The Honourable Sir Abdur Rahim): All this was strictly according to the law?

Sardar Sant Singh: It could as well have been done in British India: the trial should have taken place here instead of his being sent there.

Mr. President (The Honourable Sir Abdur Rahim): On the facts as stated by the Honourable the Law Member, I rule that this motion is out of order.

RAILWAY ACCIDENT AT THE BURDWAN RAILWAY STATION.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Dr. Banerjee. He wishes to discuss a definite matter of urgent public importance, namely, the railway accident at the Burdwan Station on the East Indian Railway on the 7th July, 1942. Many railway accidents take place. The Honourable Member cannot contend that because there has been a railway accident somewhere, the business of this House must be adjourned to discuss it. Anyhow, I understand that this matter has gone to court and is now *sub judice*. Is that so?

The Honourable Sir Edward Benthall (Member for War Transport): Sir, this regrettable accident is the subject of an inquiry by a Senior Government Inspector of Railways; his report has not yet been received. As a result of the preliminary investigation, a member of the railway staff has been arrested and is, I understand, now awaiting trial. According to my information, therefore, the case is *sub judice*.

Mr. President (The Honourable Sir Abdur Rahim): In those circumstances it cannot be moved.

RESTRICTIONS ON THE EXPORT OF RAW HIDES.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Mr. Azhar Ali. He wishes to discuss a definite matter of urgent public importance, namely, unnecessary and unjustified restrictions imposed by the Government of India on the export of raw hides resulting in enormous loss of hides valuing several crores of rupees and unemployment of thousands of Musalmans and Depressed classes.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir in view of the statement that has been made by the Honourable Sir Homi Mody that he would personally look into the mistakes that have been committed, I do not move it.

[Secretary of the Legislative Assembly.]

3. The Indus Vessels (Amendment) Act, 1942.
4. The Indian Medical Council (Amendment) Act, 1942.
5. The Indian Boilers (Amendment) Act, 1942.
6. The Multi-Unit Co-operative Societies Act, 1942.
7. The Coffee Market Expansion Act, 1942.
8. The Indian Penal Code (Amendment) Act, 1942.
9. The Cotton Ginning and Pressing Factories (Amendment) Act, 1942.
10. The Indian Patents and Designs (Extension of Time) Act, 1942.
11. The Protective Duties Continuation Act, 1942.
12. The Indian Finance Act, 1942.
13. The Agricultural Produce (Grading and Marking) Amendment Act, 1942.
14. The Indian Tolls (Army) Amendment Act, 1942.
15. The Cantonments (Amendment) Act, 1942.
16. The Indian Limitation (Amendment) Act, 1942.
17. The Indian Companies (Amendment) Act, 1942.
18. The Weekly Holidays Act, 1942.
19. The Industrial Statistics Act, 1942.
20. The Motor Vehicles (Amendment) Act, 1942.

STATEMENT LAID ON THE TABLE.

NET EARNINGS OF RECENTLY CONSTRUCTED RAILWAY LINES.

The Honourable Sir Edward Benthall (Member for War Transport).
Sir, I lay on the table a statement showing the net earnings for the financial year 1940-41 of recently constructed railway lines.

Statement showing net earnings during the financial year 1940-41 of new Railway lines opened on and after the 1st April, 1934.

(NOTE:—Only such lines as are entirely open and have been working for a full year are included.)

Serial No.	Name of Project.	Working Railway.	Gauge.	Mileage.	Date of opening.	Net income creditable to the project for 1940-41.	Percentage return of income (column 6 on capital outlay).		Estimated percentage return of income on capital outlay some years after opening as estimated originally.
							1939-40.	1940-41.	
1	2	3	4	5	6	7	8	9	10
1	Jhudo-Pithoro	Jodhpur	Metre	64.11	1-6-1935	2,78,798	11.23	12.05	6.12
2	Khadro-Nawabshah.	Do.	Do.	30.72	20-11-1939	2,06,517	...	14.37	0.87 (a)
3	Agasthiampalli-Point Calimere.	South Indian.	Do.	5.50	20-1-1936	17,858 (b)	4.96 (b)	5.32 (b)	10.5 (c)

(a) This is the figure arrived at in the 'final location survey'. The earlier estimates produced before the Standing Finance Committee show a probable return of .5 per cent only.

(b) Excludes net earnings of existing lines from new traffic interchanged with new railway but estimated return took such credits into account.

(c) Government were committed to the construction of the line as part of the terms of transfer of the Tanjore District Board Lines to the South Indian Railway. It was estimated that a loss of Rs. 37,500 would accrue to Government on an outlay of Rs. 3½ lakhs.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS NOTIFICATION UNDER THE DESTRUCTIVE INSECTS AND PESTS ACT.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I lay on the table a copy of the Department of Education, Health and Lands, Notification, No. F. 15-21/41-A., dated the 12th May, 1942, issued under the Destructive Insects and Pests Act, 1914.

No. F.15-21/41-A.

GOVERNMENT OF INDIA.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.
New Delhi, the 12th May, 1942.

NOTIFICATION.

(AGRICULTURE.)

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

- I. In the preamble to the said notification, and in rule 1 of the said rules, after the word "Punjab", the words "the United Provinces" shall be inserted.
- II. In the Note below the Schedule annexed to the said rules, clauses (b) and (c) shall be re-lettered as clauses (c) and (d) respectively and before clause (c) as so relettered, the following clause shall be inserted, namely:—
“(b) in the United Provinces, by the Entomologist to the Government of the United Provinces, or such other officer as may be authorised by the Provincial Government in this behalf.”

Sd. J. D. TYSON,

Secretary.

No. F.15-21/41-A.

Copy forwarded to the—

Director, Imperial Agricultural Research Institute; Commerce Department; Central Board of Revenue; Secretary, Imperial Council of Agricultural Research; for information and Publication in the journals of the Imperial Council of Agricultural Research.

Director-General, Commercial Intelligence and Statistics for publication in the Indian Trade Journal.

Consul General for the United States of America, Calcutta.

Legislative Department with 8 spare copies, with the request that they may, in accordance with the provisions of Section 4D of the Destructive Insects and Pests Act, be placed on the table of the Council of State.

Legislative Assembly Department, with 8 spare copies, with the request that they may, in accordance with the provisions of Section 4D of the Destructive Insects and Pests Act, be placed on the table of the Legislative Assembly.

By order,
S. S. BEDI,
for Deputy Secretary.

INDIANS OVERSEAS DEPARTMENT NOTIFICATION UNDER THE INDIAN EMIGRATION ACT.

The Honourable Mr. M. S. Aney (Member for Indian Overseas): Sir, I lay on the table a copy of the Department of Indians Overseas Notification, No. F. 35/42-O.S., dated the 20th June, 1942, issued under the Indian Emigration Act, 1922.

No. F-35/42-O. S.
GOVERNMENT OF INDIA.

DEPARTMENT OF INDIANS OVERSEAS.
New Delhi, the 20th June 1942.

NOTIFICATION.

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

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

G. S. BOZMAN,
Secretary.

STATEMENTS LAID ON THE TABLE.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I lay on the table a copy* each of—

- (i) Appropriation Accounts (Civil) 1940-41 and the Audit Report, 1942;
- (ii) Commercial Appendix to the Appropriation Accounts (Civil) 1940-41 and the Audit Report, 1942;
- (iii) Finance Accounts 1940-41 and the Audit Report, 1942;
- (iv) Appropriation Accounts (Posts and Telegraphs) 1940-41 and the Audit Report, 1941;
- (v) Appropriation Accounts (Defence Services) 1940-41;
- (vi) Audit Report—Defence Services 1942;
- (vii) Memorandum containing explanation of variations in the Central Government Appropriation Accounts (Civil) 1940-41 and the Audit Report, 1942, under the sub-heads of accounts pertaining to the High Commissioner for India and the comments of the Auditor of Indian Home Accounts;
- (viii) Commercial Appendix to the Appropriation Accounts of the Defence Services for 1940-41;
- (ix) Appropriation Accounts (Railways) 1940-41, Part I;
- (x) Appropriation Accounts (Railways) 1940-41, Part II;
- (xi) Railway Audit Report, 1942;
- (xii) Capital Statements, Balance Sheets and Profit and Loss Accounts of State Railways in India for 1940-41;
- (xiii) Balance Sheets of Railway Collieries and Statements of all-in-cost of coal for 1940-41;

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

- (xiv) Memorandum showing explanations of variations between the grant and actuals under expenditure in England for 1940-41 of the Indian Posts and Telegraphs Department;
- (xv) Corrections to the appropriation accounts (Posts and Telegraphs) for 1940-41;
- (xvi) Correction to the appropriation accounts (Railways) for 1940-41, Part II;
- (xvii) Amendments to the Audit Report, Defence Services, 1942; and
- (xviii) Corrections to the Appropriation Accounts (Civil) 1940-41 and Audit Report, 1942.

AMENDMENTS TO CERTAIN MOTOR VEHICLES RULES.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir, I lay on the table a copy each of—

- (i) Notification, No. A-1-3594/41, dated the 21st March, 1942, issued by the Chief Commissioner of Coorg amending the Coorg Motor Vehicles Rules, 1940;
- (ii) Notification, No. A-3-4024/41, dated the 11th March, 1942, issued by the Chief Commissioner of Coorg amending the Coorg Motor Vehicles Rules, 1940;
- (iii) Notification, No. F. 12 (3)/42-General, dated 11th March, 1942, issued by the Chief Commissioner, Delhi, amending the Delhi Motor Vehicles Rules, 1940;
- (iv) Notification, No. F. 12(31)/42-General, dated 2nd April, 1942, issued by the Chief Commissioner, Delhi, amending the Delhi Motor Vehicles Rules, 1941;
- (v) Notification, No. F. 12(40)/42-General, dated 21st May, 1942, issued by the Chief Commissioner, Delhi, under section 70 of the Motor Vehicles Act, 1939;
- (vi) Notification, No. F. 12 (36)/42-General, dated 8th June, 1942, issued by the Chief Commissioner, Delhi, under sections 21 and 41 of the Motor Vehicles Act, 1939;
- (vii) Notification, No. F. 14-6-III, dated the 25th May, 1942, issued by the Chief Commissioner, Ajmer-Merwara, amending the Ajmer-Merwara Motor Vehicles Rules, 1940; and
- (viii) Notification, No. F. 14-6-III, dated the 13th July, 1942, issued by the Chief Commissioner, Ajmer-Merwara, amending the Ajmer-Merwara Motor Vehicles Rules, 1940.

FAILURE TO TAKE MEASURES FOR SAVING THE BUILDING AND RECORD OF RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Sir Ziauddin Ahmad who wishes to discuss a definite matter of urgent public importance, namely, the failure of the Government of India in not taking timely action to save the building and record of the Railway Clearing Accounts Office.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I do not want to move this motion, as I have already had a talk with the Honourable Member and I am satisfied with the manner he proposes to deal with the problem.

Mr. President (The Honourable Sir Abdur Rahim): The next also is in his name. . . .

Dr. Sir Ziauddin Ahmad: It is the same thing. I do not move it.

CERTAIN REMARKS OF HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

Mr. President (The Honourable Sir Abdur Rahim): The next one is of Sardar Sant Singh—to discuss certain remarks of H. E. the Commander-in-Chief. This has been disallowed by the Governor General. I suppose the Honourable Member will want to know why. This motion is disallowed on the ground that the motion cannot be moved without detriment to the public interest.

GOVERNMENT POLICY IN ADOPTING THE NEW STANDARD TIME.

Mr. President (The Honourable Sir Abdur Rahim): The last one is in the name of Mr. Kazmi. It is very argumentative. It is as follows:

"That the House do adjourn to discuss a definite matter of urgent public importance, viz., to discuss the policy of the Government of India of advancing the Standard time by one hour and thereby upsetting the practice of centuries of recognising the midday at 12 o'clock, upsetting the conception of time in general and in particular causing of great hardship to all persons employed in various vocations of life who are habituated to start work after taking their meals and cannot afford 'lunch' in offices—which is likely to affect their health and reduce the efficiency of work—and curtailing the morning hours of preparation for work by one hour and other inconveniences to the public in general."

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): As the Chair has remarked, I have given some arguments in my motion; the list is a very large one and there seems to be absolutely no justification for an action of this kind which is affecting the whole of India

Mr. President (The Honourable Sir Abdur Rahim): Has there been much complaint by the public?

Qazi Muhammad Ahmad Kazmi: Yes; as a matter of fact I know that the litigant public and various advocates' associations in courts have passed resolutions that the time should not be advanced like this, and that the court hours should be changed from 10 to 11 A.M.

Mr. President (The Honourable Sir Abdur Rahim): Is it causing inconvenience to the general public? Is that the allegation?

Qazi Muhammad Ahmad Kazmi: Yes.

The Honourable Sir Reginald Maxwell (Home Member): Sir, if Honourable Members really want to come back this afternoon in order to debate this question, Government can have no real objection. But I would point out that there is really no difference of opinion between the Government and the Honourable Member for once; that is, we recognize all the inconveniences that he has catalogued and others; but this measure has been imposed as a matter of military necessity and Government have really no choice in the matter. So I submit there is really nothing that we can debate. We are all agreed about the inconveniences.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member take objection to leave being given?

The Honourable Sir Reginald Maxwell: Yes. I take objection.

Qazi Muhammad Ahmad Kazmi: Sir, may I say a word

Mr. President (The Honourable Sir Abdur Rahim): I am not ruling the motion out on the ground that it is out of order.

Qazi Muhammad Ahmad Kazmi: If he makes clear one point, I may withdraw the motion.

Mr. President (The Honourable Sir Abdur Rahim): I do not want any more arguments. You do not want to move?

Qazi Muhammad Ahmad Kazmi: I just want to ask the Honourable Member this. Will other offices be at liberty to have their time according to their convenience and that he will not interfere with those offices. If he gives me an assurance I may not move this motion.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. As objection has been taken to leave being granted. Will those Members who are in favour rise in their places?

(After a count)

As less than 25 Members have risen in their places in favour of leave being granted, leave is refused.

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

Secretary of the Legislative Assembly: Sir, information has been received that the following Bills which were passed by both Chambers of the Indian Legislature during the Budget Sessions, 1942, have been assented to by His Excellency the Governor General under the provision of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:

1. The Workmen's Compensation (Amendment) Act, 1942.
2. The Indian Merchant Shipping (Amendment) Act, 1942.

THE CHIEF COMMISSIONER OF COORG.
NOTIFICATION.

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

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

Amendment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) In a public service vehicle—

- (a) no part of the producer shall be placed within the passengers' compartment; and
- (b) the generator shall be centrally placed in rear of the passengers' compartment, either completely outside it or recessed into the rear panel, and shall be insulated and have the clearance prescribed in rule 148-G:

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

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

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

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

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

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

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

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

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

- (a) two feet from any part of the petrol tank; or
- (b) four feet from the filling point or orifice of the petrol tank:

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

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

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

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

- (a) at any time when there is fire in the generator, cause or allow the vehicle to stop or remain stationary at a distance of less than ten yards from any other motor vehicle or of less than 20 yards from any petrol pump or place where petrol is supplied in tins;
- (b) at any time when there is fire in the generator, pour petrol or cause or allow petrol to be poured into the petrol tank;
- (c) carry, or cause or allow to be carried, in the vehicle (save in the regular petrol tank thereof) any petrol or other inflammable or explosive substance;
- (d) clean or rake out the generator at any appointed bus stand or stopping place or within a distance of less than 20 yards from any other motor vehicle, or cause or allow the same to be done by any person;
- (e) where a park, bus stand, or halting place or a part of a park, bus stand or halting place is set apart for vehicles fitted with producers, allow the vehicle to stop or remain stationary in any other park, bus stand or halting place or other part thereof, as the case may be;
- (f) place the vehicle, or cause or allow it to be placed, in any garage or shed, unless the garage or shed is provided with a permanent opening or openings for sufficient ventilation other than doors and windows that may be closed.

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

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

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

J. W. PRITCHARD,
Chief Commissioner.

THE CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

No. A-34024/41, dated Mercara, the 11th March, 1942.

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

Amendment.

After Rule 56(h), add the following:—

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

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

Add the following, as item 15:—

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

J. W. PRITCHARD,
Chief Commissioner.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 11th March 1942.

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

Amendment.

In sub-rule (1) of rule 5.59 for the figures and words "225 pounds in weight unladen" the figures and words "1,100 pounds in weight laden" shall be substituted.

A. V. ASKWITH,
Chief Commissioner, Delhi.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 2nd April 1942.

No. F. 12 (31)/42-General.—In exercise of the powers conferred by clause (za) in sub-section (2) of section 68 and clause (d) in section 48 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India in the Department of Communications No. R. 60, dated the 28th June 1939, the Chief Commissioner is pleased to make the following amendment in the Delhi Motor Vehicles Rules, 1941, the same having been previously published with his Notification No. F. 12 (3)/42-General, dated the 5th February 1942.

Amendment.

After rule 4.18 the following shall be added, namely:—

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

A. V. ASKWITH,
Chief Commissioner, Delhi.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 21st May 1942.

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

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

RULES.

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

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

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

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

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

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

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

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

- (a) submit a model of the charcoal gas plant to such tests in such laboratory or workshop and by such person as the Board may specify, and
- (b) provide at his own expense a vehicle fitted with the charcoal gas plant for such tests on the road as the Board may specify.

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

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

- (a) the design is reasonably simple and suitable to the type of vehicle for which it is intended and is such that it can be fitted to the vehicle in such a way that the driver's vision and control of the vehicle are not impeded, the convenience and safety of passengers is not endangered, the weight of the charcoal gas plant can be reasonably distributed over the chassis, and the filters, coolers, pipes and other parts requiring frequent cleaning and attention can be fitted in readily accessible places;
 - (b) the effective capacity of the generator, hopper and filters is sufficient to provide fuel to propel the vehicle for a distance of not less than fifty miles without recharging the hopper or cleaning the filters;
 - (c) the charcoal gas plant is capable of providing gas to propel the vehicle by the gas alone along a level road with its full lawful load at a sustained rate of speed not less than—
 - (i) in the case of goods vehicle not being a heavy transport vehicle, twenty miles an hour;
 - (ii) in the case of goods vehicle being a heavy transport vehicle, fifteen miles an hour;
 - (iii) in any other case, twenty-five miles an hour;
 - (d) the materials and methods of construction specified by the applicant are save as otherwise declared by the applicant, calculated to withstand fair wear and tear for a period of not less than two years under the normal conditions of working;
 - (e) the plant is so designed as to cause no undue wear to the engine.
- (5) It shall be a condition of every certificate issued under sub-rule (3) of this rule that the holder of the certificate shall in respect of every charcoal gas plant issued from his factory supply to the prospective user a set of instructions in terms approved by the Board for the working of the charcoal gas plant.
- (6) Notwithstanding anything in this rule the Board may direct that any person who has been approved as a manufacturer of charcoal gas plants in any other Province or State in India shall be deemed to be an approved manufacturer for the

Delhi Province subject to the conditions in force in the Province or State in which the person was first approved as a manufacturer and to such further conditions as the Board may think fit to impose.

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

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

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

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

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

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

Schedule.

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

- (a) All pipes, joints, valves, and all covers to the hoppers, generators, cooling chambers, filters and other accessories shall be free from gas or air-leaks.
- (b) If an escape funnel is fitted to the generator for use during the blowing of air through the generator, the mouth of the funnel shall be placed above the level of the roof of the vehicle.
- (c) The materials for the construction of generators including hoppers and outer shells if any, shall be of mild steel sheet and shall not be less than No. 16 B. W. G. (0.065 in. thick) with the exception that in the case of any updraft generators in which no refractory lining is used,

the fire-box shall be constructed of mild steel sheet not less than 11 B. W. G. (0.120 in. thick) for a distance of twelve inches above the grate or to the top of the gas offtake, whichever is less. In the case of crossdraft generators, where no refractory lining is used, the distance from the mouth of the tuyere to any part of the shell shall not be less than five inches. All generator cover and generator flange joints shall be made of heat-resisting material.

- (d) The material from which coolers are made shall be mild steel, copper or brass sheet not less than 18 B. W. G. (0.049 in. thick). All coolers must be made so that they can be readily cleaned.
- (e) The gas filtering system shall be in not less than three stages, of which the last stage shall be felt or other approved fabric, provided that the Chief Commissioner may by notification approve any filtering system. The materials from which filter casings and all gas piping up to the mixing chamber or carburettor are made shall not be less than No. 18 B. W. G. (0.049 in. thick). All filters shall be so placed as to be accessible to cleaning at all times.
- (f) Flanges fitted to piping shall be made of material not less than No. 11 B. W. G. (0.120 in. thick). Each flange shall be secured by not less than four bolts.

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

(2) In a public service vehicle—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A. V. ASKWITH,
Chief Commissioner, Delhi.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 8th June 1942.

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

Rules.

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

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

A. V. ASKWITH,
Chief Commissioner, Delhi.

ORDERS BY THE CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATION.

Aju. the 25th May, 1942.

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

In rule 5.56 (a) of Chapter V—Construction, Equipment and Maintenance of Motor Vehicles—for the figure and words “225 pounds in weight unladen” substitute the figure and words “1100 pounds in weight laden”.

By Order,
M. WORTH,
Secretary to the Chief Commissioner,
Ajmer-Merwara.

NOTIFICATION.

Abu, the 13th July, 1942.

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

Chapter IV—Control of Transport Vehicles. After clause (b) of rule 4.18 insert the following new clause—

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

By Order,
M. WORTH,
Secretary to the Chief Commissioner,
Ajmer-Merwara.

ELECTION OF A MEMBER TO THE DEFENCE CONSULTATIVE COMMITTEE.

Mr. C. M. Trivedi (Secretary, War Department): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, a non-official member to serve on the Defence Consultative Committee, vice Lieut.-Colonel Sir Henry Gidney, deceased."

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 non-official member to serve on the Defence Consultative Committee, vice Lieut.-Colonel Sir Henry Gidney, deceased."

The motion was adopted.

ELECTION OF A MEMBER TO THE ADVISORY COMMITTEE FOR THE UTILIZATION BRANCH OF THE GEOLOGICAL SURVEY OF INDIA.

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct one representative of the Assembly to serve on the Advisory Committee constituted by the Government of India, to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct one representative of the Assembly to serve on the Advisory Committee constituted by the Government of India, to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India."

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): I am sure the House is rather disappointed in not having the privilege of hearing a maiden speech from my Honourable friend on this subject. I am afraid the Honourable Member is fighting shy of going into the history of this question because under the guise of this short motion is sought to be

covered a dark and tragic chapter of British Indian history. I refer to the Conference which was presided over by my Honourable friend, Sir Firoz Khan Noon, while he held charge of this Department, on the 6th July last, at which a lengthy statement was made by Dr. Fox, the Head of the Geological Survey of India, in the course of which he called attention to the disgraceful policy of the Government of India in regard to the development of India's mineral resources during the past century or so. I am afraid my Honourable friend, the Home Member's emissaries who are responsible for censorship are not very careful about censoring official speeches of this character. Otherwise, they would have found valuable material in the press report of this Conference to which their attention could justifiably have been directed.

Dr. Fox, in announcing the constitution of the Utilization Branch of the Geological Survey at that Conference, referred to the fact that India in pre-historic days—he referred to 2000 B. C.—was a manufacturing country in respect of important metals and was actually exporting manufactured steel to other different parts of the world. With the British connection, however, the whole picture was changed and Dr. Fox made the astounding revelation that the importance of geological work on the part of the Government was realised only in the interests of getting coal for the purpose of supplying ships which came from Europe with merchandise to this country. That was the first step that was taken for the purpose of undertaking geological activities in this country at the instance of the Government of India. Then he referred to the period when geological work was started in seriousness

The Honourable Mr. M. S. Aney (Leader of the House): May I just rise to invite your attention to a point? The information which my Honourable friend is giving and the criticisms which he is making are very valuable, but I doubt whether they are really in point in reference to the motion which is before the House. The motion is that the Assembly do elect one Member to serve on a certain Committee.

Mr. K. C. Neogy: I am surprised and pained at the interruption of the Honourable the Leader of the House in this matter. This is the first time that the House has any indication of the constitution of the Utilization Branch of the Geological Survey and we are entitled to know what it is about, and I am entitled to deal with certain aspects of the question as they strike me.

Mr. President (The Honourable Sir Abdur Rahim): I am not sure that I understood the Honourable the Leader of the House to take objection to the Honourable Member's remarks as being irrelevant. I do not think he meant it.

The Honourable Mr. M. S. Aney: I did not say that.

Mr. K. C. Neogy: Now, I was coming to the year 1902 to which a specific reference was made by Dr. Fox. He said that in that year the department possessed six specialized mineral experts, and was prepared for a big utilization drive. What was the attitude of the Government in that matter? The Government of India of those days—I am quoting from a press report—did not agree to this work of utilization and

[Mr. President.]

held on Thursday the 17th September, 1942, while the election for the Standing Committee for the Department of Posts and Air will take place on Friday the 18th September, 1942. 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 REPEALING AND AMENDING BILL.

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

Mr. President (The Honourable Sir Abdur Rahim): The question is "That leave be granted to introduce a Bill to repeal certain enactments and to amend certain other enactments."

The motion was adopted.

The Honourable Sir Sultan Ahmed: Sir, I introduce the Bill.

THE INDIAN RUBBER CONTROL (TEMPORARY AMENDMENT) BILL.

The Honourable Mr. N. R. Sarker (Commerce Member): Sir, I beg to move for leave to introduce a Bill temporarily to amend the Indian Rubber Control Act, 1934.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill temporarily to amend the Indian Rubber Control Act, 1934."

The motion was adopted.

The Honourable Mr. N. R. Sarker: Sir, I introduce the Bill.

THE INDIAN COMPANIES (SECOND AMENDMENT) BILL.

The Honourable Mr. N. R. Sarker (Commerce Member): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Companies Act, 1913.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Indian Companies Act, 1913."

The motion was adopted.

The Honourable Mr. N. R. Sarker: Sir, I introduce the Bill.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

The Honourable Sir Edward Benthall (Member for War Transport): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Railways Act, 1890.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Indian Railways Act, 1890."

The motion was adopted.

The Honourable Sir Edward Benthall: Sir, I introduce the Bill.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

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

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

The motion was adopted.

The Honourable Sir Sultan Ahmed: Sir, I introduce the Bill.

THE CODE OF CIVIL PROCEDURE (SECOND AMENDMENT) BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908 (Second Amendment).

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

The motion was adopted.

The Honourable Sir Sultan Ahmed: Sir, I introduce the Bill.

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

The Honourable Mr. M. S. Aney (Leader of the House): Sir, I beg to move the Resolution that stands in my name and which runs as follows:

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

[Mr. K. C. Neogy.]

stripped the department of its personnel by turning the experts into simple mining inspectors. The Government took the view that the department was concerned in getting minerals for export to other countries and was not interested in the question of manufacturing anything out of those minerals. This is what he said:

"The work of geologists in India was mainly to promote the export of raw materials rather than encourage industrial development in this country."

When the war started, suddenly the departmental conscience got pricked, and they now realise that they had done a great wrong in not developing the geological and mineral resources of India in time; and, particularly after they lost Malaya and Burma, they awoke to the necessity of doing something in that matter. I should like to know from the Honourable gentleman in charge of this Department whether it is not a fact that the experts that have been employed are evacuees from those countries. I have a shrewd suspicion that ultimately the activities of this branch of the department will be utilised for the purpose of rehabilitating in India, the powerful British financial interests which were dislodged from those countries, interests which were engaged in the mineral industry in Malaya and Burma.

Now, Sir, I should like to know something about the composition of the Advisory Committee to which we are being asked to agree to elect one Member. How many different bodies are represented on it and what will be the scope of its activities? Will the Committee have any voice in controlling the Government policy in regard to the employment of experts and in regard to the granting of mineral concessions that will be ultimately granted as a result of the pioneering work of this branch.

A further point that arises is as regards the relations that this branch of the Geological Department are going to maintain with the Board of Scientific and Industrial Research and Utilization that is attached to the Commerce Department. That is another point on which I seek information. Furthermore, I should like to know what minerals have already been selected for the purpose of engaging the attention of this branch and who are the experts that are engaged in investigations in that connection and whether Government have already in view any commercial concerns to whom the concessions will be granted when the time is ripe for it.

Then there is another point which is somewhat important, and that is the question of training Indians. It may be, and I dare say the Government reply will be, that the experts that are required for the purpose of carrying on investigations in some of these rare minerals, are not to be had in India. I should like to know what arrangements are being made for the purpose of giving properly qualified Indians the necessary facilities for getting technical training under the experts that may already be employed.

The Honourable Dr. B. R. Ambedkar: It is quite true that my Honourable friend had not the benefit of hearing my maiden speech. I have made many speeches in my life and I do not think I shall be afraid of making a maiden speech.

My Honourable friend pointed out that the reason why I did not speak in support of the Resolution is because there is something very dark which the department is not prepared to disclose to this House. I can assure the Honourable Member that I do not think that there is

anything behind this project which either myself or the Government of India need be ashamed of. When I put forward this motion, I thought that it would go through in the usual way in which such motions are treated and if I had the slightest inkling that my friend was going to raise these points, I would certainly have posted myself on these questions. (*An Honourable Member:* "You must know the procedure of the House.") Well, I am a new man and I expect from this House a little more charity. If my friend must have the information which he wants before he can allow this motion to go through, then my suggestion is that this debate may be adjourned to a later date when I shall be in a position to give my Honourable friend the information he wants.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member (Mr. Neogy) can get all the information he wants by putting down a question, but I suppose it is the desire of the House that this motion should be postponed.

(*Voices:* "Yes".)

The motion is postponed.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE POSTS AND AIR DEPARTMENT.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): 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 a Standing Committee to advise on subjects, other than 'Roads', dealt with in the Department of Posts and Air, during the year 1942-43."

I think I should explain why this motion has been brought forward. The House elected in the last Session a Standing Advisory Committee for the subjects dealt with in the Department of Communications with the exception of the subject of roads, for which there is a separate Standing Roads Committee. Since then, the Communications Department has been split into two, namely, the War Transport Department and the Posts and Air Department. The Committee already elected is, therefore, unable to function. It has, therefore, become necessary to elect a separate Advisory Committee for the Posts and Air Department. That is the reason why this motion has been brought forward before this House.

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 a Standing Committee to advise on subjects, other than 'Roads', dealt with in the Department of Posts and Air, during the year 1942-43."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of Members for the Defence Consultative Committee and the Standing Committee for the Department of Posts and Air the Notice Office will be open to receive nominations up to 12 O'clock on Tuesday the 15th September, 1942. The elections, if necessary, for the Defence Consultative Committee will be

[Mr. M. S. Aney.]

The Resolution is self-explanatory and does not require a speech from me. The subject is one which has come before this House in one form or other more than once. Honourable Members are aware that in 1940 Sir Muhammad Zafrullah Khan, the then Leader of the House, moved a motion and a Committee was appointed and that Committee had submitted its report.

Dr. Sir Ratanji Dinshaw Dalal (Nominated Non-Official): He did not move the Resolution at all.

The Honourable Mr. M. S. Aney: The report of the Committee is there. Perhaps the Honourable Member is not aware of it.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): You need not mind him if he is absent-minded!

The Honourable Mr. M. S. Aney: I know Sir Ratanji Dalal is at times attentive and at times not. At that time the object in moving the amendment of the rules was the consideration of economy because it has been found that this haulage particularly costs something between Rs. 50,000 and Rs. 60,000 a year. But on the present occasion the object of moving this motion is not one of economy at all. In fact, we are not asking for the abolition of the concession that the Members enjoy; we are only asking for the suspension of that concession during the period of the war. The main reason for that is the difficulty of giving the necessary transport for getting the cars from various places to New Delhi. That is the main difficulty. Probably the Honourable the Railway Member may be able to explain at some length the difficulties that face him in making the necessary provision for the trucks to get the cars here. It is expected that the Honourable Members of this House will co-operate with the Government in this matter and that they will voluntarily submit themselves to the position which this Resolution contemplates. There is no other change made at all. If these cars are not brought here, all Members should be treated as Members not having brought their cars here. Then, there is a rule according to which the other conveyance allowances will be given to them. They will all be entitled to them. This is the position which the Government wants to place before the House.

I know there are a number of amendments which have been tabled. There is one amendment in the name of Dr. Banerjee which appears to be a relevant one. I find that some Members have already brought their cars and it is therefore pertinent to ask what is to be done with them? I can understand the position and it will be possible to consider the point raised in that amendment. But there are other amendments also which are not confined to the matter which is the object of this Resolution. They want to raise a bigger question. The entire question relating to Members allowances is being raised by them. I believe they go beyond the scope of the motion. There is another amendment which is tabled by the Leader of the European Group. It is for referring this matter to a Committee. I have already mentioned that this matter was brought before the House in 1940 and a Committee was appointed and we have got its report. Anyhow, in a matter of this kind, Government will be prepared to keep the matter entirely in the hands of the House and will not like to force their conclusion on the House at all.

At the same time, I think it is necessary for me to inform Honourable Members that it would not be easy for Government to provide the transport even for the next Session as the position as regards the difficulty of getting trucks will remain unaltered. On account of shortage of wagons, the transport difficulty will still continue to exist and even if the old position is retained I very much doubt whether Honourable Members will be able to bring their cars here. With these words, I move the Resolution.

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

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

Sir Henry Richardson (Nominated Non-Official): Sir, before I move the substitute Resolution standing in my name, I ask your permission to add the words "recommends to the Governor General in Council" after the words "That this Assembly".

Mr. President (The Honourable Sir Abdur Rahim): Yes.

Sir Henry Richardson: Sir, in moving this substitute Resolution, I would like to make it clear that there is no question of our not appreciating the grave position and importance of railway resources, or the justification of suspending the free haulage concessions of motor cars. We all understandingly agree with the necessity to do everything possible to assist the Railways in their difficult and vital task, and I believe every Member in this House is with me in this understanding. But the withdrawal of the concession involves several questions as is shown by the amendments tabled before the House.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will first move his amendment before proceeding with his speech.

Sir Henry Richardson: Sir, I move:

"That for the original Resolution, the following be substituted:

"That this Assembly recommends to the Governor General in Council to appoint a Committee of the following, namely, the Honourable Sir Jeremy Raisman, Sir Muhammad Yamin Khan, Dr. P. N. Banerjee, Mr. Hoesinbhoj A. Lalljee, Sir Frederick James, and Sir Cowasji Jehangir, for the purpose of considering the amendment of the rules governing the grant of travelling and other allowances to Members of the Indian Legislature with instructions to report not later than the 17th September, 1942."

Sir, as I was saying, the withdrawal of this concession involves several questions as is shown by the amendments before the House. But rather than publicly discussing all these domestic details, we thought it would be preferable to leave them to a Committee for examination and thereafter

[Sir Henry Richardson.]

make recommendations. We believe that this method will be more in keeping with the dignity of this House. The gentlemen whose names appear in the Resolution have all signified their willingness to serve on the Committee and I trust the House will accept the proposal and that the Government will co-operate in its deliberations. Sir, I move.

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

"That for the original Resolution, the following be substituted:

"That this Assembly recommends to the Governor General in Council to appoint a Committee of the following, namely, the Honourable Sir Jeremy Raisman, Sir Muhammad Yamin Khan, Dr. P. N. Banerjee, Mr. Hooseinbhooy A. Lalljee, Sir Frederick James, and Sir Cowasji Jehangir, for the purpose of considering the amendment of the rules governing the grant of travelling and other allowances to Members of the Indian Legislature with instructions to report not later than the 17th September, 1942."

I find there are a number of amendments which deal with details rather than with merits of this question. If it is agreeable to the House, I think it would be preferable if this amendment is considered and dealt with first.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): If this amendment is carried, then other amendments will not be moved.

Mr. President (The Honourable Sir Abdur Rahim): That will be most convenient.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I am prepared to support this amendment. There is a small point about the date which is given here, that is 17th September. During the next few days, we shall be discussing a very important matter, namely, the present situation in the country and we shall not find time to discuss this somewhat less important matter during this period. I would suggest that the report be made on 19th September.

Sir Henry Richardson: I agree about the date, that is, it should be 19th September.

Sir Cowasji Jehangir: Sir, I think for the reasons given by the Honourable the Mover of this motion, that the Honourable Sir Edward Benthall ought to be on this Committee. He is the one Member responsible for initiating this Resolution. His Department is vitally concerned with this Resolution. It appears to me that he ought to be on this Committee. I suggest that the name of the Honourable Sir Edward Benthall be included in the Committee.

Mr. President (The Honourable Sir Abdur Rahim): Does the House agree?

(The House agreed.)

Sardar Sant Singh (West Punjab: Sikh): Sir, may I say, a few words on this motion? As referred to by the Honourable the Leader of the House, a similar Resolution was moved by the Honourable Sir Muhammad Zafrullah Khan on 12th February, 1940, and a Committee of both Houses

was appointed to go into that question. As travelling allowances are on a similar basis to Honourable Members of both Houses, the Council of State as well as this House, it was then considered desirable that a joint Committee of both Houses should sit together and discuss this matter. A Committee of both Houses went into the question of travelling allowances, among other questions, and submitted a lengthy report containing the views of the Government as well as the dissenting Members. I remember that I wrote a long note about this matter in the proceedings of that Committee. It will help to settle this question once for all if the motion is so timed that Honourable Members of the Council of State also pass a similar Resolution and then sit together in order to arrive at a common decision. I make this suggestion to the Government for their adoption in case they consider that the question will finally be settled by agreement of both Houses about the travelling allowance. I hope the Government will accept my suggestion.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, there is a very great difference between the circumstances today and the circumstances in 1940. There was no transport difficulty at that time. Secondly, we considered the question only from the economic point of view. The Honourable the Leader of the House made it perfectly clear just now that he made this motion not from economic consideration but only on account of practical difficulties in transport. The additional difficulty is that the Council of State is not sitting at present. If we accept the suggestion of Sardar Sant Singh, then, I am afraid, we will have to wait till the next Session. Therefore, I beg to support the amendment moved by Sir Henry Richardson.

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

"That for the original Resolution the following be substituted:

"That this Assembly recommends to the Governor General in Council to appoint a Committee of the following, namely, the Honourable Sir Jeremy Raisman, the Honourable Sir Edward Benthall, Sir Muhammad Yamin Khan, Dr. P. N. Banerjee, Mr. Hooseinbhooy A. Lalljee, Sir Frederick James, and Sir Cowasji Jehangir, for the purpose of considering the amendment of the rules governing the grant of travelling and other allowances to Members of the Indian Legislature with instructions to report not later than the 19th September, 1942."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 15th September, 1942.

LEGISLATIVE ASSEMBLY.

Tuesday, 15th September, 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.

RECENT LABOUR STRIKES IN INDUSTRIAL UNDERTAKINGS.

16. *Mr. K. C. Neogy: (a) Will the Honourable Member for Labour be pleased to state whether during recent weeks there have been labour strikes in important industrial undertakings, such as iron and steel, coal and textiles?

(b) If so, will the Honourable Member be pleased to make a comprehensive statement dealing with the principal features of these strikes and giving in each case the issues on which the strike was declared, the number of persons involved and the duration of the strike?

The Honourable Dr. B. R. Ambedkar: (a) Certain important industrial undertakings did cease to work for certain periods during the previous five weeks. It is not in public interest to name them or particularize them.

(b) It is not in the public interest that the full information asked for should be given in respect of those industrial undertakings which are engaged on important war work.

2. In many cases cessation of work appears to have had no connection with economic grievances; in a few others cessation of work has been more in the nature of an ordinary strike with demands for increase in wages or dearness allowance.

3. Ahmedabad was the town in which cessation of work was the longest—here there were no economic grievances apparent and the mills have not yet reopened. In Bombay on no date were all mills closed, and cessation of work in those mills that did remain closed was only of short duration—here too no economic grievances were put forward. In Coimbatore where mills reopened and have closed again economic grievances were to some extent apparent.

4. Apart from the cessation of work in the textile mills of Bombay, Ahmedabad and Coimbatore, the number of industrial undertakings which employ more than a thousand workers each and in which work was stopped for any appreciable time, for reasons not purely economic, was only about a dozen. In about ten other undertakings employing about a thousand workers each, cessations of work were of a very short duration. The number of undertakings employing less than a thousand workers in which work was stopped since the 9th August for non-political reasons was less than 20.

5. A large majority of cessations of work were in the provinces of Bombay and Bengal, only just over half a dozen occurring elsewhere.

6. The Government are not aware of any sabotage in industrial undertakings by persons who have ceased work.

7. As regards strikes from the second week of August, which are known to have occurred for purely economic reasons, these numbered about 24; only seven of the undertakings employ more than a thousand workers.

Dr. Sir Ziauddin Ahmad: May I ask whether it has been brought to the notice of the Government that some of the factories that closed allowed their workers to go out and paid them salaries for the day?

The Honourable Dr. B. R. Ambedkar: Government have no definite information beyond the statement already made. But there are indications that in some cases the things that have been referred to by my Honourable friend have in all probability occurred.

Mr. Lalchand Navalrai: May I know from the Honourable Member if these strikes closed on certain terms, or were they closed of themselves, or with the help of the Government, on certain conditions?

The Honourable Dr. B. R. Ambedkar: I do not follow the question.

Mr. Lalchand Navalrai: The Honourable Member has said that some of these strikes ceased. Now, I am asking if they did do it on certain terms given by Government, or of their own will, or whether they ceased these strikes on any conditions?

The Honourable Dr. B. R. Ambedkar: In some cases they went back of their own will.

Mr. Lalchand Navalrai: May I know from the Honourable Member if any went on terms given by Government, and what were those terms?

The Honourable Dr. B. R. Ambedkar: No. I am not aware of any case where Government had to give any terms to ask labourers to resume work.

Mr. N. M. Joshi: May I ask, on the statement made by the Honourable Member whether the demands made by the workers of Bombay were placed before the Government? Whether he is aware that the Bombay Girni Kamgar Union had sent to the Bombay Government, more than a month ago, a statement regarding their demands about pay and other matters?

The Honourable Dr. B. R. Ambedkar: I am aware that some demands were made, but the point that I wish to emphasize is this: that in no case in Bombay so far as I am aware, the making of grievances was the cause for the stoppage of work.

Mr. N. M. Joshi: May I ask if the Girni Kamgar Union sent their demands to the Bombay Government, and if, after that, there were strikes, what is the point in the Honourable Member stating that no economic demands were made, or no economic demands were the cause of the strike? How did he come by that?

The Honourable Dr. B. R. Ambedkar: I have no report from the Government of Bombay, but the information to which my Honourable Member has referred, is the information which I have got from the papers.

Mr. N. M. Joshi: May I ask the Honourable Member to enquire from the Bombay Government whether they have taken any steps to remove grievances of the Bombay textile workers and consider the demands made by the Bombay Girni Kamgar Union?

Sir Cowasji Jehangir: May I ask the Honourable Member how many strikes there were in the textile mills of Bombay after the 8th/9th August?

The Honourable Dr. B. R. Ambedkar: There were very few.

Mr. Muhammad Nauman: Can the Honourable Member give any indication of the pay of the Tata Iron and Steel Company workers? Were their specific demands sent to Government?

The Honourable Dr. B. R. Ambedkar: It is not in the interests of the public to give any information.

Mr. K. C. Neogy: Does the Honourable Member know that it is published in the newspapers?

The Honourable Dr. B. R. Ambedkar: That may be so. Government will not take any responsibility.

Mr. K. C. Neogy: This report is from the Associated Press, one of the authorised agencies. It is stated that they struck work on the issue of a National Government in India.

The Honourable Dr. B. R. Ambedkar: I do not know what the Honourable Member means that the Associated Press is an authorised agency.

Mr. K. C. Neogy: I am afraid the Honourable Member does not care to read the Government communiques.

Sardar Sant Singh: May I know whether it is a fact that all these strikes occurred after the arrest of Mahatma Gandhi and his co-workers?

The Honourable Dr. B. R. Ambedkar: Well, I cannot give definite information, but my impression is that these strikes were not spontaneous.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member be pleased to state the dates on which the strikes started? We can draw inferences therefrom.

The Honourable Dr. B. R. Ambedkar: Where? In what place?

Pandit Lakshmi Kanta Maitra: In Tata's.

The Honourable Dr. B. R. Ambedkar: As I said, I am not prepared to give any information because it is not in the public interest to give any information.

Pandit Lakshmi Kanta Maitra: I do not want the reasons for the strike or any such information; I want the dates on which the strikes were declared.

The Honourable Dr. B. R. Ambedkar: I have stated that it will not be in the public interest to give any information.

Sardar Sant Singh: Is it a fact or not that all these strikes had occurred after the arrest of Mahatma Gandhi and does the Government believe or not that this shows the intensity of the movement and the following that Mahatma Gandhi has got in the country?

The Honourable Dr. B. R. Ambedkar: That is an argument; it is not a question.

Mr. N. M. Joshi: May I ask whether the strike at Jamshedpur has ended?

The Honourable Dr. B. R. Ambedkar: I believe it has.

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

PROGRAMME OF ACTIVITIES OF THE UTILISATION SECTION OF THE GEOLOGICAL SURVEY OF INDIA.

17. *Mr. K. C. Neogy: (a) Will the Honourable Member for Labour be pleased to state whether a detailed programme has been drawn up in respect of activities of the newly started Utilisation Section of the Geological Survey of India?

(b) What are the minerals that are now intended to be included within the purview of such activities?

(c) Is it a fact that the Section will be concerned initially with pioneering work in respect of select minerals with the help of experts, while ultimately entrusting their exploitation to suitable commercial concerns?

(d) Is petroleum included among the minerals with which the Section is concerned?

(e) What practical steps have been taken so far for furtherance of the object of this Section, and in respect of what minerals and with the help of which experts, and with what ultimate object in view have such steps been taken?

(f) Are the efforts of the Utilisation Section co-ordinated with the activities of the organisations relating to Scientific and Industrial Research and Utilisation attached to the Commerce Department? If so, in what manner?

The Honourable Dr. B. R. Ambedkar: (a) Yes. The programme is however, liable to alteration if there is urgent demand for a particular mineral.

(b) All minerals which are required for war purposes and for which there are reasonable prospects of working in India. These include sulphur, mica, tungsten or wolfram, and non-ferrous metals such as lead, zinc, copper and tin.

(c) The Utilisation Branch will with the help of experts prove deposits and undertake small-scale mining operations which may include the operation of experimental and pilot plants for smelting, etc., up to the stage

when it becomes clear that production can be undertaken by Commercial firms. It is the present intention (subject to the necessity of maintaining war production and to the circumstances of each case) that at that stage commercial development should be encouraged.

(d) No, according to present programme.

(e) The Utilisation Branch has already taken steps to examine the possibility of obtaining early production of lead and zinc. The most promising lead-zinc mines in India appear to be the mines at Zawar in Udaipur State. The Government of India, acting through Mr. W. P. Cowen, late General Manager of the Mawchi mines in Burma, negotiated with the Mewar Government. They secured the cancellation on payment of compensation of the lease of the mines held by a private company, and obtained a prospecting licence from the Mewar Government. Mr. Cowen was placed in charge of the operations and began work at the end of May 1942. Operations have been planned in two stages (1) a detailed plane-table survey and deep-drilling operations to be followed by (2) opening up of deposits and the erection of a pilot ore-dressing plant and smelters as soon as drilling operations establish the workability of the lode. As a result of the Survey's progress so far made it is hoped that it will be possible to obtain information regarding the "payability" of the lode earlier than was originally expected. Most of the machinery required by Mr. Cowen in the way of drilling equipment, etc., has now arrived. Two Mining Engineers, one Mechanical Engineer, two Metallurgists and three Surveyors have been appointed to assist Mr. Cowen.

Exploitation of the sulphur deposits in the extinct volcano of Koh-i-Sultan, has been taken over by the Utilisation Branch from the Supply Department and a Superintending Geologist of the Geological Survey of India is in charge of the operations.

The Branch is also engaged in an endeavour to stimulate the production of mica. A Superintending Geologist of the Geological Survey of India is in charge of a newly-formed Mica Production Section. It will be the work of the Branch to give all possible assistance to mica miners in obtaining the supplies necessary for increasing production.

Investigations have also been taken in hand by the Branch regarding wolfram, copper, etc., and a possibility regarding tin is receiving urgent consideration.

The ultimate object is to make India as self-sufficient as possible in respect of minerals which are needed for the war effort.

(f) Yes; the Director, Scientific and Industrial Research and a Senior official of the Commerce Department are members of the Advisory Body which has been set up to assist this Branch.

Pandit Lakshmi Kanta Maitra: May I enquire, when the Honourable Member was referring to certain types of technical staff, if they are all British officials evacuated from Burma?

The Honourable Dr. B. R. Ambedkar: With regard to the two mining engineers referred to in my reply to this part of the question, the information is this: the two gentlemen employed as mining engineers are Mr. Smith and Mr. Robottom.

Pandit Lakshmi Kanta Maitra: Do they all come from Burma?

The Honourable Dr. B. R. Ambedkar: They are Burmese evacuees. Under them there are two probationers; both of them are Indians. Then the mechanical engineer is one Mr. Symes. He is also an evacuee. Of the two metallurgists, one is an Indian—Mr. Narayan—and the other is Mr. Fleming. There are three surveyors with regard to sulphur; they are all Indians. I may say that the reason why we had to employ these Burmese evacuees is because they are the only people who happened to know something about mining in regard to lead and zinc. They are all taken from the Mawchi mines; and probably the Honourable Member knows that the Mawchi mines in Burma are the only mines which are lead and zinc mines. We had no expert from anywhere else. The policy of the Department is this, that while in the first place the necessity of employing Europeans who have experience in the mining of lead and zinc is inevitable, the department is taking steps that wherever a European is appointed there shall be appointed under him an Indian to be trained so that when the European vacates the Indian would be able to take charge of the department.

Pandit Lakshmi Kanta Maitra: The Honourable Member said just now that Mr. Cowen started work at the end of May 1942, and that in regard to these non-ferrous metals, zinc and lead, the appointment of British officials was inevitable. When did it occur to the Government of India to have these mines explored? Was it after the fall of Burma, so as to provide for these gentlemen who have been thrown out of employment?

The Honourable Dr. B. R. Ambedkar: I cannot give an answer to that question.

Pandit Lakshmi Kanta Maitra: When did the Government first take it into their head to have these mines worked in India? What have they been doing all this time?

The Honourable Dr. B. R. Ambedkar: Probably quite spontaneously; without reference to anything external.

Sardar Sant Singh: May I ask whether the need for working these mines was felt as a necessity to provide for the war effort, or was it to provide these evacuees from Burma with some jobs?

The Honourable Dr. B. R. Ambedkar: Certainly not; the supplies from Burma having ceased it was necessary for the Government of India to exploit their own resources.

Mr. K. C. Neogy: With reference to clause (d) of the question, my Honourable friend stated that petroleum was not included among the minerals at the present moment. Has petroleum been excluded from the programme as a matter of discretion with the department or because the Government has been committed to some other agency for the development of petroleum in India?

The Honourable Dr. B. R. Ambedkar: Not at all. My answer was that for the present the programme does not include it; it does not mean that it is excluded from the programme altogether.

Mr. K. C. Neogy: Will the Honourable Member be surprised if I were to tell him that Dr. Fox made a statement on the 6th of July, a portion of which I referred to yesterday, somewhat to that effect?

The Honourable Dr. B. R. Ambedkar: I would like to say this to my Honourable friend, that Dr. Fox does not decide the policy of the Government of India.

Mr. K. C. Neogy: But Dr. Fox may at least be expected to be truthful. Anyway, may I ask another very short question? My Honourable friend stated that the Udaipur Durbar had to be persuaded to cancel the lease in respect of lead and zinc mines in that State, which had already been granted to a private party. Before getting the Udaipur Durbar obligingly to cancel this lease, was any attempt made by the Government to find out whether an agreement could not be arrived at with that private party for the purpose of enabling whatever activities the department wanted to carry on, to be carried on?

The Honourable Dr. B. R. Ambedkar: I must have notice of that question.

ORDINANCES PROMULGATED SINCE THE OUTBREAK OF THE WAR.

18. *Mr. K. C. Neogy: (a) Will the Honourable the Law Member please state if the Governor General consults the Governor General in Council, either formally or informally, while making and promulgating Ordinances for the peace and good government of British India in cases of emergency?

(b) Does any Department of Government or any individual officer thereof, render any assistance to the Governor General either in the determination of the lines on which an Ordinance may be made or in its drafting?

(c) How many Ordinances have been promulgated by the Governor General since the outbreak of the war, while the legislature was either actually in session, or within ten days of the commencement of a session, or within ten days after a session had terminated?

The Honourable Sir Sultan Ahmed: (a) It would be wholly opposed to established practice to make public the arrangements which prevail in a matter of this nature and I regret that I am unable to furnish the information desired by the Honourable Member.

(b) The Honourable Member may take it that the services of the Official Draftsman and of all Departmental officers concerned with the relevant subject-matter are available in connection with the making of Ordinances.

(c) Sixteen.

Mr. N. M. Joshi: In view of the statement made by the Honourable Member that it is not the practice of the Government of India to tell the House how the different elements in the Government of India Act, may I ask whether he is aware that recently statements have been made that Indian Members of the Executive Council have acted in a particular way in a particular situation?

The Honourable Sir Sultan Ahmed: This has nothing to do with the question under reply.

Mr. K. C. Neogy: Would I be right in assuming, that although the authority for the promulgation of Ordinances is the Governor General, the decision as to the necessity for arming the Government with sufficient powers as given under any particular Ordinance—the responsibility for deciding upon the line which an Ordinance should pursue—does not lie with the Government?

The Honourable Sir Sultan Ahmed: I have already answered that question in my reply to part (a).

Pandit Lakshmi Kanta Maitra: May I know if any actual advice has been tendered by the Executive Council to the Governor General? I do not want to know the content of the advice tendered, but I want to know whether or not it is a fact that some form of advice is tendered by the Executive Council to the Governor General in the matter of promulgation of an Ordinance?

The Honourable Sir Sultan Ahmed: I am afraid I cannot furnish the information.

Mr. Lalchand Navalrai: May I know from the Honourable Member if it is a fact that the Government of India Act allows Ordinances to be issued only in rare instances and not on subjects on which the Legislatures can legislate? Have the Government of India advised the Governor General not to issue these Ordinances so frequently and on so many subjects when it is the right of the Legislatures to legislate?

The Honourable Sir Sultan Ahmed: I have replied to this question in reply to a query put by Mr. Navalrai some time in February last.

Mr. Lalchand Navalrai: I should like to know what the present position now is—whether, since the Honourable Member answered that question, there have been several occasions on which Ordinances have been issued. I am asking the Honourable Member, in view of what the law requires, the Government of India have advised the Governor General not to issue so many Ordinances on every matter of detail.

The Honourable Sir Sultan Ahmed: The Government of India have got nothing to do with the promulgation of Ordinances. That is entirely the authority of the Governor General. My Honourable friend may rest assured that the Governor General has taken all the advice necessary for the purpose.

Sardar Sant Singh: May I ask whether the Government of India have tendered their advice to the Governor General that the Legislature, especially this House, resents this rule by the Ordinances over the head of the Legislature and expression was given in respect to this in this House during the last Session as well?

The Honourable Sir Sultan Ahmed: I am not sure about resentment at all to begin with, and, secondly, this is a question which I cannot answer as I have already informed the Honourable Member.

Sardar Sant Singh: May I ask if the Honourable Members who now compose the Government of India do not feel it humiliating that rule by Ordinance is prevalent in India?

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

Mr. K. C. Neogy: May I put one question? Have the Government of India ever conveyed to the Governor General the undesirability of issuing Ordinances when the Assembly was actually in session?

The Honourable Sir Sultan Ahmed: No, Sir.

Mr. K. C. Neogy: Why not?

The Honourable Sir Sultan Ahmed: Because by the India and Burma Emergency Act it is not necessary to do so. The Governor General can issue such Ordinances any time he likes and when he considers necessary. It is entirely his authority.

Dr. Sir Ziauddin Ahmad: May I know whether it is the practice that every Member of the Council issues an Ordinance pertaining to his department without any reference to his colleagues?

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

POSITION CONCERNING STOCKS AND PRODUCTION OF WHEAT, RICE, ETC.

19. *Mr. K. C. Neogy: (a) Will the Honourable Member for Commerce be pleased to state what the present position is as regards stocks of wheat, rice and important subsidiary cereals, respectively, in India, Province by Province, and what are the estimates of production thereof during the next season in each Province?

(b) To what extent are the locust menace, and the floods in certain areas and ill-distributed or deficient rainfall in others, likely to affect the future crop prospects?

(c) What is the average *per capita* figure of human requirement, as well as the standard requirement in respect of seed and cattle food, on the basis of which the sufficiency or otherwise of the production and supply of foodgrains in India is calculated in any year?

(d) How does each Province stand, judged by the above standards, in point of self-sufficiency in normal average years, as compared with the present year?

(e) To what extent has the production of primary foodgrains in India as well as important subsidiary cereals kept pace with the increase in population in the last two census periods?

Mr. J. D. Tyson: (a) No figures regarding the present stocks of wheat, rice and important cereals in India are available. A statement giving a forecast of production for those foodgrains is laid on the table.

(b) The information is not available at present but revised estimates of Bihar production have been asked for from Provinces and States.

(c) "The annual *per capita* figure of human requirement" is rather an ambiguous phrase. In the absence of exact figures of consumption, the practice has been to calculate the annual requirements of each area by taking the average production during a period of years, adding thereto the average imports and deducting the average exports; the resultant figure is deemed to include requirements for seed. Cattle are mostly fed on stalks, straw and grass, with oil cakes as concentrates. These do not enter into competition with human food.

(d) A statement based on the method of calculation explained in reply to part (c) is laid on the table. It may be added that figures for millets, ragi and other millets have to be added to the annual cereal requirements and production and that these additions are appreciable in some provinces.

(e) According to the published statistics, there has been no substantial alteration in the total production of food grains during the 20 years 1921-1941.

Statement giving a Forecast of Production of Principal Foodgrains in the various Provinces in 1942-43.

	Production in 000 tons.			
	Rice.	Wheat.	Millets.	Grams.
Assam	1,867			20
Bengal	8,982	45	3	89
Bihar	3,997	498	40	439
Bombay	1,120	487	2,023	91
C. P. & Berar	2,251	711	1,197	226
Madras	4,798		1,973	12
N.-W. F. P.		259	30	27
Orissa	1,557	1	41	2
Punjab	320	4,117	424	656
Sind	382	378	165	55
U. P.	2,226	2,756	866	1,680
Coorg	56			
Delhi		18	12	8

Statement showing the Surplus/Deficit position of the Principal Foodgrains in the various Provinces in 1942-43, as compared with the normal position.

Region.	Crop.	Normal (in 000 tons).			This year (in 000 tons).		
		Annual Production.	Deficit.	Surplus.	Annual Production.	Deficit.	Surplus.
		require- ments.	tion.		in 1941-42.	in 1942-43.	in 1942-43.
Assam	Rice	1,790	1,797		1,466	324	
	Wheat	16		16		16	
	Gram	3		3		3	
Bengal	Rice	8,866	8,802	64	10,217		1,351
	Wheat	286	45	241		41	245
	Millets	4	3	1		3	1
	Gram	117	779	38		79	38

Region	Crop	Normal (in 000 tons).			This year (000 tons).		
		Annual Production.	Deficit.	Surplus.	Production in 1941-42.	Deficit in 1942-43.	Surplus in 1942-43.
Bihar	Rice	3,243	3,052	191	2,747	496	29
	Wheat	456	418	38	485		
	Millets	40	40		18	22	
	Gram	419	439	20	482		63
Bombay	Rice	1,512	1,030	482	780	723	
	Wheat	700	463	237	364	336	
	Millets	1,867	1,813	54	1,813	54	
	Gram	1,374	1,374		85	72	
		157	91	66			
Central Pro- vinces & Berar.	Rice	2,032	2,224		1,214	818	
	Wheat	639	661		406	233	
	Millets	1,034	1,027	7	939	95	
	Gram	186	206	20	197		11
Coorg	Rice	56	56		60		4
Delhi	Rice	11		11		11	
	Wheat	59	18	41	11	48	
	Millets	15	12	3	12	3	
	Gram	21	8	13	8	13	
Madras	Rice	5,359	4,581	778	5,080	279	
	Wheat	29		29		29	
	Millets	1,907	1,893	14	1,893	14	
	Gram	155	12	143	12	143	
N.-W. F. P.	Rice	6		6		6	
	Wheat	260	259	1	263		3
	Millets	30	30		30		
	Gram	31	27	4	27	4	
Orissa	Rice	1,341	1,527		1,380		39
	Wheat	10	1	9	1	9	
	Millets	11	11		11		
	Gram	2	2		2		
Punjab	Rice	318	320		299	19	
	Wheat	3,217	3,920		4,350		1,103
	Millets	382	367	15	530		148
	Gram	557	656		651		94
Sind	Rice	332	482		1,502	392	60
	Wheat	328	378		50	412	84
	Millets	195	215		20	215	20
	Gram	71	55	16	55	16	
United Pro- vinces	Rice	2,316	2,411	205	1,581	635	
	Wheat	2,604	2,676		72	2,647	43
	Millets	683	771		88	842	159
	Gram	1,592	1,680		88	1,680	88

NOTE 1.—The figures for rice, wheat and millets in Bombay include the Bombay States and Baroda.

NOTE 2.—The figures for rice and wheat for the Central Provinces and Berar include those for the Central Provinces States.

NOTE 3.—The figures for rice and wheat for the Punjab, Sind and the United Provinces include those for the corresponding Indian States.

Mr. K. C. Neogy: With reference to the Honourable Member's answer to part (c) of the question, where he said that he could not understand what was meant by "the average *per capita* figure of human requirement", is the Honourable Member aware that this very matter has engaged the attention of many students of economics who have published their articles in various journals, including an Assistant Wheat Commissioner of the Government of India whose name was Mr. O'Byrne? He made the calculation that we require between five and six maunds of grains per head for human consumption alone. Apart from that, does the Honourable Member know that there are famine codes prescribed for the different provinces which lay down, not on a very liberal scale, the requirements of human consumption in times of need?

Mr. J. D. Tyson: Yes, Sir. I am aware of those facts. I am aware also of the perhaps somewhat more authoritative estimate of human requirement that was made by Dr. Aykroyd and endorsed by Sir John Russell. But, Sir, the difficulty is that the estimates given in those cases are, in most cases anyhow, for total diet. If I had wished to take advantage of the opportunity offered by my Honourable friend, I could have said that Sir John Russell and Dr. Aykroyd considered that 15 ozs. of cereals per head per day are what the human frame in India requires, and I could have pointed out that that required a total of some 503 lakh tons of cereals per year and that India produces 600 lakh tons of cereals per year. But I did not take advantage of that opportunity because the figure of 15 ozs. of cereals per day is conditional on a number of other elements being present, such as 3 ozs. of pulses, 10 ozs. of vegetables, 2 ozs. of fats and oils, 2 ozs. of fruits, and 8 ozs. of milk. Sir, the position is that while we have ample production of cereals and pulses, I am not sure that, over India as a whole, we have ample production of vegetables, fats, oils and fruits, and I know that, unfortunately, over India as a whole, we have a production of only about 5 ozs., as against a desideratum of 8 ozs. of milk; and therefore, Sir, I thought it unfair to take advantage of a reference to food grains only and I have not therefore given a reply based on any assumed figure of human requirement.

Mr. K. C. Neogy: I should be much obliged to the Honourable Member if he could give an idea to this House about the position of food grains alone judged with reference to the famine code figures.

Mr. J. D. Tyson: I must ask for notice of that. That is not the original question.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that, in the reference he made to Dr. Aykroyd and Sir John Russell of 15 ounces of cereals for every adult human being, the context there was entirely different. He was talking there in terms of the calorific value of foods and what he was postulating there was that 2000 calories were required for an average. That has nothing to do with the question here.

Mr. J. D. Tyson: But you cannot divorce human requirements of cereals from requirements in the other foodstuffs that may be available.

Mr. Lalchand Navalrai: Does the Honourable Member know that there have been very large and damaging floods in Sind and that the cultivation in two districts has been destroyed? What arrangements have the Government made to know how much damage has been done and how Government is going to provide for foodstuffs in a large part of Sind?

Mr. J. D. Tyson: I am grateful to my Honourable friend for his supplementary question. There has unfortunately been serious damage in Sind. Though we have no detailed figures yet from the Government of Sind, it is quite clear that great loss has been caused to the *kharif* crop; but within the last few days we have had encouraging news from Sind that, provided seed can be made immediately available, there should be a very good prospect of the damage being fully made up on the *rabi* crop, as a result of the present flood-spill, and the Government of India have today made an offer to the Government of Sind of Rs. 20 lakhs, interest-free loan, to enable them to distribute seed with the *rabi* season in view.

Mr. Lalchand Navalrai: Does the Honourable Member know that these breaches that have happened in Sind are spread over a very large area, in the districts of Dadu and Larkhana? What attempts are being made to divert that water or to take steps to see that the *rabi* crop can be grown there?

Mr. J. D. Tyson: I am afraid I cannot answer that. That seems to be a matter for the Provincial Government.

POSITION OF THE INDIAN REPRESENTATIVES AT THE BRITISH WAR CABINET.

20. ***Sir F. E. James:** Will the Honourable the Leader of the House be pleased to state:

- (a) what is the relationship, if any, of the Honourable Sir Ramaswami Mudaliar, a Member of the Viceroy's Executive Council and a representative of India at the British War Cabinet:
 - (i) to the Secretary of State for India and the India Office; and
 - (ii) to the High Commissioner for India;
- (b) whether Sir Ramaswami will receive his instructions from the Government of India direct or through the medium of the India Office; and if the latter, whether the Secretary of State for India will in any way be concerned with those instructions, or have power to modify them; and
- (c) whether any of the functions at present discharged by the Secretary of State and the India Office will be transferred to Sir Ramaswami Mudaliar and his office?

The Honourable Mr. M. S. Aney: (a) Sir Ramaswami Mudaliar has been nominated by and is responsible to the Governor-General in Council as one of India's representatives at the War Cabinet. As the Honourable Member points out, he retains his membership of the Governor-General's Executive Council. The statutory relationship of the Governor-General in Council, in turn, to the Secretary of State is laid down in the

Constitution Act. Sir Ramaswami will not be formally connected with the High Commissioner for India but the latter will naturally render any assistance in his power to India's representatives at the War Cabinet.

(b) Sir Ramaswami will receive his instructions from the Governor-General in Council. The Secretary of State will not of course amend those instructions without reference to the Government of India, but I have already reminded the Honourable Member that the powers of the Secretary of State in relation to the Governor-General in Council, by whom they are issued, are laid down by Statute.

(c) No, Sir.

Sir F. E. James: May I take it that that in fact means that the final instructions to the Honourable Sir Ramaswami Mudaliar will issue from the Governor-General in Council and from no other authority?

The Honourable Mr. M. S. Aney: Yes.

Sir F. E. James: Is my Honourable friend aware that that is an extremely important constitutional departure? If so, why has not an official announcement been made in that sense previously? Why has not the machinery of the Information and Broadcasting Department been utilised to make that much more abundantly clear?

The Honourable Mr. M. S. Aney: I think the fact was announced by the Broadcasting Department.

Mr. Lalchand Navalrai: May I know if the Honourable Sir Ramaswami Mudaliar has the same voice and the same vote as the other members of the Council there?

The Honourable Mr. M. S. Aney: As representing the Government of India, he has the same status as any other member.

Mr. Lalchand Navalrai: With regard to the vote also?

The Honourable Mr. M. S. Aney: Yes, he has the same status as any other member.

Mr. K. C. Neogy: Is His Highness the Jam Sahib of Nawanagar, who is the other member from India, also under the same kind and amount of control from the Government of India?

The Honourable Mr. M. S. Aney: Both of them represent the Government of India.

Mr. K. C. Neogy: Do I take it that these two would jointly represent the Government of India?

The Honourable Mr. M. S. Aney: There are two parts in the country and both of them are controlled by the Government of India and they are the two representatives representing the two parts.

Mr. K. C. Neogy: Will these two represent the Government of India jointly in everything?

The Honourable Mr. M. S. Aney: One represents the Government in Council and the other the Governor General.

Mr. K. C. Neogy: The Honourable Member should have made the distinction clear.

The Honourable Mr. M. S. Aney: I have made it now.

Mr. K. C. Neogy: As the personal representative of the Government of India will have nothing to do with His Highness the Maharaja of Nawanagar?

The Honourable Mr. M. S. Aney: Not the personal representative. He is the representative of the Governor General.

Mr. K. C. Neogy: In what capacity can the Governor General appoint a representative on the War Cabinet?

The Honourable Mr. M. S. Aney: The Crown Representative can.

Mr. K. C. Neogy: May I know what are the relations between these two members of the War Cabinet? I take it that they can independently express their views, without any obligation to have previous discussions?

The Honourable Mr. M. S. Aney: If my Honourable friend would table a question, I will try to give a reply.

Mr. Hooseinbhoy A. Lalljee: May I ask whether it is not a fact that Sir Ramaswami Mudaliar and His Highness will take final orders from the Government of India but they will be subject to the approval of the Secretary of State under the constitution?

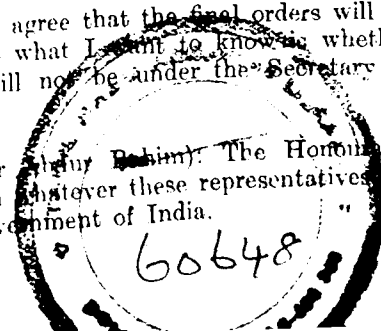
The Honourable Mr. M. S. Aney: These orders will be from the Government of India.

Mr. Hooseinbhoy A. Lalljee: Those orders cannot really be final as under the present constitution they can be changed by the Secretary of State.

The Honourable Mr. M. S. Aney: They will get their orders from the Government of India.

Mr. Hooseinbhoy A. Lalljee: I quite agree that the final orders will be issued by the Government of India but what I want to know is whether these worthy representatives will or will not be under the Secretary of State?

Mr. President (The Honourable Sir Bhanu Prasad): The Honourable Member has explained the position. In whatever these representatives do, they act under instructions of the Government of India.



Mr. N. M. Joshi: May I know whether the Secretary of State can issue final instructions to the Government of India with regard to the matters with which Sir Ramaswami Mudaliar will deal in the War Cabinet?

The Honourable Mr. M. S. Aney: The Secretary of State cannot issue any final instructions.

Mr. N. M. Joshi: May I ask whether it makes any difference whether the Secretary of State can issue final orders to Sir Ramaswami Mudaliar direct or the Secretary of State issues final instructions to Sir Ramaswami Mudaliar through the Government of India?

Mr. M. Ghiasuddin: May I know from the Leader of the House whether the Secretary of State has so far interfered with the instructions given to Sir Ramaswami Mudaliar by the Government of India or not?

The Honourable Mr. M. S. Aney: No.

Mr. K. C. Neogy: Have the Government of India provided their representative on the War Cabinet with an independent secretariat?

The Honourable Mr. M. S. Aney: He has the liberty to have his secretariat if he so likes.

Mr. K. C. Neogy: Or borrow from the India Office?

The Honourable Mr. M. S. Aney: It will be in his discretion.

PROGRESS AND PROGRAMME OF WORK OF THE RECONSTRUCTION COMMITTEES.

21. *Sir F. E. James: Will the Honourable Member for Commerce be pleased to state:

- what progress is being made in the work of the Reconstruction Committees which were constituted in March 1942;
- what is their future programme of work;
- whether he is satisfied that the machinery is adequate for the study of the immense and urgent problems which will confront India at the end of the war; and
- what co-ordination, if any, has been established between the Committees and the Defence Authorities in connection with demobilisation and re-employment after the war?

The Honourable Mr. N. R. Sarker: (a) Arrangements have been made for collection of factual data about various matters connected with post-war reconstruction. Apart from other arrangements, five Economic Investigators have been appointed for the purpose. Moreover, the members of the Consultative Committee of Economists have undertaken to prepare preliminary Reports on certain aspects of post-war reconstruction.

(b) A copy of the programme of work drawn up by the Consultative Committee of Economists is placed on the table.

(c) Yes, at the present stage. However, the Reconstruction Committees are free to suggest any further administrative arrangements required for carrying on their work.

(d) The War Department is represented on the Reconstruction Committee dealing with Labour and Demobilisation and the Secretary of that Department is the Vice-Chairman of that Committee.

Programme of Work drafted by the Sub-Committees of the Consultative Committee of Economists and approved by the latter Committee in its full Meetings held on the 5th and 7th March, 1942.

I. Labour and Demobilisation.

1. The following resolutions were agreed to:

(i) It is desirable that the Labour Department of the Government of India should proceed to the collection of data relating to—

- Changes in the total volume of employment.
 - Changes in the composition of the employed population according to the categories of skilled, semi-skilled and unskilled and daily and monthly rated workers.
 - Changes in methods of recruitment.
 - Changes in the hours of work.
 - Changes in wages, both time and piece rates.
 - Rationalisation of Industrial technique in relation to work.
 - Deferred payment systems.
 - Numbers employed in:
 - Munitions and Armaments Factories.
 - Industries directly connected with war supplies.
 - Industries in general.
- [(h) will include an investigation of the probable magnitude of unemployment in (i) to (iii) above.]

(ii) It is desirable to proceed at once to an investigation of the kind of employment machinery which is likely to be needed at the end of the war and in the light of India's general industrial development.

(iii) It is desirable to proceed to an investigation of the kind of training machinery which is likely to be needed at the end of the war in the light of (a) the retransfer problem and (b) industrial development generally.

II. Industry.

1. It was decided to break the subject-matter into the following main heads.

- Regionalism and the location of industry.
- Consumers' goods industries.
- Capital goods industries.
- Small scale (including cottage) industries.
- Finance and structure of industry.
- Power resources.

2. Under the first head, i.e., Regionalism and location of industries, it was decided to proceed to the following enquiries:

- A factual study of developments since 1919 and their causes.
- To study the following:
 - Upon what principles, economic and non-economic should the location of industries be decided in the future, and
 - What machinery of Government is likely to be called for?

3. Under the second head it was decided:—

- To proceed to a factual study of changes in the standard of life since 1919-35 and the contribution made thereto by the development of consumers goods in India.

(b) To enquire into the impact of the war on the standard of life in India, including the substitution of domestic for imported goods.

(c) To enquire into the following:—

In what directions and with what means can the State most usefully assist the improvement in the standard of living in the Post-War period, *e.g.*, what are the commodities which under the existing and prospective conditions are likely to command a market and what type of assistance can the State afford?

4. Under the third head, *i.e.*, capital goods industries, it was decided:

(a) To proceed to a factual study of developments—

(i) between 1919-39, and

(ii) since 1939.

(b) To study the following:

(i) In what directions and with what means can the State most usefully assist the production of:

(a) Durable consumers' goods, *e.g.*, motor-cars.

(b) Machinery for producing consumers' goods, *e.g.*, textile machinery, agricultural machinery, implements and tools; and

(c) Other capital goods?

Under the same head it was decided to investigate the following:

What are the possibilities from the economic point of view of establishing or extending in India—

(a) A synthetic dye-stuff industry.

(b) a fine chemical industry.

(c) a plastic industry.

(d) a heavy chemical industry.

(e) the production of synthetic petrol and coal tar products.

(f) the production of rayon and other artificial fibres and what are likely to be the consequences of the economic position on existing producers, if any, in India,

(g) ship building industry.

(h) canning industry?

5. Under the head (iv) small scale (including cottage) industries, it was decided to deal with the following enquiries:

(a) What are the principal small-scale industries in the country and where are they localised?

(b) What is the approximate extent of employment in each of the industries? What is the future scope of employment in them? In particular how far can they provide employment to demobilised labour.

(c) What is the chance of survival of each in competition with large-scale industries?

(d) Which of the small-scale industries should be reorganised in case their survival is considered desirable on any grounds? What should be the form of such re-organisation?

(e) What should be the place of small-scale industries in post-war reconstruction? Which existing or new small scale industries can be re-organised or fitted into the wider industrial structure (*e.g.*, as suppliers of parts, etc., to organised industries)?

(f) What seasonal or part-time occupations can be introduced in both urban and rural areas as subsidiary to the main occupations?

(g) In the light of the above, what would be the appropriate State action in regard to the creation, reorganisation and sustenance of these industries and occupations?

6. Under the head (v) *i.e.*, Finance and structure of industry, it was decided to proceed to a study of the following:

(a) Are the existing methods by which Indian industries are financed suitable for the expansion of industrialisation?

(b) In what directions should changes be made?

(c) Does the growth of industrialisation necessitate further regulation of:

(i) Importation of capital, and

(ii) The control over industry?

(d) To what extent is the maintenance or rehabilitation of small-scale industries dependent upon improved methods of state-aid in the financial field?

(e) To what extent will industrialisation require changes in the Indian banking and financial institution and their practices?

(f) In what directions should the present system of industrial organisation and structure be changed to ensure efficiency and public interest in general, particularly in the case of those industries which receive State-aid?

(g) What are the most appropriate forms of State action in the economic sphere in a period of reconstruction and further industrialisation?

(h) What should be the policy of the State in regard to industries in which, owing to the predominance of a single firm or a small group of firms, a quasi-monopolistic position has been reached?

7. (a) A survey of the existing power resources in the country.

(b) What steps should be taken to conserve and develop the power resources of the country to help further industrialisation with particular reference to electric power?

(c) What measures are necessary for co-ordination of power schemes for the different regional units?

(d) Consideration of the possibility of manufacturing power alcohol in the country.

III. Public Works.

1. The members were agreeable to a consideration of the following questions:

(a) Should the public works policy in India in the post-war period be governed primarily by considerations of affording the maximum degree of employment or by purely technical considerations of India's industrial and developmental needs?

(b) In the light of any general principles concurred in, what order or priority should be arrived at among the following?

(i) Roads and bridges;

(ii) Railway lines;

(iii) Drainage and irrigation;

(iv) Canals and defensive works against flood;

(v) Afforestation and land reclamation;

(vi) Control of soil erosion;

(vii) Drinking water supplies and sewage disposal;

(viii) Sea and river ports—equipment of;

(ix) Air ports—equipment of;

(x) Building and construction works, including large scale building projects;

(xi) Electric installation, hydro-electric and heating power centres, motive power transmissions;

(xii) Gas works and long distance gas supply;

(xiii) Telegraph and telephone installations;

(xiv) River control and management?

(c) Assuming that public works policy should be governed primarily by considerations of a technical character, what place should be taken by relief works in the post-war period and how can conflicts in wage policy and standards of output involved in the co-existence of an expanded public works policy and an expanded relief policy be best avoided.

- (d) Taking Indian conditions into account, what would be the reactions of public works conducted by the State on private enterprise, and to what extent is it desirable to stimulate the participations of private capital in the task of promoting public works by—

- (i) guarantee of interest;
- (ii) grants-in-aid;
- (iii) guarantees of repayment of capital; and
- (iv) exemption from taxation?

IV. Trade and Tariffs.

1. The subject matter was divided into the following main sub-heads:

- (i) Tariffs, Subsidies and Protective Policy;
- (ii) Export Policy;
- (iii) Treaty Policy;
- (iv) Internal Trade; and
- (v) Ancillary subjects.

2. Under (i)—Tariffs, Subsidies and Protective Policy—the following subjects were considered worthy of investigation:

- (a) What should be the technical content to be given to the doctrine of Protection by tariffs or bounties (including anti-dumping measures) in the post-war period?

- (b) What modifications, if any, will the machinery of tariff-making require in the post-war period—

- (i) Functions;
- (ii) Composition;
- (iii) Tenure?

- (c) What should be the relations between protected industries and the State in respect of—

- (i) Control of profits;
- (ii) Participation in profits;
- (iii) Social conditions of labour;
- (iv) Apprenticeship;
- (v) Administrative supervision and control by the State of protected industries?

- (d) What have been the economic consequences of the existing rates of duty and to what extent will the technical structure of the tariff require modification in future?

- (e) What have been the economic consequences of war-time export and import regulations? How far should they be continued in the post war period?

3. Under (ii)—Export Policy—

- (a) What general principles should underlie the export policy of the Government of India in the post-war period? Should it take the form, in the main, of maintaining the principle of freedom of private enterprise or should Government, as a matter of principle, encourage schemes of bulk-sales for exports, and bulk-purchases for necessary imports?

- (b) To what extent should Government envisage aid to export interests by means of—

- (i) export-credit schemes;
- (ii) adherence to regional pacts as regards exports of manufactures and/or raw materials (i.e., division of export-markets);
- (iii) export subsidies; and
- (iv) export-cartels?

- (c) To what extent should India adhere to international pacts for the quantitative regulation of exports and/or the production of basic and other raw materials (e.g., cotton, coffee, sugar, wheat, rubber, tea)?

- (d) To what extent are India's fundamental economic interests best met, so far as substitute materials are concerned (e.g., rayon, plastics) by (i) the manufacture of such commodities within India, (ii) pursuing price-policies designed to maintain the market for the natural products of Indian soil?

4. Under (iii)—Treaty Policy—

Given the various possibilities of the post-war situation (closer co-operation between the British Empire and the U. S. A., the "rationalisation" of export and import trade etc.), should India choose:

- (a) a policy of complete autonomy, i.e., no trade treaties,
- (b) a policy of conditional, or, alternatively, unconditional most-favoured treatment, only,
- (c) adherence to the Imperial Preferential System (and with what modifications),
- (d) adherence to low-tariff or no-tariff zones,
- (e) bi-lateralism of the Continental type?

5. Under (iv)—Internal Trade Problems—

- (a) How can internal trade be developed so as to provide large and expanding markets for the products of our industries and of agriculture?

- (b) What impediments exist at present in the way of the inter-provincial trade and how best they can be removed (e.g., octrois, transport difficulties, lack of advertisement and propaganda)?

V. Agriculture.

1. It was decided to divide the subject matter under two heads:

- (i) *The immediate war and post-war position.*
- (ii) *The Long Term Adjustment of Indian agriculture to Indian and World trends.*

2. Under the first head, it was agreed that the following topics required investigation:

- (a) *The structure of rights over agricultural land in India in the post-war period.*

In certain provinces, the soldier (and, in due course the returned soldier) requires to be protected in his rights in the land; what forms of protective measures are necessary, such as:

- (i) Government assistance in the collection of rent arrears from tenants during the absence of the landlord.
- (ii) Extension of the period of leases or time-limits for the payment of rents or revenues.
- (iii) Extension of the period of pending suits by money-lenders.
- (iv) Protection of the rights of minors?

- (b) *The immediate post-war price situation.*

If agricultural prices show a marked rise or decline after the cessation of hostilities, what will be the best way of meeting the situation?

3. Under the second head, it was agreed that the following topics required investigation:

- (a) The adherence of India to international agreements for the "orderly marketing" or "valorisation" of staple crops (e.g., wheat, cotton, etc.).

- (b) "Crop-planning", in relation particularly to:

- (i) The problem of finding alternative crops in place of those for which there is likely to be an inelastic or diminishing demand, e.g., shortstaple cotton, and the problem of finding alternative uses for existing crops.

- (ii) The production of "secondary crops" for the development of existing and new agricultural industries (e.g., canning industry).

- (iii) Nutritional problems, and, in view of population pressure, the production of heavy yielding crops such as rice, potatoes, pulses and soya-beans.

- (iv) Development of mixed farming and marketing of daily produce at distant places.

- (v) The fuller exploitation of the available productive powers of human labour and cattle power.

- (vi) The extent to which each region should aim at self-sufficiency in regard to agricultural products.
- (c) *The "Planning of Agriculture" in relation to :*
 - (i) An examination of the structure of rights and interests in land including problems of tenancy, tenure, debt and transfer of land.
 - (ii) Problems of unemployment and under-employment among the cultivators with special reference to (a) Legislation regarding uneconomic holdings and (b) development of intensive and mechanised farming.
 - (iii) Improvement of the economic position of agricultural labourers.
 - (iv) Social experiments in collective and co-operative farming as alternatives to individual cultivation of the soil and the degree to which Government can undertake or encourage such experiments, and
 - (v) The co-ordination of efforts aiming at preserving the heritage in soil, forests and waters such as erosion control, afforestation, land reclamation, etc. Is it practicable to work out a policy of an "Evernormal Granary" in India?
- (d) A re-examination of the problems involved in the financing of agriculture.
- (e) Suggestions towards improvements in agricultural statistics.

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 - (ii) The production of "secondary crops" for the development of existing and new agricultural industries (e.g., canning industry).
 - (iii) Nutritional problems, and, in view of population pressure, the production of heavy yielding crops such as rice, potatoes, pulses and soya beans.
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- (d) A re examination of the problems involved in the financing of agriculture.
- (e) Suggestions towards improvements in agricultural statistics.

Mr. Govind V. Deshmukh: Were the interests of agriculturists represented on any of these Committees? If so, what are their names and the names of the Committees on which they served?

The Honourable Mr. N. R. Sarker: I want notice of this question.

WHEAT POSITION.

22. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Commerce Member please state what the quantity of production of wheat in the year 1942 is? (The figures may be given province-wise.)

(b) What is the normal monthly consumption of wheat in India? What is the surplus of wheat after five months' consumption (from April to August)?

(c) Have the Government of India got the list of the stockists in every town and the quantity of wheat or flour these stockists have in their possession?

(d) What steps have Government taken to compel the stockists to sell at the controlled economic price fixed by the Government of India?

The Honourable Mr. N. R. Sarker: (a) A statement is laid on the table..

(b) No figures are available showing normal monthly consumption of wheat in India. The total net supplies available for consumption annually worked out to approximately 8,900,000 tons or 740,000 tons per month. At this rate approximately 5,200,000 tons should be available till the end of the wheat season.

(c) No. Reports are received by the Wheat Commissioner periodically regarding the stocks held at the various Mandis from the District Officers and Trade Sources. Several Provinces have enforced the Foodgrains Control Order, which provides for the licensing of wholesale dealers and the submission by them of returns of stocks or similar orders, but only recently; while other Provinces have not yet put it in force.

(d) The Government of India have pressed the Provincial Governments to launch prosecutions and punish the offenders severely in cases of sale of wheat or wheat products at rates higher than the controlled rates. In certain cases of necessity, Provincial Governments have requisitioned the stocks.

Estimate of the Wheat Crop of 1941-42.

Provinces and States.

Yield of wheat
(in tons).
Current year
(1941-42).**British Provinces—**

Punjab	3,873,000
United Provinces	2,608,000
Central Provinces and Berar	388,000
Bombay	241,000
Sind	380,000
Bihar	485,000
North-West Frontier Province	238,000
Bengal	41,000
Delhi	11,000
Ajmer-Merwara	5,000
Orissa	1,000
Total British Provinces	8,271,000

Indian States:—

Punjab States	520,000
United Provinces State (Rampur)	49,000
Eastern Agency States*	12,000
Bombay States	95,000
Sind State (Khairpur)	30,000
Central India States	288,000
Gwalior State	299,000
Rajputana States	331,000
Hyderabad States	134,000
Baroda States	41,000
Mysore State	(a)
Total India States	1,799,000

GRAND TOTAL 10,070,000

*Formerly Central Provinces States.

(a) 500 tons.

Mr. Umar Aly Shah: Does the Honourable Member know the number of Indians who are starving for want of food?

The Honourable Mr. N. R. Sarker: I have no such information.

Mr. Muhammad Azhar Ali: Does the Government know that the Provincial Governments generally are carrying on this propaganda through the Police and the Tahsildars, and the result of it is that the Police officers themselves purchase foodgrains before the public gets it? Is the Government going to make any arrangement for the public or for the Police and Tahsildars?

The Honourable Mr. N. R. Sarker: I have no such information.

Mr. Muhammad Nauman: May I know why the Government have not been able to procure any figure although the motion was moved in this House in last November and the Government promised that the information would be made available as to what stocks are in the country and what stocks will be available for the people in the country? If the Government is not yet in a position to enlighten this House, then what is the use of having a Wheat Commissioner and the whole paraphernalia connected with him?

Dr. Sir Ziauddin Ahmad: Has the Government got the particulars about the sale price of wheat, and whether they are aware that wheat in Delhi is being sold at a much higher price than the controlled price?

The Honourable Mr. N. R. Sarker: We have not changed the orders and I do not know that wheat is being sold at a higher price.

Sardar Sant Singh: Is the Honourable Member aware that wheat which is being sold to private consumers is sold at a much higher price than the control order contemplates? Is it not a fact that this complaint is to be found throughout India? Will the Honourable Member take steps either to strengthen the control order or to relax it in such a manner that this state of affairs should not continue?

The Honourable Mr. N. R. Sarker: Wheat may be sold at a higher price in retail, but the Government control order fixes the wholesale rate. I have no information that the wholesale rate being charged is higher than the controlled rate.

Dr. Sir Ziauddin Ahmad: What is the wholesale rate today?

The Honourable Mr. N. R. Sarker: It is Rs. 5 and Rs. 5/4.

Mr. Muhammad Nauman: But the wheat is being sold at the rate of Rs. 9 per maund in Delhi today.

Mr. Lalchand Navalrai: May I ask if the price has been settled by the Central Government for all the provinces and all places or whether different Provincial Governments have fixed different prices for their own provinces?

The Honourable Mr. N. R. Sarker: The retail prices were left to the discretion of the Provincial Governments.

Sir Syed Raza Ali: Does the Honourable Member realise that if it is desired that the benefit of the controlled rate should reach the ordinary consumer, it would be necessary for the Government of India and the Provincial Governments to open their own shops in view of the fact that the grain is likely to be withdrawn from the market by the stockists? It is a serious proposition really.

The Honourable Mr. N. R. Sarker: That question has been discussed in the recent Price Control Conference and some decisions have been arrived at which are being considered now by the Central Government and their decision will be communicated very shortly.

Dr. Sir Ziauddin Ahmad: Will the Honourable Member lay on the table the report of this Conference as it will help us very much?

The Honourable Mr. N. R. Sarker: No. Until the Government of India take a decision, I am afraid I cannot lay it on the table.

Mr. N. M. Joshi: May I ask if the Honourable Member is aware of the fact that wheat and other foodgrains have become so difficult to be obtained even in cities like Bombay that a large number of people have to wait for

hours together even to get wheat or other grain worth a rupee? Recently, the queues had become so large and clamorous that the Government had to resort to firing to regulate the queues.

The Honourable Mr. N. R. Sarker: I do not know about the firing but I know about the difficulties in getting foodgrains. That question is under the active consideration of the Government of India and a decision will be arrived at very shortly.

Sardar Sant Singh: Has the Honourable Member considered the desirability of removing this control in view of the fact that during the last war the economic factors worked very much better than the control factors are working today?

The Honourable Mr. N. R. Sarker: I do not think so.

Sardar Sant Singh: Is the Honourable Member aware that during the last war the benefit of the rise in wheat price went to the agriculturist and today it is going to the middleman?

The Honourable Mr. N. R. Sarker: To the middleman at the consumer's end and not at the producer's end, which was more effectively controlled.

"BEVIN BOYS" RETURNED TO INDIA AND THEIR EMPLOYMENT.

23. *Mr. Govind V. Deshmukh: Will the Honourable Member for Labour please state how many "Bevin boys" have returned to India and if all of them have got employment? If not, what are the reasons for their unemployment? Are any of them taking any part in Trade Unions?

The Honourable Dr. B. R. Ambedkar: 149 Bevin boys have returned to India of whom 26 arrived only on the 5th September and are now being tested by an Examining Board. Of the remaining 123, 105 have been placed in employment with an average increase of salary of 145 per cent. Of the balance of 18, nine boys who arrived at the end of July have been allotted to posts and will be appointed very shortly; two who do not wish to take up factory work are being considered for Emergency Commissions—one in the Indian Army and one in the Indian Air Force; three have refused the posts offered to them and efforts are now being made to find them other appointments; one is being returned to his original employment on increased pay; one is undergoing tests with a view to appointment as Welder Instructor at a training centre; one has been earmarked for a post but cannot at present be traced; and the last man was returned from England for misconduct without completing his training.

It is too early yet to say whether any of the returned trainees are taking part in Trade Union Affairs.

Mr. Govind V. Deshmukh: May I know if their unemployment is not due to the fact that they are taking part in Trade Union movements?

The Honourable Dr. B. R. Ambedkar: I do not think so. I do not see any evidence of unemployment among the trainees.

Mr. Govind V. Deshmukh: My question was "if all the Bevin boys have got employment" and the answer was that all the Bevin boys who

have returned are not employed, that some are being tested, that some are employed that some are sent back to their old jobs. I want to put this question whether their unemployment is in any way due to the fact that they are taking interest in trade union activities.

The Honourable Dr. B. R. Ambedkar: I am sure it is not.

Mr. Govind V. Deshmukh: What sort of misconduct was reported against one of the Bevin boys?

The Honourable Dr. B. R. Ambedkar: I have not got the information at present. I want notice.

Mr. Govind V. Deshmukh: Has it got anything to do with his labour activities?

The Honourable Dr. B. R. Ambedkar: I would not like to spoil the chances of this young man by stating in the open House what his misconduct was.

Mr. Govind V. Deshmukh: When this case of misconduct was reported against this young man, did not the Government think it advisable to make enquiries about what that misconduct was?

The Honourable Dr. B. R. Ambedkar: I have no doubt that Government have got the information about the sort of misconduct he was found guilty of. I have not got the fact with me at present. I want notice.

Dr. Sir Ziauddin Ahmad: May I know whether the "Bevin boys" come from the labouring classes?

The Honourable Dr. B. R. Ambedkar: The Department is examining that aspect of the case.

Mr. Govind V. Deshmukh: In view of the fact that the "Bevin boys" return to India after obtaining proper training in England, where is the necessity for testing them again?

The Honourable Mr. B. R. Ambedkar: Most of the employers would not accept the word of the Government of India that they were trained, and the employer would like to satisfy himself that the man whom he is employing is properly trained. We cannot prohibit the employer from doing so.

SHORT STAPLE COTTON PURCHASED BY GOVERNMENT.

24. *Mr. Govind V. Deshmukh: Will the Honourable Member for Commerce please state:

- (a) if short staple cotton was purchased by Government in the cotton season of 1942 before the 10th of June; if so, through what agencies, what amount and in what markets; and whether the public were informed about the purchasing agencies by Government; if not, why not; and

- (b) if short staple cotton purchased by Government was sold to the Textile Mills in India or any export agencies; if so, whether Government made any profits in these transactions, and how the profits, if any, will be utilised?

The Honourable Mr. N. R. Sarker: (a) Yes. As regards the other points raised in the question I lay on the table a statement showing such information as Government are prepared to give at this stage. Publicity was not given to the selection of purchasing agents because it was desired that their operations should be secret, the object being to avoid artificial disturbance of the markets upcountry.

Statement showing Purchases of Short Staple Cotton.

Type of cotton.	Quantity purchased to date. Bales.	Centres from which purchased.
Berar	1770	{ Amraoti. Akola. Khamgaon.
C. P. I.	4542	{ Wardha. Arvi. Dhamangeon. Pandharkawada. Nagpur. Soner. Wun.
C. P. II	1054	{ Katol. Digras. Yeotmal. Chatanji. Kondali.
Khandesh	942	{ Dondaicha. Dhulia. Amalner.

- (b) No. The latter part of the question does not arise.

Mr. Govind V. Deshmukh: Is the Honourable Member aware that the agriculturists could not bring in their crop to the market, because they were under the impression that Government would advertize for their requirements?

The Honourable Mr. N. R. Sarker: The Government issued a Press Communique on 12th March stating they were going to buy cotton.

Mr. Govind V. Deshmukh: How can you expect the agriculturist to know about this that the Government have entered the field for purchase? The Government did not advertize?

The Honourable Mr. N. R. Sarker: I believe the Provincial Governments must have informed the village associations or village panchyats.

Mr. Govind V. Deshmukh: I do not want what the Honourable Member believes or thinks. I ask him for facts.

The Honourable Mr. N. R. Sarker: I have no further information.

AMOUNT EARMARKED FOR PURCHASE OF SHORT STAPLE COTTON.

25. *Mr. Govind V. Deshmukh: Will the Honourable Member for Commerce please state how the amount earmarked in the budget of 1941-42 for the purchase of short staple cotton to help the growers of such cotton will be utilised to its full extent?

The Honourable Mr. N. R. Sarker: Government have not earmarked any specific amount for the purchase of short staple cotton. The proceeds of the additional import duty imposed on raw cotton by the Cotton Fund Ordinance, 1942, will be utilized not only in financing the purchases of short staple cotton but also in making grants to the Provincial Governments and Indian States to enable them to remit the whole or part of the land revenue or rent collected from the cultivator in respect of the land diverted from cotton to food crops and on similar other measures for the benefit of the growers of cotton.

Mr. Govind V. Deshmukh: Is the Honourable Member aware that this grant was earmarked for maintainng the economic level of price of short staple cotton?

The Honourable Mr. N. R. Sarker: No. It is not correct.

MATERIALS OF ARTICLES RECEIVED UNDER THE LEASE AND LEND AGREEMENT.

26. *Mr. Govind V. Deshmukh: Will the Honourable Member for Commerce please state what materials or articles have been received by India under the Lease and Lend Agreement and of what value? Are the terms of this agreement the same as between the United Kingdom and the United States of America?

The Honourable Mr. N. R. Sarker: The question should have been addressed to the Honourable the Supply Member.

DEPRECIATION IN LABOUR WAGES.

27. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Labour be pleased to state if he has ascertained the exact depreciation in wages in proportion to the increase in value of food-stuff and textile commodities and general cost of living? If so, what is the ratio?

(b) Is it not a fact that the dearness allowance and war-time bonuses granted to Railway workers is not sufficient to make up for the proportional fall or depreciation in wages?

(c) If the answer to part (b) be in the affirmative, does the Honourable Member propose to reconsider the matter of wages of labour on the Railways and increase their wages to an amount which would be sufficient?

(d) Do Government propose, during the war period, to set up food and cloth stores for supplying Railway labour with these commodities at prices commensurate with their present income and if it proves satisfactory to continue the arrangement as a permanent measure?

(e) Will the Honourable Member be pleased to make a comparative statement of wages paid to the Railway labour in Government-controlled Railways, in private Railways (i.e., Company-managed and private State

Railways) and in textile mills, jute mills and the iron and steel factories in India, and also their hours of work in a week?

The Honourable Dr. B. R. Ambedkar: (a) The costs of living have not risen at the same rates throughout India; there are reliable cost of living indices only for a few large towns; the rates of wages even at one centre differ considerably for different classes of employees, and the movements in the rates of wages have been uneven at the same place and as between different places. In view of these factors, it is not possible to give a reply to the question as put by the Honourable Member. If he desires information regarding any specific class of employees at a place where there is a reliable cost of living index, I shall attempt to furnish it.

(b) No. I believe that the dearness allowance meets fully the increased cost of living in the lower grades though to a diminishing extent in the higher grades.

(c) Does not arise; but I would add that recently the dearness allowance was enhanced by a considerable extent, in negotiation with the All-India Railwaymen's Federation and there is no justification for a further revision at present.

(d) Grain shops have been and are being opened by a number of railways when the administration considered it necessary to do so. Commodities supplied in these shops are sold at prices not exceeding the control prices fixed by Provincial Governments. It is proposed to run these shops during the war as long as the necessity for them exists. No cloth shops have yet been opened on the Railways.

(e) There is no known basis for making such a wide comparison; each factory employs specialised labour and comparison is difficult.

Mr. Muhammad Nauman: May I know from the Honourable Member whether it is the contention of Government that there has been no rise in price since 1939?

The Honourable Dr. B. R. Ambedkar: That is not the contention of the Government. All that the Government say is that there is no uniformity in rise.

Mr. Muhammad Nauman: There is some uniformity taking the minimum. Are the Government not prepared to accept the minimum rise in all commodities, which is above 50 per cent?

The Honourable Dr. B. R. Ambedkar: I am prepared to say that there is rise, but I cannot say that the percentage is as high as the Honourable Member suggests.

Mr. Muhammad Nauman: Will the Government make enquiries and find out whether the allegation is correct?

The Honourable Dr. B. R. Ambedkar: I cannot commit myself to making enquiries, which will require additional staff and time which Government may not be able to spare.

Mr. Muhammad Nauman: The Government ought to have had this information since three years have elapsed.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is expressing an opinion.

Dr. Sir Ziauddin Ahmad: May I ask if the dearness allowance mentioned in this question will be extended to other departments of the Government of India, especially post office?

The Honourable Dr. B. R. Ambedkar: This question should be addressed to the appropriate department.

Dr. Sir Ziauddin Ahmad: This question refers to railways, but my Honourable friend has taken up this question as one concerning labour. I should like to know whether the labour conditions mentioned with regard to railways will be extended to labour conditions in other departments?

The Honourable Dr. B. R. Ambedkar: I think there has been an increase in dearness allowance given to all employees in the Government of India.

Mr. Muhammad Nauman: With reference to part (d), may I know whether Government have taken any pains to compare the control rates at which they are selling now and the rates at which the commodities were being sold in 1939 and 1940?

The Honourable Dr. B. R. Ambedkar: It is quite unnecessary to make any such comparison of percentage at all.

Mr. Muhammad Nauman: Otherwise, you do not know what percentage of dearness allowance should be given.

The Honourable Dr. B. R. Ambedkar: It is sufficient for Government purposes to know that there is an increase. In that case they may consider whether or not to increase the allowance.

Qazi Muhammad Ahmad Kazmi: What are the places where the rise in prices is the lowest?

The Honourable Dr. B. R. Ambedkar: I want notice.

SCHEME FOR A NATIONAL GOVERNMENT AT THE CENTRE.

28. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Leader of the House be pleased to state if the Government of India has under contemplation any scheme to implement the Cripps offer to form a Government at the Centre with the parties who are ready to co-operate with the allied powers in defending India and carrying on the anti-Fascist fight to its end?

(b) If there be any effort on the part of Government of India under contemplation to create a National Government at the Centre, will the Honourable Member be pleased to make a statement on the scheme on the floor of the House?

The Honourable Mr. M. S. Aney: This is a matter primarily for His Excellency the Governor General and His Majesty's Government, rather than the Government of India. I would remind the Honourable Member of repeated statements on behalf of His Majesty's Government, renewed so late as September the 10th by the Prime Minister, that the broad principles of the Declaration which formed the basis of Sir Stafford Cripps Mission to India must be taken as representing the settled policy of the British Crown and Parliament, and that these principles stand in their full scope and integrity.

(b) WRITTEN ANSWERS.

EVACUEES FROM BURMA AND THE FAR EAST.

29. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Indians Overseas be pleased to state the number of evacuees including wives and children, from (1) Burma, Province by Province, (2) Malaya, (3) Singapore, and (4) Hongkong and their present domicile, and financial condition?

(b) Will the Honourable Member be pleased to state the number of Indians with their families who were left in Burma, Malaya and Singapore and who could not avail of opportunities to leave those places or who could not come on account of various impediments? Is there any means available now to get information about their whereabouts and condition?

(c) Is it a fact that many evacuees have applied for financial help and employment to the Government of India? What help has been rendered and how many have been employed and out of those employed how many are Indians and how many are Europeans and Anglo-Indians? What arrangements are made for giving employment to the unemployed evacuees who had been rendered absolutely helpless on account of forced evacuation?

(d) Is it a fact that the Indians had been forced to evacuate on account of cruel treatment by the Burmans and their threatening attitude towards the Indians domiciled in Burma?

(e) Is the Honourable Member aware of the allegation of racial discrimination between Indians, Europeans and Anglo-Indians in respect of employment of evacuees? If so, will the Honourable Member be pleased to make a statement on the matter?

The Honourable Mr. M. S. Aney: (a) The number of persons evacuated to India from Burma is estimated at five lakhs and the number from Malaya, including Singapore, at about 8,000. No estimate is available of the arrivals from Hong Kong. It is not yet possible to estimate the numbers according to the various provinces to which the evacuees belong. Government understand that the bulk of the refugees brought no savings with them.

(b) The number of Indians still left behind in Burma is of the order of six lakhs and that in Malaya, including Singapore, about 7½ lakhs. The Japanese Government have not so far agreed to the protection of British interests in these territories through the agency of a protecting power and at present the only channel of communication with those countries is the International Red Cross Committee. It is hoped that

some indication of the general condition of Indians stranded in these countries will become available through this channel after some time. Enquiries about the whereabouts and welfare of individuals are, however, being received in the Department of Indians Overseas and referred to the Red Cross Commissioner for transmission through the International Red Cross Committee, but it may be a considerable time before the enquiries produce any result. Recently the Japanese Government have agreed to the establishment of certain postal facilities for prisoners of war, which will be applicable also to civilian internees in those countries.

(c) The Government of India have put into operation a scheme for the grant of financial assistance to destitute evacuees. The rate of allowances is related to the pre-evacuation incomes of the refugees. The authority to receive and deal with applications for relief, has been delegated to the Provincial Government and by them to the District officers.

The employment of evacuees is a problem to which Government have been paying careful attention. Provincial Governments have been requested to undertake the task of putting applicants in touch with prospective employers. Though persons such as lawyers and teachers may find some difficulty just at present in securing suitable employment, those possessing technical qualifications, such as doctors, electricians, carpenters and others belonging to skilled trades should have no difficulty in finding employment. Those who are still without employment have been invited to register themselves with the National Service Labour Tribunals which are functioning in all Provinces. For clerical workers there is great scope for finding employment with the armed forces. For unskilled labour also there are many openings in new camp, aerodrome and road construction and building works apart from other relief works instituted by certain Provincial Governments. Provincial Governments have been addressed for returns of evacuees who have secured employment but as yet these have not been received. It is not certain whether full particulars will become available in the near future.

(d) There were many reasons impelling Indians to evacuate from Burma and the hostile attitude of a proportion of the Burmese people was one of them.

(e) Government have seen allegations in the press that Europeans have found employment more readily than Indians. No statistics have been produced to substantiate those allegations. Government have issued instructions to all appointing authorities that in the matter of the employment of evacuees, Indians should be given preference over other classes of evacuees as far as possible.

POSITION CONCERNING STOCKS AND PRODUCTION OF WHEAT, RICE, ETC. AND THEIR PRICE CONTROL.

30. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Commerce be pleased to lay on the table a statement showing the present position in stock of (1) wheat, (2) rice, (3) coal, (4) quinine, (5) tea, (6) kerosene, (7) salt, and (8) sugar, and the prospect of the same next year?

(b) Is the Honourable Member aware of the fact that prices of rice, sugar and salt have gone up abnormally in Bengal and these commodities are becoming unavailable? If so, what arrangements are made to bring down the prices and make the commodities easily available?

(c) Is it not a fact that a large quantity of rice had been exported to Ceylon from Bengal? If so, how could such export be possible when there was a dearth of rice in Bengal? What was the total quantity of rice in stock in Bengal when it was exported to Ceylon?

(d) What arrangements have been made by the Honourable Member to make up the deficits in the supply of staple foods to the inhabitants of the country, province by province?

(e) What financial help has been rendered to the Indian agriculturists to grow more food and what is the area of fallow land which has been already brought under cultivation with a view to growing more food?

(f) Is the Central Government solely responsible for organising the "Grow more food" campaign throughout the country or have Provincial Governments also a combined responsibility? Will the Honourable Member be pleased to lay on the table a copy of the scheme?

(g) What arrangements do Government contemplate for equitable distribution of coal to Provinces at a cheaper rate?

(h) What arrangements do Government contemplate for control of prices and equitable distribution of staple food and daily necessities in all the Provinces?

The Honourable Mr. N. R. Sarker: (a) A statement showing the stocks of quinine salts in India on the 1st April, 1942, and of sugar stocks at factories only on the 5th September, 1942, is laid on the table. Information is not available about the stocks or the prospects of next year's production of other commodities mentioned in paragraph (a).

(b) As regards sugar, the Sugar Controller for India has taken all possible steps in the present difficult transport situation to make reasonable quantities of sugar available to Bengal. The question of controlling the prices and distribution of rice was discussed at the last Price Control Conference and the recommendations made by that Conference are now before the Government of India.

With regard to salt, the Government of India have requisitioned a ship to transport salt from West Coast to Calcutta and have also arranged shipping facilities, through the Ministry of War Transport, for the import of salt from Aden into Bengal.

(c) Exports of rice from Calcutta to Ceylon from the 1st April to the 31st August, 1942, amounted to 5,711 tons. No information is available about the stocks of rice in Bengal, but these exports were permitted after consultation with the Government of Bengal who had no doubt taken into account the supply position in that Province. It is not definitely established that, as the Honourable Member says, there is an actual dearth of rice in Bengal as a whole.

(d) Inter-provincial movements of wheat and sugar have been regulated by the Central Wheat Control and Sugar Control. As regards other foodgrains, the responsibility rests primarily on the Provincial Governments, but the Central Government have given all assistance in their power by organizing the Regional Price and Supply Boards, and otherwise.

(e) It is for the Provincial Governments to render whatever help the cultivators require to grow more food. The Central Government have, however, made grants from the Cotton Fund to those Provinces which applied for such grants in order to give financial help to cotton growers to assist them in diverting their lands from cotton to food crops.

From information so far received, it is estimated that 30,50,000 acres of culturable waste and fallow land will be brought under the cultivation of food crops in the British Indian Provinces in the current year.

(f) The responsibility for organising such a campaign rests also on the Provincial Governments, but in view of the abnormal situation created by the war, the Government of India called a Conference of the representatives of the Provinces and States in April 1942 to devise ways and means of increasing food production to meet the needs of the country as a whole. The recommendations made by the Conference are embodied in a series of resolutions, a copy of which has been laid on the Library table. It was for the Provincial Governments to implement most of those recommendations, and from information received, they appear to have done so, in so far as they are feasible under the local conditions.

To assist the Provincial Governments in co-ordinating their plans and programmes and advising them from the point of view of the country as a whole, the Government of India have, in pursuance of one of the recommendations of the Food Production Conference, set up a Central Food Advisory Council consisting both of officials and non-officials.

(g) I place on the Table a copy of a Press Communiqué recently issued by the Government of India in the War Transport Department describing certain arrangements designed to ensure an equitable distribution of coal to Provinces at reasonable rates.

(h) The question was discussed at the Sixth Price Control Conference and certain recommendations were made. These are now being examined by the Government of India.

<i>Stocks of Quinine Salts on the 1st April, 1942.</i>		<i>Lbs.</i>
Central Reserve		153,000
Reserves held by the Government of India on behalf of Provincial Governments and States under the 1939-40 Java Purchase Scheme		70,000
Reserves held by the Government of India on behalf of Provincial Governments and States under the 1941-42 Java Purchase Scheme		19,000
Stocks held by Provincial Governments		82,312
Stocks held by Civil Medical Stores Departments		29,000
		353,312
	Orsay	350,000 lbs

Sugar.

Total stocks of sugar in factories in British India on 5th September, 1942 were 235,000 tons.

Resolutions adopted by the Food Production Conference held at New Delhi on the 6th April, 1942, under the Chairmanship of the Honourable Mr. N. R. Sarker, Member in charge of the Education, Health and Lands Department.

1. This Conference views with grave concern the possible repercussions on the civil population and on administration in India of the shortage of food which is likely to face the country in the forthcoming year as a result of deficiencies of rice and wheat consequent largely on difficulties of transport, cessation of imports and local failure of monsoon. It considers it essential that immediate action should be taken for the initiation of a planned and effective drive for the increased production of food and fodder crops in the forthcoming *kharij* and *rabi* seasons and in the following year. To this end the Conference appeals with confidence for the hearty co-operation of the Provincial and State Governments, of non-official leaders of public opinion in India and of all non-official agencies which are in a position to render useful assistance.

2. The Conference considers that production in each deficit region should be increased so that it may as far as possible become self-sufficient in respect of its primary food and fodder requirements. It recognises, however, that this may not be possible in certain regions in respect of all commodities. It, therefore, recommends that regions favourably situated should grow as much as possible of those commodities for meeting the requirements of deficit regions and specially of contiguous deficit regions. When there is a deficit of a particular commodity in the country as a whole the distribution should as far as transport facilities permit aim at an equality of sacrifice on all consumers of that commodity.

3. In order to ensure the maximum amount of land being brought under cultivation for the growth of food and fodder crops and the maximum yield per acre therefrom, the Conference recommends the initiation of the following further measures by Provincial Governments:

- (i) Detailed programmes of work for the "grow more food campaign" should be drawn up for different areas and propaganda to implement such programmes should be carried out through the press, the radio, by informative and inspiring leaflets and lectures, in association with existing non-official bodies, such as Co-operative Societies, Farmers' Associations, Rural Development Associations, village Panchayats, and so forth;
- (ii) Arrangements should be made to ensure the availability of adequate supplies of seed for suitable varieties of crops;
- (iii) Arrangements should be made for the supply of manures, particularly oil-cake and bonemeal; green manuring, where feasible, proper storage of farm-yard manure and the making of compost should also be encouraged;
- (iv) Steps should be taken to improve existing water supplies, and to arrange for the supply of irrigation water at the right times and also to develop new sources of water-supply such as the construction of wells, embankments and water channels;
- (v) Financial provision should be made for the grant of *tacavi* loans and for giving concessional rates for seed, manure and irrigation charges;
- (vi) Land Revenue and rent should not be charged or should be charged at a concession rate for a specified period on lands newly brought under cultivation provided food and fodder crops are grown on them.
- (vii) Steps should be taken to increase the acreage of food and fodder crops by extending the double-cropped area by curtailing as far as feasible the acreages of short-staple cotton and other non-food crops, and in the case of jute, maintaining the existing system of control and by utilising uncultivated lands;
- (viii) Steps should be taken to encourage the use of 'under-milled' or home-pounded rice in place of highly milled rice with the object of making existing supplies of rice go further and to take the opportunity afforded by the present food production drive to instruct the cultivator to secure for himself a more balanced diet.

4. In order to counter any apprehension that the drive towards increased food production might result in such an augmentation of output as seriously to affect the saleability of the crop, this Conference recommends to the Government of India to undertake, should such a contingency threaten, to buy such quantities of foodstuffs in the open market as would prevent any serious deterioration in the level of prices.

5. The Conference recommends that as an insurance against a shortage of staple foods and with a view to improve the nutrition of the people, all available lands adjoining homesteads should be used for the production of vegetables and quick-growing fruits, such as papayas, bananas and melons and green fodder crops for increased production of milk. The Conference suggests that Provincial and State Governments should examine the feasibility of utilising uncultivated lands near irrigation channels for the purpose of food, vegetable and fodder crop cultivation.

6. The Conference recommends that, to meet increasing transport difficulties, steps should be taken to revive, encourage and develop the many forms of indigenous transport, such as country boats, bullock carts, camel carts, pack animals and so forth which have been partially superseded by mechanical transport.

7. The Conference recognises that the carrying out of a food and fodder production drive is largely a matter of detailed organisation for the Provincial and State Governments which, it is hoped, will set up suitable machinery for the purpose. A Central Food Advisory Council should be established by the Government of India as a co-ordinating body whose main functions would be:

- (i) to pool, study and disseminate all available information;
- (ii) to plan on an all-India basis the food and fodder production programme for the different regions and to tender advice in regard to its execution; and
- (iii) to advise the authorities responsible about the equitable distribution of the available food stocks.

Press Communiqué

1. In view of the difficulties experienced in obtaining transport for the supply of coal, the Government of India appointed a Controller of Coal Distribution some four months ago with headquarters in Calcutta at No. 1, Council House Street, with the object of regulating the distribution of coal in the best interests of the country. His functions, as well as the manner in which he functions and the procedure to be observed when applying for his assistance are briefly stated below for public information.

2. The Controller is responsible for deciding the order of priority in which the coal has to be despatched, and his functions include the granting of priority for all Shipment Coal, Naval Coal, Loco. Coal for Railways, all Government requirements, requirements of public utility concerns, and of the iron and steel industries. The Controller is also responsible for the allotment and control of wagons normally classified under 'Public'.

3. Programmes of Loco. coal for Railways, and coal purchased for Government requirements through the Chief Mining Engineer, Railway Board, are referred to the Controller of Coal Distribution, by the Chief Mining Engineer, Railway Board. For priority in connection with shipment coal, bunker coal, and Government requirements, other than coal, purchased through the Chief Mining Engineer, Railway Board, applications should be made direct to the Controller of Coal Distribution. All applications for War Priorities received by the Supply Department should be forwarded to the Controller of Coal Distribution by that Department. Applications for priorities by public utility concerns, by iron and steel industries, for coke ovens, etc., previously addressed to the Coal Wagon Supply Committee should likewise be addressed by those concerns direct to the Controller of Coal Distribution, who will draw up the necessary programmes, and issue instructions to the Railways.

4. In the case of coal and coke required for domestic consumption and for local industries not directly engaged in war work, it has been arranged that the Director of Industries of the Provincial Governments of the Punjab, Bombay, Madras, Central Provinces and Berar, North-West Frontier Province, Sind and Assam will function as Provincial Coal Controllers. In Bengal the functions will be discharged by the Chief Controller of Prices, in Bihar and Orissa by the Price Controllers, and in the United Provinces by the Provincial Transport Board. They will advise the Controller of Coal Distribution of the requirements of different centres in the order of urgency and will ensure that the coal received is used for the purpose for which it was ordered.

5. The Controller is generally able to draw up a programme of distribution under which a limited number of wagons is set aside daily for the miscellaneous day-to-day requirements of the public not covered by any priority. The number of wagons set apart under this system is expected to cover all demands for general use. Where, however, special assistance is required for any area, the Controller of Coal Distribution will at his discretion endeavour to give that assistance on information supplied by Provincial Coal Controllers.

6. In applying to the Provincial Controllers for assistance, parties concerned should state the names of collieries with whom orders for coal have been placed, the quantity covered by each order, and the period in which delivery has to be made. Normally all applicants will be expected to draw their supplies from the nearest field, and an explanation will be necessary in all cases where an order has not been placed in the nearest field.

STUDENTS IN THE ELECTRICAL ENGINEERING CLASS OF THE DELHI POLYTECHNIC.

31. *Pandit Lakshmi Kanta Maitra: Will the Honourable Member for Education, Health and Lands kindly state:

- how many students were admitted to the Electrical Engineering Class of the Delhi Polytechnic last year and how many are on the roll at present;
- whether there has been any fall in the strength of the class, and, if so, why; and
- if it is a fact that no workshop facilities have so far been provided for practical training of the class although the admission was made in November 1941?

Mr. J. D. Tyson: (a) 33 students were admitted to the Electrical and Mechanical Engineering Class of the Delhi Polytechnic in October 1941. Students are admitted to this class on a sessional basis. The session came to a close in May 1942. The next session starts in October 1942 and there are no students in this class at present.

(b) Yes. The session closed with 23 students on the rolls. The fall in strength of the class was only to be expected. It is a part-time course and consists of evening classes totalling from 10½ to 13½ hours a week which men attend in their spare time. Attendance at such a course cannot be expected to maintain the level of attendance at day classes which constitute a student's main activity.

(c) It is not customary to provide workshop facilities for part-time evening students in engineering.

STRIKE BY STUDENTS IN THE ELECTRICAL ENGINEERING CLASS OF THE DELHI POLYTECHNIC.

32. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Education, Health and Lands, please state whether he is aware that on account of the discontent prevailing in the Electrical Engineering Class of the Delhi Polytechnic, students went on strike during the last term and did not return to their studies until they were assured by the Vice-Principal that staff will be recruited and facilities provided for practical training when the Budget Demand for the Institution was sanctioned by the Legislative Assembly?

(b) Is it a fact that this promise was not kept up and in April the question was shelved till after the summer vacation?

Mr. J. D. Tyson: (a) and (b). The students of the part-time evening course in Engineering absented themselves from evening classes on one occasion in March last. The Vice-Principal immediately met a number of the students and after hearing their complaints explained to them the necessary limitations of part-time evening classes. The students next day resumed their studies. No promise was made that extra staff would be recruited for the evening classes or that facilities for practical training would be provided: these were part-time evening classes and the Principal had already warned the students at the beginning of the course that practical training was not included in the syllabus. Laboratory facilities were envisaged and a promise was given by the Vice-Principal that laboratory facilities would be provided when the Budget allotment was received.

This is being done and the opening of the next evening class in Engineering has been deferred till the 20th October by when, it is hoped, improved laboratory arrangements will be ready. The delay is not the fault of the authorities at the Polytechnic.

LONG SUMMER VACATION IN THE DELHI POLYTECHNIC.

33. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Education, Health and Lands, please state if it is a fact that the Delhi Polytechnic observed a summer vacation of five months instead of the usual period of 12 weeks prescribed in the Delhi Colleges; and if so, why?

(b) Do Government propose to make any special arrangements to compensate the loss the students have sustained through the long vacation and shorter hours of working?

Mr. J. D. Tyson: (a) The reply is in the negative. The summer vacation this year was from the 15th May to the 14th July and the Institute reopened for its full-time day students on the 15th July. It was not, however, considered possible to start the next term for the part-time evening classes in Engineering before the 20th October, 1942, owing to an unavoidable delay in the provision of necessary buildings and equipment for laboratory instruction.

(b) No. The students have sustained no financial loss.

AVAILABLE AMOUNTS OF POWER ALCOHOL AND RECTIFIED SPIRIT.

34. *Mr. J. Ramsay Scott: (a) Will the Honourable Member for Commerce please state what is the amount of power alcohol available in India and where? Are any plans under consideration to increase the output and if so, what means are proposed?

(b) What is the amount of rectified spirit available in each Province or State and what plans are under consideration to increase the output?

The Honourable Mr. N. R. Sarker: (a) The estimated annual amount of power alcohol available in India at present is about 1.75 million gallons a year. This amount is almost entirely produced by the three power alcohol plants working respectively at Meerut (U. P.), Mandya (Mysore) and Bodhan (Hyderabad). The Government of India are actively considering, in consultation with the Provincial Governments, particularly of United Provinces and Bihar, various measures that could be taken under the present circumstances to increase the output. The plans under consideration include: (a) import of essential plants; (b) assisting the industrialists selected to import these plants, to obtain essential raw materials and chemicals; and (c) making arrangements to facilitate the distribution of power alcohol.

(b) It is presumed that the Honourable Member desires to assess the amount of rectified spirit which could be used as motor fuel which is available in each Province or State. The necessary information is being collected and will be placed on the table of the House in due course. On the recommendations of the Power Alcohol Conference held at New

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Delhi with the representatives of certain Provincial Governments and the Industry, the Provincial Governments have been advised to take every step that is practicable to increase the output of rectified spirit that could be used as motor fuel in their respective areas. Among the plans under consideration to increase this output may be mentioned alterations and improvements to existing distilleries for producing the rectified spirit and a suggestion to the Provincial Governments that a certain portion of rectified spirit produced should be earmarked for use as motor fuel.

EVACUEES FROM BURMA AND MALAYA.

35. *Pandit Lakshmi Kanta Maitra: Will the Honourable Member for Indians Overseas be pleased to state:

- the number of Indians who have been evacuated so far from Burma and Malaya to India;
- the number of Europeans, Anglo-Indians, Anglo-Burmans and Chinese that have been so evacuated;
- the number of Indians and Europeans evacuated by transport agencies of the Government;
- the number of evacuees who perished on their way to India;
- the number of Indians left behind in those countries;
- the places on the routes to India where relief Centres were opened at the instance of the Government of India, the number of such centres and of the staff employed;
- the number of evacuees receiving relief at such centres;
- the nature of relief given to the evacuees;
- the total expenditure involved in these relief measures; and
- if any portion of this expenditure has been borne by the Burma Government or by any other Provincial Government, and if so, to what extent?

The Honourable Mr. M. S. Aney: (a) The number of Indians evacuated from Burma is estimated at five lakhs and that from Malaya at 4,500. (b) The number of British subjects other than Indians evacuated from Malaya to India is just over 3,000; the number of such evacuees from Burma is not readily ascertainable.

(c) It is not understood what transport agencies of the Government are referred to by the Honourable Member. All destitute evacuees were transported at Government cost from the Indian frontier to their destinations.

(d) Government have no accurate information.

(e) The Indian population still remaining in Burma is of the order of six lakhs and that in Malaya about 7,40,000.

(f) When evacuation from Burma was taking place via Chittagong, five camps were maintained between the Burma border and Chittagong and at Chittagong itself six camps were opened. 12 Special Deputy Collectors and a Special Additional District Magistrate were deputed to be in charge of these arrangements apart from a Special Evacuation Officer at Chittagong itself. Some 18 doctors were on duty in Chittagong to render medical aid and to inoculate all refugees without evidence of recent inoculation against cholera. A medical unit provided by the Government of Madras and a posse of doctors sent by the Government of Bengal were also operating in Burma itself between Akyab and Taungup.

An elaborate refugee organisation under the direction of Major General Wood was set up on the Assam-Burma border, from Tamu and Wet Yu to Imphal and Dimapur on the one side and to Bishenpur and Silchar on the other. There were over 30 camps on these routes and nearly 1½ lakhs of refugees were passed through. When towards the close of the dry season, the rapid Japanese advance in Upper Burma diverted the refugee stream into new and much more difficult channels, new camps adequately equipped and stocked were set up at extremely short notice along the new routes and several thousand more refugees rescued. Apart from the military officers who throughout unstintingly assisted the refugee operations, about 50 Camp Commandants and Assistant Commandants, 50 doctors with sanitary and medical staffs, and a strong team of special police, transport, dispersal and supply officers were employed. The number of coolies, porters, carriers, drivers and so on employed ran into thousands.

(g) The capacity of the relief centres and the period for which refugees could be kept at any one camp depended on the location of the camp and the rate of refugee flow. The camp at Dimapur provided accommodation for as many as 5,000 persons for a number of days.

(h) Free portage and transport facilities, food and accommodation at camps, and free railway tickets to destinations and out of pocket expenses for journeys lasting over six hours have all been provided at Government expense, to destitute evacuees.

(i) The information has not yet become available.

(j) The Government of Burma have borne the entire cost of evacuation arrangements in Burma. They have also accepted liability for financial assistance granted to Burman and Anglo-Burman evacuees in India.

"GROW MORE FOOD" CAMPAIGN.

36. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Education, Health and Lands be pleased to make a detailed statement about the plan and programme of the "Grow more food" Campaign inaugurated by Government?

(b) Will he be pleased to state the likely increase in the acreage of cultivation, Province by Province, including the Centrally Administered Areas?

(c) What is the anticipation of the Government of the likely increase in the yield of crops, as a result of this campaign?

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(d) Do Government propose to help the cultivators with money or implements or manure or technical advice for the purpose? If not, what are the practical measures adopted by the Government to make the campaign bear fruit?

Mr. J. D. Tyson: (a) and (d). As 'Agriculture' is a Provincial subject, the question of giving effect to the "Grow more Food" campaign is primarily the responsibility of the Provincial Governments; but in view of the present abnormal conditions and the need for ensuring co-ordinated action in the execution of their plan, the Government of India convened a Food Production Conference of the representatives of the Provinces and States in April 1942. A copy of the resolutions adopted by them is available in the library of the House. The recommendations made therein were communicated to the Provincial Governments who were asked to implement them as far as possible in drawing up detailed plans and programmes to suit local conditions and needs. From information received, the Government of India are satisfied that these recommendations have been, generally speaking, implemented. The specific measures undertaken naturally vary from province to province. Broadly, they comprise vigorous propaganda in the country-side, distribution of improved quality seed provision of irrigation water at reduced rates or reservation of canal water for food crops wherever feasible the grant of new cultivable waste land for cultivation, revenue or rent free for a period of three to five years, liberal grants for takavi and so on. These measures have been supplemented by the action taken by the Government of India on the recommendations of the Food Production Conference. In pursuance of one of their recommendations the Government of India have set out up a Central Food Advisory Council, consisting of officials and non-officials, the functions of which are—

- (i) to pool, study and disseminate all available information regarding food and fodder production;
- (ii) to plan on an all-India basis the food and fodder production programme for the different regions and tender advice in regard to its execution, and
- (iii) to advise the authorities responsible about the equitable distribution of the available food stocks.

In pursuance of another recommendation, the Government of India have conveyed an assurance to the cultivators, through a Press Note issued on the 25th May, 1942, that, should any developments take place affecting the saleability of the food crops, they will buy such quantities of food-stuffs in the open market as are calculated to prevent a serious fall in their prices.

It is for the Provincial Governments to help the cultivators with money implements, manure, and technical advice, if necessary. The services of the technical experts of the Government of India are always available to the Provincial Governments.

From the Cotton Fund, created by the levy of an additional duty on imports of raw cotton, the Government of India have sanctioned grants to some provincial and State governments, on certain conditions, to enable them to offer to cultivators a direct financial inducement in the form of a small subsidy or a reduction in land revenue, for every acre of land diverted from short staple cotton to food crops.

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(b) and (c). Information, as far as available, is given in the statement laid on the table of the House.

Statement showing the anticipated increase in acreage and yield of food crops as a result of the "Grow More Food" campaign.

Major Provinces.	Total additional area expected to be brought under food crops (in 000 acres).					Yield in thousand tons.				
	Rice.	Wheat.	Gram.	Millets.	Total.	Rice.	Wheat.	Gram.	Millets.	Total.
Assam	250	...	100	...	350	70	...	20	...	90
Bengal	550	...	50	...	600	18	...	10	...	190
Bihar	150	300	...	...	450	45	80	...	75	160
Bombay	200	100	...	500	800	70	15	...	170	270
Central Provinces	100	200	100	1,000	1,400	30	50	20	80	280
Madras	500	...	...	500	1,000	200	...	...	...	...
North Frontier Province	...	...	...	...	...	...	...	...	...	...
Orissa	100	...	...	400	1,000	30	...	170	45	215
Punjab	...	600	...	...	...	...	...	...	...	...
Sind	...	...	...	200	900	115	80	...	35	230
United Provinces	400	300	...	...	...	...	...	...	...	...
Total for Major Provinces	2,250	1,500	250	2,800	6,800	740	395	50	405	1,590
Centrally Administered Areas.										
Ajmer-Merwara	•	•	•	•	11.5	†	†	†	†	†
Baluchistan	•	•	•	•	7.5	†	†	†	†	†
Delhi	•	•	•	•	14.7	†	†	†	†	†
Total	•	•	•	•	33.7	†	†	†	†	†

• Separate figures not available.

† Figures not available.

FOOD POSITION.

37. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Education, Health and Lands be pleased to make a comprehensive statement about the food position of India at the present moment?

(b) Will the Honourable Member be pleased to state, Province by Province, the present stocks of rice, wheat and other important cereals which constitute the staple food of the country?

(c) Will he please state the average normal yearly production and consumption, Province by Province, of such food crops?

(d) What quantity of the yearly produce of these food stuffs was available for consumption by the civil population in the year 1941-42 and what quantity is likely to be available for the year 1942-43?

(e) Will he please state what quantity of food stuff had to be spared in the year 1941-42 and is likely to be spared in 1942-43 to meet the demands of countries outside India? What are the countries that drew on food supplies from India last year and in what quantities?

(f) In view of the stoppage of supplies of rice from Burma and other countries at present, do Government consider shortage of food in India inevitable? If not, how is this shortage to be made up?

(g) Have Government taken stock of the whole situation and come to any definite finding about the exact food position of the country? If so, does the Honourable Member propose to consider the advisability of issuing a 'oil statement on the subject so as to acquaint the public with the real situation?

Mr. J. D. Tyson: (a) The attention of the Honourable Member is invited to the Honourable Mr. N. R. Sarker's speech at the Food Production Conference and the Honourable Sirdar Sir Jogendra Singh's speech at the first meeting of the Central Food Advisory Council, copies of which are available in the Library of the House.

(b) The information asked for is not available.

(c) A statement giving the information, so far as it is available, is laid on the table of the House. The figures are only approximate and are complicated by the fact that the figures in some cases include and in others exclude the figures for the adjoining States. Import and export figures are only available by trade blocks, while figures of production are not available for all States.

(d) Less than two per cent. of India's normal production of food grains estimated at 600 lakh tons was required in 1941-42 for exports and other commitments. The balance was available for the use of civil population (for consumption and seed). The position in 1942-43 will be more or less the same.

(e) A statement showing the quantity of exports of foodstuffs to different countries during 1941-42 is laid on the table of the House. It is not possible to give any estimate of the quantity likely to be exported in 1942-43, since exports have necessarily to be regulated from time to time with reference to changes in the supply position in the course of the year.

(f) An estimated shortage of 25 lakh tons of food grains is apprehended during the current year owing to the cessation of imports from Burma and bad harvests, but it may reasonably be hoped that as a result of the "Grow more Food" campaign, production will balance the entire demand next year, as the deficit in rice will itself be decreased and should be more than offset by the increased production of wheat and millets.

(g) Yes. The public have already been acquainted with the real situation. The Honourable Member's attention is invited to the Honourable Mr. Sarker's broadcast speech of the 22nd June, 1942, and statement at a

Press Conference on the 18th July, 1942, copies of which are available in the Library of the House, and to my reply to part (a).

Statement showing the normal Annual Production and Consumption of Foodgrains in the Provinces.

	Rice.		Wheat.		Juar-Bajra.		(In thousand tons.) Gram.	
	Pro- duc- tion.	Con- sump- tion.	Pro- duc- tion.	Con- sump- tion.	Pro- duc- tion.	Con- sump- tion.	Pro- duc- tion.	Con- sump- tion.
Assam	1,797	1,790	..	16	..	..	..	3
Bengal	8,802	8,866	45	286	3	4	79	117
Bihar	3,052	3,243	418	456	40	40	439	419
Bombay	1,030	1,512	311	548	3,187	3,441	91	157
Central Provinces and Berar	2,224	2,032	661	639	1,027	1,034	206	186
Madras	4,581	5,359	..	29	1,893	1,907	12	155
N.-W. F. P.	..	6	259	260	30	30	27	31
Orissa	1,527	1,341	1	10	11	11	2	2
Punjab	320	318	3,920	3,247	367	382	656	557
Sind	482	332	378	328	215	195	55	71
U. P.	2,111	2,316	2,676	2,604	771	683	1,680	1,592

NOTE 1.—The figures for rice, wheat and millets in Bombay include the Bombay States and Baroda.

NOTE 2.—The figures for rice and wheat for the Central Provinces include those for the Central Provinces States.

NOTE 3.—The figures for rice and wheat for the Punjab, Sind, the United Provinces include those for the corresponding States.

Statement showing the Quantity of Exports of various Foodgrains to different Countries during the year ending 31st March, 1942.

Exports of	To	Quantity. (Tons)
1. Rice, not in the husk	U. K.	4,620
	Aden and Dependencies	8,610
	Arabia	46,030
	Bahrain Islands	10,141
	Ceylon	144,710
	Straits Settlements	7,364
	Federated Malay States	1,977
	Union of South Africa	41,193
	Portuguese East Africa	1,360
	Mauritius and Dependencies	21,607
	Kenya Colony and Zanzibar	2,597
	Other East African Ports	555
	Canada	1,727
	U. S. A.	4,163
2. Wheat	Cuba	250
	West Indies, other than Cuba and Bahamas	2,727
	Other Countries	4,438
	Total	304,069
	U. K.	200
	Iran	38,408
	Burma	7,942
	Other countries	139,373
	Total	185,923

Exports of	To	Quantity. (Tons)
3. <i>Wheat flour</i>	Aden and Dependencies	7,800
	Arabia	14,248
	Ceylon	9,448
	Burma	25,247
	Straits Settlements	3,281
	Kenya Colony	608
	Anglo-Egyptian Sudan	9,701
	Other countries	16,717
	Total	87,046
4. <i>Jowar and Bajra</i>	Aden and Dependencies	771
	Arabia	1,212
	Other countries	2,632
	Total	4,605
5. <i>Pulse—</i> (a) <i>Dals</i>	Ceylon	16,808
	Burma	2,581
	Straits Settlements	3,075
	Other countries	16,407
	Total	38,871
(b) <i>Gram</i>	Ceylon	3,939
	Straits Settlements	969
	Other countries	1,052
	Total	5,960
(c) <i>Lentils</i>	U. K.	29,514
	Ceylon	283
	Mauritius and Dependencies	1,225
	Other countries	2,318
	Total	33,340
(d) <i>Pulse, other sorts</i>	U. K.	28,345
	Ceylon	5,223
	Burma	356
	Straits Settlements	239
	Federated Malay States	16
	Union of South Africa	330
	Mauritius and Dependencies	75
	Other countries	335
	Total	34,908
	Total of Pulse	113,079

In the case of the following articles the shares of different countries in the total exports from India are not separately recorded in the Sea-borne Trade Accounts—

	Quantity exported (In tons)
1. <i>Rice in the husk (Paddy)</i>	27,996
2. <i>Barley</i>	970
3. <i>Maize</i>	43
4. <i>Oats</i>	918
5. <i>Pulse—Beans</i>	216
6. <i>Other sorts of Grain, Pulse and Flour</i>	1,378
Total	31,521
GRAND TOTAL	726,597

CANCELLATION OF WHEAT PERMITS OF CERTAIN COLLEGES IN DELHI.

38. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Education, Health and Lands be pleased to state if it is a fact that the Director of Industries, Delhi, has cancelled the wheat permits of the Hindu College, the Commercial College, and the Indra Prastha Girls' College, Delhi?

(b) If the answer to the above be in the affirmative, will he be pleased to state the reasons for such action?

The Honourable Mr. N. R. Sarker: (a) The answer is in the negative. The newspaper which published the news has withdrawn it the very next day with apology.

(b) Does not arise.

RICE EXPORTED TO CEYLON.

39. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Education, Health and Lands be pleased to state the total quantity of rice sent to Ceylon in the year 1941-42, and up to August of the present year?

(b) Will he be pleased to state the price per maund at which such rice was purchased and supplied?

(c) Will he be pleased to state the Province or Provinces from which this rice was purchased or supplied?

(d) In making or allowing such purchases was a careful survey made of the food position of the Province or Provinces concerned, with special reference to production and consumption in the year?

The Honourable Mr. N. R. Sarker: (a) The quantity of rice exported to Ceylon during 1941-42 was 144,710 tons and that exported during the period 1st April to 31st August, 1942, amounted to 116,274 tons.

(b) No information is available.

(c) The figures of exports from the various ports during the period 1st April to 31st August, 1942, are as follows:

	Tons.
Karachi	28,245
Bombay	9,820
Madras	72,498
Calcutta	5,711

Similar information in respect of during 1941-42 is not available.

(d) Exports of rice to Ceylon brought under control from the 7th February, 1942, and the issue of licences has been regulated with due regard to the food position of the provinces concerned.

MOTION FOR ADJOURNMENT.

ALLEGED INSULT BY THE DELHI POLICE TO LADY VOLUNTEERS PICKETING THE LEGISLATIVE ASSEMBLY CHAMBER.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for the adjournment of the business of the House from Sardar Sant Singh for the purpose of discussing a definite matter of urgent public importance, namely, the insult offered to Lady Volunteers by the Delhi Police on 14th September, 1942, by dragging them after they had been put under arrest when they tried to picket the Legislative Assembly Chamber. What does the Honourable Member mean by 'picketing the Legislative Assembly'?

Sardar Sant Singh (West Punjab: Sikh): Yesterday some

Mr. President (The Honourable Sir Abdur Rahim): I want to know what is the meaning of that.

Sardar Sant Singh: Some Lady Volunteers were standing outside the small entrance and were barring the way of the Members to come in. They were arrested

An Honourable Member: Shame, shame!

Sardar Sant Singh: Shame to you! After arresting them

Mr. President (The Honourable Sir Abdur Rahim): I simply wanted to know what the picketing was for. They wanted to bar the way of the Members. I suppose no Member of the Assembly would like that.

Sardar Sant Singh: That is not the question.

Mr. President (The Honourable Sir Abdur Rahim): No. I have to see to that myself.

Sardar Sant Singh: My complaint is

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Sardar Sant Singh: May I be permitted, Sir

Mr. President (The Honourable Sir Abdur Rahim): I want to get at the facts first. Will the Honourable Member let me proceed? Then they were arrested under some provision of law?

Sardar Sant Singh: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Then what you are complaining of is not their arrest?

Sardar Sant Singh: No, Sir. What happened after arrest—dragging

Mr. President (The Honourable Sir Abdur Rahim): Why were they dragged?

Sardar Sant Singh: I do not know why they were dragged but they were insulted after they were put under arrest. The law only contemplates arrest and removal but not the use of force, which means insult offered to the persons arrested.

Mr. President (The Honourable Sir Abdur Rahim): I understand that, but I take it that they were unwilling to be taken to the police station.

Sardar Sant Singh: The law has got its own remedy; women police should be employed.

Mr. President (The Honourable Sir Abdur Rahim): I want to know the facts.

Sardar Sant Singh: They were dragged from the entrance to the police van.

Mr. President (The Honourable Sir Abdur Rahim): Because they would not allow themselves to be taken to the police station.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): May I say one thing?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. I want to know from the Honourable the Home Member what the facts are.

The Honourable Sir Reginald Maxwell (Home Member): I have not got detailed information as to exactly what happened, Sir, but picketing is a cognizable offence and in arresting picketers, whether male or female, the police are only acting in the exercise of their ordinary and lawful powers. It is their duty to arrest such persons and the very act of arrest necessarily involves imposing physical restraint on persons arrested unless, as the Chair remarked, they come along of their own accord.

Mr. President (The Honourable Sir Abdur Rahim): Was any excessive force used?

The Honourable Sir Reginald Maxwell: It can be assumed that no excessive force was used; the Police have instructions to that effect. But supposing the persons arrested had any grievance as regards the manner in which the arrest was conducted, they have their proper remedy in going to the officer responsible for the conduct of the Police or to the Court, and I submit that it is not a case which this House should debate.

Maulana Zafar Ali Khan: What I want to point out in this connection is that if it is found absolutely necessary to use force in removing arrested ladies to police stations, that force should be used by women police and not by men police.

Mr. President (The Honourable Sir Abdur Rahim): Picketing of the Legislative Assembly in order to prevent Honourable Members from entering the House and discharging their duties here cannot be permitted under any circumstances. I understand all the Honourable Members are especially anxious to do their duty to the public in this emergency, including Sardar Sant Singh who was, I believe, extremely solicitous that this special Session should be held now—at any rate I received a representation from him to that effect. The Lady Volunteers were wholly unjustified in trying to prevent the Honourable Members of this House from discharging their duties and thus giving the benefit of their services to the entire country. The police were quite justified in arresting them. So far as I understand, it is not alleged that any excessive force was used in arresting them or in taking them to the police station. In any case, if any unnecessary force has been used, then in that case it is to the Court to which the aggrieved persons should go and seek remedy. I rule that the motion is out of order.

Sardar Sant Singh: I want to raise another point that when we came this morning we found the entrance door blockaded by the police. They did not learn the lesson yesterday; in spite of the picketing done by volunteers no Member remained absent because of that. There was no necessity for the police to blockade the door. We know our business, we know our job, we know our responsibility and not to permit us to enter the Chamber is an insult to the Members of this House.

Mr. President (The Honourable Sir Abdur Rahim): Where did this take place? Was it within the precincts of the Chamber?

Sardar Sant Singh: It was at the entrance door from where the Members came in.

Mr. President (The Honourable Sir Abdur Rahim): On the road?

Sardar Sant Singh: No, Sir. About a yard from the door.

Mr. President (The Honourable Sir Abdur Rahim): How did the Honourable Member manage to get in?

Sardar Sant Singh: I managed to get in by telling the Police that they have no business to blockade the door.

Mr. President (The Honourable Sir Abdur Rahim): I understand the Honourable Member gave a good lecture to the Police.

Sardar Sant Singh: I wrote a letter to the Secretary when I came here. We do not come under duress, or protection of the Police. We want protection from the Chair that no such thing would happen in the precincts of the Assembly Chamber.

Mr. President (The Honourable Sir Abdur Rahim): I understand that. I tried to get at the facts. I received the letter of the Honourable Member. The Honourable Member rightly protected to the Police and he was allowed to go in. There was no obstruction to other Members so far as I understand. Another Member who saw me said that he was not obstructed. These are the facts.

I quite agree with the Honourable Member that the Police has no right, any more than any Lady Volunteers, to bar the entrance to this Chamber or to obstruct any Honourable Member who wishes to come to this House. I shall see to that.

STATEMENT OF BUSINESS.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, at a meeting with Party Leaders convened yesterday it was agreed, subject to your direction, where such is required,

- (1) that consequentially on the decision to sit for three hours a day only, the number of days allotted to the debate on the situation should be increased from two to four, namely, Tuesday, Wednesday, Thursday, and Friday in this week;
- (2) that Government business would be put down for Monday next week;
- (3) that for Tuesday, Wednesday and Thursday next week there would be a combined List of Business, including firstly, any Government business that might not be disposed of on Monday; secondly, Motions on private Bills, and, thirdly, Non-official Resolutions of which an agreed list was framed.

I should mention that Wednesday next week is a holiday, but that it was agreed that the House should sit on that day. In view of these arrangements, Sir, I would ask you to direct the House to sit on Monday, Tuesday, Wednesday and Thursday next week.

Mr. President (The Honourable Sir Abdur Rahim): I expect the Members will agree. More days are being allowed to Honourable Members in view of the curtailment of the hours of sitting owing to *Ramzan*. I direct that the House shall sit on Monday, Tuesday, Wednesday and Thursday next week.

HOME DEPARTMENT DECLARATIONS OF EXEMPTION UNDER THE REGISTRATION OF FOREIGNERS ACT.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table copies of the late Home Department Exemption Orders specified in the list of business, namely:

- (i) Home Department Declaration of Exemption, No. 1/43/42-Poll. (E), dated the 12th August, 1942;
- (ii) Home Department Declaration of Exemption, No. 1/39/42-Poll. (E), date the 27th June, 1942;
- (iii) Home Department Declaration of Exemption, No. 1/18/42-Poll. (E), dated the 21st May, 1942;
- (iv) Home Department Declaration of Exemption, No. 1/36/42-Poll. (E), dated the 11th June, 1942;
- (v) Home Department Declaration of Exemption, No. 1/16/42-Poll. (E), dated the 14th April, 1942;
- (vi) Home Department Declaration of Exemption, No. 1/38/42-Poll. (E), dated the 20th June, 1942;
- (vii) Home Department Declaration of Exemption, No. 1/38/42-Poll. (E), dated the 4th June, 1942; and
- (viii) Home Department Order of Exemption, No. 1/11/42-Political (E), dated the 26th March, 1942;

issued under the Registration of Foreigners Act, 1939.

No. 1/43/42-POLITICAL (E.).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 12th August 1948.

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 Mr. Albert Evans, Acting Director, American National Red Cross, China Relief Unit, so long as he holds this post.

V. SHANKAR.

Under Secy. to the Govt. of India.

No. 1/39/42 POLITICAL (E.).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 27th June 1948.

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 Mrs. Frances Ridgway Warden, an official attached to the Consulate for the United States of America at Bombay, so long as she holds a post in that Consulate.

V. SHANKAR.

Deputy Secy. to the Govt. of India.

No. 1/18/42-POLITICAL (E.).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 21st May 1948.

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 Mrs. Lucile Graham Keating an official attached to the Consulate for the United States of America at Bombay so long as she is so attached.

V. SHANKAR.

Deputy Secy. to the Govt. of India.

HOME DEPT. DECLARATIONS OF EXEMPTION UNDER THE REGISTRATION OF FOREIGNERS ACT. 139

No. 1/36 42-POLITICAL (E.).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 11th June, 1948.

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 Mr. Alois Stefan, an official attached to the Czechoslovak Consulate in Bombay, and his family so long as he holds a post in that Consulate.

V. SHANKAR,

Deputy Secy. to the Govt. of India.

No. 1/16/42-POLITICAL (E.).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 14th April 1948.

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, Dr. M. C. Balfour, Regional Director in the Far East of the Rockefeller Foundation and Adviser to the United States Medical Commission to China.

V. SHANKAR,

Deputy Secy. to the Govt. of India.

No. 1/38/42-POLL. (E.).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 20th June, 1948.

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 Mr. C. C. Chuang, an official attached to the office of the Commissioner of China to India, so long as he is so attached.

V. SHANKAR,

Deputy Secy. to the Govt. of India.

No. 1/38/42-POLITICAL (E.)

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 4th June 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 Messrs. S. H. Sib. D. Z. Lao, P. Chang, C. M. Sung and S. K. Shen, officials attached to the office of the Commissioner of China to India, so long as they are so attached.

V. SHANKAR.

Deputy Secy. to the Govt. of India

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 Secy. to the Govt. of India.

MOTION RE THE SITUATION IN INDIA.

Mr. President (The Honourable Sir Abdur Rahim): At the meeting of the Leaders of the Parties which I had called the day before yesterday, it was agreed, subject to the confirmation of the House, that there should be a time limit for the speeches in connection with motion that is going to be moved by the Honourable the Home Member. It was proposed and agreed upon by all the Leaders of the Parties that the Mover of the motion, Sir Reginald Maxwell, should have 45 to 60 minutes, that is to say one hour, to make his opening speech, and the Leaders of the Parties or the Deputy Leaders

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Or any other spokesman chosen by the Party.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Only one man out of a Party, chosen by the Party to act as spokesman.

Mr. President (The Honourable Sir Abdur Rahim): If the House is agreeable to that
(The House unanimously agreed.)

Mr. President (The Honourable Sir Abdur Rahim): Or any other Member speaking on behalf of the Party. For the rest of the Members—20 minutes. The Chair takes it that the House is agreeable to this arrangement.

(The House agreed to this arrangement.)

The Honourable Sir Reginald Maxwell (Home Member): Sir, I move: "That the situation in India be taken into consideration."

Sir, by this motion the House is invited to consider the very grave situation that has arisen in the country since the passing of the All-India Congress Committee's resolution of August 8th. No specific proposition is put forward by Government for the acceptance of the House, but in accordance with parliamentary practice, Government have felt it incumbent on them to give Honourable Members as early an opportunity as possible of discussing the situation in the light of such information as can now be given to them. I must explain that our knowledge is not yet complete. The disturbances are very recent. They are not yet at an end, and, at any rate, in the areas most affected, the Provincial Governments and their officers are still closely engaged in restoring or preserving order and taking precautions against fresh acts of violence. It will not be until some time after the situation has cleared up that full information of what has happened in each province can be collected together. And while we are in the midst of these events, it is not possible to review them, or their causes and consequences, as a thing of the past. But I shall try to give the House an outline of what has already occurred and to draw attention to certain aspects that are already becoming evident.

The Congress leaders were arrested on the morning of August 9th. On the same day there was mob violence in Bombay and a few other places; but, although the news was no doubt flashed all over India, it was not until two or three days later—i.e., August 11th, and particularly August 12th—that concerted acts of violence and sabotage began in widely separated areas. These were directed principally against all kinds of communications, and particularly against railways, telegraphs and telephones; but police stations, post offices and other government buildings were also attacked. These troubles occurred simultaneously in parts of Bombay, Madras, the Central Provinces and Bengal, but the areas most seriously affected were the east of the United Provinces and, above all, Bihar. There has been comparatively little trouble in the North-West Frontier Province, the Punjab and Sind, or, to begin with, in Orissa and Assam.

What is not so generally known or appreciated is the extent of the damage caused and the extreme seriousness at one time of the position in the whole of Bihar, (except its most southern districts), and in the eastern part of the United Provinces. In these areas, the trouble soon spread from the big towns to the outlying areas; thousands of rioters gave themselves up to an orgy of destruction of communications and other Government property; whole districts with their small defending forces of Government officials and police were isolated for days on end; there were brutal atrocities perpetrated by the mob and many deeds of heroism where small parties of police did their best to defend outlying stations. A very large part of the railway systems in this area was put out of action, and it is no exaggeration to say that for a considerable period Bengal

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was almost completely cut off from Northern India; while communications with Madras were interrupted by the damage done to the railways in that Presidency.

The damage done was not, of course, confined to the area I have just described, and our information from that area is still far from complete. But the following figures, which are based on the reports hitherto received from the whole of India, will give the House some idea of the destruction caused. About 250 railway stations were damaged or destroyed, of which 180 were in Bihar and the east of the United Provinces. Outside these areas, we have accounts of 24 derailments. Inside them damage was done to a few railway engines. Both inside and outside there was extensive damage to the permanent way and to rolling stock, the results of which are probably more serious than the actual destruction of buildings. In the Posts and Telegraphs Department, up to a week ago, about 550 post offices throughout India had been attacked, of which over 70 were completely burnt down and over 200 seriously damaged. Over 3,500 instances of wire cutting have been reported, and this figure is probably not complete. About one lakh's worth of cash and stamps were stolen and numbers of letter boxes were removed or destroyed by acids or other burning material. The total loss resulting from damage to buildings, apparatus, posts and wires has not yet been estimated nor that resulting from reduction of traffic. Thirty officials of the Posts and Telegraphs Department received physical injuries and many were subjected to intimidation. In spite of all this, telephonic or telegraphic communication of some kind was maintained with all the main towns of India, except Patna, throughout most of the disturbances.

Outside the Railway and Posts and Telegraphs Departments, the violence of the mob was largely directed against Government buildings. Seventy police stations and outposts and 85 other Government buildings were attacked, the majority of which were burnt or demolished. Roads and motor vehicles also suffered. Nor did municipal or private property escape. We have reports of the entirely wicked and wanton destruction of a tuberculosis clinic with its irreplaceable equipment, of the house of a private medical practitioner with all his valuable stock of medicines, of a Roman Catholic Church, of electric light installations and of attacks on A. R. P. buildings and even on schools. There have been other private persons also who have lost all they possessed. Taking into account the loss of earnings on the Railways affected and in the Posts and Telegraphs Department, which must be very serious, I should say that the total damage must be well over a crore of rupees which loss, of course, falls on the general public.

As to the present position, while it should not be assumed that trouble is completely at an end in the areas where it has already been brought under control, I think I can say that the position has been largely restored; and if our enemies are hoping that our communications and other conditions in India have been so upset as to make an attack on this country an easier matter than it was, they will be grievously disappointed. Sporadic acts of sabotage and mob violence are still reported from day to day. In fact trouble has spread in a minor form to certain areas not previously affected, such as parts of Bengal, Assam and Orissa. Special efforts were made to revive disorders on or about the 9th September, the day of the month on which the original arrests were made, but these were not generally

successful, and there have been welcome signs, especially in the areas worst affected by disorder, of a desire on the part of the law-abiding population to co-operate with the authorities in preventing further disorders. Taking the situation as a whole, it can be said that, except in one or two small areas in Bihar, the authority of the Government is now fully re-established where it was threatened. Train services, except to the extent that it is still necessary to restrict them in order to conserve coal, are practically normal on all railways except in certain sections in Bihar. North of the Ganges in Bihar there is still interruption, and on certain sections south of the Ganges and on one small section in the Madras Presidency, night running has not been resumed. Goods traffic, and particularly coal traffic, is obviously of the first importance; and it is satisfactory that the East Indian Railway is now delivering practically its normal loading of 2,000 coal wagons a day. Passenger traffic will have to be subject to severe restrictions for some time to come.

In the Posts and Telegraphs Department, with the exception of parts of Bihar, the position is generally satisfactory. Attacks on Post Offices on any appreciable scale have ceased. But isolated instances of such attacks are still occurring, as well as the stealing of letter boxes and attempts at incendiarism on offices and the contents of letter boxes. Scattered wire cutting also continues, especially in eastern Bengal, southern Madras, the southern division of the Bombay Presidency and certain portions of the United Provinces and Bihar. Sind, Baluchistan, the Punjab and the North West Frontier continue to be remarkably free. The main lines of communication between Delhi and Calcutta, and Madras and Calcutta are being tampered with almost every day with the result that continuous perfect working has not yet been possible. Interference with certain other main lines is also continuing; and in spite of every effort it has not yet been possible to establish a satisfactory channel of communication by telegraph or telephone between Delhi and Patna.

There are one or two special aspects of these disturbances to which I wish to draw the attention of the House.

The attacks on railways and other communications started almost simultaneously in widely separated parts of India. That in itself is a significant fact. It becomes more so when one reflects that much of the damage caused must have required special implements which could not have been produced at a moment's notice—wire-cutters to cut telegraph wires, spanners to remove fish-plates from railway lines and so on. An even more significant fact of which we have considerable evidence is the technical knowledge displayed by the saboteurs. Here in Delhi the destruction of railway signal boxes was done in a scientific way. Control rooms and block instruments in railway stations have come in for special attention, and the manner of their destruction, which, of course, has a paralysing effect on the safe running of trains, also displayed technical knowledge. Signs of similar knowledge are not lacking in the sabotage of telegraph and telephone lines. Indeed I could multiply instances to bring out this point. Facts of this kind are inconsistent with the theory that these disturbances were spontaneous outbursts arising out of the arrests of the Congress leaders.

Another point equally inconsistent with that theory is the military significance of the areas and objectives selected for special attention. The

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disturbances have occurred mainly in areas which have strategic importance and the objects of attacks have largely been the communications which would be essential for the defence of the country in the event of a hostile attack. In the area of worst disorder—that is to say Bihar—any dislocation of railways would seriously affect troop movements and prevent the sending of reinforcements from Northern India to the area most exposed to enemy invasion. Moreover, this is the centre of India's coal industry and inability to despatch coal supplied from this centre would paralyse transport and industry throughout the country as soon as the existing reserves had been consumed.

Both these points supply evidence of previous organisation having the most sinister possible motives. We have been fortunate on this occasion in being free to give attention to this movement at a time when there was little fear of the development of an enemy attack, with which the movement had possibly been planned to synchronise. But we might not be equally fortunate another time and I need hardly point out that such an outbreak would be a direct invitation to the Japanese to attack India if they were in a position to do so.

On the other hand, the ordinary characteristics of spontaneous disturbances have been almost entirely absent. The first object of a riotous mob is generally loot. There have, of course, been cases of looting, but on the whole this form of activity has been far less common than might have been expected. Similarly, hartals have not been observed to the extent that seemed likely and the special machinery which Government had devised to deal with such demonstrations has not had to be largely used. The selective nature of the acts of sabotage is thrown into relief by the significant fact that there has been little or no sabotage of industrial plant or machinery. It is true that cessation of work, where it has occurred under political pressure, has interfered to some extent with war production. But what is the explanation of the absence of industrial sabotage except perhaps that the owners, while ready enough in some cases to close down and accept some temporary diminution of their earnings, are determined not to be deprived of the plant and machinery on which their comfortable war profits depend?

I now turn to the measures taken by Government, first in the hope of preventing the development of a mass movement and, subsequently, in order to control and suppress the disturbances that occurred. The arrests of Mr. Gandhi and the members of the Working Committee were accompanied by simultaneous action in the provinces to declare Congress Committees to be unlawful associations and to detain all important individuals who, in the opinion of Provincial Governments, were competent, and likely to attempt, to organise and lead a mass movement. We have not yet received from the provinces statistics of the number of preventive arrests so made, nor of the arrests subsequently effected for participation in the disturbances themselves. There can be no doubt, however, that the initial and concerted action of all Governments in India had a considerable effect in disorganising the Congress plans. We might have had a much more serious situation to meet if an interval had been allowed for the maturing of those plans and if they had been allowed to choose their own moment for the launching of the campaign.

It was clear from the outset that the development of any movement along the lines envisaged by the Congress leaders must directly interfere with the efficient prosecution of the war, and Government thus had no hesitation in using to the full the powers provided by the Defence of India Rules. These rules were supplemented by additional powers to deal with hartals and to control local authorities who might act in furtherance of the movement. In addition, the Penalties (Enhancement) Ordinance and the Special Criminal Courts Ordinance, which were originally intended to apply to situations arising directly from enemy attack, were made applicable to the present disturbances. The deterrent effect of these special enactments has been useful. They enabled offences to be tried promptly and appropriate sentences to be awarded. A further measure, of which effective use had already been made by most Provincial Governments, is the Collective Fines Ordinance which enable the Provincial Governments to lay joint responsibility on the inhabitants of any area concerned in the commission of certain classes of offences.

It has also been necessary to impose a measure of restriction on the publication of news. I have no time to enter into the details of the orders issued and the changes in those orders which we agreed to recommend to Provincial Governments as a result of a very full discussion with the Editors' Conference which recently met in Delhi. I should, however, like to make it clear that our policy in this respect has been largely governed by two entirely objective considerations. In the first place, disorders of this character are infectious and news of what has occurred in one place may lead to its repetition in a number of other places which might otherwise have remained quiet; and in the second place, much that has occurred would, if it were known to the enemy, be of great value to his plans for an invasion of this country.

Apart from the legal powers which I have just described, the fullest executive use has naturally been made of the police throughout the disturbed areas. They have been through an extremely trying ordeal and have been compelled on many occasions to open fire on riotous mobs and gangs of saboteurs in defence of property or, not infrequently, of their lives. On most occasions when fire had to be opened, the casualties were almost surprisingly small but the totals necessarily add up to a considerable figure. Our records as brought up to date during the last few days show 340 killed and about 850 wounded but the information from some parts of Bihar is not yet quite complete. Even so, the figures fall very far short of the many thousands which the Axis radios invent—less, for instance, than have occurred in many single air raids in England. On the other hand, the police themselves suffered heavily. A very large number of policemen have been injured while 31 are reported so far to have been killed. These include a number of brutal murders in some cases of unarmed policemen. I have no time to give the House a full list of these atrocities, but I may mention the tragedy of Chimur in the Central Provinces. Here the sub-divisional Magistrate, the Circle Inspector of Police, the Naib-Tahsildar, and a constable were offered their lives if they promised to join the Congress and resign from Government service. They refused and were then murdered in cold blood and their bodies burnt. Similar instances have been reported from a number of other places.

An Honourable Member: Burnt alive?

The Honourable Sir Reginald Maxwell: In this case they were murdered first and then burnt, but there were other cases in which they had been burnt alive.

In addition to the police, there was a very wide use of troops, British and Indian, in aid of the civil power. In no less than 60 places troops were called out while on a number of occasions they stood by. They were also widely used for guard and protection duties. The military too were forced to open fire on many occasions and the reported figures of casualties thus caused are 318 killed and 153 wounded. Military casualties were 11 killed and 7 wounded, and these figures include two Air Force officers who were taken from a train and killed by the mob, and one British officer and four soldiers who were ambushed and murdered by a mob after putting up a stout resistance. Both of these incidents occurred in Bihar. The Air Force was used and proved invaluable for reconnaissance and patrol. On one or two occasions, after warnings had had no effect, aircraft opened fire on mobs actually engaged in destroying the railway line; but there was no bombing whatever.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Division: Muhammadan Rural): The Honourable Member said that some aircraft were engaged?

The Honourable Sir Reginald Maxwell: On reconnaissance and patrol work.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): That was in Bihar?

The Honourable Sir Reginald Maxwell: They were used in various sections—not only in Bihar—but the incidents to which I referred were, I think, the occasions when they opened fire. Those did occur in Bihar.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Were any killed by the opening of that fire?

The Honourable Sir Reginald Maxwell: I have not heard that they were.

Sardar Sant Singh (West Punjab: Sikh): May I know why the aircraft was used?

The Honourable Sir Reginald Maxwell: To disperse the mob. In regard to the use of the armed forces of Government to quell these disturbances, there is one point that I wish to make clear to the House. These forces have not been used to open fire on crowds engaged in peaceful or legitimate political demonstrations. Had that been the case, the word 'repression' that we so often hear might have had some application but in disorders of the kind that have occurred the mobs or gangs of persons engaged in sabotage were in every case the aggressors. The police or the troops, where they were employed in aid of the civil government, were carrying out no more than their legal duties and obligations in using force for the defence of person and property and for the prevention of violent rebellion intended to overthrow the Government which is responsible for the safety of all. It is for this purpose that armed forces are maintained

by the State; and those who use force must expect to be met by force. It has already been made clear in the Government communique of the 8th August that the purpose of Government is preventive rather than punitive and this is the principle that has governed and will govern our action. Complaints of the use of excessive force have no real meaning in situations such as those with which the police have had to deal. It cannot be expected of a small band of police confronted by a threatening mob that they should make mathematical calculations of the precise amount of force necessary to disperse it. We have to think of men doing their duty in the face of daily and even hourly danger to their lives, men charged with responsibility for the protection of vital communications. Hesitation at these moments would mean that they were overwhelmed or that the mob would attain its object. Their first concern is to take effective action and it is their duty to do so. Cases will no doubt be quoted in which it is alleged that force was used with no such provocation. I would ask Honourable Members to be sure that such stories are well verified before they give currency to them. If, however, any such act has occurred anywhere, it is a breach of discipline with which the Provincial Governments and the officers in command of their forces are as much concerned as any member of the public. I would, therefore, Sir, deprecate any sweeping allegations as regards the conduct of the police at a time when the whole country owes so much to their courage and steadfastness. The proper course in such cases will be to bring the allegations, if they are well authenticated, to the notice of the authorities immediately responsible for the discipline of their forces and it can be assumed that, if satisfied, they will do what is proper. But it is putting an entirely wrong perspective on the whole matter to lavish sympathy on those who have brought upon themselves the consequences of their own aggression and to attempt to put the police or other Government forces on their defence whenever they have found it necessary in the circumstances of the emergency to use force in the execution of their duty.

One of the high lights of the situation has been the manner in which not only the police, on whom the deadliest attacks usually fell, but all ranks of Government servants—even the humblest—have in the country as a whole stood firm and done their duty in face of attempts to subvert or terrorise them. I have heard of fine work, too, done by the civic guards and A. R. P. services. I do not say that there have been no failures here and there but the country may well congratulate itself on the way in which the machinery of Government has continued to function under the very severe strain imposed upon it. We shall not forget those who have given their lives in the execution of their duty and we may well claim that the loyalty of all classes of Government servants has proved their faith in the administration that they have served so well. Solid and stable public services are a great bulwark against anarchy. We must see that their confidence is not shaken by unworthy attacks upon them.

Another source of encouragement has been the steadiness of the country as a whole notwithstanding the inconvenience and loss caused to the general population by these widespread disturbances. Experience in Bombay, Cawnpore and elsewhere has shown that labour, if left alone, is not anxious to give trouble. Where strikes have occurred—and there are several important areas such as Ahmedabad in which labour is still out—they have been the direct result of political influences backed, we suspect, by ample funds. Nor has the population at large down any general inclination to take part in the movement. The Moslem community and the

[Sir Reginald Maxwell.]

scheduled castes, I am glad to say, have, as a whole, stood entirely aloof. Large areas of the country, again, have been quite free from any sort of disturbance. Certain areas there have been—and I do not minimise their extent or importance—where for a time hooliganism has become rampant and mob rule prevailed. But speaking generally I think it can be said that the disorders and acts of sabotage have been mainly of a local and sporadic character carried out by organised parties with the assistance, no doubt, of the local hooligan element and such others of the more ignorant population as could be excited by false stories and promises. What I would emphasize is that this movement cannot in any true sense be described as a people's movement. The whole thing is engineered and not spontaneous. There are already encouraging signs of a revulsion of public opinion against the madness of the past weeks and cases have come to notice in which the villagers themselves have intervened to prevent damage to public property. But until the malign influences that have been at work have been fully counteracted the country cannot feel safe from further attempts to disturb the life of the people.

Who then is responsible for these disorders? What lies behind them? Where the whole life of the country has been so greatly disturbed, where its defence in war has been so far prejudiced, it is important that the country should form a clear opinion on this subject. Attempts have been made and will, no doubt, continue to be made to exonerate the Congress leaders or to represent that recent events are not the outcome of the mass movement sanctioned by the All-India Congress Committee at Bombay. The terms of the Resolution which they then passed are such that they can hardly disclaim responsibility for any events that followed it. But apart from that, it is impossible to interpret the utterances of the Congress leaders themselves except on the assumption that they knew and approved of what was likely to occur. Prior to August 8th, Mr. Gandhi himself in his organ *The Harijan* and in a series of published statements and press Conferences, which received wide publicity throughout the country was engaged in preparing the ground for a civil disobedience movement the exact nature of which he did not to the very end openly disclose. He did not shrink from speaking in terms of appreciation of anarchy as an alternative to the existing order and he made it known that the contemplated struggle was to be "a conflagration" and that he would "not hesitate to run any risk however great". On the 14th July, after the Wardha Resolution had been passed, he declared in a press interview: "After all, it is an open rebellion. My intention is to make it as short and swift as possible." On the 19th July he again declared: "I do not want rioting as a direct result. If in spite of precautions rioting does take place, it cannot be helped". His final message, after his arrest—which was foreshadowed in his speech of the previous day to the All-India Congress Committee—was "Do or die", a slogan that has been quoted in many subsequent Congress circulars or bulletins as authority for acts of violence. Other Congress leaders also made no secret of the nature of the contemplated struggle, and the time between the passing of the Wardha Resolution and the meeting of the All-India Congress Committee was used by many of them in developing the themes that full discretion would be left to the participants (as indicated in the Congress Resolution itself); that the movement would not be called off if it led to violence; and that acts such as the destruction of communications and even derailment of

trains would be regarded as legitimate. The Madras Government has already given publicity to instructions issued by the Andhra Provincial Congress Committee which definitely included in the programme the cutting of telephone and telegraph wires, removal of rails and demolition of bridges. One item of this programme is "to impede the war efforts of the Government" and another is "to run parallel Government in competition with the British Government". It is noteworthy that this circular itself quotes as its authority Mr. Gandhi's 'do or die' message. Instructions of a similar character are found in numerous bulletins and leaflets claiming the authority of the Congress which have been found in circulation since the disturbances started. One such bulletin contains "a war programme" which contains such items as these:

"Formation of guerilla bands to give surprise attacks on the Tommies";

"Stopping of all trains carrying troops and war materials";

and, even more serious perhaps,

"Britishers' cooks are to be organised to cook bad food for their masters".

An Honourable Member: Most of them do it.

The Honourable Sir Reginald Maxwell: It may be said that there is no proof that these bulletins carry the authority of Congress or the Congress leaders, although they profess to do so. I have, however, elsewhere brought out the point that the acts of sabotage that have occurred could not have been planned in a moment and show clear evidence of previous organisation. Whatever part the Congress leaders may have taken in the actual work of this organisation, it is impossible to believe for a moment in the light of their own utterances that they were ignorant of its existence or that their plan did not contemplate that it would be brought into play when they launched their mass movement. I am not at present prepared to say whence this organisation drew its inspiration. It will be our business to find out more of what we do not yet know. But if any doubt remained as to the identity of Congress with these disturbances it could easily be removed by quoting the very numerous instances in which known Congressmen, particularly in Bihar, have been observed openly inciting mobs to violence and sabotage; while many others went underground immediately after the Bombay meetings and have remained there for reasons best known to themselves. On the basis of all the information at present available, therefore, we cannot absolve the Congress from responsibility for these very grave events and cannot allow the country to remain under any delusion as to the part they have been playing.

Sir, when the Congress threw down their challenge on the 8th August the Government gave an immediate reply. "To a challenge such as the present" they said in their communique, "there can only be one answer." They pointed out that on the Government of India "lies the task of defending India, of maintaining India's capacity to wage war, of safeguarding India's interests, of holding the balance between the different sections of her people without fear or favour. That task the Government of India will discharge in face of the challenge now thrown down by the Congress Party".

Sir Muhammad Yamin Khan: What about the saving of the lives of the people?

[Mr. President.]

That in view of the fact that the present sad state of affairs in India has resulted mostly by the activities of agencies who with the object of bringing Indian National Congress into disrepute with United Nations started propaganda against it by ascribing to it as having included in its programme sabotage and destruction of Government property and having changed its creed from non-violence to violence, and the subsequent arrest of Congress Leaders before they could contradict that charge and define as to what they meant by mass civil-disobedience, and thus a section of the public having been led to believe that the programme of the Congress was the same as was alleged by its opponents, and who in their despair and anger having resorted to those undesirable activities—which could not be approved by any political party with non-violence as its creed—and which action in its turn has evoked the expected use of force by Government which has far exceeded the requirements in almost every case, and which has now gone to the extent of collective responsibilities and collective fines and all this has torn the peace and tranquillity of the Country to pieces and is likely to result in great embarrassment to the war effort, this Assembly recommends to the Governor General in Council to take immediate steps—viz. if no compromise be considered possible—to ascertain the views of the Congress Leaders in this respect and to give them an opportunity of contradicting this charge and clearing their position and change the violent activities into non-violent expression of their dissent, and create an atmosphere of mutual trust and confidence by taking liberal steps which may inspire confidence in the minds of the people regarding the intentions of the British Government towards India."

Mr. N. M. Dumasia (Nominated Non-official): Sir, I move:

"That for the original Motion the following be substituted:

"That this Assembly condemns the orgy of lawlessness and disorders that have recently taken place in India with serious loss of lives and colossal damage to property which have seriously interfered with public services, approves of the action adopted by the Government to suppress the mob violence and "Civil Disobedience" movement initiated by the Congress and to restore order in the country and recommends that there should be no relaxation of measures for the protection of lives and property until the "Civil Disobedience" movement is withdrawn and peace and quiet restored in India."

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

"That for the original Motion the following be substituted:

"That this Assembly condemns the orgy of lawlessness and disorders that have recently taken place in India with serious loss of lives and colossal damage to property which have seriously interfered with public services, approves of the action adopted by the Government to suppress the mob violence and "Civil Disobedience" movement initiated by the Congress and to restore order in the country and recommends that there should be no relaxation of measures for the protection of lives and property until the "Civil Disobedience" movement is withdrawn and peace and quiet restored in India."

Mr. N. M. Joshi (Nominated Non-Official): Nobody else is moving.

Sardar Sant Singh: I am moving. Sir, I move:

"That for the original Motion the following be substituted:

"That this House recommends to the Governor General in Council to immediately take suitable steps to bring about necessary changes in the constitution of India to establish a real National Government in India immediately and with a view to assure the people of India of the sincerity of the British people in this connection, this House recommends to the Governor-General in Council to do the following:

1. To make an immediate declaration of the complete independence for India from 1st of November, 1942.
2. To immediately lift the ban from Indian National Congress and allied institutions which have been declared unlawful on or after 8th of August, 1942.
3. To immediately release Mahatma Gandhi, his co-workers and other Congressmen detained or sentenced for any offence after 8th August, 1942, and to release all persons arrested, detained or sentenced to any term of

imprisonment for offences connected with this movement after 8th of August, 1942.

4. To remit all fines levied from individuals or collectively levied on villages or towns.
5. To dissolve the Central and Provincial Legislatures and hold new elections at the earliest convenient date.
6. To invite the Indian National Congress and Muslim League to form a Provisional National Government at the Centre. And in case these two bodies do not agree to form the Government then Indian National Congress alone should be invited to do so and in case Indian National Congress declines to accept the invitation Muslim League alone should be asked to do so till elections are held."

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

"That for the original Motion the following be substituted:

"That this House recommends to the Governor General in Council to immediately take suitable steps to bring about necessary changes in the constitution of India to establish a real National Government in India immediately and with a view to assure the people of India of the sincerity of the British people in this connection, this House recommends to the Governor-General in Council to do the following:

1. To make an immediate declaration of the complete independence for India from 1st of November, 1942.
2. To immediately lift the ban from Indian National Congress and allied institutions which have been declared unlawful on or after 8th of August, 1942.
3. To immediately release Mahatma Gandhi, his co-workers and other Congressmen detained or sentenced for any offence after 8th August, 1942, and to release all persons arrested, detained or sentenced to any term of imprisonment for offences connected with this movement after 8th of August, 1942.
4. To remit all fines levied from individuals or collectively levied on villages or towns.
5. To dissolve the Central and Provincial Legislatures and hold new elections at the earliest convenient date.
6. To invite the Indian National Congress and Muslim League to form a Provisional National Government at the Centre. And in case these two bodies do not agree to form the Government then Indian National Congress alone should be invited to do so and in case Indian National Congress declines to accept the invitation Muslim League alone should be asked to do so till elections are held."

Sir Henry Richardson (Nominated Non-Official): Sir, one fact emerges clearly from practically all the amendments tabled for this debate and that is that they aim at securing conditions which will enable the maximum war effort to be put forward by this country. However divided we may be in the methods to be followed, this House, like the great majority of India's peoples, is determined to fight the Axis menace at all costs and it therefore applies to every proposal the test as to what its effect will be on India's war effort. This is the test which we in this Group have consistently applied in the past and which we apply now in considering the Resolution before the House. In the light of this test it is clear that every Member of this House must vigorously condemn the course of the present Civil Disobedience Movement.

We have heard from the Honourable the Home Member something of the extent and intensity of the lawlessness engendered in various parts of India by this movement; we have heard of wanton destruction of property,

[Sir Henry Richardson.]

of unwarranted interference with personal liberty and of brutal and unprovoked murder. We have heard too of attacks upon humble Government servants, in no sense responsible themselves for the policy of Government, who were merely carrying out their normal duties—duties which, let me remind my Honourable friends, those servants would still be called upon to discharge whatever might be the policy and constitution of any Government in this country. A spirit of lawlessness, once created, is not readily extinguished and those who are responsible for the evils of the present movement may find their own administration hampered some day by this same spirit of defiance of authority which their own actions have released—actions which lay the country open to the depredations alike of the hooligans within and the goondas without.

Here let me pay a tribute to the devotion and bravery of those many Government servants who have faced unpopularity, insult and danger in their efforts to preserve the whole structure of our peaceful life. I refer not only to the police, whose behaviour throughout India has been magnificent, but also to District Officers, Magistrates of all grades, and all classes of Railway and Postal officials; and indeed all those whose official duties have thrown upon them the burden of coping with this great evil. It is of the utmost importance that in carrying out these most regrettable but necessary duties, these officials should feel that they have behind them the solid backing of this House and of the responsible elements in the country. There have been suggestions that in every case where the Police have had to use force, an enquiry should be held. We are strongly opposed to any such suggestion, for any officer who, faced with a violent and destructive crowd, has to take action to safeguard life and property, must not be made to feel that every thing he does will be made the subject of a searching and legally conducted intricate enquiry carried out in safety long after the turmoil has subsided. I say with the utmost emphasis, that these men deserve better of their country than this. Moreover, the security of the State depends largely on the confidence of officials that they can do their duty in time of crises without becoming subject to harassment thereafter. Once this sense and confidence is destroyed, then whatever constitution India may have in the future, she will not know the meaning of real freedom for the disorderly elements of society will have learnt that they can afford to indulge their instincts for violence and hooliganism with impunity.

I have already referred to hooligans from within and goondas from without. It is I think abundantly clear that if this movement were allowed to go unchecked, it would give the utmost encouragement and help to those goondas from without. We have already heard how India's war effort has been impeded by this movement, and indeed, apart from anything that we have been told, it is surely obvious that even the smallest disruption of communications in time of war must be a cause of rejoicing to the enemy. Can any responsible person believe that actions of this nature, merely because they purport to be carried out in the struggle for freedom, can in fact bring that freedom nearer? If the Axis powers are defeated, freedom for this country is a certainty, but if those powers win, the very word 'freedom' will cease to have any meaning. We in this House know that the only possible effect of the Civil Disobedience Movement is to delay the realization of that freedom and it is for this reason

we insist that Government shall continue to take whatever measures shall be necessary to put down these subversive activities.

I have said that provided we win the war, freedom for this country is assured and in saying this I am merely reiterating what has already been said publicly and solemnly by His Majesty's Government. If there is any doubt in the minds of any of my Indian friends as to the sincerity of the declaration made by His Majesty's Government, may I say here and now that in the minds of my community no such doubt exists; we accept it as a definite settled fact and we, as a community, will continue to exert ourselves to the utmost to assist in every possible way in implementing these promises at the earliest possible moment.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): What happened after the last war?

Sardar Sant Singh: Why not now?

Sir Henry Richardson: In our opinion, His Majesty's Government and the present Government of India would be guilty of a grave dereliction of duty if they allowed the gift of orderly freedom which has been offered to India, to be dashed to the ground in pieces, just because it has been rejected, instead of preserving it carefully until at long last it can safely be placed in willing and worthy hands.

In the time at my disposal it would be impossible for me to deal adequately with the great question of a transfer of power during the period of the war and later on the debate, one of my Colleagues will, I hope, be given an opportunity of speaking on this subject. I will only say this. We are concerned with winning the war within the shortest possible time and we are convinced that any attempt to bring about an immediate transference of power during the war, in the absence of agreement between the major political parties, will lead to chaos and possibly to disaster.

There are some amongst the Members of the House who say why not form a National Government here and now, and transfer power to it immediately. Let us be quite clear in our minds about this. What exactly is a National Government? What is it we want to achieve? A National Government surely is a Government which so completely commands the support of all parties and interests in the State that it is able to set to rest political controversy for the time being and to ignore the demands of purely party or sectional interests. That is the essential characteristic and virtue of a National Government. Can it be seriously suggested that such a Government can be formed in this country in the middle of the War, in the absence of a firm agreement between any of the major political parties?

Mau'ana Zafar Ali Khan (East Central Punjab: Muhammadan): According to you not till Doomsday!

Sir Henry Richardson: Let me take an analogy. Would it be possible at all to have a National Government in war time in England, if say, the entire Conservative Party remained not merely outside, but antagonistic to that Government, and if moreover it declined to assist in the war effort because it was not in that Government?

The Honourable Sir Reginald Maxwell: I am only quoting part of the communique. Proof has now been given, Sir, that the Government of this country has not only the will but the power to arrest the forces of anarchy. It is little more than five weeks since the word was given to 'do or die'. The existence of a very widespread conspiracy immediately became manifest. Yet, today, although many terrible things have happened, control has been established almost everywhere and the country as a whole is quiet; and although this suicidal movement is not yet finally quelled, we can feel some justifiable confidence in our power to deal with any situation that may yet arise.

There are some who charge Government with overhastiness in taking action when they did. The answer is that had Government given opportunity for three or four weeks more of Congress propaganda of the kind that was then in progress, it is very doubtful if this rebellion could have been quelled without very much more destruction than has now taken place. What has happened is bad enough; but delay might have meant an appalling disaster for the whole people of this country.

There are those, again, who say that repression is not the right remedy and that in order to restore peace steps should be taken to release all those who have been endangering the country's defence and put them in a position to conduct the further war effort of India. That is, I think, the underlying significance of some of the amendments that have been moved. Well, Sir, the position of this Government has been made clear in the communique to which I have already referred and there is little that I can add to it. One thing quite plain is that with an enemy at our gates and another enemy within them the prime duty of this Government is to undo the harm that has been done as soon as possible and to put this country in a state of defence against both.

Sir, the picture which I have been compelled to place before the House is one that will give no satisfaction to thinking people or to those who are jealous of this country's honour and repute. They will regret the orgy of destruction, the waste of Indian lives and property—things that can only bring loss and hardship to Indians themselves. They will regret that the forces that should have been facing the enemy at our gates should have been diverted to the task of quelling an attempted internal revolution. They will regret that, with Indian soldiers' repute never standing higher in the world: with victory drawing ever nearer and with it the promised fulfilment of India's highest dreams: one political party, for its own ends, should have descended to acts of sabotage as a means of enforcing its demands, regardless of the help thereby given to the enemy.

I have before now given warning in this House of the danger of arousing the passions of the excitable masses through irresponsible agitation. These events afford more than sufficient justification for the preventive action taken by Government in the past, for which we have often been attacked. They show how real is the peril in this country of unleashing the forces of disorder and how quickly, when that is done, the reign of helliganism—always latent and waiting for its opportunity—tends to establish itself, so that no man's life or property is safe. Now that the danger has become apparent to all it is, I am sure this House will agree, not only for Government but for all who wish to save the country from very terrible danger

to dedicate themselves, at whatever personal sacrifice, to the task of mobilising the active help of the people themselves in preventing further acts of violence and disorder. It is not enough to condemn these things in the abstract: it is for every citizen to see that they do not happen. Sir, I move.

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

"That the situation in India be taken into consideration."

I see several notices of amendments have been given. I propose that those who want to move any amendment to this motion should formally move their amendments and then there will be a debate both on the original motion and the amendments.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): I am not moving my amendment*.

Mr. Jampadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, I am not moving my amendment†.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That for the original motion the following be substituted:

That in view of the fact that the present sad state of affairs in India has resulted mostly by the activities of agencies who with the object of bringing Indian National Congress into disrepute with United Nations started propaganda against it by ascribing to it as having included in its programme sabotage and destruction of Government Property and having changed its creed from non-violence to violence, and the subsequent arrest of Congress Leaders before they could contradict that charge and define as to what they meant by mass civil-disobedience, and thus a section of the public having been led to believe that the programme of the Congress was the same as was alleged by its opponents, and who in their despair and anger having resorted to these undesirable activities—which could not be approved by any political party with non-violence as its creed—and which action in its turn has evoked the expected use of force by Government which has far exceeded the requirements in almost every case, and which has now gone to the extent of collective responsibilities and collective fines and all this has torn the peace and tranquillity of the Country to pieces and is likely to result in great embarrassment to the war effort, this Assembly recommends to the Governor General in Council to take immediate steps—even if no compromise be considered possible—to ascertain the views of the Congress Leaders in this respect and to give them an opportunity of contradicting this charge and clearing their position and change the violent activities into non-violent expression of their dissent, and create an atmosphere of mutual trust and confidence by taking liberal steps which may inspire confidence in the minds of the people regarding the intentions of the British Government towards India."

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

"That for the original motion the following be substituted:

"That for the original motion the following be substituted:

That, with a view to relieving the existing tension in the country and helping more adequately the war efforts of the United Nations, this Assembly recommends to the Governor General in Council that all Congressmen detained or imprisoned since the 7th August, 1942, be released and that immediate steps be taken to establish at the Centre a national Government representative of all the Parties in the Central Legislative Assembly and responsible to the Assembly and also to establish in each of the Governors' provinces a similarly constituted responsible Government."

†"That in Dr. P. N. Banerjee's amendment to the motion after the words 'Governor General in Council that', the words 'subject to the civil disobedience movement being withdrawn' be inserted."

[15TH SEPT. 1942]

Pandit Lakshmi Kanta Maitra: The analogy is vicious.

Sir Henry Richardson: It would be impossible. It is alright to talk of forming a National Government but when you get down to the practical business of the composition and jurisdiction of that Government, you will find that you are doing exactly the same task that a Constituent Assembly will have to perform after the war. That task is by no means incapable of achievement, but it is a task which demands considerable time, protracted negotiations and much effort. It is not a thing which can be achieved in the twinkling of an eye, and it is, therefore, meaningless to talk of an immediate transfer of power to a National Government. There is however one way in which a National Government can be achieved. I have said that a National Government is a Government which commands the support of the whole country and sets to rest political controversy and party warfare. If my Honourable friends of all Parties will say, we will put aside political controversy for the period of the war and will devote ourselves wholly to the successful prosecution of the war, then a National Government representing the united will and determination of the people is possible.

But I suggest that a careful study of the statements made by the various individual political leaders will show that that stage has not yet been reached. It is a matter of profound regret to us that this should be so and that as a result there is, in certain sections of the Indian public, a sense of frustration leading to bitterness. We can quite understand how the Indian people feel on this matter and we have sincere sympathy for their national feelings and aspirations. But we must not be led by that sympathy to premature action of a kind which might lead to civil war and disaster. The great trouble seems to be inability and failure to face realities, and with all the good intentions in the world, no practical solution in either business or politics is ever possible unless this primary factor is realised.

Sir, we in this Group attach the greatest importance to this debate because we believe that if we and all parties in India can order ourselves aright during the remaining years of the war, a great and glorious future lies ahead of a free India in the post-war world, an India which we believe under the stimulus of growing industrialisation will take its place amongst the greatest and most powerful nations of the modern world. It is with that object that our troops, Indian and British, are today fighting as brothers in arms and proving themselves more than worthy of the great military traditions of our common past. They are fighting in the sure knowledge that, however long and difficult the task may be, at the end lies victory, victory for idealism over the gross materialism of the Axis powers, victory for the belief in the right of mankind to freedom, and victory for all those values upon which depend the future freedom and glory of India.

Sir Muhammad Yamin Khan: Mr. President,

Mr. President (The Honourable Sir Abdur Rahim): Do I understand the Honourable Member will speak for thirty minutes.

Sir Muhammad Yamin Khan: I will speak not on behalf of the Party but as a Member. Sir, after listening to the speech of the Honourable the Home Member and to the many stories he told us in his speech, one is

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inclined to say that every kind of encouragement must be given to the police officials and other officials who have been facing a serious situation in the country. The Honourable Member did not point out what I have been reading in the papers for the last week, the sad stories of certain peace officers being burnt alive after being surrounded by mobs of 500, while they were only three or four policemen—about fire being set to thatched buildings and two constables and a sub-inspector being surrounded there. The Muslim League in their resolution very clearly condemned all these acts of sabotage and murder and destruction of property. I am glad that the Honourable the Home Member in his speech clearly said that the Muslim community and the Depressed classes have kept themselves absolutely aloof from this movement, except a very few persons who have joined the Congress.

What has been happening? Certain Honourable Members like my Honourable friend, Mr. Nazim, want to say that the responsibility does not lie with the Congress for the things taking place today in the country. If that is true and if it is to be taken for granted that most of the destruction has been done by the Hindu community, then may I ask him if he suggests that if it was not the Congress it is the Hindu Mahasabha? If that is his implication, he will have a proper reply from the Hindu Mahasabha Members themselves. I do not want to speak on their behalf. But in whose sympathy has this outbreak come in? If he accepts that it is in sympathy with the people who were arrested on the morning of the 9th August, that is, the Congress leaders, then it is really the Congress following that is responsible for this destruction. I have been reading in the press for some time past that there should be no scorched earth policy adopted by the British Government if they are attacked from outside, that Indian property should not be destroyed by the British retreating armies; but the followers of these very people are destroying the property of India, if industrial factories and concerns are not destroyed, here is the destruction, of railways, post offices, telephones, telegraphs and even municipal buildings which had no connection with the Government of India.

We found in Delhi that the Municipal Town Hall was set on fire and all the records were destroyed. I do not know what connection they had with the movement which the Congress wanted to make. This shows that the Mahatma Gandhi's saying that there should be non-violence and that India has become non-violent and the Congress creed is non-violence—all that falls to the ground. It is nothing but a camouflage. There is violence, nobody can stop violence in the country once the mobs are excited. Everybody cannot keep himself under control as Mahatma Gandhi or as some other higher placed people can control themselves. They ought to see that it is the mob whom they are dealing with, that the mob's mentality must always remain the mob's mentality—once it is let loose, it must always cause any amount of destruction. We find there has been destruction not only of Government property but also of private property and municipal property and I was very sorry to hear that a doctor's clinic was also destroyed. These horrible acts had been committed in the name of non-violence. We cannot endorse these actions, but do we endorse that the Government's action had been quite all right? I do not. I think that the Government is equally at fault because it did not take precautions. The Government did not know—if my Honourable friend, the Home Member's allegations are true—that this was the work of an organisation, that this was work which had been done systematically. What were the

[Sir Muhammad Yamin Khan.]

Government doing? Were they sleeping when an organisation of this kind was taking hold of this country and they did not know? When did they get their information? What sort of people do they employ,—what kind of people have they got for their information? That means that the Government are really at fault. They employ people who are not trustworthy, who have been keeping them ignorant and have been giving them false information. They do not receive proper information at all as to what is going on in the country and they have been sleeping. Therefore, it is the Government which is at fault. The Government of India Executive Councilors may say, "I am not here at my choice". But whoever has chosen them, whosoever fault it may be to have chosen them, they are the persons who have been chosen, and they have chosen the wrong people. They have not been getting proper information in order to cope with the situation in the country. There ought to have been a proper handling at this time. One set of people may say, the Congress is certainly responsible. But there are other parties who are not in the Government and are ready to help but their co-operation the Government do not want. Government do not care a fig for their co-operation and as long as they do not take into their confidence the proper section of the people, the only thing which they can get is the third rate people in their employ who will give only false reports and they will have to act on those false reports. The result will be that one day they will wake up from their sleep and find that there is a revolution in this country.

What is this revolution and how did it come? Why did not the Government take steps during the last two years to find out what was being hatched in the country? Did this organisation come to do things simultaneously over one night? For the Honourable the Home Member says that on the 11th and 12th there was simultaneously everywhere destruction of communications. Same kind of action had been taken all over India, in all places wherever the communications had been and would have helped the Japanese if they had chosen to attack at that time. It is very surprising that the Government came to know only after the 11th and 12th that there was such an organisation. Why did they not know it beforehand? How can we entrust our lives and our properties into the hands of people who cannot even safeguard and save the property of the Government itself? I cannot say that I can endorse all that had been done. I say that the Government must know that there are three parties in the Congress. There are three wings, one committed to non-violence, one is the Communist Party which is siding with Government, and there is another party which goes by the name of Forward Bloc which nobody can control. They all go as Congressmen. Nobody can say, this is not a Congressman, or that is a Congressman. All are Congressmen. Whatever that may be, I want that Government should keep a proper vigilance and must not be that kind of Government which, after the deeds had been done, come up and tell horrible stories before us.

Some of my friends have tabled amendments and I must speak a few words on them. My Honourable friend, Sardar Sant Singh, says that there should be formed a Government, and first of all the Government must invite the Congress and the Muslim League to form the Government. If they do not accept jointly, the Congress alone, he says, may be invited. If the Congress does not accept, then the Muslim League alone

should be invited. My Honourable friend, Sardar Sant Singh, belongs to a Party—I do not know whether he is speaking on behalf of the Party.

Dr. P. N. Banerjee: No. He had no authority to speak on behalf of the Party.

Sir Muhammad Yamin Khan: I see that he had no authority behind him of his Party. These are only his personal views. For his information I may tell him that Mahatma Gandhi, just before he was arrested, elucidated the points which were made by Maulana Abul Kalam Azad. Maulana Abul Kalam Azad said that the Congress would welcome if the Muslim League were to form the Government. One gentleman who had his own doubts about this statement approached Mahatma Gandhi who made clear what Maulana Abul Kalam Azad meant. Mahatma Gandhi said in his writing as reproduced in the 'Tribune' of the 20th August:

"With reference to your letter giving me the purport of your conversation... I wish to say in as clear a language as possible that... Maulana Abul Kalam Azad's published offer to the Muslim League was meant to be a serious offer. Let me explain it again for your elucidation. Provided (*this is a big proviso*) the Muslim League co-operates fully with the Congress demand for immediate independence without the slightest reservation, subject, of course, to the proviso that an independent India will permit the operation of the allied armies in order to check the Axis aggression and thus to help both China and Russia the Congress will have no objection (*he does not say, he will agree*) to the British Government transferring all the powers which it today exercises, to the Muslim League on behalf of the whole of India including the so-called Indian India."

Then he says:

"The Congress will not only not obstruct any Government that the Muslim League will form on behalf of the people but even join the Government in running the machinery of the free State. This is meant in all seriousness and sincerity."

One proviso is that the Muslim League must merge itself into the Congress! As he says, the Muslim League must adopt the resolution which had been passed by the Congress Working Committee and supported by the All-India Congress Committee—the Congress demand of immediate independence for India on terms which have already been passed by the Congress! That means that the Muslim League must merge itself into the Congress, and unless that proviso is acted upon Mahatma Gandhi cannot agree. He puts before us a proviso which he knows full well it can never be accepted because the Muslim League had their own resolution, and Mahatma Gandhi wants that the resolution passed by the Congress Working Committee without any hand of the Muslim League in it should be accepted by the Muslim League blindly. It means, "You form the Government and I will keep all the votes in my pocket and turn you out whenever I like". Supposing the Muslim League forms the Government and the votes remain as they are, for how many days can the Muslim League carry on the Government unless the Government is an irresponsible Government as the present Government is irresponsible? We cannot carry on the Government with the votes against us, with a dagger and a revolver held at our face, point blank? If we are to carry on the Government we must have the sanction of the House, that is, the vote of the House, if it is going to be a responsible Government. But if it is going to be under the present constitution, we have many times said, and the Muslim League has said, there are only two big communities in the country, that is, Hindus and Muslims.

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Let us have a joint equality so that none may outvote the other in the day to day administration during the war and if the Congress—a big party—is not willing to take up the responsibility, then the Muslim League must have at least a majority, just to discharge their responsibility. No responsibility can be discharged without a majority. I do not know whether Sardar Sant Singh had seen this or not but for his information I may say that this *Tribune*, which is issued from his province, not only went to the extent of criticising the Muslim League but it began to impute all kinds of motives to Mr. Jinnah and the Muslim League. Now, the Mussalmans passed a resolution that they are ready to co-operate and meet all the Party Leaders. The paper says:

"The ostensible reason for this change in the attitude of the Congress probably is that the Mahatma and other prominent Congress leaders being in prison could not reasonably be expected to approach Mr. Jinnah."

When the Muslim League comes to shake hands with other parties and is ready to meet them in discussion, this is the attitude of the Nationalist Press. I do not know which nation this *Tribune* represents but as far as I am concerned it represents an attitude which is not pro-Muslim and it does not give proper thought or proper place to the Muslim League views.

Then, Sir, what was the attitude of Mr. Saverker and other Hindu Mahasabha leaders? They at once rejected the idea. They said: "No, even if the Congress were to agree, we cannot agree to the Muslim League forming any Government". Therefore, how on earth can we have a debate on the Resolution in this House? What are the people talking outside about this? The Muslim League never said that they are not willing to co-operate. They are willing to co-operate with those parties who are ready to take the responsibility on their shoulders, provided they are in such a large majority that their voice can be heard in the country. I quite agree with Mr. Charchill when he says that the Congress does not represent the whole of India. There are many parties who do not follow the Congress lead and who will never take their lead from the Congress but there is one thing which nobody can ignore and that is that in the last elections they badly defeated Hindu Mahasabha.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sir Muhammad Yamin Khan: I will conclude in one sentence. Therefore, I cannot support these things. Nor do I agree with Sir Henry Richardson when he says that his community will agree to the demands which may come later on after the war, because his community does not even support the Pakistan demand of the Muslim League.

Mr. N. M. Joshi: Mr. President, it is a matter of great regret to me and I am sure it is matter of great regret to others that the Party which is the main subject of criticism of the Honourable the Home Member and some of the other speakers is not present in this House today. However, as it is not either in the hands of myself or in the hands of this House to secure their presence today, we must carry on the debate as best as we can during their absence.

After having listened very carefully to the speech of the Honourable the Home Member, one thing struck me very forcibly and that is the colossal ignorance of the Government of India as to the real situation in

this country. It seemed to me that this Government is completely divorced from the surroundings in which they are working. The Honourable the Home Member began his speech from the passing of the resolution of the All-India Congress Committee demanding independence and mentioning that if they did not secure independence they will declare civil disobedience in this country. For the proper understanding of the situation I would go a little backwards and trace why the Congress passed the resolution which it did in Bombay on the 8th August and in tracing the situation one thing which strikes me again is the failure of the Government of India to understand the feelings and sentiments of the people in this country. From the beginning of this war, there have been no people in this country who had the least sympathy with either Fascism or Nazism. People in this country are thoroughly imbued with democratic ideals. Unfortunately, the Government in this country is a foreign Government and most of the sections of the people of this country felt that although they sympathise with the ideals of democracy they could not play an effective and enthusiastic part in this war unless the people were made free and there was a national Government in this country. Our Government played with the problem of the national Government. Taking advantage of the communal divisions in this country they sat quiet for a long time, and then, as a measure of self Government, they introduced a few additional Members of the Executive Council, but nobody thought that it was a national Government. After some time, a new situation arose in the political atmosphere and that is the entry of Japan into the war and the war having approached the borders of this country. The feeling in this country which was already in favour of democracy became stronger but, unfortunately, the same obstacle was felt, namely, that without a national Government the people in this country could not take an enthusiastic and effective part in this war. Unfortunately, the Government of India did not realise this for a long time but the nearness of the Japanese attack made them alive to the issue and then Sir Stafford Cripps was sent here with some proposals.

So far as I am concerned, I feel that the proposals of Sir Stafford Cripps, as far as the future Constitution of India is concerned, were satisfactory, but they were very vague as far as the immediate present was concerned.

Mr. President (The Honourable Sir Abdur Rahim): I think the 2 p.m. Honourable Member would like to stop now.

Mr. N. M. Joshi: If you like, Sir.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 16th September, 1942.

LEGISLATIVE ASSEMBLY.

Wednesday, 16th September, 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. Noel Victor Housman Symons, C.I.E., M.C., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

†40*.

RECENT MEMORANDUM OF GRIEVANCES BY THE PRESS ASSOCIATION OF NEW DELHI.

41. *Mr. K. C. Neogy: (a) Will the Honourable the Home Member be pleased to state whether he is aware of a memorandum, dated the 22nd August, 1942, drawn up by the Press Association of New Delhi for presentation to His Excellency the Viceroy and Governor General in which certain serious complaints have been made about the restrictions placed on the work of Press correspondents by the censoring authorities?

(b) Is it a fact that the memorandum was drawn up unanimously by 25 Press correspondents, including Messrs. Standish (representing the *Morning Herald* and North American Newspaper Alliance), Berrigan (representing the United Press of America), Holburn (representing the *Times of London*), Waterfield (representing Reuters) and Elmeny (representing the *News Chronicle of London*), besides representatives of the *Manchester Guardian*, the Press of New Zealand, the *Statesman*, the *Times of India*, *Civil and Military Gazette*, *Madras Mail*, Associated Press of India, the United Press of India and the Orient Press of India?

(c) Will the Honourable Member in charge briefly summarise the grievances referred to by the Press Association in this memorandum, giving at the same time the Government point of view in regard to each point?

(d) What are the different authorities exercising censorship over the functions of the Press correspondents at New Delhi in respect of publicity in India and in the overseas Press, respectively?

(e) What is the scope and nature of "press advising" apart from formal censorship to which the activities of these correspondents have been subject?

†This question has been postponed to be answered on the 21st September, 1942.

(f) Is it a fact that one of the complaints mentioned in the aforesaid memorandum is that in messages for publication in the Overseas Press, Press Advisers require undue preference to be given to the Government point of view and that restrictions imposed on the transmission of news relating to the political situation render the presentation of a balanced picture of the situation in the country difficult?

(g) Is it a fact that no message referring to Ordinance No. XLII of 1942 published in the Gazette of India Extraordinary, dated the 15th August, 1942 (which, *inter alia*, legalises the shooting of any person to death if he "appears to be about to attempt" to do any act that might endanger or damage any property which it is the duty of a Captain, or any soldier authorised by him, to protect) was allowed to be sent by accredited correspondents of overseas newspapers and news agencies?

(h) Is it a fact that the purport of the comments made by the Press in China on the policy of the Government in arresting Congress leaders and adopting repressive methods, was not allowed to be published in the Press in India?

The Honourable Sir Reginald Maxwell: (a), (b), (c) and (f). The memorandum in question was not addressed to the Government of India and I can give no information with regard to it.

(d) All press messages leaving or entering this country are subject to military censorship. There is no general censorship of messages intended for publication only in India, but recently, in accordance with the agreement reached with the All-India Newspaper Editors' Conference, orders were issued by the Chief Commissioner, Delhi, requiring factual news relating to the present Congress disturbances to be submitted for scrutiny before publication in the Delhi newspapers, and as soon as the necessary arrangements can be made that scrutiny will be conducted in association with representatives of the Press.

(e) Press correspondents themselves frequently submit messages for advice to the press advising staff. Alterations in outgoing messages from correspondents are sometimes desirable in order that the messages may be safely transmitted out of India by "beam" wireless without giving information which would be of value to the enemy or which would unnecessarily provide material for enemy propaganda. Such alterations are made, so far as is possible, with the correspondents' consent, but are ultimately dictated by military considerations. For similar reasons, it is occasionally necessary to advise against the transmission of a whole message.

(g) and (h). I am not prepared to disclose details of the working of Military Censorship. Certain comments from Chinese newspapers were submitted for Press advice and the advice given was against publication.

Mr. K. C. Neogy: Did the Honourable Member say that the memorandum in question was addressed to the Governor General?

The Honourable Sir Reginald Maxwell: I said the memorandum was not addressed to the Government of India.

Mr. K. C. Neogy: My question was whether the Honourable the Home Member is aware of the fact that a memorandum of this kind was sent? If so, why should he not go into the memorandum straightaway and answer the question?

The Honourable Sir Reginald Maxwell: A copy of the memorandum was sent to me, but it was not addressed to me. I did not give official attention to it.

Mr. K. C. Neogy: In so far as the memorandum contains allegations relating to a Department for which he is responsible, did he not think it necessary to go into the facts alleged?

The Honourable Sir Reginald Maxwell: If it is a question of taking action on the memorandum, the memorandum must be addressed to the Home Department. If the Home Department are required to take notice of it, I cannot take up a memorandum which is addressed to somebody else and make independent enquiry about it.

Mr. K. C. Neogy: Now that attention has been drawn to this memorandum specifically in this House in relation to a matter which is the direct responsibility of the Honourable Member, is he prepared to give answer or not to the question that I have put?

The Honourable Sir Reginald Maxwell: I am not prepared to take up a memorandum sent to other people.

Mr. K. C. Neogy: The question is put on the basis of a memorandum which the Honourable Member admits he has himself seen and which relates to his Department and why does he not answer the question?

(No answer).

Sardar Sant Singh: Does the Honourable Member mean that if the Honourable Member in the capacity of Sir Reginald Maxwell comes to know of certain facts, it is not his duty to look into those facts and see that justice is being administered in the country?

(No answer).

Pandit Lakshmi Kanta Maitra: I do not understand the silence on the part of the Honourable Member. He does not answer any question put to him.

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

†42.*

FILMS PRODUCED AND DISTRIBUTED BY THE FILM ADVISORY BOARD.

43. ***Sir F. E. James:** Will the Honourable Member for Information and Broadcasting be pleased to state:

- the number of films produced and distributed by the Film Advisory Board since its inception;
- the average cost per foot of the films so produced;
- the steps that are being taken to ensure the effective and rapid production and distribution of Indian news-reels; and

†This question has been postponed to be answered on the 21st September, 1942.

- (d) whether any action has been taken to co-ordinate the requirements of the Department and the Defence Services with regard to film production and distribution, and if so, what?

The Honourable Sir Reginald Maxwell: (a) The number of films produced by the Film Advisory Board since its inception up to date is 40. The number of films distributed by the Board so far is 89.

(b) (1) The average cost per foot of films produced for the Board by commercial producers is Rs. 9.

(2) The average cost per foot of films produced by the Board's official units including salaries of staff and travelling expenses is Rs. 8.

(c) The Twentieth Century Fox Corporation have made arrangements for the production and distribution of Indian news reels under the name Indian Movietone news. They have engaged six cameramen to film events and functions in the various parts of India. They will be distributing this Indian film material, with a suitable portion of foreign news items and of items supplied officially relating to Indian troops in India and abroad added to it, as a weekly or fortnightly news reel in Hindustani, Bengali, Tamil and Telugu to theatres in India.

(d) The question of co-ordinating the production and distribution of films required by the Department and the Defence Services has been considered; but, as the kind of films required and the audiences aimed at are different, it is not possible without prejudice to quality and efficiency to pool the activities of the two Departments in this field except at one or two stages. The staff and equipment of both the producing organisations are fully engaged on their own work and there would be no advantage in pooling them. At stages of production where pooling is possible, as for instance processing and the supply of raw film, arrangement is being made for the work of the two organisations to be carried on by the same agency or at the same place. And whenever any of the films produced by the Defence Services are found to be suitable for theatrical exhibition also, they are distributed by the Film Advisory Board.

Pandit Lakshmi Kanta Ma.tra: Will the Honourable Member kindly enlighten the House about this: what percentage of these 89 films were produced under the direction of the Honourable Member's Department or under the direction of the Defence Department?

The Honourable Sir Reginald Maxwell: These 89 films distributed consist of 40 films produced by the Film Advisory Board which I have already mentioned, 39 films received from the Ministry of Information, London, six films produced by the Director of Public Relations and four films of A. R. P. produced by the Bombay Government.

Pandit Lakshmi Kanta Ma.tra: Do I take it that no film has been exhibited which has been sent from America?

The Honourable Sir Reginald Maxwell: Not unless they are included in the 39 films received from the Ministry of Information, London.

Pandit Lakshmi Kanta Ma.tra: Do I take it, Sir, that the Honourable Member's Department has no objection to American films as such being exhibited here on this matter?

The Honourable Sir Reginald Maxwell: There is no restriction so far as I am aware of.

RECENT DISTURBANCES IN DELHI.

44. Mr. K. C. Neogy: (a) Will the Honourable the Home Member be pleased to make a statement regarding the disturbances that took place in Delhi since the 9th August last and the steps taken to quell them, referring particularly to the resulting destruction of, or damage to, public property, loss of human life and other casualties, and the occasions on which fire had to be opened by the Police or the Military?

(b) Have allegations of any excesses committed by the Police or the Military in that connection reached Government or the local administrative authorities, and if so, to what effect generally and with what result?

(c) Is it a fact that stray firings were indulged in by troops in the Paharganj area as a result of certain acts of hooliganism there, in the course of which several persons, including *pardunashin* women were shot at, while actually inside their houses, and that one at least of these persons was sleeping in his bedroom while he was hit? When were the acts of hooliganism in that locality committed, and how long after that were the firings resorted to?

(d) Is it a fact that the registration of the *Hindustan Times* staff correspondents was cancelled by the Deputy Commissioner of Delhi because of their failure to get the account relating to Paharganj firing as published in that paper, "Press advised"? Was the accuracy of that account challenged by the Deputy Commissioner or any one else at any time?

The Honourable Sir Reginald Maxwell: (a) The official communiqués, Associated Press of India messages and other reports which the Honourable Member will find reproduced in the issues of the *Statesman* of the 11th, 12th, 13th and 14th August give a sufficiently clear picture of the disorders in Delhi, and I do not think it necessary to make any further statement.

(b) Allegations of Police and Military excesses have come to the notice of Government. All the reports which have been received indicate however that on the contrary firing was strictly controlled and perfect discipline was maintained throughout among troops and police.

(c) If by "stray firing" the Honourable Member means the uncontrolled and indiscriminate use of fire-arms, I must answer with an emphatic negative. At the same time I must ask the Honourable Member to understand that when troops or police are constrained to use firearms to disperse a crowd or to defend life and property against rioters it is inevitable that other persons in the vicinity should sometimes be hit. It is one of the lamentable results which are liable to follow when crowds get out of hand and commit excesses that innocent persons may suffer as well as the guilty, but that there was any deliberate firing at innocent persons is a monstrous accusation for which there is no justification whatever.

(d) The registration of the correspondents of the newspaper mentioned was cancelled by the Deputy Commissioner with the full approval of the Government of India, because certain paragraphs in their messages contained allegations which were clearly designed to arouse prejudice against the troops and neither the correspondents nor the Editor made any attempt to verify them from official sources. Subsequent investigations have failed to substantiate the truth of the allegations made.

Mr. K. C. Neogy: Will the Honourable Member be pleased to state with reference to the press account in this connection which of the particular allegations are inaccurate, and how is it that no contradiction has ever appeared from the Government on this point?

The Honourable Sir Reginald Maxwell: Is the Honourable Member referring to the answer to part (d) of the question?

Mr. K. C. Neogy: Yes.

The Honourable Sir Reginald Maxwell: The items which led to the cancellation of the registration of the correspondents of the *Hindustan Times* were the paragraph entitled "Stray shots fired" in the report "Improvement in Delhi situation" on page 6 of the issue of the 14th August and the leading article entitled "Prevent it" in the issue of the 13th.

Mr. K. C. Neogy: I wanted to know which particular incident referred to in that account had been found to be inaccurate on enquiry. The account contains references to many incidents.

The Honourable Sir Reginald Maxwell: I said in my reply that subsequent investigations have failed to substantiate the truth of the allegations made.

Mr. K. C. Neogy: Do I take it then that the statement that three men, including Mr. Koshal, a clerk of General Headquarters, and the nephew of Mr. L. P. Varma, a Government contractor, were shot dead is not substantiated?

The Honourable Sir Reginald Maxwell: Which persons?

Mr. K. C. Neogy: Three men including Mr. Koshal, a clerk of the General Headquarters and the nephew of Mr. L. P. Varma, a Government Contractor, were shot dead. Was that found to be inaccurate, because that is under this head "Stray Shots Fired"?

The Honourable Sir Reginald Maxwell: I did not say so; it may or may not be. What I said was that the allegation that there was indiscriminate firing at innocent persons was entirely false.

Mr. K. C. Neogy: I shall have to put a few more points in that case. For instance, it is alleged that the soldiers chased a man right up to the staircase inside Mr. Varma's house and fired a shot in his staircase. The spent bullet is still intact with Mr. Varma and there is a mark on the wall of the staircase in his house. Has that been found to be inaccurate? Are the soldiers expected to run after men and shoot them inside the house?

The Honourable Sir Reginald Maxwell: The Honourable Member has admitted that it was a stray bullet and Mr. Varma's statement has been recorded by the City Magistrate on the subject and he admits it too.

Mr. K. C. Neogy: Who admits it?

The Honourable Sir Reginald Maxwell: I did not say that there were no stray shots in the firing. I said that there were.

Mr. K. C. Neogy: But the point is whether the soldiers chased a man right up to the staircase inside Mr. Varma's house and fired a shot in his staircase. It is a question of running into a private house.

The Honourable Sir Reginald Maxwell: As I said there is no substantiation of that allegation, and it was made in the *Hindustan Times* before any attempt was made to enquire into the incident.

Mr. K. C. Neogy: The next allegation is that the soldiers fired shots at people standing on their balconies or peeping through the windows in Hasam Street.

The Honourable Sir Reginald Maxwell: I deny that.

Mr. K. C. Neogy: Then there is another statement on which I should like to have the Honourable Member's testimony. Sardin Teja Singh of the X-ray Department of the Irwin Hospital made a statement that he was sleeping in his house when he received an injury, the bullet having come in through some window.

The Honourable Sir Reginald Maxwell: Mr. Teja Singh has himself stated before the Magistrate that he was hit by a bullet in the left arm and he added "A little later I came to know that a mob was fired at and I was hit accidentally." That is exactly what I said in my answer to that question.

Mr. K. C. Neogy: He could not be hit when he was sleeping inside his house. How does the Honourable Member account for this? How is it that a man actually sleeping inside his house could be shot at?

The Honourable Sir Reginald Maxwell: He was not sleeping. He himself says that he was entering the house.

Pandit Lakshmi Kanta Maitra: Is it a fact that these bullets had a special knack of entering into rooms through windows and following men to staircases inside the houses?

The Honourable Sir Reginald Maxwell: Bullets have a certain amount of penetration; the Honourable Member can find that by experiment if he likes.

Mr. K. C. Neogy: Referring to the answer to part (c) of my question, will the Honourable Member please say when and how long after that were the firings resorted to?

The Honourable Sir Reginald Maxwell: The firings took place in order to suppress the hooliganism while it was going on.

Mr. K. C. Neogy: Has the Honourable Member applied his mind to this particular point or is he giving an answer off-hand?

The Honourable Sir Reginald Maxwell: I have, I think, answered the Honourable Member's question thoughtfully in my reply already read.

Mr. K. C. Neogy: Is the Honourable Member perfectly sure that the firings referred to in this statement actually took place just when the hooliganism was being committed?

The Honourable Sir Reginald Maxwell: I think a detailed list of all the shooting showing the exact number of rounds fired.

Mr. K. C. Neogy: It is a question of time and not the interval.

Mr. Govind V. Deshmukh: In respect of part (b) of the reply in which the Honourable Member has stated that the reports which have been received deny the allegations of excessive use of force, etc., may I know from whom were the reports received, and if any enquiry was made, who made it?

The Honourable Sir Reginald Maxwell: Does the Honourable Member want to know on what basis I made this reply?

Mr. Govind V. Deshmukh: Yes.

The Honourable Sir Reginald Maxwell: On the basis of information supplied by the officers concerned including detailed accounts of what took place and numbers of rounds fired and the reasons behind and the circumstances in which the injuries took place.

Mr. Govind V. Deshmukh: Were any witnesses in the locality examined by the officers and were the reports made by policemen or any other officers in high positions?

The Honourable Sir Reginald Maxwell: It is their business to know all these details. They themselves go into every case.

Mr. Govind V. Deshmukh: I want to know whether the Honourable Member has satisfied himself that enquiries were made from persons in the locality and roundabout where these incidents took place by officers in high ranks.

The Honourable Sir Reginald Maxwell: I am satisfied that the reports which I have received were made with full knowledge and were adequate enquiries.

Mr. Lalchand Navalrai: May I know from the Honourable Member if he is prepared to order a judicial enquiry? If not, why not?

The Honourable Sir Reginald Maxwell: I have already dealt with the question of enquiry in my speech yesterday, Sir.

Mr. Lalchand Navalrai: It is not a question of a departmental enquiry that I am asking about. I am asking if the Honourable Member in the face of these very serious allegations in a place like Delhi is prepared to satisfy the public by a public enquiry in a judicial manner. If not, why not?

The Honourable Sir Reginald Maxwell: I do not know whether the Honourable Member was in his place when I was speaking yesterday, but if he will give attention to that he will understand the attitude of Government.

Mr. Lalchand Navalrai: I would like to have the answer of the Honourable Member.

Sardar Sant Singh: May I ask the Honourable Member if he is aware of the provisions of the Criminal Procedure Code, which requires a magisterial enquiry to be held after each such incident, like firing, or death due to causes from firing?

The Honourable Sir Reginald Maxwell: I am fully aware of it. It appears that the Honourable Member isn't.

Sardar Sant Singh: If the Honourable Member is aware, it seems that he does not want to be aware. Has he held any magisterial enquiry into these deaths?

The Honourable Sir Reginald Maxwell: No, Sir. I am not a magistrate.

Sardar Sant Singh: Are you not expected to know that an inquest report is prepared by a magistrate on the death of a person killed in this fashion?

The Honourable Sir Reginald Maxwell: Yes, Sir. I have been quoting from magistrates' reports in the answers I have given to this.

Sardar Sant Singh: Has any magistrate held any inquest into these deaths?

The Honourable Sir Reginald Maxwell: Certainly, I imagine, Sir. As I say, these reports were signed by the City Magistrate.

Sardar Sant Singh: Were they the reports made at an inquest? There is a difference in a magistrate sitting at home and sending in a report and in making an inquest report. Does the Honourable Member understand the difference between the two? Will he please tell me whether an inquest report was made?

The Honourable Sir Reginald Maxwell: I do not doubt that the law was fully carried out.

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

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PROSECUTION OF THE EDITOR, ETC., OF THE HINDUSTAN TIMES AND OF THE HINDUSTAN

46. ***Mr. K. C. Neogy:** Has the Honourable the Home Member received a full report of the proceedings that took place before the Additional District Magistrate of Delhi in connection with the prosecution of

†Cancelled, the very question having been put down as starred question No. 106 for answer on a subsequent date.

the Managing Editor and the Printer and Publisher of the *Hindustan Times*, as well as the Editor and the Printer and Publisher of the *Hindustan*, under the Defence of India Rules for acting in defiance of an order of the Chief Commissioner of Delhi, dated the 17th August last, directing the editors of all the newspapers of the Province not to publish more than three columns of news relating to the mass movement sanctioned by the All-India Congress Committee and the measures adopted by Government to deal with the situation?

(b) Has the attention of the Honourable Member been particularly drawn to the observation of the Magistrate to the effect that one cannot compare a mass movement sanctioned by the Congress and the present disturbances when the details of the former are not known and never saw the light of the day?

(c) Having regard to the failure of Government to prove any connection between the undisclosed Congress programme and the wide-spread disturbances that took place in the country, will the Honourable Member be pleased to state whether this prosecution was undertaken by the local administrative authorities after taking any competent legal opinion on the most vital point at issue?

The Honourable Sir Reginald Maxwell: (a) Yes.

(b) I have read the Magistrate's order and can find in it no passage in the language quoted by the Honourable Member. The actual wording of the relevant portion of the order was as follows:

"The disgraceful acts of violence and sabotage to which the mob had recourse can be said to be indirectly the result of the general Congress programme of civil disobedience but it cannot be said that they were part of the original mass movement, for the simple reason that it has not been shown what that movement was."

(c) The case was put into court by the Police after the usual scrutiny by their prosecuting staff and was conducted in court by the Public Prosecutor.

Mr. K. C. Neogy: Is it not a fact that the local Public Prosecutor admitted that there was nothing on record to show what was the programme of the All-India Congress Committee or of the mass movement which they had sanctioned?

The Honourable Sir Reginald Maxwell: I do not think there is any profit in discussing in detail the proceedings which took place in Court.

Mr. K. C. Neogy: I wanted to know whether the Government Prosecutor himself made this admission in the course of his argument and whether it is not referred to in the order of the magistrate?

The Honourable Sir Reginald Maxwell: I should require notice of that as I have not the magistrate's order before me.

Mr. K. C. Neogy: Is the Honourable Member also aware of the magistrate's following observation: "I am not satisfied that the demonstrations and disorders which followed the arrest of Gandhi and other Congress leaders, and the mass movement sanctioned by the All-India Congress Committee are one and the same."

The Honourable Sir Reginald Maxwell: That is a document to which any Member can have access.

Mr. K. C. Neogy: The Honourable Member quoted a particular passage: so I wanted to quote another passage.

†47*—48*.

SEA-BORNE SUPPLIES OF SALT TO THE EASTERN INDIA AREAS.

49. *Mr. K. C. Neogy: (a) Will the Honourable the Finance Member please state what are the areas in Eastern India that depend mainly on sea-borne supplies of salt from Liverpool, Red Sea ports and Indian ports?

(b) What is the approximate normal average annual consumption of salt in such areas, and how much of it approximately is usually met by such sea-borne supplies?

(c) Are supplies of sea-borne salt being steadily maintained, or were there any uncertainties about them at any time during the last few months?

(d) Have Government considered the possibility of supplies of sea-borne salt being cut off or seriously reduced in certain eventualities? What are the practical possibilities of replacing sea-borne salt altogether by supplies from the Government's inland salt sources, from the points of view of workable capacities of these sources and facilities of regular conveyance to the principal centres of distribution?

(e) What progress has been made in the development of manufacture of salt from sea-water at suitable centres near the Bay of Bengal? Has any special step been taken in this direction, having regard to the difficulties of the supply of sea-borne salt which the Eastern Provinces have, or may have, to face?

The Honourable Sir Jeremy Raisman: (a) Assam, Bengal, most of Bihar and the northern part of Orissa.

(b)	Average annual consumption.	Source of supply.
Bengal	90 lakhs maunds	Entirely sea-borne.
Bihar	56 " "	About 40 lakhs are imported by sea.
Assam	12 " "	Entirely sea-borne.

(c) Owing to shipping difficulties caused by the war situation, supplies of sea-borne salt could not reach Calcutta in substantial quantities during the first seven months of this year and consequently stocks ran very low. The position gave rise to some public uneasiness. Since then the matter has been taken in hand by the Government of Bengal and the Government of India; ships have been provided and sea-borne supplies of salt are now reaching Calcutta in fair quantity.

†These questions have been postponed to be answered on the 21st September, 1942.

(d) Yes. Government's inland salt sources, Rajputana, Kharaghoda and Khewra between them produce annually about 140 lakhs of maunds, nearly the whole of which is required for Central, Upper and Northern India markets. It is not possible to expand production in these sources to any great extent and moreover they do not produce the kind of salt—fine white salt—which the people in the eastern provinces prefer. However, there are large stocks at Rajputana which, if necessity arises, can be used to supply Bengal and eastern markets. A large portion of the eastern demand can be met from Karachi and Western India sources. The difficulty is transport by rail. If at any time the sea route becomes impossible, rail transport would have to be provided.

(e) So far as the Central Government is aware, little progress has been made towards the development of the local salt industry in Bengal. There are at present only seven licensed factories and their output is about 25,000 maunds. In July the Member of the Central Board of Revenue discussed with Ministers of the Bengal Government, and agreed to a scheme for the encouragement of salt manufacture by villagers in suitable areas on the Bengal seaboard. The scheme cannot be put into force until the rains have ceased. Even, however, if the scheme produces the results promised, it can supply only a fraction of the total requirements of Bengal.

Mr. K. C. Neogy: Will the Honourable Member please indicate whether in the event of sea-borne salt being altogether cut off from the Eastern Provinces, the working of Government inland salt sources could be sufficiently expanded for the purpose of meeting the entire demand of the Eastern Provinces?

The Honourable Sir Jeremy Raisman: I have indicated in my reply that that would hardly be possible. The inland salt sources could not be expanded in order to cover the whole of the Eastern Provinces' demand.

Pandit Lakshmi Kanta Maitra: May I know it would be carrying any salt from Aden, and if so, what quantity?

The Honourable Sir Jeremy Raisman: Yes.

Pandit Lakshmi Kanta Maitra: What quantity?

The Honourable Sir Jeremy Raisman: I have not got the figures with me.

Mr. K. C. Neogy: Will the Honourable Member indicate the proportion to which the present output of the inland salt sources could be increased so that we might know to what extent ultimately the supply of salt for the Eastern Provinces might be made if the supply of sea-borne salt falls short in the event of the sea route being stopped?

The Honourable Sir Jeremy Raisman: I am afraid I could not give the actual figures of that. In my reply I have said, however, that there are large stocks of Rajputana salt which, if necessity arose, could be used to supply Bengal and the eastern markets.

Mr. K. C. Neogy: The Honourable Member refers to present stocks?

The Honourable Sir Jeremy Raisman: Yes.

Mr. K. C. Neogy: When the present stocks are depleted, I am thinking of the normal possibility of expansion of Government-owned inland salt sources for the supply of the total demand of the Eastern Provinces if certain eventualities happen.

The Honourable Sir Jeremy Raisman: If the Honourable Member wants precise figures I am afraid he will have to put down a question.

Mr. Lalchand Navalrai: Has the Honourable Member made any arrangements to see that the salt from Karachi is exported, if necessary by railway, to Calcutta and other places?

The Honourable Sir Jeremy Raisman: My information is that certain amount of the salt from Karachi has been transported by rail.

INFORMATION ABOUT AND REPATRIATION OF INDIAN PRISONERS OF WAR.

50. *Mr. K. O. Neogy: (a) Will the Honourable the Defence Member please state whether any arrangement has been made for the transmission of information about Indian prisoners of war and Indian civil population from the enemy-occupied territories? If so, will the Honourable Member indicate the nature and scope of the arrangements?

(b) Have any Indians been repatriated from any theatre of war to India as a result of exchange of prisoners of war between the Allied and Axis powers? If so, what is their total number and what proportion does it bear to the total number of prisoners of war of British nationality released so far as a result of such exchange?

The Honourable Malik Sir Firoz Khan Noon: (a) Information regarding Indian Prisoners of War and Indian civil population in enemy occupied territories in Europe is received regularly under the "International Convention relative to the treatment of Prisoners of War" from the Protecting Power and the International Red Cross Committee.

With regard to territories occupied by the enemy in the Far East, although Japan has not ratified the Prisoners of War Convention, her Government has intimated an intention to abide by its covenants. In spite of repeated requests by His Majesty's Government both through the Protecting Power and the International Red Cross Committee for information regarding Prisoners of War and civil population, nothing has so far been forthcoming from the Japanese Government. The Japanese Government has, however, agreed to the appointment of Delegates of the International Red Cross Committee at Hong Kong, Shanghai and Bangkok who will report on conditions as soon as these have been investigated.

(b) The only exchange of Prisoners of War between the Allied and Axis Powers which has taken place was effected in the spring of this year between Middle East and Italy. This exchange was arranged under Part IV Section I of the "International Convention relative to the treatment of Prisoners of War" which provides for the repatriation of permanently sick and disabled Prisoners of War, and included three Indians. The question of proportion does not arise, as the recommendation for repatriation is entirely governed by the decision of the Mixed Medical Commission envisaged in the above mentioned Convention, which comprises three doctors of whom two are neutrals and one a subject of the Captor States.

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LEGISLATIVE ASSEMBLY

[16th SEPT. 1942]

Pandit Lakshmi Kanta Maltra: Did the Honourable Member say that three delegates have been appointed and have been allowed by the Japanese to report upon Indian prisoners and others and if so when they were appointed?

The Honourable Malik Sir Firoz Khan Noon: No; I am afraid you did not hear me properly.

Mr. President (The Honourable Sir Abdur Rahim): The next question, No. 51, is in excess of the number allowed.

SUGGESTION FROM FRIENDLY FOREIGN NATION FOR LEGISLATION CONFERRING CERTAIN SPECIAL POWERS ON ITS MILITARY OFFICERS ON DUTY IN INDIA.

†51. ***Mr. K. O. Neogy:** (a) Will the War Secretary be pleased to state whether there was any request or suggestion from the Government of any friendly foreign nation, such as United States of America and China, or from any of its representatives present in India, for the enactment of legislation authorising the shooting of persons to death by or under the orders of its military officers on duty in India, under a degree of protection against legal action in circumstances specified in Ordinance No. XLII of 1942 published in the Gazette of India Extraordinary, dated the 15th August, 1942?

(b) Has the said Ordinance been specially brought to the notice of any of these foreign powers, or of their local official representatives in India? If so, has the Ordinance met with their full approval, or is it considered to fall short of their expectations?

Mr. C. M. Trivedi: (a) No Sir, no such request or suggestion was made.

(b) Copies of the Ordinance were sent to the representatives of foreign powers in India. I have no information as regards the latter part of the question.

EMPLOYMENT ON ACTIVE SERVICE OF MEMBERS OF THE UNIVERSITY TRAINING CORPS.

52. ***Mr. Govind V. Deshmukh:** (a) Will the War Secretary please state if the training, theoretical as well as practical, of the University Training Corps is of the same nature and degree as that of the Officers' Training Corps?

(b) Will he please state if any Members of the University Training Corps are now put on any active service? Are Government taking any work from them during these times of disturbances; if so, of what nature? Do members of the University Training Corps receive any remuneration or any concessions so far as their University education is concerned for rendering such services at present?

(c) Will he please state if the Urban Units of the army are used for quelling riots, firing on mobs and protecting Government property? Do these units contain members of the University Training Corps?

Mr. C. M. Trivedi: (a) As a result of the war the training of the Officers' Training Corps in England, which is now known as the Senior Training Corps has been considerably altered and at present there are

†Answer to this question laid on the table, the questioner having exhausted his quota.

differences in nature and degree between the training of the Senior Training Corps and that of the University Training Corps in India. Government are however taking steps to improve the standards of training in the University Training Corps which will eventually, it is hoped, bring them up to the same level of training as the Senior Training Corps.

(b) No member of the University Training Corps is employed on active service, nor are their services being utilised in a military role in the present disturbances. The last part of the question does not arise.

(c) Members of Urban Units are liable under section 9 of the Indian Territorial Force Act to be called out to act in support of the Civil power or to provide guards and to support or supplement His Majesty's Regular Forces in India. They can be called out at the discretion of the Military Commander. These units do not contain members of the University Training Corps. As far as I am aware only one Urban Infantry Unit has been called out.

Mr. Govind V. Deshmukh: The Honourable Member referred to an infantry unit that was called out: was the reference to the University Training Corps or the urban infantry unit?

Mr. C. M. Trivedi: It refers to the urban infantry unit; it has nothing to do with the University Training Corps.

Mr. Govind V. Deshmukh: As regards the first part of the question, it was said that steps are being taken to bring the University Training Corps to the same level as the Officers' Training Corps. Is the Honourable Member aware that these promises have been made times out of number in the other House as well as here and may I know what prevents Government from improving that training which would enable them to get many more recruits for the King's Emergency Commission officers?

Mr. C. M. Trivedi: The Honourable Member who is a member of the Defence Consultative Committee is no doubt aware that in December last certain proposals for improving facilities for training in the University Training Corps were placed before that committee, and certain proposals were approved and action is being taken on those proposals.

Mr. Govind V. Deshmukh: Will Government expedite these matters which they are contemplating since long?

Mr. C. M. Trivedi: Government are proceeding with the question of the improvement of facilities with the greatest possible expedition; at present some of the matters are under correspondence with the universities.

MEDICAL TREATMENT OF PERSONS WOUNDED BY FIRING DURING RIOTS IN NAGPUR AND DELHI.

53. ***Mr. Govind V. Deshmukh:** Will the War Secretary please state if persons wounded as a result of firing by the army during riots in Nagpur and Delhi were given medical treatment by the doctors in the service of the Government or allowed to be removed for medical treatment by private practitioners, Red Cross Societies and the Air-Raid Precaution organisations? Were the public or any of these organisations or volunteer organisations prevented from doing any medical relief work; if so what were the reasons?

Mr. C. M. Trivedi: In Delhi, two Government ambulances were called out within a few minutes of the first firing in the Chandni Chowk on the 11th August and during the next few days were kept at hand so that medical assistance could be given with the least possible delay to persons injured by the firing of troops or police. Altogether, during the disorders in Delhi, sixty-one persons were admitted to the Irwin Hospital and treated by the Government doctors there. Air-Raid Precaution staff rendered help on several occasions in bringing in casualties, and personnel of the Air-Raid Precaution Casualty Service rendered most valuable service in the Irwin Hospital. No obstacle of any kind was placed in the way of private practitioners or private medical societies who showed readiness to help in treating persons injured, and a certain number of cases are known to have been treated at private clinics.

The information asked for about Nagpur is not readily available.

Mr. Govind V. Deshmukh: May I know if the Red Cross Societies or Air-Raid Protection organisations were rendering any help to persons injured in the firing in Chandni Chowk recently?

Mr. C. M. Trivedi: I have already said that two ambulances were called out and that Air-Raid Precaution staff rendered help on several occasions. I have got no further information.

Mr. Govind V. Deshmukh: May I take it that the organisations did their duty only?

Mr. C. M. Trivedi: No such inference can be drawn.

Mr. Govind V. Deshmukh: Then what were the organisations doing?

Mr. C. M. Trivedi: The question really was whether any obstacles were placed in the way of Red Cross Societies or Air-Raid Protection organisations in rendering help, and the answer is that no obstacles were placed.

Mr. K. C. Neogy: Is it a fact that in Irwin Hospital blood transfusion was refused to such patients on the ground that they were rebels?

Mr. C. M. Trivedi: I have not heard of any such instances.

Mr. K. C. Neogy: Is this allegation known to some Honourable Members of the Executive Council who are present here?

Sardar Sant Singh: Will the Honourable Member make inquiry into this fact?

Mr. C. M. Trivedi: I should like to have notice.

Sardar Sant Singh: Will the Honourable Member take notice now and make inquiries into this matter? It is a serious charge of inhumanity that is being levelled.

The Honourable Mr. M. S. Aney: Will the Honourable Member enlighten the Government as to the Honourable Members who were present and know the thing personally?

Mr. K. C. Neogy: It is to the knowledge of certain Honourable Members.

The Honourable Mr. M. S. Aney: Who are those Members?

Mr. K. C. Neogy: If the Honourable Member wants to know I will mention.

Mr. President (The Honourable Sir Abdur Rahim): Next question. Maulana Zafar Ali Khan.

The Honourable Mr. M. S. Aney: The Members of the Executive Council here are anxious to know which of their colleagues was present and know this personally.

An Honourable Member: They are themselves anxious to know the names of their colleagues.

Mr. President (The Honourable Sir Abdur Rahim): Next question. Maulana Zafar Ali Khan.

SOLITARY CONFINEMENT IN THE LAHORE FORT OF SARDAR SARDUL SINGH CAVEESHAR.

54. *Maulana Zafar Ali Khan: (a) Will the Honourable the Home Member be pleased to state whether it is a fact that Sardar Sardul Singh Caveeshar has been kept in solitary confinement in the Lahore Fort since his arrest on the 9th March, 1942?

(b) Have Government done anything so far to transfer Mr. Caveeshar to some jail? If not, why not?

(c) Is it a fact that Mr. Wace, Deputy Inspector General, Criminal Investigation Department, Punjab, interviewed Sardar Sardul Singh Caveeshar in the Lahore Fort about five months after his arrest?

(d) Is it a fact that before Mr. Wace interviewed Sardar Sardul Singh Caveeshar, Sardar Sahib was allowed some facilities such as the use of electric fan, permission to take home-food, one hour's stroll daily and permission to read newspapers?

(e) Is it a fact that since Mr. Wace's interview, all the above facilities have been disallowed to Mr. Caveeshar?

(f) Will Government state why these facilities have been disallowed to Sardar Sardul Singh Caveeshar?

(g) Is it a fact that Sardar Sardul Singh Caveeshar is now kept in solitary confinement in a small cell without any arrangement for cross-ventilation all the twenty-four hours and is even made to sleep inside the cell during the night?

(h) Is it a fact that since home-food has been disallowed to Sardar Sardul Singh Caveeshar, he has refused to take jail-food?

(i) Is it a fact that his refusal to take jail-food has deteriorated Sardar Sardul Singh Caveeshar's health?

(j) How long do Government intend to keep him in solitary confinement and debar him from the facilities allowed to the prisoners of this class?

The Honourable Sir Reginald Maxwell: (a), (b) and (j). It is a fact that Sardar Sardul Singh Caveeshar has been detained in a separate room on the Lahore Fort since March 9th. This has been necessary for reasons

of State, which it would not be in the public interest to disclose, and I cannot say at present when it will be possible to transfer him to an ordinary jail.

(c) to (i). It is a fact that certain special amenities, over and above those allowed by the Security Prisoners Rules, were originally granted but had subsequently to be withdrawn owing to the prisoner's unsatisfactory demeanour. He is now being treated as an ordinary security prisoner. He is allowed to take regular exercise and is supplied with a daily newspaper. His room is well-ventilated with a window and a large door. He is given good food, is in good health and is not being maltreated in any way. When the extra amenities referred to above were withdrawn he refused food for 24 hours as a protest but has been eating regularly since.

Sardar Sant Singh: May I know if it is a fact that the unsatisfactory demeanour referred to by the Honourable Member is the denial of certain information which was required by Mr. Wace when he visited him?

The Honourable Sir Reginald Maxwell: I have not got full information on that point. I am giving the Honourable Member information which I possess and which had to be obtained from the Provincial Government.

Sardar Sant Singh: May I request the Honourable Member to tell us what is the position of this Lahore Fort and what is the difference between detaining a person in Lahore Fort as distinguished from detaining him in some jail?

The Honourable Sir Reginald Maxwell: I think the Lahore Fort is not classified as an ordinary jail for all and sundry but it is used for purposes of certain prisoners in regard to whom enquiries are proceeding.

Sardar Sant Singh: If the enquiries have not been completed between the months of March and September, is it not an unusual delay to keep him, in that fort?

The Honourable Sir Reginald Maxwell: Well, Sir, I shall go into that point.

ASSISTANT, ADDITIONAL, DEPUTY AND JOINT SECRETARIES IN GOVERNMENT OF INDIA DEPARTMENTS.

55. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Home Member please state:

- (a) the number of Assistant, Additional, Deputy and Joint Secretaries in every Department of the Government of India (including Supply, Defence and Public) and the number of Muslims under each category; and
- (b) the number of such posts to be created in the current year?

The Honourable Sir Reginald Maxwell: (a) The information asked for by the Honourable Member is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time. The Honourable Member may however refer to "The Government of India Directory, May, 1942, edition", a copy of which will be found in the Library.

(b) The Honourable Member will appreciate that this cannot be calculated in anticipation.

Dr. Sir Ziauddin Ahmad: The Honourable Member can get the information but he wants that the Home Member also should know about it.

Mr. Muhammad Nauman: Are we to understand that the Home Department does not even know the actual names of the people and the number of the different communities who are there?

The Honourable Sir Reginald Maxwell: The Directory of May 1942 is not quite up to date, and in order to give precise information it would be necessary to call for information from all departments and have tabulated it and that is the reason why the Honourable Member has been referred to the most recent Directory which gives him the information he wants.

DEFINITION OF "ANGLO-INDIANS".

56. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Home Member please state the definition of the term "Anglo-Indians"?

The Honourable Sir Reginald Maxwell: I would refer the Honourable Member to the definition of this term given in clause 26 of Part I of the First Schedule to the Government of India Act, 1935.

Dr. P. N. Banerjee: Does the Oxford Directory give this information?

The Honourable Sir Reginald Maxwell: I do not know.

COLLECTIVE FINES IMPOSED.

57. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Home Member please state:

- (a) the total collective fines imposed in various Provinces with names of the localities and amount of fine imposed under the new Ordinance of the 13th May, 1942, for sabotage, etc.;
- (b) the total population of every such area and the population of Muslims; and
- (c) whether Muslims have been exempted from payment of such fines?

The Honourable Sir Reginald Maxwell: (a) The Government of India have not got complete information. They understand, however, that Provincial Governments have issued communiqués on the subject.

(b) The Government of India have no information.

(c) The Government of India have called for information from Provincial Governments on this point. Their replies are not yet complete but reports so far received indicate that the general practice adopted by Provinces has been to treat each case on its merits but not to realise collective fines from Muslims unless the latter were definitely implicated in the acts on account of which the fine was levied.

Maulvi Muhammad Abdul Ghani: Arising out of part (c) of the question may I know whether any instructions have been issued by the Government of India?

The Honourable Sir Reginald Maxwell: No instructions have so far been issued on the subject.

Sardar Sant Singh: Are the Government aware of the consequences which will end in greater bitterness in the people against the Government if the collective fines are really realised? Did the Government consider this question?

The Honourable Sir Reginald Maxwell: I should think that is a matter of opinion.

Sardar Sant Singh: I am asking whether Government realised it.

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

CASUALTIES AND DAMAGE DURING RECENT DISTURBANCES.

58. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Home Member please state:

- (a) the places in British India where lathi charges or firing by Police or Military have been resorted to from the 9th August onward as far as available and the number injured or killed as a result thereof;
- (b) the number of persons or Government servants or officers injured and killed during the recent disturbance by the rioters or mobs in every Province and locality;
- (c) the number of properties burnt or damaged (i) by rioters and (ii) by Police or Military, and the extent of damage done; and
- (d) the number of cases of sabotage on the various Railways and the extent of damage done to individual Railway Administrations?

The Honourable Sir Reginald Maxwell: The Honourable Member will understand that it would be quite impossible for me to give him all the detailed information he asks for:

- (1) because to do so might disclose information of value to the enemy;
- (2) because the number of occasions on which violent mobs came into conflict with the authorities probably runs into several hundreds;
- (3) because much of the information he asks for is primarily the concern of Provincial Governments; and
- (4) because our information, and probably even that of some of the Provinces, is still incomplete and there would certainly be no time to secure complete information before the end of the Session.

I will however give him such information as is available in answer to each part of the question.

(a) The casualties caused by Police firing according to most recent reports are 340 killed and 850 wounded. The figures are however incomplete, especially as regards parts of Bihar. The casualties caused by the military according to most recent reports are 318 killed and 153 wounded.

(b) The number of casualties suffered by the Government forces are:
Police—31 killed and a very large number injured, though in most cases not seriously.

Military—11 killed and 7 wounded.

Civil officials excluding P. and T. Department and Railways—7 killed and 16 injured.

(c) (i) and (d). As regards the property burnt or damaged or otherwise sabotaged by rioters, I would refer the Hon'ble Member to the replies given on the 14th September to Mr. K. C. Neogy's question No. 5 and Mr. A. N. Chattopadhyaya's question No. 11, in respect of Post and Telegraph and Railway property. In addition, some 70 Police stations and posts were attacked of which 45 were destroyed, and some 85 other buildings were attacked of which the great majority were destroyed. The latter included a number of important buildings such as courts, treasuries, etc., while there has also been considerable damage to Municipal and private property, details of which are not available.

(c) (ii). So far as I am aware no properties have been damaged or burnt by the Police or Military.

Sardar Sant Singh: May I know if the number of injured given in reply to part (a) of the question—850—includes persons injured at Lyallpur by lathi charge, which number was over 200?

The Honourable Sir Reginald Maxwell: I was giving the figures of casualties caused by firing.

Sardar Sant Singh: Does it include injuries caused by lathi charge?

The Honourable Sir Reginald Maxwell: Obviously not. I have said, caused by firing.

AIR RAIDS ON INDIA.

59. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Civil Defence be pleased to make a comprehensive statement about the air-raids that have so far taken place in this country with special reference to:

- (i) their number, date and time and places of occurrence;
- (ii) the nature and extent of damage caused;
- (iii) the number of casualties; and
- (iv) the nature of air-raid precautionary measures provided in places where such raids took place?

(b) Will he be pleased to state if the A. R. P. Organisations were in existence in the places where the air-raids took place, and, if so, did they render effective service during and after the raids?

Mr. N. V. H. Symons: There have been seven air raids on places in British India up-to-date, but no town has been bombed. In addition there were two raids on Imphal, the capital of Manipur State.

All the raids occurred in April and May 1942 and took place in full daylight at various times between 6-45 A.M. and 5 P.M.

As regards the raids on British India, with one exception they were directed purely on targets of military importance or imagined military importance. One was on the Port of Vizagapatam, one was near Cocanada, three were on military targets near Chittagong, one was in a rural area of Eastern Assam and one, which is the exception I have already mentioned, was delivered by a reconnaissance plane which came down low and fired some bursts of machinegun fire at workers on a tea-garden in Eastern Bengal. The only casualty resulting from this attack was one goat killed.

It is not desirable in the public interest to give more exact details of the places raided as in some cases the Japanese missed what we believe to have been their targets and we do not want to tell them exactly where their bombs did fall.

The casualty figures for Vizagapatam and Cocanada were published on the 8th April in a Press Communiqué which read as follows.

"Detailed figures of casualties in the air raids on Vizagapatam and Cocanada on April 6 show that five persons were killed and 40 wounded in Vizagapatam and one killed and five wounded in Cocanada.

It is not intended, as a normal practice, to give detailed figures of casualties sustained in air raids. Experience in the United Kingdom has shown that information of value to the enemy may be conveyed by this means. The United Kingdom has, therefore, abandoned the practice of giving detailed figures. Detailed figures are given in the present instance because these raids represent the first Japanese air attacks on India and because rumour has placed these very slight casualties at a much higher figure."

In pursuance of that policy it is not proposed to publish the total figures of civilians killed yet as they could be related by the enemy to this particular series of raids. The number, however, is not high and this may be judged when I say that the sum total of ascertained casualties, both killed and wounded, is 285.

Material damage in the raids was negligible.

The Air Raid Precautionary measures adopted in towns classified as possible targets consist of Lighting Restrictions, Air Raid Warning Arrangements, Air Raid Shelters and Slit Trenches, Structural Precautions to buildings, Wardens Service with Report and Control Centres, Rescue Service, Fire Service, Casualty and Hospital Services, Corpse Disposal Organisation, Provision of Mobile Parties for the repair of Roads, Water, Electricity, Sewage, Telephone and Telegraph Services and Arrangements for Salvage and the Demolition of unsafe buildings.

There are also arrangements for the care of the homeless, for dispersal of the population outside the congested target area and for the food supplies necessary for these purposes and also for the consumption of industrial labour and essential workers should the normal supply organization be affected.

These organisations were in existence in the towns adjacent to the places which were bombed and they were able to render help. The service they rendered was, in some cases, distinctly effective.

STARRED QUESTIONS AND ANSWERS

This reply is purposely not made more definite and exact for reasons which Honourable Members will readily appreciate, that is the necessity of giving as little useful information as may be to the enemy.

ARRESTS OF THE MEMBERS OF THE CONGRESS WORKING COMMITTEE, ETC.

60. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable the Home Member be pleased to state:

(i) the names of the members of the Congress Working Committee who have been arrested and the jails where they have been kept,

(ii) the class under which they have been placed;

(iii) the amenities, if any, provided to them; and

(iv) the facilities, if any, granted to them for reading books and newspapers, for writing letters and for having interviews with friends and relations?

(b) Is there any foundation for the rumour that they are going to be kept outside India? Is it in the contemplation of the Government to deport them from India?

(c) What is the total number of congressmen arrested in the month of August 1942, under the Defence of India Act? Of these how many are women?

(d) Is it a fact that all the members of the All-India Congress Committee have been arrested?

(e) Have all those arrests been made by the Government of India in consultation with the Provincial Governments or without any reference to them?

The Honourable Sir Reginald Maxwell: (a) and (b). The Government of India are not prepared to give any further information than that contained in the communiqué recently issued by the Bombay Government, a copy of which is laid on the table.

(c) The Government of India have no information.

(d) No.

(e) The Government of India have made no arrests. The arrests of Mr. Gandhi and the Members of the Working Committee were made by the Provincial Governments concerned in consultation with the Government of India. The Provincial Governments have, at their discretion, made a number of other arrests of persons whom they considered competent, and likely to attempt, to organise and lead a mass movement.

COMMUNIQUE.

Bombay, August 30.

The Government of Bombay has issued the following communiqué regarding Mahatma Gandhi and Members of the Congress Working Committee who are being detained under the Defence of India Rules: "Mahatma Gandhi is in a private house where he is supplied with everything necessary to secure his comfort and the kind of food he requires. His wife is with him, as also certain companions, including his own medical adviser.

"The Members of the Congress Working Committee have also been accommodated in suitable quarters and are supplied with all necessary conveniences. They are in charge of an officer of the Indian Medical Service. All these persons are permitted to correspond with the members of their families on personal matters and are provided with newspapers. The health of all is good."—*United Press*.

Sardar Sant Singh: Is the Honourable Member aware that in the Punjab a member of the All-India Congress Committee, Virender Kumar, was arrested, after the Committee was declared unlawful. His brother went to give him his bedding. He was not a member of the Congress. He was arrested. Then his father was arrested, because the Unionist Government was against the paper *Pratap* in the Punjab and they are still being detained in the Shahpur jail?

The Honourable Sir Reginald Maxwell: I am not aware of that.

Sardar Sant Singh: Will the Honourable Member make inquiries as to why the father and the son, who are not members of the Congress, were arrested? Is it on account of the enmity of the Provincial Government against these two persons?

The Honourable Sir Reginald Maxwell: I am afraid I cannot undertake to make detailed inquiries into all the action taken by Provincial Governments under their own powers.

Sardar Sant Singh: Does the Honourable Member know that this question has been agitated in this House for a long time?

Mr. President (The Honourable Sir Abdur Rahim): This question relates only to Congress members.

Sardar Sant Singh: He was arrested in connection with the Congress movement, while the father and one son were not members of the Congress.

Mr. President (The Honourable Sir Abdur Rahim): That is not the question.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member tell the House if he is not in a position to contradict the rumour that some of the leaders are going to be deported from India? Has he got anything further to add to the communiqué issued by the Government of Bombay?

The Honourable Sir Reginald Maxwell: I am not aware of any such rumour. I would refer the Honourable Member to my answer to part (b) of the question. The communiqué issued by the Bombay Government gives all present information about these prisoners.

Sardar Sant Singh: Is it not in the interests of Government to contradict this rumour publicly that none of the Members of the Working Committee have been deported outside India?

The Honourable Sir Reginald Maxwell: That is a matter of opinion.

†61*.

(b) WRITTEN ANSWERS.

SILVER SOLD BY GOVERNMENT OF INDIA IN LONDON MARKET SINCE THE COMMENCEMENT OF WAR.

62. *Mr. K. O. Neogy: (a) Will the Honourable the Finance Member be pleased to state the amount of silver sold by the Government of India in the London Market since the commencement of the War, year by year, and the rate at which it was sold from time to time?

(b) Is it a fact that silver from the reserves of the Government of India is sold by Government to His Majesty's Government at a price lower than the one ruling in the Indian Market?

(c) Is it a fact that the Government of the United States of America have, since December 1941, raised the price fixed by them for the purchase of foreign silver to 35 1/8 cents per ounce?

(d) Is it a fact that Government's sales of silver to His Majesty's Government are made at a loss compared to the price at which silver is being sold in Indian Markets? If the answer is in the affirmative, will the Honourable Member state the amount of loss thus sustained by the Indian Treasury?

The Honourable Sir Jeremy Raisman: (a) As the sales in question are made for essential war purposes the Government do not consider it to be in the public interest to furnish the information required. The sales were made at the London prices at the time which are quoted in the daily press.

(b) and (d). It has been the policy of the Government of India for some years past to impose an element of luxury taxation on silver, and this was enhanced shortly after the outbreak of war by empowering the Reserve Bank to charge a special licence fee for imported silver with a view to the discouragement of hoarding and speculation, both of which are anti-social activities in war-time. The Government since then have adjusted the price at which they sell in India from their stocks with these objects in view. There is, therefore, no relationship between the price at which the Government of India sell to boarders in India and that at which it sells in London for essential war purposes.

(c) The Honourable Member is presumably referring to the small rise in the New York open Market price from 34 1/4 to 35 1/8 cents which occurred at the beginning of December 1941. The Government of India have no information as to whether this was due to any specific action on the part of the United States of America Government.

POSITION OF THE PERSONNEL OF THE BURMA ARMY EVACUATED TO INDIA.

63. *Mr. K. O. Neogy: (a) With reference to the personnel of the Burma Army who were evacuated to India after the fall of Burma, will the Honourable the Finance Member be pleased to state whether they are being maintained in India as a distinct Army charged to revenues of the Burma Government?

†This question has been postponed to be answered on the 21st September, 1942.

(b) Are they treated in India on the same terms as the personnel of the Indian Army or of the British Army, in point of pay, allowances and other emoluments, and is any part thereof chargeable to Indian revenues?

The Honourable Sir Jeremy Raisman: (a) and (b). The Army in Burma, when Burma fell, consisted of the Burma Army proper *plus* reinforcements which had been sent from India. The latter have been reabsorbed in the Army of India on Indian rates of pay, etc., and the former are, broadly speaking, still being paid by the Burma Government at rates sanctioned by them.

PAYMENT OF ALLOWANCES TO NON-INDIAN BURMA EVACUEES.

64. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable the Home Member be pleased to state whether his Department is responsible for the payment of allowances to the following categories of evacuees from Burma:

- (i) European;
- (ii) Anglo-Indian;
- (iii) Anglo-Burman;
- (iv) Burman; and
- (v) Chinese?

(b) If the answer to the above be in the affirmative, will he be pleased to state the scale or scales, conditions and duration of such allowances?

(c) Will he be pleased to state the number, class by class, of the above evacuees that have been paid such allowances?

(d) What is the total amount paid to each class?

(e) Is his Department also responsible for payment to the Indian evacuees?

The Honourable Sir Reginald Maxwell: (a) The Home Department are responsible for assisting on behalf of their own Governments evacuees who are European British subjects or subjects of Allied or neutral Foreign States. The Honourable Member in charge of the Indians Overseas Department is responsible for Indian and other British evacuees of Asiatic origin.

(b) I lay on the table a statement giving the particulars.

(c) and (d). Information regarding the number of evacuees who are receiving assistance is not readily available.

(e) No.

Assistance is at present given in the form of advances in cash or kind in accordance with the following scale which is applicable to all evacuees, whether European, Indian or foreign:

Estimated normal income of evacuee and his family or of evacuee's supporter.	Maximum advance admissible to evacuees.		
	Single adult earner or person normally in receipt of a remittance.	Earners or receiver of remittance and wife (or adult dependant).	Child.
1	2	3	4
	Rs.	Rs.	Rs.
Up to and including—			
Rs. 50 p. m.	15	25	5
Rs. 51 to Rs. 150 p. m.	30	50	8
Rs. 151 to Rs. 400 p. m.	60	100	12
Rs. 401 to Rs. 750 p. m.	100	170	16
Over Rs. 750 p. m.	150	250	20

All advances made under the foregoing scale are given against undertakings to repay and are subject to an over-riding limit of Rs. 350 a month for any family or group dependent upon a single earner. The scale will remain in force until the end of 1942 when it will be reviewed.

PAYMENT OF ALLOWANCES TO NON-INDIAN BURMA EVACUEES.

65. *Pandit Lakshmi Kanta Maitra: Will the Honourable the Home Member be pleased to state if the Government of India is paying allowances to all non-Indian evacuees on behalf of His Majesty's Government and on the scales fixed by them? Since when are these allowances being paid and with what conditions?

The Honourable Sir Reginald Maxwell: The Honourable Member is referred to the answer which I have given to his question No. 64 of to-day. All assistance is recoverable and pending recovery is debited to His Majesty's Government or, in the case of the few evacuees from the Netherlands East Indies, to the Royal Netherlands Government.

EMPLOYMENT OF NON-INDIAN BURMA EVACUEES IN GOVERNMENT OF INDIA SERVICES.

66. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable the Home Member be pleased to make a comprehensive statement about the employment in the services under the Government of India, of the European, Anglo-Indian and Anglo-Burman Officers who had been in the higher services under the Government of Burma? What are their scales of pay and conditions of service?

(b) Is it a fact that the European and Anglo-Indian evacuees from Burma who had been in private business or in the service of private companies there or had been professional men, or business men or men with technical skill, have all been absorbed in the services under the Government of India?

(c) If the answer to the above be in the negative, will the Honourable Member please state the number that have been so employed and their scales of pay and conditions of service?

The Honourable Malik Sir Firoz Khan Noon: The information asked for is being collected and will be laid on the table of the House in due course.

DIRECTION UNDER DEFENCE OF INDIA RULES FOR RUNNING A HOTEL IN THE BUILDING OCCUPIED BY THE ALLIANCE HOTEL AT ALLAHABAD.

67. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Defence Member be pleased to state if it is or it is not a fact that in cases where the Government requisitions immovable property under rule 75A, Defence of India Rules or gives notice with a view to requisitioning any property under sub-rule (5) (b), they propose to pay compensation to the owner for any loss occasioned by such requisition or prohibition?

(b) Is it or is it not a fact that one Mr. Torpey, who was running a hotel known as Alliance Hotel at Allahabad, became an insolvent and indebted to the proprietor of the building to the extent of Rs. 20,000 for arrears of rent, and against whom and his wife all the courts including the High Court at Allahabad ordered delivery of possession to the owner, has continued to run the hotel and retain possession of the building under the above mentioned provisions of the Defence of India Rules?

(c) Is it or is it not a fact that the Reserve Bank of India, Allahabad Branch, had contracted to take the said building on a rental of Rs. 450 per month and the proprietor has been refused permission by the authorities to let the premises to the said Bank and has been ordered to run a hotel in the said premises?

(d) If the answer to (c) be in the affirmative, will Government be pleased to state whether such a direction, viz., to run a hotel, can be given under rule 75A, sub-rule (5) (b)? If not, under what authority was it given?

(e) Do Government in such cases pay compensation to the persons who suffer loss due to such direction if no requisition is ultimately made? If not, why not?

The Honourable Malik Sir Firoz Khan Noon: (a) Government have paid and propose to pay compensation in respect of immovable property requisitioned under rule 75A or in respect of which a prohibitory order has been passed under that rule.

(b), (c), (d) and (e). The facts are being ascertained and a reply will be laid on the table of the House in due course.

ADVERTISING AGENCIES SELECTED BY THE INFORMATION AND BROADCASTING DEPARTMENT.

68. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Information and Broadcasting please say if it is a fact that all advertisements are distributed by his Department through European and Non-Indian advertising agencies and that not a single reputed Indian advertising agency has been appointed or selected to distribute advertisement on behalf of his Department?

(b) If the answer be in the affirmative, will the Honourable Member explain the policy behind this plan?

(c) If the answer be in the negative, will the Honourable Member be pleased to state the names of advertising agencies at present working on behalf of the Department and since when they have been engaged?

The Honourable Sir Reginald Maxwell: (a) No.

(b) Does not arise in view of reply to (a) above.

(c) The advertising work of the Department of Information is placed through the following Agencies:

- | | |
|---|------------|
| (i) Messrs. J. Walter Thompson Company (Eastern) Ltd. | (American) |
| (ii) Messrs. Adarts Ltd. | (Indian) |
| (iii) Messrs. L. A. Stronach and Company (India) Ltd. | (British) |
| (iv) Messrs. D. J. Keymer & Co. Ltd. | (British) |
| (v) Messrs. Press Syndicate Ltd. | (Indian) |
| (vi) Messrs. General Advertising Agency (India) Ltd. | (British) |
| (vii) The National Advertising Service (India) Ltd. | (Indian) |

The dates at which the above Advertising Agencies commenced working with Government of India are given below:

Messrs. J. Walter Thompson Company (Eastern) Ltd.	} July 1940
Messrs. L. A. Stronach & Co. (India) Ltd.	
Messrs. D. J. Keymer & Co. Ltd.	} February 1941
Messrs. Adarts Ltd.	
The General Advertising Agency (India) Ltd.	} September 1941
Messrs. Press Syndicate Ltd.	
The National Advertising Service (India) Ltd.	} August 1942.

The dates given above will reveal a gradual Indianisation.

DESIRABILITY OF POLITICAL PROPAGANDA TALKS FROM THE DELHI RADIO-STATION.

69. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Information and Broadcasting be pleased to state if the Controller of the Broadcasting Department does not encourage political speeches and propaganda to be made through the Radio Station in Delhi? If so, would the Honourable Member be pleased to state if that is according to policy of the Government?

(b) If the answer to part (a) be in the affirmative, will he consider the advisability of changing the policy and utilising the Radio for political propaganda talks as the German and Japanese have from Berlin and Tokyo?

(c) Is there any Indian Officer to guide the Controller in this matter or does the Controller act on his own responsibility? Is it not possible to curtail music to a considerable extent at this crisis?

The Honourable Sir Reginald Maxwell: (a) and (b). It has been the policy of the Government of India not to permit the use of All-India Radio for party politics of a controversial nature. I would refer the

Honourable Member to the proceedings of the debate in the Assembly on 25th September, 1935. All-India Radio is, however, constantly used for the dissemination of correct information about the war situation, for guidance on matters relating to the war, for countering mendacious enemy propaganda and mischievous rumours and for stimulating the war effort, and Government do not consider themselves in any way bound to abstain from using All-India Radio to counter any movement likely to endanger the peace and safety of the country.

(c) The general policy of All-India Radio is laid down by the Department of Information and Broadcasting which, till recently, was in charge of an Indian Member of the Executive Council. As regards the latter part of this part of the question, since the outbreak of the war there has been considerable expansion in the news service of All-India Radio and an increase in the number of programmes relating to the war, which has reduced the proportion of music and other entertainment items. It is doubtful whether a drastic curtailment of music programmes would either be appreciated by the listeners or be in the interests of the progress of broadcasting in India.

SERVICE RENDERED BY THE NATIONAL WAR FRONT DURING RECENT DISTURBANCES.

70. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Civil Defence be pleased to state if the organisation known as the National War Front is meant for helping in the Civil Defence matters? Did this organisation in the different Provinces render any help to Government during the demonstration carried on between the 9th August and 31st August in all the Provinces? If so, what sort of service did they render? Are they equipped with any pistols, rifles or revolvers?

(b) Is it a fact that some of the members of the National Front in some Provinces have resigned on account of the arrests of national leaders and adoption of repressive measures? If so, where and how many have resigned? Who are in charge of the "National Front" force in different Provinces and how are the members recruited?

The Honourable Sir Reginald Maxwell: (a) The National War Front is concerned with fostering a spirit of determination to protect India and beat the enemy and it is therefore part of its duty to assist the Civil Defence authorities where so required and to stimulate citizens to perform their Civil Defence duties. As regards A. R. P. in most Provinces the A. R. P. organisations do their own publicity and the National War Front merely supplements the work of those organisations.

As regards village defence parties, Home Guards, etc., in the Sarma Valley and in Bombay the National War Front is expected to assist in recruiting, etc., while in other Provinces it is not directly connected with these activities—though its speakers and other forms of publicity aim at stimulating recruiting. The National War Front was not, as far as is known, asked to assist in any Civil Defence demonstrations in August. Members of the National War Front are not equipped with pistols, rifles or other weapons.

(b) A few members of the National War Front are reported to have resigned on account of the arrests of the Congress leaders; lists of names are not available, but the cases reported are few.

(c) In six Provinces there are non-official leaders, in two Provinces there are official leaders and in three Provinces there are no Provincial leaders, but only District leaders. Generally speaking there is no formal recruitment, but in some places there has been public enrolment.

HEALTH OF MR. SARAT CHANDRA BOSE.

71. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Home Member be pleased to make a statement regarding the present state of health of Mr. Sarat Chandra Bose? Is it not a fact that he has lost good deal in weight and is still running a temperature?

(b) Will the Honourable Member state if he is getting all the amenities to which he is accustomed?

(c) Will the Honourable Member state if he requires a change of domicile for his health?

(d) Is it a fact that his family desired to live with him? If so, what decision have Government made in this respect?

(e) Could he be permitted to live with family in his house at Kurseong in case the Bengal Ministry agree to take him under its charge?

(f) In case he is still getting a temperature, will the Honourable Member arrange for efficient treatment by physicians from Calcutta?

The Honourable Sir Reginald Maxwell: (a), (c) and (f). Mr. Sarat Chandra Bose had been a diabetic patient for some time before his arrest and the health of such persons can never be entirely satisfactory. In addition to the regular medical officer in Mercara, he was examined last July by an expert from Madras. His weight at that time was 160 lbs. which this doctor considered "quite a good weight for a man of his build" His weight has since increased somewhat, although it is still below what it was when he was arrested. His temperature has shown a tendency to rise slightly in the evenings but the doctor who came from Madras reported that this was no more than was common with about half the adult population of India, and he considered that his condition in that respect was satisfactory. On the other hand, he reported that the heavy rainfall in Mercara was having a depressing effect on Mr. Bose and it is, of course, a fact that anyone suffering from a chronic disease such as Diabetes tends to become depressed during the monsoon and therefore not to be so well during this season. The Government have carefully been considering the possibility of a change of domicile. With the approach of the end of the monsoon this may not be necessary and Mr. Bose now has a companion with him which may help to improve his condition.

(b) Mr. Bose is receiving all reasonable amenities.

(d) and (e). It is a fact that Mr. Bose's family expressed a desire to live with him in his house at Kurseong. Government are not prepared to grant this request.

ARRESTS AND CASUALTIES DURING RECENT DISTURBANCES.

72. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Home Member be pleased to state and lay on the table a detailed list of arrests made Province by Province in connection with the mob and students demonstrations in Delhi, Calcutta, Bombay, Madras, Lahore,

Lucknow, Cawnpore, Dacca, Cuttack and Madura? How many men were killed by police and military gunshots on different dates? How many were wounded by gunshots and lathi charges in the aforesaid places who had to be sent to hospitals and how many got healed and how many died in hospitals? Of the dead and wounded how many were women and minor boys and girls? How many Government officers and employees were killed and wounded in the fracas all over the country?

(b) Will the Honourable Member be pleased to state if all measures for dispersing the crowds were resorted to by Government in all the aforesaid places and those having failed police and military had to open fire? Is the allegation that 20,000 men, women and children have been killed in the fracas all over India approximately true? Who gave the orders for opening fire on the spots?

(c) What measures have been taken to stop the repetition of such mob-demonstrations and also the adoption of aforementioned measures?

(d) What means has the Honourable Member in contemplation for restoring normal condition in the country?

The Honourable Sir Reginald Maxwell: (a) The Honourable Member is referred to the reply to Maulvi Muhammad Abdul Ghani's question No. 58.

(b) The Government of India are satisfied, speaking generally, that neither the Police nor the Military opened fire until it was necessary to do so. The allegation that 20,000 men, women and children have been killed is a fantastic exaggeration.

(c) and (d). All necessary measures including the employment of large forces of Police and Military have been taken to stop a repetition of such disorders. In addition special measures have been taken to secure the prompt trial of offenders and to enforce joint responsibility for the protection of communications by the imposition of collective fines on the inhabitants of those areas in which sabotage took place. The Government are also glad to notice that in many areas the law abiding population and village defence parties have co-operated with the authorities in restoring order.

SHORT NOTICE QUESTIONS AND ANSWERS

STEPS FOR ELIMINATION OF NON-ESSENTIAL WORK IN GOVERNMENT OFFICES AND POLICY CONCERNING OFFICIAL BUSINESS IN THE CENTRAL LEGISLATURE DURING WAR PERIOD.

Sir F. E. James: (a) Will the Honourable the Home Member be pleased to state what steps Government have taken to
12 Noon. eliminate, as far as possible, unnecessary correspondence and the avoidable circulation of files, in other words, red-tape, so as to concentrate official energies on activities directly relevant to the war effort?

(b) What is the policy of Government with regard to official business to be placed before the Central Legislature during the remainder of the war period, and in particular, with regard to the furnishing of information in reply to questions tabled by Members?

The Honourable Sir Reginald Maxwell: (a) Departments have been asked to give complete priority to "essential" work and to eliminate "non-essential" work, as far as possible, even at the cost of some efficiency.

Essential work is work which is directly related to the war effort or is concerned with the maintenance of the administration at the minimum safe level of efficiency or the preservation of conditions necessary for the stability and war resistance of the country or is enjoined by statute or is such that it cannot be postponed for the period of the war. Departments have also been enjoined to adopt quick and summary methods in the disposal of work and to avoid all unnecessary routine.

(b) Government have decided not to proceed with any new proposal for legislation unless its purpose is essential or unless it is likely to yield substantially beneficial results at the cost of a relatively small expenditure of labour. As regards questions, the policy of Government has always been to do their best to furnish all available information in their replies. In accordance, however, with the policy described in answer to part (a) of the question Government must consider carefully in each case whether the time and labour involved in collecting information, which is not readily available, and labour involved in collecting information, which is not readily available, would be justified in war time by the importance of the matter. While, therefore, questions in the Legislature relating to "essential" matters will as far as possible be dealt with as usual, questions relating to "non-essential" matters will be carefully examined and, generally speaking, information in reply to them will be furnished only if they are of reasonable importance and/or information is available or can be made available without much correspondence and research.

CASUALTIES, ARRESTS, ETC., DURING THE RECENT POLITICAL DISTURBANCES.

Dr. P. N. Banerjee: Will the Honourable the Home Member please state:

(a) the number of persons:

(i) killed,

(ii) injured,

(iii) arrested,

(iv) detained, and

(v) imprisoned; and

(b) the number of places in which firing was resorted to; since the commencement of the political disturbances on the 7th August, 1942?

The Honourable Sir Reginald Maxwell: I would refer the Honourable Member to the reply given by me earlier today to the question put by Maulvi Muhammad Abdul Ghani.

Dr. P. N. Banerjee: Does that reply refer to all the points on which information is asked in this question?

The Honourable Sir Reginald Maxwell: No, Sir, it does not cover all the points the Honourable Member has asked. But as I explained in answer to Maulvi Abdul Ghani's question, we have not got all this information complete and tabulated ready to answer in more detail than I gave in my reply to him.

[16TH SEPT. 1942]

Pandit Lakshmi Kanta Maitra: Is the Honourable Member in a position to give us an idea of the number of persons who have been subjected to whipping?

The Honourable Sir Reginald Maxwell: I have not got that information.

ELECTION OF A MEMBER TO THE DEFENCE CONSULTATIVE COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Tuesday the 15th September, 1942, the time fixed for receiving nominations for the election of a Member to the Defence Consultative Committee only one nomination was received. As there is only one vacancy I declare Mr. Naoroji M. Dumasia to be duly elected.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE POSTS AND AIR DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): I have also to inform the Assembly that up to 12 Noon on Tuesday the 15th September, 1942, the time fixed for receiving nominations for the Standing Committee for the Department of Posts and Air only three nominations were received. As the number of candidates is equal to the number of vacancies I declare Maulvi Muhammad Abdul Ghani, Mr. J. Ramsay Scott and Mr. Ananga Mohan Das to be duly elected.

HOME DEPARTMENT DECLARATIONS OF EXEMPTION UNDER THE REGISTRATION OF FOREIGNERS ACT.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table a copy each of Home Department Declaration of Exemption No. 1/3/42-Political (E), dated the 13th May, 1942, and Home Department Declaration of Exemption No. 1/3/42-Political (E), dated the 12th June, 1942.

No. 1/3/42-POLITICAL (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 15th May, 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, the services personnel of the American and Chinese naval, military and air force arriving in India in the discharge of their official duties.

V. SHANKAR.

Deputy Secretary to the Government of India.

HOME DEPTT. DECLARATIONS OF EXEMPTION UNDER THE REGISTRATION OF FOREIGNERS ACT 197

No. 1/3/42-POLITICAL (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 12th/15th June, 1942.

Declaration of Exemption.

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

V. SHANKAR,

Deputy Secretary to the Government of India.

AMENDMENTS TO THE INSURANCE RULES.

The Honourable Mr. N. R. Sarker (Commerce Member): Sir, I lay on the table a copy of the Notification of the Department of Commerce No. 597-I (3)/41, dated the 14th March, 1942, regarding further amendments of the Insurance Rules, 1939.

DEPARTMENT OF COMMERCE.

NOTIFICATION.

INSURANCE.

New Delhi, the 14th March, 1942.

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

I. In the said Rules—

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

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

3. In rule 11, to clause (c) of sub-rule (1), the following shall be added, namely:—
"but not including the proviso to sub-section (1) thereof".

4. For rule 13, the following rules shall be substituted, namely:—
"13. (1) A person shall be eligible for election as a director of an insurance company under section 48 of the Act, if he holds one or more policies of life insurance issued by the company and satisfying the provisions of the said section and both the following requirements, namely:—
(a) the policies shall insure either a total sum, including any bonuses that may have attached to them before the date of election, of not less than Rs. 3,000, where the company has at that date been carrying on life insurance business for not less than five years."

Qualifications of elected directors of insurance companies.

insurance business for not less than five years, or of not less than Rs. 1,000 in other cases, or annuities on human life of a total amount of not less than Rs. 250 per annum without regard to the age of the company; and

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

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

5. In rule 14,—

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

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

- (b) in sub-rule (2)—

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

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

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

- (c) in sub-rule (3),—

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

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

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

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

- (e) in sub-rule (4),—

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

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

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

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

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

- (g) in sub-rule (7),—

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

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

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

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

- (h) in sub-rule (8),—

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

the words "any one candidate" the following proviso shall be inserted, namely:—

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

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

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

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

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

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

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

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

(10A) No election shall be held at any meeting convened under these rules unless a quorum of policyholders, holding certificates issued under sub-rule (4) is personally present at the time when the meeting proceeds to

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

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

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

II. In the Forms set forth in the Schedule annexed to the said Rules—

(a) for Form III, the following Form shall be substituted, namely:—

FORM III.

(See Rule 5.)

No. Sec.

RESERVE BANK OF INDIA.

SECURITIES DEPARTMENT.

CALCUTTA.

Statement showing the particulars of deposits held on behalf of the.....19

under section.....of the Insurance Act, 1938:

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

Total Securities.						
Cash						
GRAND TOTAL .						

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

Manager.

'To

The Superintendent of Insurance,

Department of Commerce, Government of India, New Delhi.

(b) in Form IV—

(i) for the sub-heading,

i) for the sub-heading, "Name of the depositor", the sub-heading "Name of the insurer" shall be substituted :

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

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

“ FORM IV-A.

[See Rule 14 (7).]

Instrument of Proxy.

—Insurance Company, Limited.

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

Signed this.....day of

Signature

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

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

.. FORM VI-A.

[See Rule 19A (i).]

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

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

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business. The number of such certificate holders who must personally be present to constitute a quorum shall be five times the number of directors to be elected at that meeting.

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

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

"15. (1) An election of directors under these rules (other than the first such election) shall be held not later than three years from the date of the last such election.

Period of office of directors, and filling of vacancies. years from the date of the last such election.

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

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

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

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

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

(7) Save as provided in sub-rule (6), any person appointed or elected to fill a casual vacancy shall be subject to retirement at the same time as would have been the director in whose place he is appointed or elected.

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

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

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

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

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

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

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

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

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

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

- (i) A register of members (but not including membership merely by virtue of being a policyholder), proprietors and shareholders.....in Form VI-A.
- (ii) A register of directors, manager, secretary and other officers.....in Form VI.
- (iii) A proposal register.....in Form VI-C.
- (iv) A register of policies.....in Form VI-D, in respect of all policies issued from a date not later than 1st January 1943. (Separate registers shall be maintained for each contingency specified in or prescribed under sub-section (2) of section 65 of the Act in respect of which the society carries on business.)
- (v) A premium register.....in Form VI-E.
- (vi) A lapse register showing the details in respect of each policy which is treated by the society as having lapsed.....in Form VI-F.
- (vii) A register of claims not including annuities.....in Form VI-G.
- (viii) A register of annuity payments.....in Form VI-H.
- (ix) A register of agents.....in Form VI-I.

Provided that—

- (a) any register printed after this rule is made and purporting to contain the information specified in any of the registers prescribed by this rule shall be in the Form prescribed therefor;
- (b) if any of the registers required to be kept in accordance with section 79 of the Act, as it stood before the commencement of the Insurance (Amendment) Act, 1941, is not kept, or if any of the registers so kept is exhausted, the society shall maintain forthwith the corresponding register or registers prescribed by this rule;
- (c) if no registers are maintained corresponding to the registers prescribed by clauses (iii), (v) and (vi) of this rule, the society shall, commencing from a date not later than 1st April 1942, maintain the registers prescribed by these clauses.
- (d) it shall not be necessary to show the name of the life insured in addition to the policy-number in the register in Form VI-D, VI-E, VI-F, VI-G or VI-H, if the register concerned is prepared by mechanical means."

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

"22. Every return furnished to the Superintendent of Insurance under sub-section (3) of section 82 of the Act shall be signed in accordance with the provisions of sub-section (3) of section 15 of the Act."

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

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

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

- (1) Capital Redemption insurance business.
- (2) Continuous Disability insurance business.
- (3) Employers Liability insurance business.

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FORM VI-B.

[See Rule 19A (ii).]

Register of Directors, Manager, Secretary and other officers.

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

NOTES :—

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

FORM VI-C.

[See Rule 19A (iii).]

Proposal Register.

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

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

AMENDMENTS TO THE INSURANCE RULES

FORM VI-D.

[See Rule 19A (iv).]

Register of Policies issued.

Serial No.	Number and date of proposal.	Policy number and date of commencement of insurance.*	Name, occupation and address of life insured.†	Name and address of person paying premiums if other than life insured and his relation to life insured.‡	Name and address of each nominee and his relation to the policy-holder and the dates on which the respective notices were received.	Term of policy and full particulars of the Table under which the policy is issued.	Sum Insured.	Premium : Amount of each instalment and due date of final instalment.	Due date of all instalments in each calendar year.	If assigned name and address of each assignee and dates on which the respective notices were received.
1	2	3	4	5	6	7	8	9	10	11

NOTES :—

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

FORM VI-E.

[See Rule 19A (v).]

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

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

NOTES :—

1. The register should be closed at the end of each month and the closing should be completed within a month.
2. Separate registers should be maintained in respect of each of the contingencies specified in or prescribed under section 65 (2) of the Insurance Act, 1938.
3. A society may, if it considers necessary and desirable, maintain a separate register of the particulars specified in column (5), provided that the separate register gives also the information in columns (1) and (2) with full cross references with this register.

FORM VI-F.

[See Rule 19A (vi).]

Lapse Register.

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

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

FORM VI-G.

[See Rule 19A (vii).]

Register of Claims not including annuities.

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

NOTES :—

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

FORM VI-H.

[See Rule 19A (viii).]

Register of Claims for annuities or other periodical payments.

Serial No. Policy No.
 Name of life insured.
 Date of intimation of the happening of the contingency. Date of receipt of Claim papers.
 Name }
 Address } of claimant
 Title }
 Date of first payment. Date and ground of rejection.
 Date and Cause of cessation of payments.

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

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

FORM VI-I.

[See Rule 19A (ic).]

Register of Agents.

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

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

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

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

"FORM VII-A.

Submitted by the

society
19 .

for the year ending

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

(h) in Form VIII,

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

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

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

N. R. PILLAI,

Addl. Secy. to the Govt. of India.

MOTION RE THE SITUATION IN INDIA—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): Further consideration of the motion moved:

"That the situation in India be taken into consideration."

Mr. N. M. Joshi (Nominated Non-Official): Sir, when the House rose yesterday, I was dealing with the Cripps proposals. If I were on the Working Committee of the Congress I would have accepted the Cripps proposals. I would have assumed all the powers which those proposals intended to give and would have used the vantage ground of that power to wrest further power from the unwilling British people. That was the way the Irish people secured their independence and I feel that by following that method we could have secured our national government. But it will be wrong to blame only the Congress for rejecting those proposals. The Muslim League rejected those proposals; the Hindu Mahasabha rejected those proposals; even Sir Tej Bahadur Sapru and Mr. Jayakar disapproved of those proposals. Sir, I feel that in the interests of this country and in the interests of winning the war, the British people should have acceded to give further powers as asked by the Indian National Congress; but the British people are not thinking seriously about establishing a National Government in this country. In the first place, they are self-satisfied with their own efforts. They say proudly that they have recruited an army of one million knowing fully well that for defending a small country like Great Britain they have to keep ready an army of five million people. They vain-gloriously talk of the production of equipment and munitions in India, but they know very well that the production of munitions and equipment in this country is not enough for even a quarter of a million of soldiers. I feel that the British people do not yet appreciate the advantage of establishing a National Government in this country. I have no doubt in my mind and I am quite sure there is no doubt in the mind of any Indian present here that a National Government, instead of raising an army of one million, could have raised an army of five or even ten millions. I have no doubt in my mind as I am sure there is no doubt in the mind of any Indian Member here that a National Government could have intensified the production of equipment and munitions and increased that production even ten-fold. But, Sir, the British people do not yet realise the advantage of having a National Government in this country.

The other day, His Excellency the Commander-in-Chief made a statement that if this country is to be saved, it will be saved by the fighting army. Sir, His Excellency the Commander-in-Chief and the British Government have forgotten the lesson of Malaya, they have forgotten the lesson of Burma and they have also forgotten the experience of China. A well equipped army was made to retreat within a few months in Malaya and Burma on account of want of co-operation from people, while an ill equipped army of Chinese has been successfully defending China for over five years on account of full moral support of the people. This neglect of the problem of establishment of a National Government in this country hasasperated not only the Congress but it has exasperated the whole people of the country. People want to help in this war, they want to win the war, they

want to defeat the Japanese, but, Sir, the people are not permitted to do so through their National Government. We are reduced to the position of mere onlookers in this war. That has created an intolerable position, and in order to end this intolerable position, the Congress in sheer desperation tried to seek a sanction to enforce their demand for National Government. Sir, I do not approve of the Congress forging the sanction of civil disobedience at this critical time. This is a dangerous proposal, risky from the point of view of safety of this country. But, Sir, I can understand how people in sheer desperation resort to methods which they do not approve of. If the Congress made a mistake in resorting to civil disobedience, the Government of India made a blunder. The Congress had left the door open for negotiations, while the Government of India banged it in an irresponsible spirit. I feel, Sir, it was wrong on the part of the Government of India not to take advantage of the slightest opening for negotiations. Unfortunately, the Government of India think that the demand for National Government is only a Congress demand. It was not only a Congress demand, but it was a demand of the whole country, and, therefore, it was very wrong not to have yielded to the Congress demand for a National Government. It was a great mistake of the Government to have arrested the Congress leaders instead of taking advantage of the room for negotiations. The results of the Government's mistake have been disastrous. I do not wish to deal with the blood curdling events of the last few days, I shall have another opportunity to speak about them before the end of the Session. But, Sir, I have no doubt in my mind that as the Government took upon themselves the responsibility of arresting the Congressmen, they have fired the first shot and so they must retrieve the country from this difficult situation by taking the first step towards reconciliation. If this war is to be won, it can be won only by the co-operation of the people, and not by keeping the country bitter, as it is bitter today. Therefore, the Government must not think of their prestige. There is no loss of prestige in yielding to your own people, there is humiliation in yielding to your enemy. I, therefore, feel, that the Government of India should retrace the steps they have taken. They have made a mistake and they must take the initiative in rectifying that mistake. They must release the Congressmen immediately. It is wrong to expect of people who are in Congress jails to reverse their policy. There are people who say, let the Congress first call off the civil disobedience movement. I think it is wrong to expect the Congressmen, while they are in jail to call off the civil disobedience. It cannot be done. It is not even fair, and practicable to expect Congressmen to do so. I, therefore, suggest, to the Government that they must take the initiative in releasing the Congressmen in an effort to reconcile the people of this country.

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Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): No, the Muslim League is not boycotting the war effort.

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Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): No, the Muslim League is not boycotting the war effort.

Mr. N. M. Joshi: Then they say that the depressed classes are against the Congress as regards the civil disobedience movement. But, Sir, neither the Muslim League nor the depressed classes are against the Congress in demanding a National Government. Therefore it is wrong to say that the Congress represents only a very small body of people in this country. In any case, if a large bulk of people in this country are against the Congress, they are not with the Government. It was, therefore, wrong for the Government of India to try to suppress the Congress instead of trying the method of reconciliation.

I suggest that the Government of India should reverse their policy immediately. Let them take up this question of establishment of a National Government in this country immediately in hand. If a National Government can be established by agreement, it is the best thing to do, but if a National Government cannot be established by agreement, let the question be referred to arbitration. If arbitration too is not accepted, I suggest that it is the duty of the Government to establish a National Government whether there is communal unity or not. When the British people conquered India, they did not insist upon national unity or the assent of the people of this country. On the other hand they conquered India by dividing us and now when we are asking that freedom should be restored to us, they insist that the whole country must unite, that there must be unity and so on. Sir, it is wrong for the Government to say so. Let them decide to transfer the power to the Indian people and then take upon themselves the responsibility of distributing that power among the main elements of the population in the fairest way that the Government can. Some years ago the Government gave the communal award, but that communal award was not liked by anybody, at the same time that communal award was accepted and in practice followed by all people. Similarly, if the British people give the communal award as regards the distribution of power now, I have no doubt in my mind that the whole country will, in practice, follow it and accept it. Therefore it is the duty of Government to establish a National Government in the best way they can.

Sir, the Government are already late. I hope they will not be too late in establishing a National Government in this country. Whatever the Government may do, I have to make an appeal to the Assembly and through the Assembly to my countrymen. I have no doubt that the Government will fight the Japanese, but they will fight the Japanese to save a part of their Empire. If the Government are defeated, they can retreat to Iraq or Iran or even to Timbuctoo, but I would like to ask my countrymen that if they are defeated by the Japanese where will they retreat? Therefore it is the duty of the people of this country to do their very best, to do their utmost to defend this country against the Japanese and the only way of defending this country against Japan is to forge unity among themselves. Every community will have to make a sacrifice in order to secure that unity. I would suggest that the majority community, that is, the Hindu community should grant the demand of the Muslim community for self-determination. After all self-determination is not such an unreasonable demand. I would therefore request my countrymen to accept the Muslim demand, and let us unite and form a National Government so that through that National Government we can fight the Japanese successfully. I have also no doubt in my mind that through that unity we shall

make ourselves free from British domination. Sir, that is the way out of the present situation and let me hope that the British people and my own countrymen will follow that way; therein lies our salvation. Sir, I have done.

Mr. N. M. Dumasia (Nominated Non-Official): Mr. President, I must at once confess that there is general sympathy with and support for the demand of independence for India. That demand has been virtually granted in the offer brought to India by Sir Stafford Cripps. It is most unfortunate that that offer of complete independence to India after the cessation of hostilities was not accepted by the Congress and the Muslim League. If it had been accepted the situation would have been normal in India today and we would have been able to present a united front to a most powerful enemy who has avowed his determination to conquer and rule the whole of Asia. I am sure that a little display of statesmanship and wisdom on the part of Mr. Gandhi, who is the absolute dictator of the Congress, could have prevented the extremely grave situation which exists in India today from developing. Recrimination, however, can serve no useful purpose, nevertheless the unparalleled gravity of the situation and the imminence of the menace looming over us is such that it is the duty of everyone to speak out and to act in order to preserve the best interests of the country.

It is impossible to pass over in silence the fiendish excesses and atrocities which have been perpetrated and are still being perpetrated by unbridled mob violence in different parts of India. They prove that Mr. Gandhi's teaching of non-violence has not been taken kindly by the masses and they show that no mass movement which is based on defiance of the law can remain non-violent. Mr. Gandhi's thoughtless campaign has produced saboteurs, not *satyagrahis*. The Honourable the Home Member has gone exhaustively into the tragic occurrences that have disfigured the country's face. I will not therefore, go into the long catalogue of events which seem to be the result of a well organized movement which has brought nothing but disaster to the country. It is most unfortunate that attempts have been made to paralyse the country's war effort by industrial strikes. Such a movement would be looked upon with horror at any time, but at this critical juncture with a powerful enemy knocking at the gates of India the movement becomes positively satanic and those who sympathise with or support that movement cannot be well-wishers or friends of India. Any man with a spark of patriotism must set his face against such a movement. This orgy of lawlessness, disorders, murders and arson have produced disastrous results, and the action taken by Government to suppress the disturbances and restore order in the land did not come a moment too early but on the contrary was belated. The Honourable the Home Member said that he was not prepared to say whence the organisers of the disturbance drew their inspiration. I am sure it is time that Government placed before us all the particulars which would distribute the blame upon parties that have been responsible for this disturbance. A long catalogue of grave charges can be cited against Mr. Gandhi and the Congress who demand independence while they themselves are the sole obstacles to the grant of independence without unity in India, but this asserted that there can be no independence without unity in India, but this every man has disunited India and plunged the country into a state of indescribable chaos and mob fury which is rapidly attaining the horrid shape of

[Mr. N. M. Dumasia.]

civil war. No Government worth the name would allow to Mr. Gandhi and his colleagues the latitude which the British Government has allowed them.

The Congress Civil Disobedience Movement is fraught with incalculable menace to the country and the position brought about by Mr. Gandhi's "Quit India" demand is at the present juncture as dangerous as it is utterly impracticable. It is an invitation to the Axis power to undertake an invasion of India with all its attendant horrors. It has served only to incite mob passions and brought about the present impasse in India. At such a time it is gratifying to India that Muslims have shown in Mr. Jinnah's words "remarkable discipline, solidarity and unity" in keeping aloof from the Congress movement of wholesale destruction. But I say that it is not enough. Mr. Jinnah must co-operate with the Government in prosecuting war activities. In this connection I am glad that the Home Member has paid a tribute to the Scheduled Classes whose distinguished leader today graces the Treasury Bench, and I welcome him on behalf of my Group.

It is obvious to everyone and even Mr. Gandhi has said again and again that no Government is possible in India unless the differences between the Congress and the Muslim League are healed and the gulf that divides them is breached and they work together in the common service of the country.

The necessity is most pressing for unity in India—unity among all communities in order to concentrate all energy, attention and resources upon the supreme task of winning the war. The words "Independence" and "National Government" are dinned into our ears by the Congress and by political leaders of every camp and complexion in the country without anybody ever bothering to show capacity to attain that aim—a state of affairs which reminds one powerfully of Tennyson's words: "An infant crying in the night; an infant crying for the light and with no language but a cry." The recent happenings in India have proved that the innocence of Tennyson's infant is lacking in the cry of our political leaders. We are all desirous and anxious to secure independence for India but at present the conditions essential for its success are absent and there are practical difficulties in our way. Both wisdom and statesmanship require that they should be carefully considered and tackled before attempting the experiment. Otherwise it will add fuel to the fire of communal antagonism that is now burning so fiercely in the country. A National Government cannot be imposed; it is the living expression of a people's will, and it must be evolved with careful consideration and thought and by the achievement of unity, understanding and co-operation on fundamental principles between the elements of the nation. In India, as things are today, a National Government can only be possible by understanding, agreement and co-operation between the four elements of the realm, namely, the British Government, the Indian States, the Congress and the Muslim League. So far as the British Government is concerned, we have the genuine and generous offer made by Great Britain through Sir Stafford Cripps and that offer still stands for the Congress and the Muslim League to avail themselves of it. By rejecting the offer India lost a grand opportunity of securing the rights for which Indian politicians are so persistently clamouring. The present Executive Council today consists of eleven Indians, who are in every sense of the word true nationalists devoted to

the interests of the country. Their appointment and their performance have met with general approval.

Unless wisdom prevails and the Congress withdraws the Civil Disobedience Movement and the "Quit India" demand and displays a new spirit of compromise, the result will be unprecedented catastrophe and grave disaster and even communal strife leading to civil war. It is a matter of great satisfaction that at the present juncture the Indian Princes, without exception, are making an all-out effort for the successful prosecution of the war and it is also gratifying to find that an overwhelming section of the public which is not imbued with the communal taint is making a widespread effort to win the war. Only the Congress hampers the war effort by trying to embarrass the Government and at the same time claiming to dominate over all those elements which are now striving to defend the country.

The great Indian leaders of the past preached tolerance, internal harmony, unity and devotion to the cause of the country. We find no such counsel today either from the Congress or the Muslim League when India badly needs it most. In this welter of turmoil we forget the great services which Englishmen have rendered to this country. In spite of their many sins of omission and commission we owe a great debt to them for the long reign of internal peace and security against external aggression, both of which the Congress is now trying to destroy. We have suffered from exploitation, we have suffered from high-handedness of autocratic officials, but the courts of justice which the British have established and the education they have given us, the great social reforms they have effected, such as abolition of the cruel customs as *satee* and infanticide, prevention of child marriages, leading to the removal of the ban on widow remarriages and caste restrictions on sea voyages, the substitution of law and order and security in place of chaos, confusion and anarchy which prevailed in the country immediately before the advent of the British rule in India and the suppression of Thags and Dacoits who terrorised the country—these are all benefits which far outweigh the faults that can be charged against the British administration of India. Our political rights have been conceded. India's independence is solemnly promised by the British Government, and now to stab it and to embarrass the Allies in the prosecution of the war against a ruthless enemy is an unpardonable sin which even God himself will not forgive.

As a staunch nationalist, who was Mr. Gandhi's right hand man during the first non-co-operation movement—I mean Mr. K. F. Nariman, in an article in a Bombay paper said:

"Like a forward child, the Congress cannot get all that it wants, it will fling away, in a sullen mood, even whatever it possesses. So either complete Independence and till then, nothing at all, not even the existing local or any other particle of self-government. If the British won't quit India, as demanded, we quit our own house-holds (i.e., cutting the nose to spite the face, as he has put it). It may be good political propaganda, but it certainly is bad logic, bad tactics, bad statesmanship and worse strategy, resulting in losing what we have gained after years of struggle without any hope or chance, for the time being of getting anything more in the political arena."

Will Mr. Gandhi retrace his steps and stand by India in the hour of her trial or will he continue to heap disaster after disaster on the helpless country? The answer to this query will show whether Indians are fit for self-rule or doomed to slavery to which the Congress extremists desire to drive independent elements in the nation.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): With the commencement of the fourth year of the war we find ourselves confronted with a situation which is very grave indeed. On the Eastern shores of India the enemy, Japan, is hammering at our very gates, and I would not be surprised if, after the rainy season is over, Calcutta and various parts of Assam are bombed. On the Western side, a tremendous conflict is raging on the Stalingrad front. God knows what the result of this terrible conflict will be. It is just within the range of possibility that the Germans might occupy Stalingrad, advance towards Baku, get hold of it, go right up to Batum, and then with the Black Sea and the Caucasus in their hands they might go on to Persia, and Persia may become the centre of a grave conflict, which might decide the destiny of India. It is also just within the range of possibility that the German Army, now stationed across Egypt, might not be rolled back and may advance instead and occupy the Suez, and then the Middle East position would become very complicated indeed. So far as the Muslim countries are concerned—from Afghanistan right up to the borders of Turkey and Egypt—their position is a queer one. In spite of their friendly relations with Britain they say that they are neutral. Turkey has declared from time to time that armed to the teeth she stands, and that she won't allow anybody to enter her dominions: and so that is Turkish neutrality. Afghanistan has followed her example and repeatedly declared from the house-tops that in this conflict Afghanistan is strictly neutral. Even the weak Cabinet of Persia, which is literally occupied by the British Government, has still the courage to declare that if the Axis Powers attack her she will fight only to maintain internal peace and order in the country.

Under these terrible circumstances, India can only be saved by her own efforts. Four hundred millions of Indians cannot be defeated by any power on the face of the earth: and supported by the Britishers she would be invincible. So obviously it ought to be the duty of the British Government to see that India is placated and that the political aspirations of India are given due consideration. But what has the British Government done? Instead of placating Indians, instead of meeting their political requirements, they suddenly one fine morning arrest Gandhiji and members of the Working Committee of the Congress and ban the Congress, although this was a bit precipitate. I think the amiable gentlemen who grace the Treasury Benches, and who speak in our names, must have advised the Governor General to issue orders for their arrest. I remember Sir Firoz Khan Noon in one of his speeches reminded us that during the last eleven months there has not been a single instance in which any proposal put forward by him has been rejected by the Governor General. Similar assertions will presumably be made by the other gentlemen from Mr. Aney downwards. So I ask them: "Did you advise the Governor General not to arrest the Congress Working Committee and leave loopholes for further negotiation?" Because negotiation between the two might have ended in an amicable settlement. If Gandhiji and his colleagues had been out, certainly the condition in which we find India today would have been different. This burning of Post Offices and attacks on the military and the police, tampering with communications—all this would not have occurred: otherwise Gandhiji would have stultified himself. He believes in non-violence: he has believed in non-violence and has acted non-violently all these years: and he would not have allowed this state of

things to go on. That section of the Hindus who are carrying on these things would have been stopped by him.

That is one thing. Then negotiations might have been made with the other sections of the country, with the Muslim League. The Muslim League, some people say, stands in the way of the independence of India, that it is an obstacle in the way of the right solution of this great problem. Nothing of the sort. The Muslim League stands as much for the independence of India as the Congress or the Mahasabha. The Muslim League has not banged its doors against any negotiations with any party. The Muslim League has declared in so many words that it is prepared to negotiate with all parties on a footing of equality, in order to mobilise the resources of the entire country to fight Nazism and Fascism. It cannot therefore be said that the Muslim League is averse to any proposal to unite with the other parties. In my opinion the right thing for the Government at the present moment would be to cry halt to its policy of absolute repression. Repression will not solve the problem. You may kill a few here and a few there: you may shoot down a few individuals here and there; but this is not a sporadic disturbance; it is a revolution; it is revolution throughout the length and breadth of India. The Muslim League has not hitherto joined the civil disobedience movement, which was most unfortunate on the part of the Congress, because the Congress very well knew that at the present moment India was threatened by the Japanese on the Eastern side and they would hail any disorder within the country—as disorder and disobedience mean one and the same thing. The civil disobedience movement under the present circumstances must, therefore, be condemned. Yet the time may come when the Muslim League, which resents the policy of the British Government as much as any other party in this country resents it, who have always been let down by the British Government in spite of their repeated offers to co-operate with them and not to embarrass them, in spite of all these facts the Government has never listened to what we say and has always let us down—I say the time may come when the Muslim may have to fight for his rights and that fight would be very terrible indeed . . .

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Five hundred times!

Maulana Zafar Ali Khan: Mr. Jamnadas Mehta reminds me of the fact that the Muslims have five hundred times more guts than these amiable gentlemen who have been removing fishplates. So the Muslims will fight, but not before taking every measure to come to terms with the Congress, with the Mahasabha and with the Britisher, whoever he may be. Our Prime Minister, Mr. Churchill, is a very funny fellow. He tells us that these Congress-walas—are nothing but a small group of politicians, mischief makers, with certain financial interests behind them. That is the Congress, he says; and he thinks we will believe it, that the world will believe it. I tell him—although I do not hold a brief for the Congress—that to ignore the Congress is a folly of the first magnitude. When Sir Sikandar Hayat Khan from the Punjab goes to watch the situation in the Middle East, Mr. Churchill meets him and Mr. Churchill assures Sir Sikandar that this time India will get a square deal. What does he mean by India? And what is the meaning of this square deal? If India means majority rule, the Muslims will not agree. The Muslims stand for

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Pakistan. I declare on the floor of the House that the Hindus as well as Mr. Winston Churchill should take note that we have Pakistan as our goal and if this is denied to us we will fight with our back to the wall and we will fight against all, whether British or Hindu.

When my Honourable friend, Sir Reginald Maxwell, made his statement—which took him nearly an hour—I thought he would place before us some statesmanlike and constructive proposal; but he simply told us that five hundred Post Offices were burnt and so many hundreds were killed and so many hundreds were shot and that a systematic and organised effort was made by these mischief makers to carry on this revolutionary movement. But we have got the picture from another source, which is a bit more interesting and I should like the House to join with me in enjoying it. The organ of the Communists of India says:

"Despair stalks the land. Revenge against repression is the cry of the hour. The police smash up in one place but there is outburst in another. 'Order' is being restored in the towns with the police lathi, tear gas and if they are not enough, bullets. This does not restore peace; enraged patriots overwhelmed by superior force in the towns are branching out into the villages where the police are few and far between, where the military cannot easily reach. Railway tracks are being torn up, trains derailed, telegraph wires cut. The Government set out to suppress the Congress, the embodiment of the Indian national movement; it has only set in motion forces that are disrupting Indian defence. The Government has called into being people's fury against itself; it has only heartened the Fascist invaders. Instead of handing over India to the Indian, it has done its worst to see that India goes to the Japs."

The constructive side of this problem, the statesmanlike side of this problem is for the Government to try and reconcile those who are now shut up behind the bars, and create an atmosphere favourable for the great parties of this country to come together. The Muslim League has left its door open to negotiate with the Congress, but Gandhiji, Pandit Jawaharlal Nehru and others

Sir Muhammad Yamin Khan : Have banged it.

Maulana Zafar Ali Khan . . . are behind the bars. With whom then to negotiate? So let them out, bring them out of jail, and in the meantime, let men like Mr. C. Rajagopalachari, Sir Tej Bahadur Sapru, Mr. Aney, Sir Sultan Ahmed and others try to induce the Government to create facilities for negotiation, and these negotiations may be carried on between Government and Gandhiji also. The direct result of Gandhiji's release from the jail and of his colleagues would be that the disturbances in India would stop. Hitherto we were told that a crore of rupees has been lost over the Railways, 500 Post Offices burnt, and lakhs and lakhs of rupees of loss in property sustained. Many people, innocent people were killed for it must be remembered that the revolutionary, when he becomes mad, does not distinguish between an innocent person and a guilty person. He kills. So many policemen in the discharge of their duty were burnt to death, others were burnt alive. These things won't happen. Otherwise Gandhiji would stultify himself by presenting to the world a spectacle of this sort of thing going on while he was out. So, statesmanship demands, reason demands, equity demands, justice demands that something should be done to improve the situation, and that

can be done by bringing the Muslim League and the Congress together. The Mahasabha would follow suit. Lately the Mahasabha has only become the mouthpiece of the Congress so far as the demand for the independence of India is concerned, and although the question of Pakistan may be taboo so far as the Hindu Mahasabha is concerned, I think when we heard our friend, Mr. Joshi, expressing the hope that the Hindus would accept the demand of the Mussalmans, there is a chance of the Hindu Mahasabha also coming round to the Muslim point of view.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sardar Sant Singh (West Punjab: Sikh): You reminded me yesterday that I was responsible for the Session being called earlier. I would like to explain to the Honourable Members of this House what was in the background of my mind when I wrote the letter to the Viceroy asking for an emergency Session.

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

Sardar Sant Singh: Incidentally I was at Bombay on the 9th August on business when I saw the first outbreak of hostilities against the Government. Amongst other things what impressed me most was a spectacle which was a new one. I was driving along the Marine Lines of Bombay when I saw an Indian policeman, an Indian soldier and a British soldier standing together. I wondered why three were standing together. I went ahead and found the same thing. I went ahead further and found the same, till in the whole of the Marine Lines I saw sets of three persons standing together representing law and order. This created an impression upon my mind that we were passing through a time when an Indian policeman was not trusted, when an Indian soldier was not trusted and that was why the presence of a British soldier was necessary along with them. I saw things happening there. When I travelled from Bombay back to Delhi I found Delhi in turmoil also. Immediately it occurred to me that the situation was pregnant with serious and grave consequences, if not a disaster of the first magnitude, unless something was done to improve the situation. So I wrote that letter. I expected and I made it clear in my letter that I wanted this Session to be helpful in solving the present political deadlock. I stick to that opinion still. But to my greatest disappointment I find that the present motion has been moved by the Honourable the Home Member. Well, we expected the Leader of the House to move this motion, but it has entered into the head of the Honourable the Home Member to move it. The second thing that struck me most was that instead of any constructive proposal or any solution or any formula being placed before the House for discussion, a simple motion that the political situation be taken into consideration was brought before this House. The 45 minutes long speech of the Honourable the Home Member contained nothing but a narrative of half truths, falsehoods and in most cases lies. I will presently show.

The Honourable Sir Reginald Maxwell (Home Member): I could not hear exactly what the Honourable Member said. The Honourable Member said, lies.

Mr. President (The Honourable Sir Abdur Rahim): The Chair did not catch what words the Honourable Member used. He must withdraw that expression.

Sardar Sant Singh: I withdraw these words. I will say, incorrect facts, that have been produced before this House. I was most amazed and shocked when I read this passage. I noted it yesterday but now I have got an authoritative publication in the *Statesman* and the passage reads thus:

"One thing quite plain is that with an enemy at our gates and another enemy within, then the prime duty of this Government is to undo the harm that has been done as soon as possible and to put this country in a state of defence against both."

An Honourable Member: What is wrong?

Sardar Sant Singh: What is wrong about it? Malaya and Burma are the clearest illustrations of fighting against two fronts. This shows a lamentable lack of understanding of the situation.

What is the present position? I accept the position as stated by the Honourable the Home Member that the enemy is at the gates of India. If the enemy is at the gates of India, statesmanship required that the enemy within the door of India should be appeased, should be contented, should be satisfied.

And, after all, what is the appeasement demanded by the people?

1 P.M. They want only what the Allied Nations have been saying day after day for the last three years and that is that they are fighting for the freedom and democracy of India. We want freedom. India needs freedom. If India wants freedom and if it is in your power to grant freedom, why delay it? There is no logic behind the thing. (*An Honourable Member:* "Freedom for whom? For the majority?") I refuse to deal with that question in the twenty minutes that I have at my disposal. My amendment is a clear indication of my views. I refuse to be drawn into any domestic quarrels here. I shall only refer to the broad principles in the short time that is at my disposal.

The Indian National Congress, which has so far been described as the one organised great political organisation in India in the House of Commons and outside, so many times has been demanding that freedom. From the beginning of the war, nay, I will go a bit earlier, for the last 20 years, this constitutional question has been before this country. England refused to concede that freedom. At the beginning of this war, an unconditional offer of co-operation was made by the Congress, simply to be rejected. Next year, another offer came and it was rejected. If Sir Stafford Cripps' proposals had come in September, 1939, they would have had a chance of being accepted; but in 1942, it was too late. The pity is that the present Government of India, nay, I will go further and say, His Majesty's Government, have always underestimated the strength of their opponents. I need not go into the history of the last three years of war. They underestimated the Japanese power. They underestimated the strength of the Axis powers and today they are underestimating the power of the people of this country. The present position is this. There is not a man in India who does not crave for the complete independence of this country. Even in England, you have conceded the principle that India shall be granted complete independence but the difference is, you

say—after the war; we say—here and now. That is the difference. You put forward certain conditions precedent which you know you are not going to allow the people to fulfil. It has been made clear that so long as the British people are in this country an agreement between the two communities is impossible to reach. (*An Honourable Member:* Why?) It is clear. There is no need to go into that. I do not want to be side-tracked. If Mr. Churchill wants to know whether it is the entire people of India that demand freedom or only a portion of it, why not have a Gallup poll of a section chosen by yourself. I make a proposal that you should have a Gallup poll of the students of all the colleges throughout India, including all communities and let us abide by the result. If you think that the youth is too enthusiastic, you can have a Gallup poll of the Government servants that are employed by you but it should be a secret poll. Have a secret poll of the Government servants who are of your own making and abide by the result. I challenge you. You will not get more than ten votes from the Government servants even. What do you mean by saying that the will of the people is not there? The will of the people is there. The people want independence and the people mean to have it.

The Government say that atrocities have been committed by the mob. I am not here holding any brief for the Congress. I am not here to defend their programme or even their policy. I have not been a follower of the full programme of the Congress, but I say that there is truth in one thing and that is that the responsibility for the present state of affairs is entirely on the Government. Did they think that the arrest of Mahatma Gandhi and his co-workers would be taken quietly by the country? If they were of that opinion, they have been disillusioned but with a tremendous loss of life in the country. The fault has not been on one side alone. The fault has been on both sides. My friend, Mr. Dumasia, has moved an amendment saying that he approves of the steps taken by Government. I shall read a portion of the report which has been made by an independent body, unconnected with the Congress, the merchants of Karachi. What happened there. That report states three or four facts which will be interesting to know and I will ask Mr. Dumasia whether he approves of them. (*An Honourable Member:* "Who are the members?") There are 12 names. I will give you the names of some of them. They are Pardaman Singh, Soonderdas Dharmsey, Sukhdev Udhavdas, Jethanand Hiranand, B. T. Thakur and so on. I will give you the full list later on, if necessary. The point I want to make is this. What defence has the Administration got against these charges. This is what the account says:

"Some of the youthful victims, mostly students, and sons of respectable citizens have stated before the Committee that at the police station after severe beatings by slaps, fisticuffs, kicks, etc., they were taken into a room and made to lie down on their backs, with a plain clothes man sitting on their chest, their feet were lifted up by another man and they were beaten on the soles of their bare feet with canes, most of them having received 10 to 20 stripes."

Then the second thing is this:

"They were compelled to touch the boots of the Police Officer with their noses and shuffle on the ground on their buttocks or do what is known in Sindhi, as 'Gisi'."

Then a most terrible thing happened, which will send a thrill of horror through all men who have any sense of humanity left. What is contained in the next passage shows that a boy was taken hold of by a policeman.

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for the purpose of committing sodomy on him. (Voices: "Shame".) I shall read that passage:

"One case has been brought to the notice of the Committee in which a Police Officer is alleged to have asked one of the recruits to select any of the arrested boys brought to the police station and who had been severely beaten. The Makrani, it has been stated, actually dragged a boy into a room, forcibly removed his pyjama and underwear, but on the latter's raising a hue cry, he was let off."

May I ask you whether a series of atrocities that have been mentioned here today can beat this atrocity? I ask the Honourable Member of the European Group whether they will quietly condone it in the name of law and order. This is one Committee of independent men who have gone into the matter and they have published this report. Well, Sir, if these things have happened at one place in the country, do you think they will leave a soft feeling for the Britishers or the Police in the bosoms of the people? Reflect, consider and judge coolly. The time is not when we in our desire to condemn each other forget the real psychology of the people, forget the real facts and say that we will fight both the internal as well as the external enemy. Through you, Sir, I want to appeal to the Government; pause and think over before it is too late. That is why I placed a constructive proposal in my amendment before the House. I am afraid my friends are correct when they say that my amendment has no chance of being passed in this House. I know that is the case. If I were to be guided by the verdict of this House, I would sooner be in a mad house than in this place because here reason does not reign and the verdict is not given on the merits of the proposition. It is all for propaganda. But the Government forget at this stage that war is not won by propaganda alone. In making that supreme effort to win the war, they will have to win the supreme co-operation, unstinted co-operation of the people of this country. So long as the morale of the country is down or is converted into active hostility, they cannot win this war. They will not only ruin themselves but they will ruin the Americans and the Chinese who are here. They will ruin the Allied Nations whose number is 56 or 57.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sardar Sant Singh: I will only say that even if we look at the brightest side of the picture that they have succeeded in suppressing this movement, they would certainly leave a trail of bitterness behind with no love for the Britishers in this country. Do they want that state now?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must finish his speech now.

Sardar Sant Singh: I will only say this in the end that before it is too late, let saner counsels prevail and that Government would take stock of the situation. I have yet lot to say which I am leaving unsaid, but let it not be said of the present Government Members that they were the coffin bearers of the British Imperialism in this country.

Mr. C. P. Lawson (Bengal: European): Mr. President, Sir I would like to amplify the words which fell from my Leader, Sir Henry Richardson, yesterday. I have listened to this debate with particular interest and find on all sides one attitude of mind which I too share towards the present political situation. There is clearly no one who does not want to end the present impasse and to produce a situation which will enable all India's millions to put aside political controversy and to apply their minds to the one great essential which is before us. I refer to the essential need of winning the war and winning it as quickly as possible. Of the ultimate result, I have not the slightest doubt, but I believe that it is within the power of this country to shorten the period during which mankind is subjected to the overriding tyranny of war and the resulting suffering.

The argument is frequently put to me by my Indian friends that if the offer of self-government as soon as the war is over is sincere, what reason can there be for not making some advance in this direction immediately? Surely, say my friends, there must be in India 15 or 16 representatives of popular parties who would be prepared to take over the government of the country provided they are given full powers to govern the country as they think fit. Why delay if such a government could function and command the confidence of all popular parties? This attitude of mind is not confined to my Indian friends, and indeed I have seen from the press that certain members of my own community have indicated a similar wish although their identity is not made public. I do not, however, quarrel with their intention; the wish behind the sentiment is that to which I referred at the outset, namely, to end the impasse and to secure full support for the war effort. If I complain about this utterance, I do so because it is impracticable and because it makes no attempt to produce specific remedies for the more practical ills which attend the situation. A solution in theory is valueless if a solution cannot be found also in practice.

The frequently reiterated promise of self-government as soon as the war is over is a promise regarding which my community has not the slightest doubt. We are certain that self-government will come to this country as soon as the war is over if this country will take it and the community which I represent not only actively supports this policy but hopes to play its part in India's future progress and in making India great. We ask for no privileged position in the India of the future and we hope to carry equally with the citizens of this country the burdens of the future. There is, however, no future before India until the totalitarian menace has been removed and it is with the intention of removing that menace that more than fifty per cent. of my countrymen in this country, between the ages of 18 and 50, have now joined the defence services and are serving this country side by side with their Indian comrades-in-arms. Of the balance there are few, if any, who are not, in addition to their normal occupations, carrying out other work of national importance such as auxiliary forces, civil defence, and so on. Our womenfolk also are playing a large part in nursing and other voluntary services with the same end in view. Indeed, some 800 of our womenfolk are serving as a definite part of the armed forces. I make this statement in no spirit of complacency; there is much to do and possibly still a long road to travel before final victory is won. But there is one great intention behind

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everything that we have in mind and that intention is that that India shall be free to exploit and enjoy the full freedom which the end of the war will most certainly offer to her.

As my Leader has already said, a National Government should be a Government which eliminates all political strife and party warfare. The demands of the main political parties for the interim period have been made clear. Can these demands be combined in such a manner as to produce conditions which will eliminate all future party strife? There are no advantages to be gained and indeed there is grave danger in producing a Cabinet which will satisfy one faction and at the same time produce bitter opposition from another. Even the most sincere prosecution of the war effort cannot produce real efficiency if a Government is pre-occupied with political strife and political disturbances. We are often told that this or that faction should not be permitted to impede political progress and that such progress should continue, albeit such a faction dissented. The factor that vitiates this argument is the factor of war. Conditions in this country at present may not be ideal but in trying to improve them we must be careful to ensure that worse does not befall.

And, indeed it is not strictly fair to demand that any political party shall abandon sincerely held views in order to effect a hasty settlement. There is no power above a sovereign power and when full sovereign powers are transferred to this country, it must be carefully considered where those powers are to rest. If they are to rest with the people, a large constitutional field must be opened and carefully examined. If they are to rest with the Cabinet itself, it must not be forgotten that no internal limitation remains upon their powers. They might be able to alter their own Cabinet constitution or the constitution of the country and who is to say that such a transfer of power would throw no shadow on future development? Could this House deny that a responsible Cabinet with full sovereign powers must develop the picture of India's future and direct to a large extent the paths to India's future constitution? When one comes to examine the matter, the implications of a transfer of power cannot be avoided and the number of matters which require careful examination are legion. For instance, we in this House are concerned greatly with what is now British India. But we are inclined to forget that two-fifths of this peninsula is without British India's jurisdiction. We are inclined to forget that 800,000 out of India's million and a half square miles exist under separate governments. If any community or political party is reluctant to commit itself to a form of autonomous government which may prejudice its ability to press its claims for representation in or its right to fashion the legislatures of the future, could we condemn it? Can we not exercise the patience that the times demand? War conditions are not peace conditions and amongst the Allied Nations there is not one that has not sacrificed some personal liberty in order to attain the end which means no less to us than it means to them.

We have lately seen the paradox of an attempt to gain immediate power by producing conditions which lengthen the road to freedom. Sabotage and destruction of communications, the upsetting of law and order and of the ability of men and women to go about their lawful occasions, all if unchecked will put the day of victory further into the

future. Let us be certain that in our anxiety for the present, we do not, by producing chaos, sacrifice the great future. When we start to build, we should build solidly and with careful regard to all considerations. The edifice of the India of the future must not rise upon jerry-built foundations.

Sir, it may be said, "In all this, where are your constructive proposals?" May I draw attention to the fact, which seems to have been forgotten, that we have already a Government of India consisting of 14 Members, out of whom 11 are Indians. Well deserved tributes have been paid to officials, and I add mine also but I find it in my heart to pay tribute also to the Government for the way in which they have undertaken these duties in a time of great anxiety and for having borne their burdens with success. The Congress Party have ruled themselves out of court in the matter of co-operation. I urge and I sincerely hope that other Parties will not deny us that co-operation so that strength may be given to the Government of this country to carry on this war and to finish it so that this country may get soon the freedom which we all know is coming.

Mr. F. R. Anthony (Nominated Non-Official). Sir, the problem we are considering today is admittedly a most complex one. In the medley of an almost bewildering variety of sentiments, of national pride, of a sense of frustration, and a spirit of negation, it is difficult to dogmatise or to apportion blame unequivocally.

Since the beginning of the war there has been a confusion of outlook, of sentiment and of policy in India. I believe I am right in saying that no right thinking Indian has any sympathy with Nazi or Fascist ideals. But we are here to face and not to shirk issues. I also believe that I am right in saying that the bulk of India does not feel that we are fighting for alleged democracy which has any application to this country.

Government cannot escape their share of blame. The God Almighty, Bureaucratic complex of the Governmental machine is unfortunately all too prevalent in India. A detached and unresponsive Bureaucracy still rules from Olympian heights. Few, if any, persons in responsible positions are really in touch with the true sentiments of the people of this country. Indian officials are drawn into the vortex of officialdom. If anything, they out-Herod Herod and become more godlike and Olympian than their European counterpart. An Honourable Member on the other side asked why it was that, when Government alleged that the present sabotage and violence was the result of a preconceived and organised policy, Government had to be jolted out of its godlike stupor before they realised that anything was wrong. The answer is that Government has not got its pulse on real Indian national feelings. The detached and indifferent attitude of the Bureaucracy are identified in the minds of thinking Indians with emotional and mental insentience. This insentience is the cause of the issuing of statements which are almost ridiculous in their unreality. Delivered from what I may call the ethereal heights of officialdom they are usually monuments of inaccuracy and unreality. Thus, it has been iterated and reiterated that the bulk of India is behind the war effort. This is a travesty of facts. As an Anglo-Indian and a lawyer I have a large circle not only of European but Indian friends. I

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have the greatest respect for Englishmen in their own country, but I also know the real sentiments of my fellow-countrymen. And I know that the spirit of India is not harnessed to the war effort. The supercilious palate of officialdom may be tickled or even satisfied by the ostentatious publication of statistics as to munitions production and recruitment. But, Sir, these do not represent the true feelings of India. Some communities are definitely obstructive, most of the other communities are at best indifferent. Is it not possible when allegedly responsible Empire statesmen make statements, is it not possible for them to refrain from irrelevancy—statements which are distinguished by fatuity and complete ignorance of the real feeling in this country, statements which have provoked even Englishmen themselves in this country, recently, to protest against such effusions which are nauseating to honest Englishmen and galling to the pride of every self-respecting Indian. India today will not tolerate the pointing of a patronising or a minatory finger and being told in so many words, "You must behave like a good little boy or else—". I realise, Sir, that the price of tin has appreciated considerably in these days but India cannot be expected to be responsive to a rule of little tin gods with feet of clay.

I would draw the attention of Government to the very definite sense of frustration and spirit of negation that are present in India. I believe that every right-thinking Indian has no sympathy with Japanese ideals. We who know Japanese ideology also know that the whole Japanese military machine has been built up on false theories of racial superiority. We know that the Japanese are not anxious to deliver India to the Indians. We know that from any Axis invader India can only expect contempt and abject slavery. But still there is the spirit of negation in a large section of the people. These people do not actively desire an Axis victory but they are not unwilling to see England lose because they feel they would thus get some kind of vicarious pleasure in witnessing removal of the British power from this country. Government must approach this problem in a spirit of sympathy and reality. These persons represent a huge army of material from which a potential invader could and would enlist fifth columnists.

But I would also make an earnest appeal to my fellow-Indians. We may have our resentments. No Government over a period of several scores of years is blameless or can be blameless. But I appeal to you not to allow these resentments not to cloud our judgment or to warp our action in the present or the future. No one can deny that India has travelled a long way on the road to self-government. It has been a long and hard road, but will India in a spirit of perversity deliberately throw overboard all the efforts achievements and aspirations that have gone into the travelling of that road? It would be poor comfort indeed deliberately to sell ourselves into slavery under the Axis powers in order to pay off old scores against Britain.

Are we entirely blameless in respect of this present position of stalemate? Have we presented England with any common measure of agreement? Have we presented her with a demand backed up by the majority of the people of this country? It is very easy, Sir, for people in opposition to criticise and condemn. Destructive criticism and uninformed

condemnation are the stock-in-trade of the opposition. British political dishonesty has furnished a convenient shibboleth behind which to combine negative elements. But, Sir, Government is a very positive and practical affair and cannot be run by shibboleths and opposition methods. Who is there in India today who is able or willing to take over power from the present Government? It is all very well to indulge in slogans of "Get out and let us rule". "It is better to reign in Hell than serve in Heaven". These may be very good political propaganda paps, but no Government can be run by such slogans. "Divide and rule" is another charge which is levelled against the Government. But if this is true then is it not a reflection on the intelligence and patriotism of communal leaders that they should submit to being made puppets of? Rather, is not the blame to be found among ourselves? So long as we hear cries of Hindustan for the Hindus and that the future constitution of this country must be evolved by the major elements, so long will the minorities who represent a very large section of India not be able to regard future developments with equanimity. We defer, Sir, to no one in our love for this our Motherland. We defer to no one in our desire to see India ruled by a real National Government. But we do not accept political propaganda which may purport to invest a bid for hegemony or dictatorship as bearing the complexion of nationalism. These efforts are a negation of nationalism. Let the major elements in this country attract the support of the smaller elements not by threatening them with penalisation or extinction but by magnanimity and a policy of breadth and vision.

Finally, Sir, the very definition of Government is to maintain law and order. Any Government worthy of the name, whether it is the present administration or a truly national government, must maintain law and order. Anarchy, sabotage and violence, in spite of the allegedly high motives that may be said to inspire them, cannot be tolerated. When Government officials, who are only implementing their duty and not any political creed, are murdered, when civilians are attacked and ruined by insensate hooliganism and mob violence, it becomes the clear duty of any Government to suppress such lawlessness with the greatest expedition and firmness.

And we also have a clear duty if we see political values in their true perspective, unclouded by prejudice or resentment. It is to enable India to play her proper part in the war effort. This will not help, as some persons wrongly imagine, to perpetuate India's tutelage but it will keep her feet on the road to self-government, which she has travelled so long and so far and bring her within immediate reach of the fruition of the efforts of India's great nationalist sons.

Mr. Jamnadas M. Mehta: There is an ancient Sanskrit aphorism which says, "*Raja Kalasya Karanam*" i.e., that the Ruler, the King and the Sovereign is the supreme cause of the condition of the people in any country. This aphorism embodies a profound truth and penetrating wisdom, and is as true today as it was when first written. I would, therefore, request the Government to accept their full responsibility for the situation in the country which we are discussing today. That situation is extremely perilous and critical, and requires the stoutest of hearts and the coolest of heads to handle it with success. This is no time for recrimination. I will not indulge, so far as I can help it, in any taunts and reproaches, but will submit my request to all sections of the House

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as to what we should do in the present critical situation. I shall first address the Government and my Honourable friends on the European Benches, because they, in my opinion, do not radically differ from each other.

I know what a responsibility the British section in this country bears. Most of them must be carrying a heavy load of grief and sorrow at the loss of some near and dear ones—a brother, a father, a son. And yet, they are carrying on with a dignity and solemnity which I admire and would like to emulate. And their own countrymen beyond the seas, the Britishers in England, have shown how one could be patriotic even in the darkest hour and be imbued with heroism which will live in history. You have written an immortal chapter, after Dunkirk, when the crack of doom seemed to have sounded, you stood alone and isolated but hurled defiance at the enemy and withstood an attack which remains unparalleled for all time, I, therefore, have the greatest admiration for the Englishman and the Britisher; and if I say anything now it must be understood in the clearest manner that I do it in the common benefit of all of us.

The causes of the present discontents are deeply rooted in the history of the last 200 years. My Honourable friends cannot be unaware that the East India Company made us grind dividends at the rate of 100, 150 and 200 per cent for the holders of the East India stock. They cannot forget that besides the grinding of these dividends, at which Shylock would have blushed, the agents factors and the clerks of the Company looted and plundered, smuggled and practised every atrocity and outrage that could be conceived. Adventurers of all types left India with colossal fortunes and settled as Nawabs in Great Britain, regardless whether this country was swallowed by an earthquake after they had left. These are not my words. These are the words of Adam Smith. In one memorable passage Lord Macaulay in words of moving pathos describes the corruption, the tyranny which you practised and which left devastation in its trail. Macaulay says: "India was made to witness the most frightful of all spectacles, the strength of civilization without its mercy". This is the beginning of our connection. Since 1792 onwards the same policy was continued either through trade taxation, transport or tariff. Huge crores flowed into British pockets through currency and exchange manoeuvres, from monopoly of trade, and in every other conceivable manner. With what results, Sir? The result is that today three-fourths of my countrymen do not get two square meals a day. Half of them are in every condition of illness and disease. Every fourth man in the street is suffering from malaria. The expectation of life is 26 years in this country against 56 elsewhere. The death rate in this country is rarely below 30 against 12 which is the normal rate in progressive countries.

From 1892 you became conscious of the cruel wrongs which you had done us. But did that change your policy, Sir? You have tried to conceal what you could no longer deny. You started inventing excuses for not doing the right thing. Against a nominal transfer of power and crumbs of authority, the same policy of exploitation continues with even greater force: you have started creating defences against the on-rush of democratic forces in this country—through various Empire preferences.

racial, political and communal discriminations, special electorates, communal franchise, minority protection. All these are the protective paraphernalia of a guilty conscience against the tide of the democratic movement in this country. You are building barricades against freedom, and the Indian nationalist movement finds itself today confronted with a powerful Maginot line of vested interests and privilege; but I promise you that we shall by-pass this Maginot line even as Hitler did. We the Hindus and Muslims and other communities of this country, the workers and the peasants, will by-pass this Maginot line of privilege and reaction, and enter the Paris of freedom and there might be a Dunkirk at Bombay or Karachi, after which no Dieppe raid even will be possible. I, therefore, request you to awaken in time. I make this request in all humility. . . .

Sir F. E. James (Madras: European): The Honourable the President is not asleep!

Mr. Jamnadas M. Mehta: I am speaking in inverted commas. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better address the Chair.

Mr. Jamnadas M. Mehta: I am addressing them through you, Sir; that is quite permissible. . . .

Mr. President (The Honourable Sir Abdur Rahim): I am sure that the Honourable Member can be equally eloquent if he addresses the Chair.

Mr. Jamnadas M. Mehta: Thank you, Sir; that is the position which I ask them to realise. The only reason why the other parties in this country do not join the Congress in its present 'Quit India' policy is not that that policy is not right. It is true that we are offered Dominion Status with the right to secede, full independence; but on what condition? Only if we will produce an agreement, an agreement which they, yes, they and they alone make it impossible by this paraphernalia of communal and discriminating administration and legislation. They are like incendiaries who set fire to a house and then go into the streets loudly shouting for the fire brigade. But the fire is their work; and I ask you that this will not do any more. The only reason why the other parties in the country are not with the Congress is because the war is on us. I say the Indian National Congress is not the only body which strives for freedom. We are all—each and every one of us—for independence. The Congress was nowhere even to be seen when Savarkar struggled for independence 32 years ago. . . .

An Honourable Member: The Congress is older than 32 years.

Mr. Jamnadas M. Mehta: But not for independence; it was then petitioning and memorialising; it was praying when Savarkar struck the first blow, when Mr. M. N. Roy sacrificed his own home and remained in exile for the independence of this country, when a humble worker like myself in 1927, at the Madras Session in face of the opposition of the present members of the working committee of the Congress, got a resolution for independence passed. Therefore, the Congress Party are not isolated in the stand for independence. They must not consider that

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everybody who is not with them in this campaign is, therefore, a traitor. That is the greatest mistake that the Congress party is doing; as I said before if we are not today with the Congress, it is because the war is on us. In the war I forget all differences. I have told you in what light I consider the danger. I am, therefore, prepared to blot out the evil memories of the last two hundred years, and I desire that the whole of India should stand shoulder to shoulder with the Britisher and with the American to fight the Axis out. At such a time, this 'Quit India' policy has absolutely no meaning. Not only it has no meaning, but it has a sinister meaning. It is a direct invitation to the Japanese to invade India and nothing less. Whether the Mahatma does it or the Maulana does it, whether it is the Patel or the Pundit who does it makes not the slightest difference. . . .

Sardar Sant Singh: Or whether it is Sir Reginald Maxwell or . . .

Mr. Jamnadas M. Mehta: Yes, or whether it is you or I—what I say is, at such a time when the foreigner is at the door, trying to make us slaves, everybody who is prepared to save me from that catastrophe, is my comrade and countryman. In that spirit I willingly join the Britisher and all those who want to fight the Axis forces. I am not going into details. This "Quit India" policy is supported by whom? By the patriotic but bankrupt middle class, by giggling girls and love-lorn lads, by brainy boys who take patriotic holidays, by portly matrons and weighty women and by big finance which wants to take the place of Sir Henry Richardson's class. They are too previous; the quarry is not yet killed. The vultures are gathering too soon because the carcass is not yet available. That is the class which is keeping the Ahmedabad workers idle and starving for a policy of their own. The workers of this country are definitely for this war. They detest the Axis powers and they will fight them out. In that resolution of the Congress there is a frequent reference to the glow of freedom. I like that phrase—the glow of freedom—when 50 crores of our brethren-in-faith, the Chinese, Buddhists and Muhammadans, are struggling for decent existence against a ruthless foe, when 16 crores of Russian workers are crying to the workers of the world "Unite in defence of the only Workers Republic", when 23 crores of European humanity is lying under the heels of a conqueror and when 45 millions Britishers are standing like a rock against the hordes of Fascism, when my country is threatened with devastation—that glow of freedom must, if at all it is real, impel me to make every effort, strain every nerve in order that victory may be won and Fascism may be laid low. It is in that spirit that I view the present situation;—the world of 1939 is dead; the new world that is coming will be—if the Axis wins—the footstool and the doormat of the Axis powers, or—if we win—the brotherhood of free nations. It is easy to make our choice between the two.

Sardar Sant Singh: Will it be?

Mr. Jamnadas M. Mehta: Yes; it will be; it shall be; faint hearts never won anywhere. . . .

Sardar Sant Singh: The faint heart is represented by you.

Mr. Jamnadas M. Mehta: No. I did not interfere when you were speaking, and I ask you not to interfere now. I do not like the smudgy stories with which you begaled the House; I assure you, even if what you say is true, our path is clear; the liberty of this world is today at stake and I ask this House and this country to make the choice, on which side we shall be. That choice should not be difficult. To my countrymen, the Muslim Leaguers, may I say, let them not deflect from the current of national life?

Some Members of the Muslim League Party: We are not.

Mr. Jamnadas M. Mehta: I am glad to hear that. I am requesting you. You do not realise, my friends, what the Muslim League is. The Muslim League is the biggest organisation coercing Government into doing nothing. You are a League for vetoing Indian freedom and unity. That is the lot to which you are reduced unhappily, to my regret. But as Mr. Jinnah has rightly said to the American Press, you can give 500 times more trouble than the Hindus. Why not stay in India, give us 500 times more trouble? I am willing to have that trouble rather than lose you.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): There is no likelihood of your losing us.

Mr. Jamnadas M. Mehta: You are trying to cut yourselves away from us. I ask you not to leave from this mother India. From this magnificent mansion of mother India;—not one brick shall be moved. There shall be no Pakistan. I ask you, let there be no Axistan, because that is the only danger today. To my Congress friends I say, to my Muslim friends I say, to my Hindu Mahasabha friends I say, to Government I say the same. The Mahasabha has put forward a scheme, which offers the possibilities of a settlement for all, at least for the time being, although I am sorry to say that neither the Congress nor the Muslim League nor the Hindu Mahasabha ever call the workers and peasants to their confabulations. I ask you, first of all, to enlist the sympathy and the support of the workers and the peasants, because they, after all, are 90 per cent. of the people of this country. To Government I say, so long as you give them sufficient food, so long as you give them protection, so long as you look after their human needs, the workers and peasants of India will be true to you in the present war because it is their war and you have nothing to be afraid of from the Axis powers so long as you remain true to the workers.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Jamnadas M. Mehta: In this spirit I appeal to you all and I wish that everybody will do the best in the circumstances.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 17th September, 1942.

LEGISLATIVE ASSEMBLY.

Thursday, 17th September, 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. Aga Hilaly, M.L.A. (Government of India: Nominated Official)

STARRED QUESTIONS AND ANSWERS.

Sir Muhammad Yamin Khan: I propose—and I have consulted all Party Leaders on the subject and they have all agreed—that the questions which have been put down for today and tomorrow may be postponed to the 23rd and 24th, so that more Members may get a chance of speaking on the motion, which is really the chief business of this Session. I have consulted all the Party Leaders and they are agreeable to this. If the Honourable the Leader of the House has no objection, I suggest that this course might be adopted.

The Honourable Mr. M. S. Aney (Leader of the House): If that is the general wish of the Parties and the persons who are concerned in these questions, Government have no objection.

Mr. President (The Honourable Sir Abdur Rahim): I suppose that the Government Members who have got to answer these questions will be ready to do so on the 23rd and 24th. Is that the general wish of the Members?

(Voices: "Yes".)

Very well. The questions will stand over.

†73*—91*.

Mr. President (The Honourable Sir Abdur Rahim): What about the Short Notice Question?

Sir Abdul Halim Ghumavi: I can drop it, if you like.

NOMINATION OF THE PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the House that under sub-rule (1) of rule 3 of the Indian Legislative Rules, I nominate Syed Ghulam Bhik Nairang, Mr. Jamnadas M. Mehta, Sir Henry Richardson and Sir Cowasji Jehangir on the Panel of Chairmen for the current Session.

†For these questions and answers see pages 435—53 of these Debates.

[Dr. Sir Ziauddin Ahmad.]

considers an incident to be an accident and does not get up till it is repeated; and a fool does not believe till he loses everything. Now, our Delhi Government is certainly not included in the first category of the wise Government and I am not sure under which of the remaining three categories I should put it. District administrations in many towns—especially in the United Provinces and the Punjab, can be put under the first category.

The next glaring instance of the proof of wise statesmanship is the burning of the Clearing Accounts Office where about a thousand clerks and peons were working. Their Deputy Chief was an A. R. P. officer who had two warnings before the actual burning. The officer watched calmly the burning of the office by a handful outside spectators and tamely came out and noticed that some of the clerks helped in the burning, which I cannot express in detail. The Muslim Sub-Inspector who intervened was beaten to death. In the absence of the Accounts Office, the Railway Board in their inquiry overlooked the fact that the burning of files helps the dishonest clerks to commit fraud in conspiracy with the station staff. The burning of the records helps the fraudulent clerks to achieve their objects.

I very much deplore that some political organisations are using the students for their party propaganda. Students of today will be the leaders of tomorrow and it is in the interests of the country that they should be well-trained and well-equipped to fight the battle of life. Parents have entrusted their sons to the care of the teachers, but they do not lend the support to enable them to discharge their duties. In some cases, teachers are themselves drifted by the political current. Instead of stopping the students from leaving the classes, they themselves enjoy the holidays on full pay by asking them to leave the classes. They do not do their duties properly. If teachers face the public opinion and if the interests of the students are safeguarded, they will no doubt be temporarily unpopular but their work will be appreciated in the end about which I have got plenty of experience from 1920 to 1924 when we had this non-co-operation movement. I was exceedingly unpopular at that time but after the lapse of four years the people appreciated that I acted correctly.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): And now you are quite popular.

Dr. Sir Ziauddin Ahmad: Lawlessness and indiscipline of students are resented by every Government. The Congress Government of the United Provinces fined the Aligarh Muslim University Rs. 2,000 for the burning of an old tent of police, the price of which was not more than Rs. 50. What the Congress Government would have done on the present occasion had the Muslim University been aggressive like sister University can be well imagined. With these words, I resume my seat.

Sir Abdul Halim Ghaznavi (Dacca cum Mymensingh: Muhammadan Rural): Sir, it is with considerable trembling of the heart that I stand up before this House to speak today. India is going through one of the greatest crisis in her very long and varied history. I would not be far wrong when I say that the crisis we are facing and to the solution of which all of us are striving hard to make some contribution is one of the

greatest crises in the history of the world, and it would need all the wisdom, political sagacity and statesmanship both of India and of England. I was born and brought up in the tradition of the union of these two great countries. I have lived 65 years of my life in that same tradition and now when I am nearing the end (*Voices of No, no.*) I am horrified to find that these two great countries are at the parting of the ways. I would proclaim with all the force at my command that no Government worth the name can abdicate to terrorism or subjugate itself to lawlessness. When the rule of law is supplanted by the rule of mob violence, the harm that is done to the population is incalculable; and if once mob rule can get some hold in a vast continent like India, it will take a long time before proper administration can be restored.

Sir, I was one of the first to publicly condemn the attitude of the Congress which drove it to declare lawlessness in the country in the name of a freedom movement. I was one of the first to publicly deprecate the attitude of the Congress, which exhibited a deplorable lack of appreciation of the grave danger of invasion to which India stands exposed today with the Japanese on the borders of Assam and Bengal. Congress is one party and it has no business, without the approval of and agreement with the rest of the people, to plunge the whole country into a revolution, at a time when her fate is hanging in the balance.

We have read the amazing statements made by Mr. Churchill and Mr. Amery and on Tuesday we listened to the statement of the Honourable the Home Member. In these statements, if I may say so, one would search in vain to find some constructive suggestion, some note of sympathy with the national aspirations of India. On the other hand, the whole burden of the statements is that the Congress is a nonentity. There is only an attempt to discredit and criticise the Congress. This, to my mind, is in sharp variance with the British Government's earlier attitude towards the Congress.

Sir, when Sir Stafford Cripps came to India as an ambassador of Mr. Churchill and his Cabinet, what did he do? Let me remind the House that he went straight to the Congress and thereafter to the Muslim League. What he said was this: "I have come to settle this with the Congress and settlement with the Congress alone matters." At a Press Conference he indicated that the Congress acceptance of the proposal is primarily matters. If the Congress is a party with only a very small following in the country, why this anxiety then to appease the Congress only? Sir Stafford Cripps, when he visited India, ignored all parties excepting the Congress and the Muslim League. There the British Government was prone to make the same mistake as Mr. Gandhi and Mr. Jinnah make. Mr. Gandhi claims that the Congress represents the whole of India. I remember, Sir, that in 1932 at the Second Round Table Conference when Mr. Gandhi and others were striving to bring about a communal settlement, Mr. Gandhi said that he represented 95 per cent. of India. To that my Honourable friend, Dr. Ambedkar retorted with the question as to who were the other persons who represented that five per cent. which Mr. Gandhi did not represent. Well, Sir, Mr. Gandhi now puts up the claim that the Congress represents the whole of India, and Mr. Jinnah claims that the Muslim League represents the Muslim India. Both are egregiously wrong. Mr. Churchill recognises the claims of these two gentlemen whenever it suits him and discredits them whenever he deems fit. This time he has conceded that the 90 millions of Muslims are

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behind the Muslim League and opposed to the Congress. This is absolutely incorrect. The paradoxical ignorance regarding Indian matters of this wise British Premier shocks me as it has shocked many who have read his speech. Is he not aware of the existence of important parties with very large following among the Muslims of India, like the Jamiat-ul-Ulema, the Momins, the Ahrars, the Azad Muslims who do not owe allegiance to the Muslim League? Then what of the Muslims within the ranks of the Congress, however insignificant their number might be?

On that fateful day, the 9th April last, the Congress had decided to accept the Cripps proposals and, if they had not changed their mind overnight on the telephonic advice of Mr. Gandhi there would to-day have been a national government for India, predominantly composed of Congress members. At that time the British Government were not so enthusiastic about championing the name and cause of the minorities like Muslims, Depressed Classes and the non-Congress Hindus and the States. Even Mr. Jinnah, who is not at all likely to err on the side of the Congress, admits that the Congress is the largest single party in India. I must, however say, that the largest parties are not the only parties that count. All parties, to my mind, are important especially at a time like this and must be considered. Among all such parties, among all men and women in India, there is unanimity as regards the ultimate goal. All want freedom. The difference among the various parties lies only in the path each elects to follow for the attainment of that freedom. If we must win this war—and we must—we cannot afford to let the lessons of the setback in Malaya and Burma be lost on us. We must profit by those lessons. This total war can be won only by rallying the people round the fight. No military, however strong, can fight effectively if the people are divorced from it. I owe allegiance only to my beloved country and the progressive features of mankind. The demand for transfer of power is the national demand. It is also in conformity with the ideals for which the United Nations stand and fight this war. I admit there are difficulties in making wide constitutional changes during these abnormal times. But they are not impossible of overcoming. Larger constitutional changes have been undertaken in the past during similar trying conditions and the Cripps offer itself disproves the myth of constitutional impossibility. In any case, viewed objectively, these difficulties must be overcome. It is no use harping on the existing differences among sections of the people. They are only apparent and on sight of the goal, which is common, must disappear as mist before the rising sun. Mere promise of freedom at a future date will not achieve this unity among the people and enthuse them. There is much deplorable distrust of Britain's intentions. For this, if I may say so, Britain has only herself to blame. With and since the Queen Victoria Proclamation on 1st November, 1858, the history of British concessions in India has been a long line of broken pledges and promises solemnly given. This is no time, however, to harp on past sins of omission and commission on both sides. The enormity of the danger confronting this country overwhelms me, as surely it must overwhelm any one who has the country's cause at heart. To ensure the whole-hearted co-operation of India's 400 million people and her vast resources on the side of the United Nations, it is most essential that Britain should forthwith transfer real power into the hands of the Indian people and make this, the people's war.

The Honourable the Home Member gave us an estimate of the loss of property and material as a result of the present turmoil in the country. He condemned the actions of the people who caused such destruction. He painted lurid pictures of horrible and fatal attacks made by infuriated mobster civil servants and military personnel. I am not satisfied, however, that the brutality with which the people attacked Government offices and officers has not been retaliated with unusual and excessive force by the forces of law and order. I am informed that in various places, and Bengal, in particular, the military patrols indulged in indiscriminate shooting on crowds dispersing frantically but peacefully on their approach, and in doing so, did not at all observe the humane principle of shooting the unarmed beneath the waist. This, it is said, was done in order to strike terror in the minds of mischief makers, but it was inhumanly cruel.

Mr. P. J. Griffiths (Assam: European): No. Where was this?

Sir Abdul Halim Ghuznavi: This was done in Cornwallis street, Central Avenue and College street and some other places.

Mr K. C. Neogy (Dacca Division: Non-Muhammadan Rural): My Honourable friend will have proof of it if he waits.

Sir Abdul Halim Ghuznavi: This happened in Cornwallis street, and Central Avenue and I myself witnessed one of these incidents.

Mr. K. C. Neogy: I have got written statements from people affected and I will read them out on Tuesday.

Sir Abdul Halim Ghuznavi: The time at my disposal is short, otherwise I would have given a complete answer to my Honourable friend with full details.

I agree with the Honourable the Home Member that "all ranks of Government servants, even the humblest, had as a whole stood firm and done their duty in face of all attempts to subvert or terrorise them." Their exemplary bravery and loyalty should be an inspiration to all Government servants for all times.

I must draw the attention of the Government of India to what Mr Churchill, in the course of his recent statement, said on Congress. He stated that the Congress is a political organisation "sustained by certain manufacturing and financial interests". This statement presumably is based on information supplied by the Government of India. I must most emphatically protest against such generalised insinuations against a section of the people as wholly unwarranted and uncalled for. This is only calculated to produce very unwholesome results and wear away even those who are sympathetic and co-operative in spirit. Both the Indian and the European commercial communities in this country are co-operating fully with the war effort. But the two fundamentally differ in their views as to how the present effort could be enhanced. Even eminent British and American experts have challenged the policy which the Government of India now pursues and which the European commercial and industrial interests here support. I need only name here Sir Alexander Roger and Dr. Henry Grady. The Indian commercial and industrial interests do

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want political freedom because it is the pre-requisite to economic freedom, without which they will only remain Cinderellas of world commerce and industry. They want freedom also to enthuse the masses to work more and produce more towards the war effort.

Sir, Britain has so long professed to act in the role of a "Trustee". She must realise that her period of Trusteeship is over and India is getting impatient to have power in her own hands now and at once. As I see, no agency on earth can prevent the transfer of this power. Unfortunately every English official in this country, from the highest to the lowest, is grudging at every step the Indian getting or trying to get some of his responsibilities, and I am disclosing no secret when I say that the entire Government of India is open to this charge. Every British officer tries to keep as much control in his hands as he can and will not, on plea of efficiency, part with it till he is compelled to do so. That is what is making the position worse, and the reaction to that is this mass movement in the country.

I earnestly appeal, in conclusion, to Britain to show magnanimity, to part with the control of administration gracefully to the Indians, because the time has now come when India is determined to have that control, with the co-operation and goodwill of Britain if possible, without it if necessary.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, when I received the intimation about this Assembly being held now, I was very glad indeed because I thought that the House will be given an opportunity to find a solution of the present situation. But, Sir, when I came here I must say that not only I but many of my other Honourable friends have been disappointed. What I thought, and what the people thought, was that Government had changed its mood, and was in a mood now to make constructive suggestions to remove the present deadlock and ease the political situation. But we find that there is nothing doing here. What we have gone through so far is only an academic discussion without finding any solution for the removal of real difficulties.

What has been placed before the House by Government is only a bald motion of one line without any recommendation at all. No suggestion has come forward from the Government side. It seems Government only wanted to hear lectures from the Members of this House without suggesting anything themselves and without even saying that they were in a mood to do something which is very necessary at present. After I came here I found that Mr. Churchill had made a statement which was most deplorable, and also a statement made by Mr. Amery saying that there was no room for any further negotiations, which was also contemptible. In that state I thought that the Government of India had made up their mind to advise the British Government that they should not stand adamant like that, because that will not improve the situation. On the contrary, I should think, that it is simply suicidal to the very interest of the British Government. The British Government cannot rule here with repression as its policy. No repression has ever been able to put down the legitimate demands of people. The situation may be suppressed but it will be seething underground, and the statesmanship requires that some early conciliatory steps should be taken.

Up to this time we have heard only the Home Member from the Treasury Benches and what he has said comes to this. He has simply wept over spilt milk and he is ready, by his policy of repression, to see other milk also spilt. He is ready to see bloodshed, he is ready to see that the situation should not be eased. He is throwing the burden on the people, he is throwing the burden on the Congress and he is throwing the burden on all parties, and he says that they are responsible. He has simply come here to reproach us. He has not said a word to the effect that his repression is excessive and that his repression was not called for and it was too hasty.

Now, Sir, one hope remains, and that gives us some solace. It is that the other Members of the Government—Executive Members—have not yet spoken or opened their minds. I would like to hear from them, especially from the Indian Members of the Cabinet, who profess at this time that they are for the country. Though in those chairs they say that their suggestions are not being rejected—they have even gone so far as to say that not even one suggestion has been rejected—let us now see what help they are giving, what advice they are giving to the Viceroy, and what help they are giving to the other parties including the Congress to come together and solve this problem.

Sir, I find that the motion before the House is to consider the situation in India. I think it is very vague. The motion itself is very vague, apart from its being incorrect. Always when motions are moved some recommendation is made in them, that means that something is suggested to us to what should be done or what the Government want us to do. Here they say nothing. We are confronted with internal disturbances which were apprehended and which the Government said they were strong enough to put down. They have not been able to put them down at all.

The other questions are the internal disturbances and the Satyagraha movement and the launching of extreme repression by the Government. I must say that that there is one other situation also which is special to Sind, which is very distressing and depressing, not with regard to the present movement but with regard to the depredations that are being committed by an element called Hurs who are doing all sorts of mischief, sabotage, derailment of trains, murders, and so forth. Of course, the Government have introduced Martial Law there but you can understand what Martial Law is. It should not pass regulations which would affect the civil population.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): What do you mean by the civil population?

Mr. Lalchand Navalrai: I mean the people who are innocent. Persons who have nothing to do with the Hur movement. At the present moment even an ordinary person committing an ordinary offence can be tried under Martial Law, whereas only ordinary law should apply to the ordinary people. But what I am submitting is that this is one of the phases in Sind which is disturbing. Then there is the question of floods. We are more or less bottled up at certain places. The lines have been breached. There is no passage to go one way or the other. The whole of Upper Sind is under water, and my own town of Larkana, which is a district town, and Dadu, are blocked on all sides. There is no route to go one way or the other. You can only move within those barricaded limits and no

[Mr. Lalchand Navalrai.]

more. Then, Sir, there is also the question of this movement. I am coming to this movement because, so far as the movement is concerned, we have heard from the Honourable the Home Member that it is very less there. He calls it remarkably so. And yet the atrocities that have been done by the police and the harm that is being done to the people is beyond imagination. It is a matter which should be put down. I shall say a few words upon that hereafter.

Then coming, Sir, to what the Honourable the Home Member had to say at length with regard to the internal disturbances—showing great sabotage having been done, fires having occurred, rail, road and telegraphs having been tampered with—and also he has tried to justify the intense repression that has been launched but has not suggested in the least the remedy to overcome the present position. Until the root cause is removed there will be no peace in the country. There are complaints all round in India that there has been excessive repression and harm done even to the innocent civil population. Even in a place like Sind, where the Honourable the Home Member admitted that the movement was much less, I say he went so far to admit that the North-West Frontier Province, the Punjab and Sind continue to be remarkably free. Yet in Sind a responsible body of the Indian Merchants Chamber have given their own report, a portion of which was read by the Honourable Sardar Sant Singh yesterday and I would throw more light on it.

Sir, after this movement started and atrocities were being committed, the responsible and respectable Indian Merchants Chamber and Buyers and Shippers Chamber sat together to consider the situation. Sir, they appointed a committee from amongst themselves, in which there were Muhammadans also the name of one of them is Faridu Allah Lakhman Allahji. They were asked to get evidence of what was seen. This is what they said:

"From the depositions made before us by the various witnesses who are alleged to have been belaboured by the police, we have come to the conclusion that the police in dealing with the public, particularly on Tuesday the 12th August, 1942, has acted in a very high-handed manner and used more force than was actually necessary in suppressing the alleged agitators, and that it also indulged in indiscriminately assaulting innocent persons who were not taking any part in any demonstrations."

Then further on they say:

"The police used lathis not only for dispersing crowds, but they belaboured respectful persons going about their lawful business, either on foot or on bicycles. They also entered reading rooms, restaurants and clubs and indiscriminately assaulted persons sitting therein and also arrested a number of them. They chased the young boys, knocked them down with lathis and trespassed into the private residences of these people."

Then, Sir, further on it, said that some of the respectable citizens have stated before the Committee that at the police station, after severe beating by slaps, fisticuffs, kicks, etc., they were taken into a room and made to lie down on their beds with plain clothes men sitting on their chests; their feet were lifted up by another man and they were beaten and so forth. It was also stated that one Mackrani (the peculiar system of the Government to employ mackranis, hooligans) actually dragged a boy into a room, forcibly removed his pyjama and underwear with a view to committing sodomy. I say, Sir, if this is the deplorable state in Sind, what justification has the Honourable the Home Member to say that repression is not very tense?

The Honourable Sir Reginald Maxwell (Home Member): Is the Honourable Member aware that the Sind Government held an enquiry into the allegations and published the results?

Mr. Lalchand Navalrai: I know. But in regard to this I was just going to say that while this enquiry was going on the Government, very openly and with an intention of white-washing the police, appointed one of their own Secretaries to make enquiries into a few instances.

The Honourable Sir Reginald Maxwell: A Ministerial Government servant.

Mr. Lalchand Navalrai: Yes, yes, whatever it is. They still get inspiration from the British Government. It is a deplorable way of saying that we have made investigations

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Who is responsible? Sir Reginald Maxwell or Allah Bakhsh?

Mr. Lalchand Navalrai: I think I will say both together. What I mean to say is this: If the Honourable the Home Member thinks that these allegations are false, the only course is to appoint a judicial inquiry, a public inquiry, take evidence and then come forward and say that not only in Sind but elsewhere also the severity is not so much. The Home Member suggested that the complaints should be made to the Provincial Governments

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Lalchand Navalrai: But what is the use? They appoint one of their own officers with certain instructions and with certain terms of reference. The Honourable the Home Member says that the use of excessive force does not matter much. I was very grieved to hear when he said that it does not matter as force is used against force. That is a clear incitement to the police to do what they like. It is absolutely an incitement; it is an encouragement to them to say that even after this Assembly met here the Honourable the Home Member was in a mood to say: "Go on; commit all these atrocities, and you will be immune."

In his long speech the Honourable the Home Member has not told us any remedy to solve the question of the present situation. I say the remedy lies in removing the root cause. It is the political problem that should be solved. On this issue the views of all the political parties and recognised leaders have been more than once declared. All want independence for India. When it should come—now or after the war—is also not very much in dispute. If it is guaranteed after the war, the political parties have no objection to that; on the part of the Government also, the British Government stands committed to the declaration of Sir Stafford Cripps, as to the recognition of independence of India after the war; and also as to the formation of a constitution by the Indians themselves. But the question over which the negotiations between the British Government and the Indians broke is with regard to the establishment of a National Government in India now. All parties in India, not merely the Congress, are united and unanimous in demanding the transfer of power here and

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now. The reason for it is that such steps will bring confidence and faith in the bona fides of the British Government. We have tried their promises several times

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Lalchand Navalrai: Then I will say only one word

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member cannot say anything more.

Mr. Lalchand Navalrai: In the end, I say that the Viceroy should invite all the parties, even the Congress party, and sit together to solve this difficulty.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, at such dangerous and anxious times as those through which we are passing, I most respectfully suggest that we should consider all our difficult problems most impartially, without prejudice, without sentiment, and if possible, without excitement. Sentiment plays a most important part in human affairs; but let it not blur our judgment, let it not lead us to conclusions which might be untenable and illogical. I specially plead for allowing sentiment not to run away with us, because I feel that a great deal of harm and damage is done to our country by all, the Government and ourselves, by pre-conceived ideas based on sentiment that has ruled through the last hundred years. I desire to speak on the problem as it faces us immediately, and I do not, with your permission, desire to divert on topics that have no connection with the present political movement, because I have no time.

The main reason for the Working Committee's resolution was in their own words: "mainly due to their hopes being dashed to pieces failing transference of real power to popular representatives so as to enable the nation to make its full contribution towards the realisation of human freedom throughout the world". I am quoting from the resolution itself. Never before has the Congress passed a resolution which has been so unanimously opposed by all schools of thought, by all political parties. It is not as if warning was wanting. As that resolution saw the light of the day, public man after public man either from the platform or through the press warned the Congress of the serious consequences of their decision and I think I can say correctly that no resolution of the Congress received less support from non-congressmen of all classes and of all creeds and of all schools of thought than the resolution passed by the Congress in August, 1942

Sardar Sant Singh (West Punjab: Sikh): Question.

Sir Cowasji Jehangir: If my Honourable friend desires to question facts, I would only plead with him seriously and earnestly to have a little patience, and what is more, not to import excitement into the debate. I have uttered a correct statement of fact. I cannot remember any occasion in the past—and my memory goes back far longer than the memory of my Honourable friend, the Sardar

An Honourable Member: Question.

Sir Cowasji Jehangir notwithstanding his grey beard I can tell you I am an older man than the Sardar—on no occasion was so unanimous a warning given to desist from the dangerous and disastrous path it had chalked out for itself; and what is more, we know that there are many men of influence, many men of wealth in this country, who have strong Congress sympathies, who perhaps have not declared themselves as Congressmen. Such men, to my knowledge, expressed apprehension and fears at the Congress programme, and I believe that the apprehensions and fears of such men who had assisted Congress financially in the past, were conveyed to the highest authorities of Congress.

Now, again in the words of the Congress resolution which throw some light on the reason which led Congress to pass that resolution, let me just quote a few lines:

"The abortive Cripps proposals which show in the clearest possible manner that there was no change in the British Government's attitude towards India and that the British hold on India was in no way to be relaxed."

It was therefore the rejection by the Congress of the Cripps offer that was the foundation for the Working Committee's resolution.

12 noon. I am sure that many of my friends here are aware of the fact that there were many congressmen and there were many others as patriotic and as sincere as any congressman, who believed that the offer was as good as, and better than, any other offer that England had ever made to India

Sardar Sant Singh: So far.

Sir Cowasji Jehangir: . . . and that the student of history may have to record that during these hundreds of years of world's history there have been few offers made, by a governing country to another country under its direction and control, of the character made by Sir Stafford Cripps. If you only throw your minds back to a few months ago when the Cripps offer was before the Congress and the Muslim League for their consideration, you will remember that there were numbers of men in this country, well known in political life, well known for their honesty, sincerity and patriotism, who were more than anxious that the Congress should accept the offer. And let me remind the House that the offer that was rejected by the Congress was not the original offer which was brought out by Sir Stafford Cripps. It was an offer vastly amended by Sir Stafford Cripps and the British Government during the two weeks of discussion that took place in this city. Therefore, let us not be led away in thinking that the Congress rejected the offer as we know it and as was brought out by Sir Stafford Cripps. It was the offer that was amended, and some inkling of that amendment has been given to the public by the press—it was that offer that was rejected.

I have no time to go into the reasons for that rejection, but it is a well-known fact that on the 8th April that offer was practically accepted. It was only on the 9th, the very next day, that something occurred and its rejection was announced to India and the world. But may I point out another fact which some of us are inclined to forget—that the demand made by the Congress on the morning of the 9th April did not have the complete support of the Muslim League, and if it had been accepted by the British Government as suggested by the Congress, I am afraid that it

[Sir Cowasji Jehangir.]

might have been strongly opposed by a political party worthy of the same consideration as the Congress itself. It is not much use our decrying either the strength, the influence or the power of either the Congress or of the Muslim League. We have to admit willy-nilly that the Congress is the most powerful political party in India. We have to admit that, although it does not represent the whole of India by any means, it is the most powerfully organised party in India. We have to admit willy-nilly that the Muslim League largely represents the Muhammadans as a whole. There can be no political party that represents every person, but as a whole it must be understood that the Muslim League does represent Muhammadan opinion. The very fact that there is one block in this House of my Muslim friends representing the Muslim League—I see very few outside that block except my friend on my left . . . (Interruption.) I see there is one behind me. But the fact remains that the Muslim League does represent the Muhammadans if any political party does. Therefore, I desire to point out that the demands made on the 9th April by the Congress did not appear to have the complete and absolute support of the Muslim League. That was perhaps one of the reasons why it was rejected. But it is deplorable, it is most unfortunate for this country that the offer was rejected. It has led to the Congress resolution, it has brought about, for the time being I hope only, a state of affairs in this country which cannot but be described as most deplorable.

Now I would ask myself, what is it that the Congress desired to attain by the decisions that it arrived at? It, for the first time, called the civil disobedience movement "open rebellion." We have had many civil disobedience movements in this country, but never have the Congress or any of its important leaders called them "open rebellion." On this occasion they called it "open rebellion." Naturally by the consequences that they would bring about in this country they hoped to attain their object of making the British Government quit India. They must have been over-confident is all that I can say, but suppose they did or will attain their object of forcing the British Government to their knees and making them quit this country, do the Congress leaders believe that once they themselves are in the saddle after the British Government have quitted, they will get the willing, cordial co-operation of the other parties and specially of the Muslim League? If they had that belief, may I ask, why did they not make an attempt to get that co-operation before landing the country into "open rebellion"? If they were confident of attaining their goal by "open rebellion," why did they not get that co-operation before they attempted an "open rebellion," and thus attain their object, most probably, peacefully? They failed to get that co-operation . . .

Sardar Sant Singh: Because of the British people here.

Sir Cowasji Jehangir: I have heard it on hundreds of occasions. May I tell my Honourable friend, the Sardar, that I have never known of two men who desire to be friends and who know that a third person is an enemy and desires to keep them apart, to fall an easy prey to that third person the enemy, if they have any commonsense. I cannot think much of any parties which can be made to quarrel by a third party even though they are aware of the fact that the third party is deliberately out for mischief. It must be due to weakness, mental, physical, and moral.

Sardar Sant Singh: May I interrupt my Honourable friend?

Sir Cowasji Jehangir: I do not wish to be interrupted. I do not give way. You get it back because you interrupted me. I did not interrupt you. The fact remains that they did not get that co-operation and they will not get it if they attain their object of getting into the saddle. They will only get a worse revolution than they have created if they believe that they can get that co-operation by coercion or by methods other than those of willing and friendly negotiations. Therefore, what is it that they desire to obtain? If they succeed, they must seek the co-operation of the Muslims and other parties. If they could do that, after the revolution, why didn't they do it before the revolution. If they believe that by revolution they can force the hands of the third party, then I confidently say that they are much mistaken. Then what is it that they were out to attain? I am not going to take up the time of this Honourable House by giving my own personal views which are of no importance. All I can say is that it is very difficult to conjecture what they desire to attain.

Now, time is slipping by. I will just touch on one aspect which has been debated in this House—who was responsible for these disturbances? The Honourable the Home Member mentioned the Andhra Provincial Congress Committee circular which has received publicity in the vernacular press already. I understand that the whole of that circular has been printed in the vernacular press of Madras. At any rate, he has given us an idea of that circular. May I be allowed to read out the speech of Mr. Vallabhai Patel made on the 2nd August on the Chowpatti sands, where according to the Congress Press a hundred thousand people were present. Giving an indication about the nature of the coming struggle, Mr. Vallabhai Patel said:

"That it could be described in one word—hartal; hartal not of the ordinary variety. The hartal should be spontaneous and such as will make Government sit up and think but also yield to the wishes of the people. The Government should be made to realise that it cannot function without the co-operation of the people. For instance, railways, posts and telegraphs, war industries and things like these cannot function usefully without the co-operation of the people. Render these inactive, let the railway men stay away from work, let workers make it impossible for the war industries to be carried on. The Government cannot but yield."

Now, there can be no doubt in my mind as to what was in the minds of the leaders of the Congress movement, when they referred to the civil disobedience movement. I will give the Congress leaders greater credit for ability and commonsense than to agree with the protestations of some people that the Congress believed that they could carry out this programme with non-violence. I cannot give them credit for such stupidity. I give them credit for great ability and great commonsense. I must come to the conclusion that they knew that this programme cannot be carried out with non-violence. It may be that others have assisted them; others of whom they may not have been aware have come in to assist them but from what I have heard it does appear that a good deal of the damage was pre-meditated, especially when they came to strategical points and, therefore, I cannot believe that the Congress continues to believe in non-violence—at least many of their leaders.

Mr. President, I had some more to say, but my time is exhausted. I specially wanted to say a word or two about repression. I want to ask my Honourable friends what a Swarajist Government would have done

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[Mr. P. J. Griffiths.]

The August 1940 offer, poor as it was, was only made after Dunkirk: the Cripps offer, however much you dislike it, was only made, it is said, after Britain was in trouble in the Far East. In other words the allegation is that Britain has only acted when circumstances have forced her hands, and the allegation is that, when circumstances improve, Britain will once again wriggle out of what she has promised and will find some excuse for not implementing her promise. That is the suspicion and I want to reply to that suspicion. I want to reply to it, not merely as the Deputy Leader of the European Group, but as an individual Englishman. I trust the nationalist press will give full publicity to this statement so that they can, if necessary, hold it up against me in years to come. I want to make it perfectly clear that I regard myself, as an individual, solemnly and completely bound by the promise of His Majesty's Government. I understand that promise to be, that India is to have full and complete self-determination at the earliest possible moment after the war. When I say 'at the earliest possible moment', I do not mean ten, fifteen or twenty years. I understand that promise to mean that the only time interval which is required will be the time mechanically necessary for the holding and the decisions of the Constituent Assembly. Whether that will take six weeks or six months, I have no idea. It is in the hands of the Assembly.

Sir Muhammad Yamin Khan: We do not agree with that: it won't satisfy us.

Mr. P. J. Griffiths: With the limited time at my disposal, I am not prepared to deal with interruptions. I wish to make it abundantly clear that we accept the promise of self-determination as a personal obligation. I said "self-determination". It is for you to say what you want. Our position is that it will be for India to say what India wants. Great Britain will not say what India wants: India will say what India wants. My Leader has told you that the whole of the European community stands behind this promise and he also said that to the best of our ability we will implement that promise, or rather that we will assist in implementing that promise. I go much further than that. Perhaps I am a more truculent person than my Leader and I say that if by any chance any Government, whether here or at home, were to attempt to evade that promise or go back on it, I would be the first Member of this Assembly to lead a movement against that Government, either here or in England. As far as I am concerned, I will stand for no juggling with the promise which Britain has given that India at the earliest moment after the war shall determine her own constitution, her own future.

Who is that you really doubt? Is it the British capitalist? There is some curious suspicion that the British capitalist at all costs will prevent India from attaining freedom. Could you think of a more solemn assurance than has been given you on the floor of the House by three Members of this Group on behalf of the British capitalist? Who is better fitted than my friend, Sir Henry Richardson, to tell you what the British capitalist is prepared to do? As a former President of the Associated Chambers and the head of a great industrial and commercial concern, surely when he tells you that he stands firmly by Britain's promise, you can put aside the

suspicion that the British capitalist is not prepared to play. Then, you have my friend, Mr. Lawson, the President of the European Association. Who is more qualified to give you an assurance on behalf of the British people? If assurances of this kind will not satisfy the Honourable Members of this House, then it is beyond the wit of man to do or say anything which could drive away from them these lingering suspicions. Why, in fact, is it that some Honourable Members are inclined to distrust our sincerity? It seems to me there are two reasons—I cannot deal with either of them in detail, but I will just mention them. The first is our alleged unwillingness to transfer power immediately. To whom are we to transfer power? Are we to transfer it to the Congress? Will my friends over there acclaim that proposal? Are we to transfer it to the Muslim League? Am I expected to believe that just because of the so-called Congress offer, the Hindu Mahasabha or any of my friends sitting here will stand for an arrangement of that kind? Perhaps my Honourable friend, Sardar Sant Singh, with his fondness for metaphysical abstraction would say, you should transfer power to the Indian people. You cannot transfer power to an abstraction, you have to transfer power to a set of individuals, to some who is entitled to pass orders. The whole job of a Constituent Assembly, after the war, will be to decide which is the body or bodies of people to whom Britain has to transfer power. That is the very meaning of a Constituent Assembly.

Sardar Sant Singh: Is it beyond your genius to find it out?

Mr. P. J. Griffiths: It is not beyond my genius, if you give me power and the time. But the trouble is that it takes time.

Sardar Sant Singh: It has taken three years.

Mr. P. J. Griffiths: It takes time, it involves energy and it also involves facing certain fundamental issues which cannot be dodged. You cannot decide to whom to transfer power without first settling whether there is to be Pakistan or Hindustan. When you summon the Constituent Assembly after the war, that question will have to be settled and it will be for the people of this country to settle it. It will be their decision that the British Government will have to accept.

The second reason why I think we are perhaps suspected is based on vague and unproven allegation, which some Honourable Members have often repeated, that Britain does not keep her promises. I think it is my Honourable friend, Sardar Sant Singh, who has said from time to time, "what about the last war, what about the promises that Britain made then and did not keep"? Am I right in my assumption?

Sardar Sant Singh: Quite right.

Mr. P. J. Griffiths: I have been waiting for many months and I am still waiting to hear what promise given by Britain in the last war has not been kept.

Sardar Sant Singh: The promise of self-determination for all nations. I am referring to the 14 points of Mr. Wilson.

[Mr. P. J. Griffiths.]

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[Rao Bahadur N. Sivaraj.]

Congress they would have done everything by India, that they would have satisfied themselves. But the real reason is that the appetite of the Congress grew with what it fed on, which was the policy of surrender which the Government in the past have adopted so far as Congress demands were concerned to the detriment and disappointment of the other important elements in the national life of the country. So, to a large extent, the Government of India are to blame for the situation that exists today. Now, the Congress in its turn having been given to believe that they are the most important and the only telling element in the political life of this country, naturally went one step further and thought that a greater pressure on the Government would make them yield to their demands. That was the view of the Congress. So they took to this extreme step of resorting to violence to enforce their demands and bring pressure upon the Government thereby.

I personally would not have ventured my remarks as to the peculiar relationship that has existed between the Congress and the Government in the past. Well, both of them, according to our view—that is the view of the scheduled castes,—are fast friends so far as their business is concerned. The *bania*, whether he is brown or white, has the same mentality. It is business first with him and it is business last with him, and it is business, as usual, with him even during the time of the war. We have had instances in Bombay where, the *banias* of Bombay, while in public they declared that they would and did close all their shops in pursuance of their decision to observe complete *hartal*, really removed all their stores before the 8th of August to their private godowns and were carrying on the trade there. That is the kind of *hartal* that we are being told is taking place now in Bombay.

As I have said, they were very keen on their business—both the British and the Congress. Now that aspect of it has reached its culmination when Sir Stafford Cripps came. Already in the month of March, before the arrival of Sir Stafford Cripps, I had expressed my doubts as to the success which Sir Stafford will be able to achieve, and also as to the policy that he will adopt towards the scheduled castes in India. My fears were perfectly justified and we found that when Sir Stafford Cripps came, he came,—as was very rightly pointed out by the previous speakers, particularly by my Honourable friend, Sir Cowasji Jehangir, and also by my Honourable friend, Sir Abdul Halim Ghuznavi—he came with the object of pacifying the Congress only. According to him the Congress was everything and the rest were nowhere. That is the attitude of the British Government. The previous speaker—a member of the European Group, my Honourable friend, Mr. P. J. Griffiths, referred to the technique of how the Britishers make their promises and how they try to keep them. So far as my community is concerned, they have not kept their promise and they have definitely committed a breach of assurance. For a long time past and for some years before Sir Stafford Cripps came to India we have been assured both by His Majesty's Government and the representatives of His Majesty's Government—by His Excellency the Viceroy of India and by other spokesmen in the Parliament—that the interests of the Scheduled Classes will be secured under any constitution and that our interests will be safeguarded, but in the Cripps' proposals we were dropped like hot potato and we were left to ourselves to face the constitutional position.

so much so that we now find that the British Parliament and His Majesty's Government are prepared to let down anybody in case they will themselves be profited by such a process and that is what has happened during the time of Sir Stafford Cripps. We immediately entered our protest and we rejected the proposals because those proposals did not contain an assurance of our safeguards. It was, however, pointed out to us that Sir Stafford Cripps will secure our rights by means of a treaty between Britain and India. Well, the suggestion is that, if the Scheduled Classes are not able to get their rights settled under the constitution that might come into existence under the scheme, Britain will treat it as a breach of treaty obligation on the part of India and that the British Navy will come and protect us and that there will be an invasion of India by the British Army to secure the rights of the Scheduled Classes. If that is the proposal, is too far-fetched and one in which we could not have any faith at all; because we have seen that so far as many of the smaller countries of Europe are concerned, most of those countries were disappointed during the time of what is called the Munich Settlement. The Munich mentality has continued to be the basis of the attitude of the British Government towards the interest of the Scheduled Classes in India.

Sir, there is another point in the Cripps proposals to which I must refer. There again we entered our protest; it was the manner by which the constitution ought to be settled in India. We are against the method of Constituent Assembly. I do not know whether the Muslim League agrees to that or not, but we have made it definitely clear that we are against the method of Constituent Assembly for the purpose of settling the constitution of India.

Sir Muhammad Yamin Khan: We are not agreeable.

Rao Bahadur N. Sivaraj: Having made it perfectly clear that we are against that method, we now find that the question of the settlement of demands of the Depressed Classes can go only before a tribunal of the United Nations. Sir, at the Session of the All-India Scheduled Classes Federation held at Nagpur, over which I had the honour to preside, I made this statement with regard to our attitude towards war and the war effort:

"We know and feel that unless the Allies succeed in defeating the Axis, India has no chance of becoming a free country. If we now help the Allies to win the war I assure you that a settlement of our problems will come before the tribunal of the United Nations and will receive consideration which has not hitherto been bestowed on it by the British Government."

Sir this sentiment has been given expression to by all the representatives of the Depressed Classes throughout India including the Honourable Member for Labour—and we have come to that conclusion because of the fact that Britain and the British Government, placed as they are in the present circumstances in India having vested interests in this country cannot do justice so far as our people are concerned, and that with regard to relationship not merely between Britain and India but between Britishers and every other community in India, we sincerely feel that the only tribunal before which we can expect any fair settlement will be the tribunal of the United Nations.

That being so, we feel that we must exert every bit and see that the war effort of India is not tampered with. We have already contributed quite a large number of men to the various branches of the Indian Army and the Indian defence forces. As a matter of fact, we have already got

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Mr. P. J. Griffiths: The only promise given to India in the last war was the promise given by the late Mr. Montagu in the House of Commons in August 1917. That promise related to the increasing association of Indians in all branches of the administration. Have you not had that increasing association? Look at the Treasury Benches. You may say that this front Bench is unsatisfactory. But I am asking you not whether it is satisfactory, but whether it amounts to increasing association of Indians in all branches of the administration. You may say that the Montagu announcement was insufficient, you may say that something better should have been promised. I am not arguing that point at all. What I am telling you is that the only promise which was made by Britain to India in the last war was implemented to the hilt. If you cast your mind back to that promise, you will remember, that rightly or wrongly, that promise referred to the gradual attainment of self-government. You may think that was wrong, you may think the promise should have been for the sudden attainment of self-determination.

Sardar Sant Singh: Our reading is different.

Mr. P. J. Griffiths: I am merely trying to meet the allegation that the promise which was given was not kept. Therefore, there is no basis for the plea that because a promise made in the last war was broken, the present promise of Britain is not sincere. I do ask my Honourable friends with all the earnestness that I can command to accept this assurance which I give on behalf of my community, as well as on my own behalf, that we are completely sincere and genuine in saying that India is to have full self-determination and can decide what exactly her future is to be, after the war. I have now dealt with the first factor, the factor of mistrust, partly responsible for the present disturbances.

The second factor to which I must refer very briefly is the economic factor. The plain fact is that in all parts of the country, people are finding it hard to get food grains, kerosene and many other essential commodities and if they get them at all, they have to pay very high prices. There is a very widespread feeling in this country, which I think the Government should be aware of, that Government are not tackling this problem with sufficient earnestness. I know there are many difficulties connected with the problem which the public do not realise. But I know too that if this Government want a contented India, if this Government want people to carry on during the transition period, they have to solve the problem of making foodstuffs and essential commodities available in the places where they are required. In some provinces, useful work has been done in this direction but in other provinces little indeed has been done. In my own constituency of Assam, until the last few days, nothing whatsoever has been done. The problem has been left to take care of itself. In dealing with this problem, I feel that Government are too much inclined to sit back and say, it is a very difficult problem, what can we do? I want to tell them here and now, that every Party in this House and every party in the country demands that Government shall apply its mind, with greater vigour in the future than it has done in the past, to settling and solving this problem of providing foodstuffs and essential commodities for the people of this country. It may be that there is no one at present on the Front Bench with sufficient time to attend to that. I understand that the Honourable the Commerce Member deals with many many subjects and probably he has no time to do what is obviously a whole time job. It

may be that there is a case for having a separate Member of Council to deal with this particular problem. I realise there may be constitutional difficulties about that and I am not putting it forward as a definite suggestion but only as a point for consideration. But the thing I am putting forward is that by one means or another, the Central Government of this country, in co-operation with the Provincial Governments has got to solve this problem of making foodgrains available throughout every part of this country except in so far, of course, as they are limited by the purely physical facts of lack of certain commodities in this country at all.

Sir, I have dealt with two of the three factors which have led to the recent disturbances. If time permitted, I should have liked to deal with the third factor, in some detail, namely, the determination of the Congress party to force its will on this country at all costs.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows that there are many Honourable Members anxious to take part in the debate.

Mr. P. J. Griffiths: I will postpone consideration of this topic to some other occasion. I will merely say that though the Congress has done great work in this country in the past, in the last few years it has fallen under bad leadership. The present Congress Working Committee is a committee under the leadership of men tinged with totalitarian point of view, tinged with the idea that a single party is entitled to run the State. This totalitarian view is in fact a fascist view and its existence is responsible for the emergence of the proposal for Pakistan. It is that same totalitarian view which has brought about the present disturbances in the country today. Sir, there is no hope for the future of this country if men holding views of that kind

An Honourable Member: What about you?

Mr. P. J. Griffiths: Don't bother about us. We are going—if men holding views of that kind are allowed to dominate and to run the administration of the country. That way lies not freedom, but the hopeless night of tyranny. I do appeal to everybody in this House and through the House to the country at large, to say that however much we are desirous of and determined to secure India's independence, we will not stand for the tyranny which, under the cloak of non-violence, is used by the Congress as an instrument for imposing their will upon their unwilling fellow subjects.

Rao Bahadur N. Sivaraj (Nominated Non-Official): Sir, my keenness to speak on this occasion is due to the fact that the present situation which was referred to by the Honourable the Home Member has resulted in certain serious consequences, particularly to my community. It is taken for granted that the movement started by the Congress has the acceptance of the masses of the people. Whenever speakers in this House refer to it as a mass movement, I really want to protest against it. Sir, the present situation has got its roots in the past. It is not only the anxiety of the Congress to enforce its demands that is responsible for this situation, but it is also the attitude of the Government in the past. In fact, the Congress, till the other day, was the pet child of the Government and in every respect the Government thought that by satisfying the demands of the

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two separate regiments of the Scheduled Classes in the Bombay Presidency called the Mahar battalion or the Mahar regiment. Then we have sent a large number of men from the Madras Presidency; out of the record number that the Madras Presidency recruited for the war purposes our community forms a very large part. In addition, we have the Army Technical Training Scheme and the Civil Training Scheme; we have sent a large number of people, particularly from the Madras Presidency to these branches of the Army. We feel that unless the Allies succeed, unless the United Nations achieve victory, we have no chance of getting our grievances remedied. Such being the case, we the Depressed Classes throughout India, as has been very correctly pointed out by the Hon. our friend the Home Member, have kept aloof from this movement, which has been started by the Congress.

The Congress wants to gain two objects at one stroke. One is to achieve the independence of India, as they call it, and the other is to put down the various other elements in the country, viz., the minorities. The violence which is now resorted to against the Government, the violence and the atrocities that they are now committing with a view to bring Government to their knees will be turned on the other unfortunate communities who are not in great numbers, though certainly they command more courage, and, as Mr. Jinnah has pointed out, have greater guts. As a matter of fact, the thing has already shown itself in a very serious aspect. Our people in many places, and particularly in the villages, are subject to the domination, the intimidation, and the coercion of these people, who call themselves the Congressmen, or the Hindus. We have had instances, and I regret to say that no counter-steps have been taken so far, that our people have been intimidated to join this movement, and have suffered casualties in villages. Particularly, I would like to draw the attention of the Honourable the Home Member, in tackling the present situation, to take into consideration cases such as these: In Nagpur (I will just read a statement of a complaint which has been made to me) there were indications of communal trouble because the Mahars refused to come out even when the mills were closed by the Managers. The caste Hindus then pretended to burn down the houses of the Mahars in places such as Sanichari and Mangalwari in Nagpur. The Mahars of these localities were made to run for fear of danger to their lives. The house of Mr. J. T. Meshram, Secretary of the Civil Station Municipal Sub-Committee, Nagpur, was threatened to be burnt down, and in the villages the Mahars were put to trouble and loss, but so far no definite information has been received but we have received reports to show that the Mahar *hustee* of Kubi village in Umrer Tahsil of Nagpur has been totally burnt down, and so on. In Madras and other places where our labourers wanted to go to the mills, when the mills were closed down on account of strikes, difficulties were put in their way. I approached the authorities and asked them what to do. The authorities felt that unless all the labourers returned it would not be possible for the mills to open. I have known cases like that. So in these ways coercion has been resorted to, particularly to see that our people take part in these disturbances, while the leaders of the community throughout India have definitely declared that our people must keep aloof from these disturbances. So the Government ought to see that in such cases real measure of relief is given to our people.

and wherever houses have been burnt down and other destruction of property has taken place, enough compensation is awarded to our people.

Then I want to refer to the other question, viz., the question of collective fines. It is very unfortunate, Sir, that collective fines should have been imposed in certain places, irrespective of the person on whom the incidence would fall. It is a fact that we, the Scheduled Castes, have kept aloof, and ought also necessarily to keep aloof owing to the system of untouchability and to the fact that we have to reside all the time in what are called the Mahar wards and *cheris*. But, in spite of that, I should like to mention that the Government, in the matter of collective fines, should see that our people are also exempted and that particular care is taken as regards them. I find that in an announcement made by the Central Provinces Government the Mussalmans have been exempted. I certainly suggest that it will be unfair that my community ought to be excluded from the exemption which has been granted to the Muslim Community with regard to these collective fines.

Finally, stating the position of the Scheduled Castes, we have never said at any time that we stood for the continued slavery of India or that India should be under a foreign domination. We have always made it plain that we shall not interfere with any measure or any agitation that is carried on for the freedom of this country. What we have been all the time claiming is a just and a right share in the administration of the country, not with a view to run the Government ourselves, but with a view to see that the Government is not run against us. It is for that purpose that all our leaders, from whatever platform they have spoken, have mentioned this particular aspect of the question. We are not anxious to run the Government of India. We do not certainly like to become the President of the Indian Republic, or become the Viceroy of India at once.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): Why not?

Rao Bahadur N. Sivaraj: If merit counts, it may be but if caste counts, it may not be.

We are not at all afraid of even going into open competition with the rest of the communities in India, provided we are guaranteed the advantages and privileges the other communities enjoy now.

Sir, I wish to conclude my statement by saying that we feel that the question of the Scheduled Castes will be ultimately settled before the tribunal of the United Nations; and secondly, we are interested in the victory of the United Nations. Towards that end we shall do everything to see that we support this war effort. There is a particular point which I wish to mention, viz., that if the Government should let us down in the matter of giving protection in this emergency, we shall be obliged to take our own action which may lead to bloodshed and obstruction of the war effort.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Mr. President, Sir I do not want to indulge in the recital of the stories of the excesses and hooliganism committed either by the Congress members and their supporters or by the authority responsible for maintaining law and order. So far as my province of Bihar is concerned, it was all one-sided, i.e., measures by the Congress and their supporters.

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At least in my province, I do not know of any excesses which were committed by the police. Honourable Members have cited stories of some excesses by the military and the police in Karachi and in Delhi. Of course, those Members may have verified the truth in the stories and the Government should redress them at once and so far as my province is concerned, no report ever came to me that there were any measures as a retaliation by those in charge of law and order.

Sir, as soon as hooliganism started on the 11th, we noticed that the police was made absolutely powerless, or was temporarily demoralized by the wild demonstrations of all kinds of violence. The Honourable the Home Member has averred that in Bihar a good number of police officers and their staff were killed, injured and even burnt alive. That is the story of this movement and only a year ago in a small locality of Bihar, in Patna District within about 50 square miles area, this very strength in a communal fight with the Mussalmans and the result was that Muslim children of four years and five years along with Muslim adults men and women were butchered down: and for what reason? Because they belonged to some other nationality. Hindus thought that they had every justification to slaughter those innocent human beings who called themselves "Muslims".

At Fatwa station, a few Europeans were dragged out of the Railway 1st compartment and were butchered down and their dead bodies were taken in procession by the Hindu Congress mob and their supporters; and what was the crime of those European officers? The crime was that they belonged to a nationality other than Hindus. I have not got the time to recite all those atrocities committed by the mob but this is enough to suggest the magnitude of the crimes committed in that area. About 360 wagons were looted in Mokameh, Bhita and Railway Station buildings of Patna city and Gulzarbagh with few others were burnt; municipal buildings were burnt; of course, it was a planned affair. So far as the general public were concerned nothing was done against them; no provocation was given even to the Muslims in spite of their neutrality which they maintained strongly. That goes to the credit of the mob; they had sense enough even in that state of mental frenzy.

The point is whether the police was capable of meeting the situation or not. I believe in a majority of cases they were not in a position to meet the situation; with about half a dozen or ten unarmed constables and a sub-inspector they could not defend the police stations and meet the fury of the mob which consisted sometimes of five thousand or six thousand persons. My concrete suggestion on this point is that the Government of India in consultation with Provincial Governments should immediately try to arm the police stations with an adequate number of armed constables and give weapons sufficient to cope with situations like this. My modest suggestion would be to have at least ten armed constables in every police station.

An Honourable Member: What would be the cost?

Mr. Muhammad Nauman: Whatever the cost may be. I am not concerned; because if £12 million which is equivalent to about eighteen crores of rupees a day can be spent for the war at least another £12 million

or 18 crores per year can be spent for maintaining law and order in this country, which is equally essential, and that money can be found from the budget. Another factor which has got to be seriously considered is why the police was so demoralised. During the Congress Ministries, the police was practically at the dictates of the Congress camp followers, and the Ministries were such as would follow everything which their camp followers said; with the result that the officialdom and the police deteriorated in prestige and in action as well during that time, and became so demoralised, the results of which are becoming apparent in communal clashes and now

An Honourable Member: Where is the Congress Ministry? They are not functioning now.

Mr. Muhammad Nauman: I said it was during those two years Ministry, the consequence of which we find now that the police has deteriorated in prestige and are not capable of meeting any situation now.

There were certain suggestions that in some cases the Hindu police was in sympathy with the mob. There may have been isolated cases here and there; and in those cases my suggestion would be, as I told His Excellency the Governor of Bihar, that such cases may be examined individually; but I cannot make any sweeping remark on the general Hindu police with any sense of responsibility as many of them were as loyal and faithful as could have been expected. I can only say that they were demoralised because they had not enough force to meet the fury of the mob; and I have, therefore, suggested that they should be sufficiently armed to meet such situations if they are repeated in future.

Now, I come to the movement itself. Congress does not want to accept responsibility. It seems to me really surprising that Congressmen and their supporters should not be ready to own this movement; they are now shy of accepting the responsibility. If they have the courage of their conviction and if they feel that "Quit India" is the right slogan, they should certainly say that this is the justification of the slogan. They should have better courage and come forward and say that they were justifying their resolution of the All India Congress Committee by the actions of disturbing and paralysing the Government. Why should they be shy of saying that?

An Honourable Member: The Congress is in prison.

Mr. Muhammad Nauman: Then who were the people who acted like this? . . . (interruption). It is clear to me—it may be a riddle to my friend who interrupted; but it is clear to many other people also. I feel that the purpose of this "Quit India" slogan was to coerce the British Government to accept the fascist dictation of the Congress. Their programme shows that all their talk of non-violence as their creed was only a veil of hypocrisy; violence was the real purpose behind it and it was resorted to with full force. They thought that the time for a trial of strength had come and after the sanction received in the meeting of the All India Congress Committee they wanted that trial of strength with the present government should begin. Sir Cowasji Jehangir speaking just before I got up read out a few lines of Vallabhai Patel's speech which in a few words gave the entire programme of destruction and devastation. Honourable Members will understand that the same kind of bulletin was

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distributed in Delhi, in Calcutta, in Patna, in Madras, in Nagpur and in other places simultaneously. That shows it was well planned and organised and a concerted action. I am prepared to give Congress group credit for that, but why are they shy of accepting responsibility? They should have the courage to say "We have done it and we will do it again." Why are you shy of it? You should go to prison, you should face bullets if you think you are honest about your resolution; and if you have got the courage of your conviction you should own this movement as yours and yours only. That is my contention and nothing more.

Another purpose behind the launching of this civil disobedience movement was to overawe the Muslims in such parts of the country where they are in a minority. The Muslims remained neutral and the reason is obvious. Muslim League maintains the position that as our co-operation was not asked for by the Government we had no alternative but to remain neutral. At the same time we said to the Congress that as Congressmen are not prepared to accept our proposition, we have nothing to say except that we should remain neutral. The ideology of independence which the Congress claims has probably got its own meaning. The right of self-determination which they think is their birth-right for themselves has probably no place for the other nations in this country or in the world of their own making. Congress claim for the independence of India means that they should be accepted in partnership with the Allied Nations who are fighting against the Fascist Powers and they say they are prepared to fight the Fascist nations with all possible force at their command provided they are taken in partnership by the British and Allied Nations. But the same is not offered to us, the Muslims. When we say that we should have the same partnership with Hindu brethren, the Congress says, "nothing doing". The cry of self-determination which the Congress and its supporters indulge in—it cannot be claimed by the Mussalmans who also exclaim that, we exist where others exist, as the proverb goes:

"Ham bhi baste hain jahan khulq Khuda basti hai"

We have got as much rightful claim on this country as others have. Let us have the right of self-determination. It is quite possible that in some parts of the country the Mussalmans may decide to join the same unit of federation which Hindu India may join, but give us the right, give us that partnership. Why should you fight shy and refuse us that right and that liberty which you want for yourselves? That is our point of view. We have a very modest demand on the British Cabinet or the Government of India. We say, we are prepared to co-operate with you within the framework of the constitution. We are prepared to render all possible help that we may be capable of provided you give us an opportunity to do so. Provided you part with some real power and at the same time make a declaration in unequivocal terms about Pakistan which you have accepted during the Cripps mission by implication.

Pandit Lakshmi Kanta Mahtta (Presidency Division: Non-Muhammadian Rural): Why did you reject it then?

Mr. Muhammad Nauman: It is too late to answer you. About the latest statement of Mr. Churchill I do not want to say many things. I do not want to express my views at length, but I will say this much. He has

also accepted our contention that India is a land where more divergent elements and races exist than in the whole of Europe. If small countries like Belgium, Montenegro, Bulgaria, and other countries have a right to be independent, naturally the Mussalmans of India have got a better right to claim independence and Pakistan. That position is accepted by Mr. Churchill in the latter part of his statement, but to our surprise, he did not go further than to say that the divergent races are there more than they are in Europe. He accepted that the Mussalmans were not for this movement, and still he was shy of saying that the Mussalmans' demand for self-determination or Pakistan is absolutely correct and rightful. This is the reason why we have not been able to do anything and neutrality has been thrust upon us by this Government and by our partners, the Congress Hindus, who are not prepared to concede to the point of view that we have placed before them. What I want to impress is that there was no alternative left to the Mussalmans except to remain neutral under the conditions which exist in the country and at the moment. I am thankful to my Hindu friends in my province that our neutrality has not been violated this time. We were not provoked to any feelings of any communal riot there, and I hope that the same good sense will prevail in those who are in charge of law and order.

I will place the point of the Mussalmans regarding the question of collective fines. The Mussalmans have remained out of this movement to a man, and as a community, and they can rightfully claim that they should be exempted from the purview of these collective fines. His Excellency the Governor of Bihar was not in a position to give any definite promise to me at that time when I placed this before him but he was very sympathetic all through. Although no notification has been issued in so far in my province, I am glad that notifications have been issued in other provinces, exempting Mussalmans. What I want to impress on the Government and the Treasury Benches is that the fact having been made abundantly clear that the Mussalmans were neutral and had nothing to do with this movement, they ought to instruct all Provincial Governments to exempt the Mussalmans and notify that fact as soon as possible. I do not know if any taxes have been actually realised anywhere in India from the Mussalmans.

An Honourable Member: There have been.

Mr. Muhammad Nauman: I am told by an Honourable friend that there have been instances but I should think that Government should not give any provocation in that respect to the Mussalmans. We are neutral as against the Government and also as against the Congress movement and both must respect our neutrality.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Muhammad Nauman: However, I hope that Government of India will consider this issue and relieve the Mussalmans from any burden of collective fines, and any taxes that have been realised should be refunded to them. With these few words, I take my seat.

Mr. K. C. Neogy: Sir, in asking the House to consider the situation in the country, the Honourable the Home Member confined himself to a narration of the deplorable incidents that happened during these few weeks. To my mind, an adequate appreciation of the position is not possible unless we remember two dominating factors that go to contribute to the general political atmosphere in the country. The first is that there is installed today in the seat of power as British Premier one who has been an inveterate enemy of India all his life. He has excelled himself in his latest utterance which has done more mischief, and alienated more Indians, than any other single speech of any British politician has ever done. The other equally tragic factor is that in India itself, authority is actually monopolised by a set of reactionary die-hards, not overburdened with conscientious scruples, buttressed as they are by the moral support of Indians of the type of Sir Cowasji Jehangir whose number luckily for us is not large. The Honourable the Home Member confined himself to the incidents since the arrest of the Congress leaders and laid the whole blame on them. Like the proverbial ostrich burying its head in the sand, he has ignored the widespread prevalence of anti-Government feeling in the country that had been steadily growing in volume and intensity long before the Congress Working Committee met at Allahabad. Indeed, anti-Government feeling was never stronger in India than at present, and much of the responsibility for it belongs to the Government itself. The recent disturbances are to be ascribed to many complex factors, all of which are not directly political in character, and in ignoring the seething discontent prevailing for a long time in the country, the Government were unwittingly helping to set the stage for the violent outburst which we have witnessed. The general economic distress which is associated with British rule in India has been rapidly increasing of late. The people, a large proportion of whom normally live in a chronic state of semi-starvation, are now faced with a shortage of food due to various factors some of which are connected with the War. Other commodities which are required to meet their frugal needs are getting scarcer and scarcer, and the prices of all articles are steadily soaring higher and higher. Medical help, inadequate in the best of times, is already beyond the means of the vast majority of the people. While the very physical existence of the people is thus threatened, the thoughtless and heartless actions of a callous bureaucracy, while carrying out measures of evacuation involving thousands of poor and ignorant people, have not certainly helped to create a feeling of loyalty to the Government. Complaints on this score have been heard for months past, and I myself, in my own humble way, have been drawing the attention of the Department concerned to the vagaries characterising the orders of evacuation of the civil population ever since April last. The Government of India could not, however, make up their mind on the subject earlier than last month when they issued a Communiqué laying down certain principles which should be followed in such matters. Meanwhile, the mischief had already been done, and untold hardships had been caused to a silent but resentful population whose economic life was seriously disturbed and who were bodily uprooted from the homes of their ancestors without adequate provision being made beforehand for settling them elsewhere. As an instance of the policy so far followed by the Government in this matter, I would briefly recall the salient features of a typical case which I brought to the notice of the Government.

On the 4th April last, as many as 35 villages in the district of Noakhali in Bengal were simultaneously evacuated at the shortest possible notice, and I find that the Government officer concerned made his report recommending scales of compensation on the 9th, that is, five days after the actual evacuation had taken place; and in making this report he says that "the people were not allowed to take away their standing huts from their villages. There was a smart shower of rain yesterday, adding considerably to their difficulties. It is essential that we should give them some money quickly for helping them in building new huts in sites in which they choose to live." Imagine the distress of the large population affected by this order who were expected to look for alternative sites for rebuilding their huts after they had been turned out of their hearth and home in pouring rain. The scale of compensation proposed in the report is so poor and arbitrary that no civilised Government can possibly support it. But I have no time to go into the details. Many more instances of this kind are known to me and other Members of this House. I can assure Honourable Members that these instances are supported by documents, some of which I brought to the notice of the Department concerned in April last, and are not based upon rumours, which His Excellency the Governor of Bengal, in addressing the joint session of the Bengal Legislature on Monday last, said "were almost entirely baseless".

Coming next to the actual operation of the policy of denial in some parts of Bengal, with which I am familiar, I should like to point out that perhaps Sir Edward Benthall's statement that boat traffic was encouraged rather than discouraged, requires modification. Even the Governor of Bengal in his speech referred to the denial to the enemy of all forms of transport as one of the most pressing needs, and to the control over boats in coastal areas that it has led to. From the complaints received by me, some of which I duly forwarded to the Government a few months ago, it appears that normal internal trade in certain parts of Bengal, where the boat constitutes the only method of transport, was seriously interfered with, to the detriment of the economic life of the people at large. Another action in carrying out the policy of denial consisted of shifting so-called surplus stocks of foodstuffs from places exposed to the threat of invasion, without due regard to the interests of the people concerned. In arriving at an estimate as to what actually constituted such surplus, the officers concerned adopted most arbitrary methods, and apart from removal of such surplus stocks they were in many instances kept under lock and key by the police and the owners themselves had on occasions to resort to bribery for the purpose of drawing upon such stocks for meeting their needs.

I now come, though most reluctantly, to a few other painful episodes that have happened as a result of the location of troops in different rural areas of Bengal. I drew the attention of Government in May last to two specific cases, in one of which a few persons, in an area within ten miles of Calcutta, lost their lives at the hands of the soldiers, while many others were wounded, as a result of a protest which these persons had made against pilferings of garden products in which they indulged. In the Departmental reply dated the 8th June last, I was assured that the matter had already been the subject of careful investigation and that the Government were awaiting its result. I have not heard anything further in the

[Mr. K. C. Neogy.] matter. The next case to which I will refer was also brought to the notice of the Department by me and it relates to "atrocities of a revolting nature" committed on innocent villagers by a number of soldiers. In making this characterisation, I am merely quoting a few words of a resolution adopted by the Working Committee of the Bengal Provincial Muslim League on the 19th of April last. I have no desire to shock the House by entering into the horrible details of this incident. Briefly put, it was a case of indiscriminate and wholesale rape by soldiers on a large number of women-folk inhabiting certain Muslim villages in the district of Noakhali, the gravity of which can be judged from the report that a number of them were discovered later in a half-dead condition and some of them actually died. The resolutions adopted by the Muslim League in this connection do not appear to have led to any tangible result, except that their publication in the Muslim League Journal, *Star of India*, was followed by the suspension of that newspaper for a few days under orders of the Government of Bengal. I wrote to the Department on the 9th May last drawing attention to the reports that I had received in this connection, and which had not been permitted to be published in the Press, and I pointed out in my letter that the stoppage of the publication of the news in the Press had not prevented its circulation from mouth to mouth, possibly in an ever-increasingly exaggerated manner, throughout the eastern districts of Bengal. I tried to impress upon the Department the incalculable harm that was done by the circulation of such reports, unless they were followed by prompt enquiry and publication of an authorised version at an early date. The reply to my letter is dated the 11th May, 1942, in which I was told that the Government had already received intimation of the occurrence, and that the matter was under examination, firstly, by a Military Court of Enquiry, and secondly, by an enquiry by a Magistrate. Nothing further is known.

Promptitude and frankness have never been characteristics of this Government even in matters of such gravity. Reports of other incidents also occasionally reach us where unfortunate clashes have taken place between the civilian population and the military, and women-folk have been subjected to molestation. Is it, therefore, to be wondered that bitterness of feeling between the Government and the people, which is not merely most deplorable but dangerous in the present circumstances, has been increasing by leaps and bounds in the country, even without the assistance of any political agitation? We had the amusing spectacle the other day of the British Premier hugging the census report as a 'armoured breast-plate' that made him invincible. May I ask the Home Member to go down to the rural areas in Eastern Bengal, particularly in the districts of Chittagong, Noakhali and Barisal, fully armed with the census report, if necessary, and truthfully describe to the House on his return the degree of loyal support which Government can count upon from the people at large, belonging as they do either to the Muslim Community or the so-called Depressed Classes?

While the popular feeling has thus been deeply embittered, the influx of Indian evacuees from Burma carrying tales of heartless treatment and racial humiliation on an unprecedented scale, has set the whole country ringing with denunciation of the present Government. I have just received a printed message from our Honourable colleague, Shaikh Rafuddin

Ahmad Siddique, of Chittagong, whose ill-health prevents his attendance here today, in the course of which he states that "the Government are doing absolutely nothing for the Indian evacuees who have no hearth and home, no food and no clothes. These poor people are wandering in Chittagong with their children and wives just like nomad tribes and begging from door to door. Many of them are still daily coming to Chittagong on foot from Burma. Their pitiable plight, if you could be shown, must have moved you to pity and tears. The differential treatment meted out to the Indian evacuees and the apathy of the Government towards their cause are highly deplorable".

Sir, it is against this background of mass discontent and disaffection that the decision taken by the All-India Congress Committee in sheer desperation, and the untoward repercussions that followed the arrest of Congress leaders, can be properly examined.

During those anxious days when hooliganism was rampant in the Imperial City, fearful accounts trickled through despite censorship, not merely with reference to the position in Delhi but also in the provinces, and there could be no doubt in the mind of any impartial observer that the spiritual successors of O'Dwyer and Dyer, who rule the roost at New Delhi, had initiated a reign of terror. In the name of combating violence and sabotage, which no one in his senses can exonerate or fail to condemn, they had resorted to methods reminiscent of some of the worst brutalities ascribed to the Axis powers. Hooliganism on the part of the goondas has been answered by equally, if not more, reprehensible terrorism on the pretext of restoring law and order which cannot find support from any live, *zabherdast* Dewan of any Indian State—not to speak of any *ex-Dewan*. Society at large has been penalised for the offence of the few. Collective or, to be more accurate, communal, fines on the principle of the *juzia* have been imposed, and masses of innocent people have thus virtually been treated and punished as hostages for the misdeeds of the guilty, in correct Nazi style. Insult, indignity, injury, assault or even death, has been meted out to the innocent along with the guilty with a degree of impartiality. Inoffensive Indians, irrespective of their position in society, such as Sir Madhorao Deshpande of Nagpur, have in places been made to remove litter from the streets in order to impress on the public at large the might of the British authority in whose eyes all Indians are equal. And Sir Cowasji Jehangir should not flatter himself that he is immune from such experiences. Heroic attempts have been made to promote the interest of truthful statistics of the dead and wounded. It is alleged that the wounded could not always count upon proper medical attention in certain Government hospitals because they were 'rebels'. These are among the reports that reached us from different affected areas, but I shall not dwell further on this infamous chapter of British history in India which has just opened, because there may be another opportunity of dealing with it during this Session in greater detail.

Today, frightfulness is the measure and expression of British might in India, but the moral cowardice of a despotic Government dictates the necessity for stifling publicity of legitimate information inside the country. Moreover, control and manipulation of public opinion in friendly countries abroad necessitate the landing out of information with the help of the official spoon. The Press has been gagged so successfully that nothing but officially approved news can be published either in India or abroad. The Press in

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India, according to Government, should either behave as a subordinate branch of the Home Department, or it must be scotched. A former Member of this House and ex-colleague of mine, Mr. Arthur Moore, is understood to have been jockeyed out of the editorship of the Statesman through wire-pulling from New Delhi as a punishment for his occasional expressions of pro-Indian feelings, and the British editor of Civil and Military Gazette of Lahore may share the same fate unless he becomes sufficiently careful in time.

The magnificent achievement of the Press censoring policy is indicated by the fact that for some time 96 Indian newspapers, including some of the most leading and influential dailies, voluntarily ceased publication. Out of this number, about 22 have later resumed publication. The rest continue their voluntary suspension as a protest against the illogical and dictatorial control exercised over the publication of news which does now, even according to foreign journalists present at New Delhi, permit a balanced picture of the situation to be given. I do not for a moment contend that under conditions of war, the Press should function regardless of any untoward consequences which undesirable publicity may lead to. There should be a system under which a responsible institution like the Press, which is considered to be an essential limb of any civilised administration, may be put in touch with the executive authorities for the purpose of mutual appreciation of their respective view points and voluntary regulation of the conduct of the Press. I understand that a system of what is called Press Advising started some time in 1940, and was originally intended to assist newspapermen by giving them guidance when they wanted it. This voluntary system has now gradually been transformed into compulsory pre-censorship. It appears that for some months past, particularly after the breakdown of the Cripps negotiations, censorship of messages became increasingly stringent. Press advising has now assumed the form of actual authoritative official censorship, and there are today so many different authorities exercising powers of censorship that the Press is altogether bewildered, and the reading public cannot be sure of getting any reliable or even rational presentation of facts relating to the political situation in the country. Apart from the so-called Press Advising, there are authorities who are responsible for censorship on behalf of the Military Department. Under cover of Military censorship, the Government have succeeded to a large extent in preventing pro-nationalist political materials, devoid of any military significance, from being published in this country or in the friendly countries overseas. Press comments from Britain, America and China of a pro-Indian character were either discouraged, or sometimes, even suppressed, in India, in the name of Military censorship. Prominence was given, on the other hand, to adverse comments appearing in the overseas Press, particularly those critical of the Congress. A significant example of that policy is to be found in the omission of President Roosevelt's reference to the Atlantic Charter being applicable to all the countries of the world, in his speech at Washington on the 23rd February last, from the version published in this country at the time, and this reference was not published in India until the text of the speech reached here through the American Press. While India was flooded with adverse American comments on the Wardha resolution of the Congress, the favourable comments of the overseas Press were not allowed to appear in India. The news agencies were not

allowed by the Chief Press Adviser to send Mahatma Gandhi's letter to Marshal Chiang Kai-Shek for publication in the various Indian newspapers, these news agencies being particularly under obligation to refer all matters to the Chief Press Adviser or the Provincial Press Adviser.

I hold in my hand a notification signed by the Chief Press Adviser in which he grimly reminds newspapermen that 'while speeches made on the floor of the Assembly are privileged, no privilege attaches to press reports of the proceedings which are subject to the usual censorship'.

Mr. President (The Honourable Sir Abdur Rahim): Honourable Member has two minutes more.

Mr. K. C. Neogy: I will finish my speech within that time. Not content with this message, he obligingly informs them that 'for the convenience of correspondents wishing to obtain guidance, an officer of Chief Press Adviser's office will be in the Press Gallery on September 15th and 16th between 12 noon and 2 P.M. This officer will only give general guidance on points in the debate which may be referred to him and copy for press advice will be dealt with as usual in Chief Press Adviser's office'. This is how the Geobhels of India regulate and regiment reports of India's Parliament.

Is the Honourable Member sure that he is not over-reaching himself in the pursuit of this policy? Already we hear that certain foreign journalists have flown over to Chungking to outwit the censor and send un mutilated accounts of the Indian situation. And the credit of newspapers in India is now a minus quantity, as few are prepared to accept their censored reports to be anything but misleading. For a parallel of the situation one has perhaps to turn to Nazi Germany.

Sir, I have attempted to give the House a picture of the situation as it strikes me. The Honourable the Home Member has delivered a speech worthy of the Chief Constable of India. It dealt only with crime and ended with the rattling of the sabre. He is obviously a believer in the doctrine that India was conquered by the sword and by the sword it must be held. Conciliation is not in his line.

Mr. President (The Honourable Sir Abdur Rahim): Honourable Member's time is up.

Mr. K. C. Neogy: He may repeat formulas about agreement, but he will do his best to make any agreement impossible. And for proof of this one need only refer to the refusal of permission to the leaders of the Hindu Mahasabha to interview Mahatma Gandhi. With his eye on the large force of white soldiers, referred to by his master in Parliament, he is sure of waging a successful war on as many fronts as may be necessary.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Mr. President, during this debate some of the Honourable Members have traced the history of the present discontent and conditions from the time of Sir Stafford Cripps' visit. In a sense, I consider Sir Stafford Cripps' visit to be very fortunate, for I find that the very persons who were ignored by him are not tired of praising the proposals that he brought with him. Sir Cowasji Jehangir has entered into great details as to the

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merits of those proposals and has also touched the point that the Congress had agreed to these proposals, but something happened between the 8th and 9th and the proposals were rejected on the morning of the 9th. I quite appreciate that the night of the 9th was a very fateful one, but I am surprised to hear that the proposals were such as were not acceptable to the Muslim League, meaning thereby that probably the proposals of the 8th were acceptable to the Muslim League. I consider it to be a strange argument that Sir Stafford Cripps was not able to accept the proposals of the Congress because they were not acceptable to the Muslim League.

Sir Cowasji Jehangir: I never said that.

Qazi Muhammad Ahmad Kazmi: What Sir Cowasji Jehangir said was that the proposals of the Congress on the 9th would not be acceptable to the Muslim League. That was exactly what he said.

Sir Cowasji Jehangir: That is correct.

Qazi Muhammad Ahmad Kazmi: In other words, whatever proposals were there on the 8th, if the Congress had accepted them, they would have been acceptable to the Muslim League.

Sir Cowasji Jehangir: That is your interpretation.

Qazi Muhammad Ahmad Kazmi: That is the only logical conclusion that one can draw from what he said. If the proposals of the 8th were not acceptable to the Muslim League, then the question of the Muslim League does not come in for the rejection of those proposals. You bring in the Muslim League only on the 9th because you want to show that it was on account of the Muslim League that the proposals were rejected. While it is not a fact.

Either, we have to assume, that every party was ignored and probably the Muslim League was included in that, or if Muslim League was consulted then it was consulted up till the 9th. Now, Sir, I was personally not a party to these negotiations, probably my Honourable friend, Sir Cowasji Jehangir, is in a better position to understand it. Still, I say and I maintain that the question as to who is responsible for resigning from the position that was taken on the 8th cannot be decided in the absence of the parties themselves. It is useless for any one of us to pass any resolution or to give any opinion in respect of people who are not present today. Unfortunately, I find that the practice is getting in vogue in this House that we are at liberty to condemn and abuse persons who are not present in the House. Is it proper for Government to condemn people without hearing them?

The Honourable Sir Reginald Maxwell: What about the Prime Minister?

Qazi Muhammad Ahmad Kazmi: I think the Prime Minister has got some representatives here in this House. Other persons are behind the bars of prison. I may at the outset make my position clear because it is no use repeating catchwords, it is no use trying to condemn people or your opponents who are not here. We all know, we have heard Government say it again and again that in India nobody wants either Japanese or the

Germans to come. This is a proposition which nobody is going to dispute. I think if the Government say that India is behind the war efforts, they also mean to say that no political parties in India are prepared to invite Japan or Germany to this place. You condemn your opponent by dubbing him as a fifth columnist or that he wants to invite Germany or Japan to invade India. That is not the proper way of arguing things. Which of the political parties is not intelligent enough to understand that the people of India who have got nothing but moral force behind their back are not in a position to fight against material forces? Can we not understand that Germany and Japan, the one in Europe and the other in Asia has overcome moral force by their material power? Can we, at this stage, and after understanding that, ever think that we, who desire independence even during the progress of the war, would get it from people who are devastating countries and which we are not being given by the Britishers today? So, it is absurd for any one to argue that any political party, any recognised political party, any party that has any following in India has got that motive behind it. It is useless to condemn people on that account.

The question is, what is the reason for the present disturbances that have taken place. Again, I say nobody deplores more than we do the disturbances that have taken place. If you are told today of injury to person and property, I must say that the public have received greater injury, they have died in greater numbers and they have suffered materially more than persons belonging to the Government Departments. I do not say that it was not the duty of Government Departments to suppress hoodliganism. I say and I maintain that in almost every case greater force was used than was necessary by the Government and the Government utilised this opportunity of hoodliganism for the show of their power and for striking terror in the minds of the people. That is the point on which we fight. That is the point which we want to bring to the notice of the Government.

Then, Sir, it is said that the programme of sabotage or the programme of cutting communications is the act of the Congress. This is a serious charge that is levelled against the Congress, but the Congress have not been allowed the opportunity to contradict that charge. As an ordinary observer of events, I want to draw the attention of the House to the statements of responsible British statesmen and public men, who long before the meeting of the All India Congress Committee in Bombay gave out that in the present days, the Congress had changed its policy from non-violence to violence, and that this time the programme of the Congress would be sabotage and cutting of communications and destruction of property. These were the things which were given out definitely before the All India Congress Committee meeting. Today, spokesman after spokesman stands up and says that this can be inferred from the speeches of Mahatma Gandhi. Of course, it cannot be inferred from the speeches of Mahatma Gandhi as they are being read out today. But, Sir, look at the background in which Mahatma Gandhi has been working all his life and even before. Could any word of violence be read into those declarations? Then, what I say is this. Supposing for a minute the All India Congress Committee passed a Resolution of that type, was it then in the interest of the Government to broadcast it and proclaim it to every body that the programme of the Congress this time would be sabotage and cutting of communications, and destruction of property? Was it a wise act on the part of the Government that even before the meeting of the

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All India Congress Committee they started interpreting civil disobedience movement to mean that it is one of violence and not non-violence? I say it was the duty of the Government that even if the Congress were to pass a resolution regarding violent activities, they ought to have suppressed it. But the Government did not do that. The Government put some interpretations and broadcast them not only throughout India, but almost everywhere. I fail to see the reason for that. That was an extremely bad statesmanship. Probably, to my mind, it seems they wanted to suppress the Congress itself and they wanted to bring the Congress into disrepute throughout the world and in India. I maintain that it was on account of that impression created in the public mind that since the Congress leaders were arrested after the passing of the resolution in Bombay, a section of the public understood that the programme of the Congress was the one which had been propagated mostly by Government agencies.

Now, Sir, that having taken place the Government have resorted to force. As I have said, it was the duty of the Government to do that, but the fault of the Government lies in having committed excesses in every case. I maintain that even if the Congress Working Committee had passed a resolution as alleged by the Government and if the Government had allowed it to be propagated throughout India the condition would not have been much different than it is today. In my opinion it would have been much better, because if the Congress had been allowed to make that declaration then the Congress itself would have come in the eyes of the public in the reality in which it is alleged to be by the Government, and we would have stood up today and supported the Government in having dealt with the Congress in that fashion. But what has the Government done? They have sent them to prison and ask from us a vote that they were guilty of that on circumstantial evidence. Were the Government with all their powerful machinery ignorant of any propaganda which was being carried out by the Congress Working Committee that they had come there for violence? Just as one of the Honourable Members has accused the Government that if they knew that the Congress was carrying on its propaganda in regard to violence, why did they not say so earlier? I say that that was not the reason. It is with the intention of condemning the Congress, of bringing it into disrepute that these things were alleged to have been propagated by the Congress. The result was that they were sent to the prison, they were given no opportunity to explain their position, and they are being condemned today without having been given an opportunity to explain. This treatment should not be accorded even to the worst type of criminal. Even he is asked an explanation. But have you given any opportunity to the leaders of the Congress to say why they have changed their activities and taken up violence as their creed? Have you given them a chance for meeting the charges that are levelled against them? Therefore, Sir, I moved this amendment. The object of this amendment is not to pray for any privileges, any concessions, for the Congress leaders who are carrying on the Congress propaganda, but what has prompted me to move this amendment is the fact that this Government cannot condemn any person without giving him a chance to explain his position. What I suggest is that they must ascertain the views of the Congress leaders and see whether as a matter of fact they had the intention of carrying on these undesirable activities and whether they had propagated that throughout India. If they deny, then the Government should release them and give them an opportunity to tell to the

masses in India that these acts of violence can never be approved of by them. That will be one of the means of restoring peace and tranquility in this country.

Major Nawab Sir Ahmad Nawaz Khan (Nominated Non-Official): Sir, on this motion the Honourable the Home Member has very well explained the case of the Government to the House. Many other speakers on behalf of their Parties have proved innocence so far as their Parties are concerned, and they hold others responsible for that. Many other speakers have expressed their personal views, but we, the Members here, have to solve the most important question and that is what are the causes of the present disturbance and unrest and what is its remedy. That is the chief point to which we have assembled here to give our full consideration. Mr. Griffiths has touched on that point but he has dealt with it largely from the point of view of his Party. It is the same thing on which I am going to speak, that is to find out what are the real root causes of the present troublesome situation and how to remove or reduce them.

So far as I know, the Congress and the Muslim League and all other political parties rightly or wrongly—that question I am not going to discuss here—believe that the British Government in India or at Home do not like to or intend to part with real power, and are not prepared to give effect to their promises which they have made from time to time in reply to the various demands of Hindus and Muslims of India for independence. This seems to be the real cause of the present trouble as I understand it. Knowing this to be the real trouble in India—and I stand corrected if I am wrong—we have now to find what is the real remedy for this trouble, if not cent per cent., say 80 per cent. In my opinion it is in the hands of us Indians—the political parties in India and the elected Members of this House—and we should sit together and put forward a united demand. Though the Government have given the same reply very often that we should present a united demand, I would like to support that by giving a simile. The Viceroy of India has an apple in his hand and many Indians—A, B, C, D—representing the political parties, come to take that apple from him. One demands the whole of it; another demands half of it, the third says do not cut it, the fourth says do not give it to anybody as a whole. So, I say, what will the Government or the Viceroy do? This is the real position and we should calmly and coolly think over that. Congress wants to take the apple—the whole of it in their hands, the Muslim League wants to cut it, other parties come to take one share or another. Then what is really the sane method of action for a man who possesses the apple in his hand?

Mr. M. Ghiasuddin (Punjab: Landholders): To eat it.

Major Nawab Sir Ahmad Nawaz Khan: I will put a simple question. If any major community can say what it should get when this is the situation, then the remedy lies entirely in our Indian hands and not with the British Government here or in England.

Mr. President. I would like to continue tomorrow morning for a few more minutes.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech tomorrow.

The Assembly then adjourned till Eleven of the Clock on Friday, the 19th September, 1942.

LEGISLATIVE ASSEMBLY.

Friday, 18th September, 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.

†92*—109*.

UNSTARRED QUESTIONS AND ANSWERS.

†1—3.

MOTION RE THE SITUATION IN INDIA—*concid.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the motion:

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

Major Nawab Sir Ahmad Nawaz Khan (Nominated Non-Official): Sir, continuing my speech of yesterday in which I pointed out the real causes of the present unrest, I say that the following political parties, the Congress, the Muslim League, the Hindu Mahasabha, All India Harijan League, All India Christian Association, All India Azad Muslim Conference, All India Communist Party, All India Akali Conference, All India Chambers of Commerce, the Indian Trades Unions, the Liberal League, the Chief Ministers of Bengal and Sind and many other political parties want the independence of India in some form, and mostly now. But the Government of India and the Government of Great Britain wish to grant independence in some proper form after the war. Several of our political parties believe that this is an excuse only and not a necessity. But so far as I know it is a necessity and there are two reasons for my belief. The first is this. The differing, disunited and contradictory proposals submitted by the different political parties to the Government of India have placed the Government of India in an impossible position and state to decide one way or the other according to the wishes and views of any one or of certain political parties. It is but fair to believe this undeniable fact and I challenge any other Member of this Honourable House, to refute it. The second reason is one which every sensible man can think it to be true, that Great Britain is in the middle of war on three continents—Europe, Africa and Asia. Not only she but every other ruling nation which is in the middle of the war cannot afford and should not like to deprive herself or lose any part of their dominions. Great Britain whose empire is scattered all over the world is in reality under a necessity

†For these questions and answers, see pages 233 and 487-509 of these Debates.

[Sir, Sultan Ahmed.]

too late in the day now for any one to make the impossible attempt to absolve the Congress from the fullest responsibility of all that has happened in the country.

Some Honourable Members have suggested that we should have taken the action we did, immediately after the Working Committee's resolution. Perhaps they are right, but our reason for proceeding cautiously was that, unless the Working Committee's resolution was finally accepted by the All India Congress Committee, it was not a resolution which was the final word of the Congress, and I apprehend we would have been accused of having taken action on no decision of the Congress but simply on an incomplete proposal which might have been turned down by the All India Congress Committee.

Before the ink was dry on the All India Congress Committee's resolution the whole of India was in flames and acts of destruction followed with lightning rapidity and virulence almost unparalleled in the history of India, and it is most remarkable that the movement was most violent in provinces where the Congress Ministries had functioned before they went out of office. Another extraordinary feature of this movement has been, and which demonstrates beyond any doubt that it was well planned as well as well directed, that throughout this movement no looters, rioters or rebels attacked Muslim life or property. All that was done could not have been done by professional dacoits or looters, because they do not discriminate between Muslim and Hindu victims, nor do they discriminate between private and public property. The whole objective was to paralyse the administration and thereby paralyse the war efforts, and this had to be done in the Axis fashion of "blitz".

Government had to be on the defensive from the very first day. Their only duty was to prevent the extension of the crimes of sabotage. If being on the defensive when there is widespread rebellion is repression, Government pleads guilty to it, but if what they did was to save the country from the danger of the greatest disaster possible, then what they did was in the normal discharge of their functions as Government. We are convinced that in the discharge of their extraordinarily difficult and perilous duties the police and the troops as a whole have not committed excesses, but if there are individual cases which have occurred it will be the function and duty of Provincial Governments to see that those who have been guilty of excesses do not escape punishment.

Now, Sir, I come to another aspect of the question referred to by a number of my Honourable friends in this House. They are disappointed, and they say they are extremely disappointed, that Government have not produced any constructive programme for reforms to deal with the situation. Faced as we are I am surprised that such a demand should be made from us. Let me repeat what I said before—that the rebellion is not yet completely quelled. There are still places where law and order have not been fully restored. In fact there are one or two places in Bihar where we do not know what is happening today. But we hope that a reaction has set in amongst the general public against the barbarities and excesses committed by the rebels and the recrudescence of the mob rule is being resisted by the inhabitants of the devastated areas themselves. In these circumstances, to expect Government to sit down and consider and formulate constructive measures, whatever the meaning of that phrase may be, is to say the least, exceedingly unreasonable. Apart from that, the

Cripps proposals were and they remain today the constructive proposals put forward by His Majesty's Government. That, unfortunately, has been spurned. Let me frankly tell the House that the acceptance of those proposals in my opinion would have resulted in the swaraj for which India had been longing but they were rejected on the ostensible ground of the Viceroy's veto and so on. Has it been realised that the convention which the Congress demanded would have come in as a matter of course, once there was a sanction behind it from the representatives of the people? Conventions would not be conventions if they were put on the Statute-book or for which there was an express agreement. Conventions grow up as all customary rules do in sensible gradations. Some small deviation from the precedent itself becomes a precedent. So, the constitution "broadens down". Conventions do not supersede the law. They merely determine in certain eventualities how legal power shall be exercised. In England, the greatest changes in the constitution have not been brought about by legislative enactments. Whilst the legal code has remained substantially unaltered, there has grown up by its side a purely unwritten and conventional code. As a well-known constitutional lawyer puts it, "the object of conventions is to secure obedience to the deliberately expressed will of the representatives of the people and therefore the ultimate will of the nation". In England, for instance, neither the Prime Minister nor the Cabinet is known to law, and yet the whole system of Parliamentary Government hinges on the working of the Cabinet, that is, on the collective responsibility of certain members of the Executive to Parliament and to the nation for the conduct of public affairs.

Then again, are the constructive measures only to be initiated by the Government and the Honourable Members who have collected here have no part or share in it? May I appeal to them not to go back to their homes without making some tangible contribution to the constructive measures which will command a fair measure of agreement of all the parties. The greatest danger and futility of any criticism is to ignore the complexity of this problem. Once that is realised, it is possible to find the remedy. Sir, in this House is fully represented the genius, the intellect and the patriotism of the country. Is it too much to hope that those who still dominate the public life of this country will not fail to produce an agreed programme? They should not suffer from inferiority complex. Any proposal which has the unanimous support of the Honourable Members opposite cannot be lightly treated by any Government here or in England. But if the House wants the Government to impose upon the country a constitution, irrespective of the agreement of the parties during the extremely critical period we are passing through, it will be neither fair to itself nor to the country. Honourable Members have been talking about "national Government" and that is the cry which is coming from all corners of India but is it realised that national Government cannot be imposed but it must be the creation of the fairly unanimous will of the people? With the consent of all parties, it comes in automatically in places where there is a government of the people by the people and in places where there is a foreign government it has to be formed first by the people themselves and the proposal is submitted then to the Government of the day, and if denied, the so-formed national government asserts it, will.

Sardar Sant Singh (West Punjab: Sikh): In what way?

[Major Nawab Sir Ahmad Nawaz Khan.]

to keep every inch of her dominions under her direct control and management. It is a necessity. It is not an excuse which any reasonable person can think of. To lose India is the greatest loss to the British Government. Therefore, in my opinion, and in the opinion of every impartial thinker, the British Government is not at the present moment delaying any reply to the several demands of Indians when she says that they will consider over the matter and will grant India independence after the war, because during the war they cannot afford to leave the direct control of such a rich and important continent like India, when Great Britain is in great need of men, money, material, labour, industries, export of necessities of life and protection of communications by different ways and means.

Now, the question may be asked, why full independence now at once during the war should not be given to Indians as the major community or even the minor communities want. I think from a practical point of view, and not from a merely theoretical point of view, that it will introduce a thousand kinds of difficulties and troubles for the Government of Great Britain and of India in the prosecution of the war as they wish to conduct it and not from the Indians point of view, because those who have full knowledge of the present situation and conditions of war are not the Indians. When an order comes from the High Command of Great Britain, without full explanation, to the Viceroy and Commander-in-Chief they arrange things according to their plan, which plan is not even before the Government of India; but if India is under the control of some other persons who then could rightly ask the High Command of Great Britain that they wish to know more and more explanations before they should take the whole situation of India in hand; and by the time the discussion ended, many military objectives would be ruined. Therefore, this is not an excuse on the part of the British Government, if we look at it impartially. I can give another simile. If your friend's house is set on fire, he is really in a very great need to get as many buckets of water as can be given. But if his real and intimate friend comes and asks him for a bucket of water for his own purpose, he is bound to refuse and say that first of all the fire has got to be extinguished before any water can be spared for other purposes.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Major Nawab Sir Ahmad Nawaz Khan: Sir, the real remedy for the independence lies with us Indians, to be united and to produce before the Government a united demand, as the Government said many times in which case there is 80 per cent. chance of success and sure success. But if we remain disunited and quarrelling there is no chance of success even of eight per cent.

The Honourable Sir Sultan Ahmed (Law Member): Sir, it was neither my intention nor even my desire to take any part whatsoever in this debate as a full statement of the case of the Government had been made by the Honourable the Home Member, and I and all my colleagues take the fullest responsibility for every word that he has said. But lest our silence should be misconstrued and as one of the Honourable Members sitting opposite to me called us non-entities, it is necessary that some of those non-entities . . .

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I suggest that the Honourable Member should not go by the report in the Press, but see the official report of my speech.

The Honourable Sir Sultan Ahmed: . . . it is necessary that some of us should say what we feel about the situation. I have got another reason which has impelled me to make a few remarks. I come from a province which has been, as you know, shattered badly by the recent events, and though I am thankful to say that law and order has been to a great extent restored there, I cannot say that we are still out of the wood. Coming as I do from that province, I felt this morning that it would be unwise for me not to say anything during this debate. A province famous for its potential wealth, its fertile soil, which is rightly held as the granary of India, is now the centre of partial devastation, some idea of which has already been given to you by the Honourable the Home Member and also by my Honourable friend, Mr. Nauman, the Member from Patna.

Sir, I never regretted the decision which I along with all my other colleagues took on the 8th August, because placed as we were, we had to choose between complete abdication of our responsibility as a Government and surrender to the challenge thrown out to us. And now, after all that has happened, we feel convinced that our decision was right. We made it perfectly clear in the resolution that we issued immediately after, that we were aware of the preparations that were being made in the name of and on behalf of the Congress for the various acts of sabotage, and if there was any doubt about the accuracy of the estimate that we made of the situation at that time that doubt is completely dispelled by the events that have happened.

Sir Cowasji Jehangir has referred to the speech of Sardar Vallabhai Patel on the 2nd August, and Honourable Members must have read the statements and speeches of others from which it was obvious that whatever the Mahatma's faith was, nobody else believed that the non-violent civil disobedience movement which the Congress threatened was or could ever be non-violent if the Congress programme was put in operation as was done. The House knows the result.

It has been suggested that we should have waited for the letter of Mahatma Gandhi to His Excellency the Viceroy. We, however, knew of the repeated advice conveyed to Mahatma from different quarters who had influence with him, as to the unwisdom of coupling the demand for independence of India forthwith with the threat of launching civil disobedience if it was not conceded, but the Mahatma was adamant. He was out to force everybody's hands. We knew that he had overruled the wishes of some of the important members of the Working Committee who wanted to take a more sober and moderate course. We knew that his more militant associates had defined what this mass civil disobedience was to be. We had also the advice from our Provincial Governors of the grave dangers of delay in taking action, and subsequent events have proved that they were right. Under those circumstances no Government, I respectfully submit to the House, with any sense of responsibility could have possibly waited a minute longer after the ratification by the All India Congress Committee of the resolution of the Working Committee. Could any Government agree to negotiate with a party who wanted to come to us with certain demands in its right hand and a pistol in its left? It is

The Honourable Sir Sultan Ahmad: In exactly the same way in which you are doing at present, and I cannot conceive that if such a Government is formed, His Majesty's Government can possibly resist it. But remember that this national Government has to satisfy one test—and that is a crucial test at the present time—and that is that its main purpose today is to resist the Axis powers with the last drop of its blood. It has to resist them as the Russians are resisting the Germans. Civilised humanity, and I claim that we Indians form a part of it, has decided, and there is no difference of opinion about it, that these enemies are outlaws and civilisation cannot be satisfied until these outlaws are brought to book. The Allied Nations have pledged themselves to "do or die" in this great struggle and whichever Government comes into power in India it has to pledge itself to that faith. We, the Indian Members of the Executive Council, are as anxious as any one in this House or outside to have the freedom of the country and as soon as possible and we are here only to advance that interest. We are, however, clear in our own minds that this freedom secured from the British without the agreement of the major parties, even if it were possible, would lead us to anarchy and civil war and thus to abject slavery under the Japanese and we sitting on this Bench and I hope every one of us here would sooner prefer annihilation to the position thus created.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): This debate has been initiated by the Honourable the Home Member on a motion which strikes me as very laconic and vague and puts the House in a position of considerable disadvantage by calling upon it to take the situation in India into consideration. I do not mean to put forward a technical objection and raise a point of order but I certainly wish to point out the practical difficulty of adopting such a motion. No definite substantive proposition is put before the House. The situation in India may mean anything and naturally embraces quite a multitude of things. On many occasions, motions are moved in that form, but they always mean something definite. For instance, when the motion is that such and such a Bill be taken into consideration, there is always a particular Bill before the House, which makes the motion definite. When some years ago we had before this House a motion that the Ottawa Agreement be taken into consideration, that Agreement was before the House, and the House knew what it had to consider and the motion was, therefore, quite intelligible and quite definite. The present motion moved by the Honourable the Home Member is, not conveniently, but most inconveniently, vague and indefinite. It simply amounts to saying this: "Let us talk," and, in meek obedience to the Honourable the Home Member, Honourable Members of this House have talked, and some of them, it appears to me, have talked at cross purposes. That is due to the indefinite nature of the motion. Possibly, the Honourable the Home Member meant to say: "I am going to make a statement about the situation in India; let that statement be talked about and endorsed and approved". Well, he did make a statement. As a statement, it was certainly lucid, forceful and impressive, but that did not improve matters. The position of those who tabled amendments still remained a difficult one. It was a question whether the so many amendments tabled on this occasion are real, alive amendments or only substantive propositions sought to be substituted for the original motion. I need not pursue this point further but this was moved before this House and disposed of.

In the Secret Session of this House the motion was that the "war situation be taken into consideration". The Honourable the Leader of the House moved the motion; His Excellency the Commander-in-Chief favoured us with a comprehensive statement of the war situation; some speeches were made; some questions were asked and certain suggestions put forward; and, without passing any resolution or any motion as a motion, the Session came to an end. Possibly, the Honourable the Home Member means a thing of that kind, and if that is the course to be adopted, I think the so many motions put forward as amendments will have to be either withdrawn or simply ignored.

Now, as to the Home Member's speech, it covers a vast field and it is the first comprehensive statement made by Government about the disturbances which followed the arrest of Mr. Gandhi and the Congress leaders at Bombay. No Member of this House and no responsible person outside this House can entertain or express anything but the strongest condemnation for the organised campaign of arson, sabotage, destruction of public property and in places even brutal murder, which somehow came to be started and was ruthlessly carried on by certain sections of the people in certain parts of the country. And no one in his senses can say that while this hooliganism and lawlessness were rampant, Government ought to have merely looked on and taken no steps to prevent them or to deal with them even sternly. Surely, Government could not abdicate its functions and could not afford to adopt a policy of non-violent non-co-operation when the movement had disturbed the public peace, set up mob rule, burnt post offices and railway stations, cut telegraph and telephone wires, damaged railway lines and tried to paralyse not only the war effort but also the normal economic life of the people. Surely, when such a state of things came into being, nobody expected the British Government to say to the hooligans: "Heroes and patriots! have patience. You need not worry yourself. We have received the order to quite India and we are preparing to do so. Aeroplanes and baggage out of convoyed are ready to take the British people bag and baggage out of India. We have arranged to summon Mahatma Gandhi and all his satellites from Bombay by aeroplane. They are reaching here tomorrow. We will hand over the charge of this country to your respected leaders and we shall walk out. Why bother! You can have your country at your disposal. You can rule it; you can misrule it. You can govern it; you can misgovern it. You can have a Govt. or you can have absolute anarchy, whichever you choose. We did in our day make some promises to the Muslim nation and to the Depressed Classes and to the Indian States and to certain other loyal sections of the people.—the martial races and so forth, but surely those promises were not intended to be performed at the cost of our own lives. Life is dearer than anything else, and we are leaving all these people to your tender mercies. You can do anything you like with the Muslims. You can placate them; you can appease them; you can coerce them; you can convert them; you can annihilate them; you can do anything you like with them. As to the Depressed Classes, well, they are, according to you, meant to serve the high caste Hindus; they can go on as they have been going on for centuries. As to the Indian States, they can take care of themselves. So, we are off and you take charge of this country and administer or maladminister it as you like." If that position has been taken by the British Government which was the only alternative to the action taken at the outbreak of this lawlessness, I think the British Government would have, by doing so, committed political, administrative and even

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moral suicide and would not have been able to show its face anywhere. It would have been the duty of Government under any circumstances to put a stop to lawlessness, and the duty was all the more imperative when the invader stood at the gate of India. If the Government had failed in this duty, we do not know what would have happened. As I have already said, the only other alternative was to abdicate and walk out. There is, therefore, no question that the measures taken by Government were not called for and not justified.

If in the course of these measures any excesses were committed by the military or the police—and I must say there are complaints to that effect which deserve serious attention and looking into—it is the duty of the Government to inquire into those complaints, punish the guilty and see that such things do not recur. I am glad after having had the advantage of listening to the Honourable the Law Member that that is the position of Government and that Government do mean to dispose of these complaints after proper enquiry and in a proper way.

Then comes the important question, who is responsible for this outburst of organised lawlessness. Some quarters blandly put forward the view that it is the spontaneous ebullition of public resentment at the arrest and incarceration of Mr. Gandhi and the Congress Leaders. Others strongly hold that this is the very thing which Mr. Gandhi and the Congress Working Committee had threatened to start on the British refusing to quit India, after being ordered to do so. The question is not free from difficulty and the relevant evidence, even such of it as is already before the public, is voluminous and complicated. Mr. Gandhi's utterances and writings are not only oracular but contradictory, and the great difficulty is that he declared sometime ago by quoting Emerson that consistency is the hobgoblin of small minds. We know that Mr. Gandhi's mind is not small and so he considers it necessary to indulge in inconsistencies to the mystification and utter embarrassment of those who want to ascertain his leanings and know precisely what he aims at. Now, Sir, among the lieutenants of Mr. Gandhi, we have the very conspicuous figure of Sardar Patel who said that the movement was going to be short and swift and would end in a week. If such a movement was going to be non-violent, it could not, as it were, by the touch of the magician's wand, complete its work in a week. Without going into details, one may say that there are very strong indications that the Congress is responsible for this movement. Some people believe that Subhas Chandra Bose has something to do with this movement and point out to the broadcast sent out from Berlin on the evening of 19th and 20th August last which purported to be a record of a speech by Subhas Chandra Bose and in which a complete programme of rebellion and sabotage had been outlined and detailed instructions given, firstly, secondly, thirdly and so on up to perhaps 25 or more paragraphs. Many of the instructions contained in that broadcast tally with what has actually been done during the course of these disturbances. But people point out that this was, as far as known, only on the 19th and 20th August, but the movement was already in full swing long before that had been sanctioned at least by the Andhra Provincial Congress Committee and had been embodied in cyclostyled instructions which the Government of the Central Provinces said had been found with some of the members of the All-India Congress Committee. These are bewildering circumstances. It is further pointed

out that Subash Chandra Bose had not been on good terms with Mr. Gandhi and his party and so the two could not have acted in concert and, therefore, the entire thing must be put down to Subash Chandra Bose who has gone over to the enemy and has no scruples now to deter him from starting and fomenting a movement of this kind in India. But it is said by others that the differences between Subash Chandra Bose and Mr. Gandhi and his friends have long been made up. The other day when news of the death of Subash Chandra Bose in an aeroplane crash was received in India, Mr. Gandhi was among the first men to send a telegram of condolence to the mother of Subash Chandra Bose in which he characterised the death of Subash Chandra Bose as a national loss. Later on, when it was discovered that the report about his death was unfounded, it was Mr. Gandhi again who was the first to send a telegram of congratulation to the mother of Subash Chandra Bose, congratulating her on the safety of her son, and that congratulation again was for her and for the nation. Anyhow the circumstances are such that for us who are not in possession of the entire bulk of the evidence, it is difficult to come to a very definite decision and give a clear finding as to who is responsible and how far the Congress is responsible for this movement, although one must say that there are very strong indications, as far as our knowledge goes, putting down this movement to the account of the Congress.

Now, Sir, the question is, under these circumstances what has this House to suggest or to propose. The Honourable the Law Member has told us that if we put forward any constructive and concrete suggestions as to something to be done under the circumstances, the Government will be prepared to see that the suggestions are adopted and something constructive done. We must thank the Honourable the Law Member for that declaration and we consider it to be in consonance with the spirit evinced by the British Government in sending out Sir Stafford Cripps India with certain definite proposals, and after the failure of the Cripps mission, in declaring that the offers made in those proposals are still open. We do consider that what the Honourable the Law Member has said is genuine.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Syed Ghulam Bhik Nairang: I will simply say this. I hope Honourable Members of this House will put their heads together and try to put before the Government some agreed constructive suggestions and not be deterred by what the Honourable the Law Member very patronisingly called "inferiority complex". With these words, I resume my seat.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, the debate on the motion that has been going on for the last two or three days reveals that there are two definite points of view presented by the Members of this House. There is one point of view which holds that the action taken by the Government by arresting the members of the Congress and in suppressing the violent movement that has sprung up was not justified. There is one section of the House which holds that the action taken by the Government is perfectly justified. In a situation like this it might be well for Government to say that it is unnecessary for them to intervene in this debate for the simple reason that one side of the House cancels the other, but it seems to me, from what my Honourable colleague,

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moral suicide and would not have been able to show its face anywhere. It would have been the duty of Government under any circumstances to put a stop to lawlessness, and the duty was all the more imperative when the invader stood at the gate of India. If the Government had failed in this duty, we do not know what would have happened. As I have already said, the only other alternative was to abdicate and walk out. There is, therefore, no question that the measures taken by Government were not called for and not justified.

If in the course of these measures any excesses were committed by the military or the police—and I must say there are complaints to that effect which deserve serious attention and looking into—it is the duty of the Government to inquire into those complaints, punish the guilty and see that such things do not recur. I am glad after having had the advantage of listening to the Honourable the Law Member that that is the position of Government and that Government do mean to dispose of these complaints after proper enquiry and in a proper way.

Then comes the important question, who is responsible for this outburst of organised lawlessness. Some quarters blandly put forward the view that it is the spontaneous ebullition of public resentment at the arrest and incarceration of Mr. Gandhi and the Congress Leaders. Others strongly hold that this is the very thing which Mr. Gandhi and the Congress Working Committee had threatened to start on the British refusing to quit India, after being ordered to do so. The question is not free from difficulty and the relevant evidence, even such of it as is already before the public, is voluminous and complicated. Mr. Gandhi's utterances and writings are not only oracular but contradictory, and the great difficulty is that he declared sometime ago by quoting Emerson that consistency is the hobgoblin of small minds. We know that Mr. Gandhi's mind is not small and so he considers it necessary to indulge in inconsistencies to the mystification and utter embarrassment of those who want to ascertain his leanings and know precisely what he aims at. Now, Sir, among the lieutenants of Mr. Gandhi, we have the very conspicuous figure of Sardar Patel who said that the movement was going to be short and swift and would end in a week. If such a movement was going to be non-violent, it could not, as it were, by the touch of the magician's wand, complete its work in a week. Without going into details, one may say that there are very very strong indications that the Congress is responsible for this movement. Some people believe that Subhas Chandra Bose has something to do with this movement and point out to the broadcast sent out from Berlin on the evening of 19th and 20th August last which purported to be a record of a speech by Subhas Chandra Bose and in which a complete programme of rebellion and sabotage had been outlined and detailed instructions given, firstly, secondly, thirdly and so on up to perhaps 25 or more paragraphs. Many of the instructions contained in that broadcast tally with what has actually been done during the course of these disturbances. But people point out that this was, as far as known, only on the 19th and 20th August, but the movement was already in full swing long before that had been sanctioned at least by the Andhra Provincial Congress Committee and had been embodied in cyclostypled instructions which the Government of the Central Provinces said had been found with some of the members of the All-India Congress Committee. These are bewildering circumstances. It is further pointed

out that Subash Chandra Bose had not been on good terms with Mr. Gandhi and his party and so the two could not have acted in concert and, therefore, the entire thing must be put down to Subash Chandra Bose who has gone over to the enemy and has no scruples now to deter him from starting and fomenting a movement of this kind in India. But it is said by others that the differences between Subash Chandra Bose and Mr. Gandhi and his friends have long been made up. The other day when news of the death of Subash Chandra Bose in an aeroplane crash was received in India, Mr. Gandhi was among the first men to send a telegram of condolence to the mother of Subash Chandra Bose in which he characterised the death of Subash Chandra Bose as a national loss. Later on, when it was discovered that the report about his death was unfounded, it was Mr. Gandhi again who was the first to send a telegram of congratulation to the mother of Subash Chandra Bose, congratulating her on the safety of her son, and that congratulation again was for her and for the nation. Anyhow the circumstances are such that for us who are not in possession of the entire bulk of the evidence, it is difficult to come to a very definite decision and give a clear finding as to who is responsible and how far the Congress is responsible for this movement, although one must say that there are very strong indications, as far as our knowledge goes, putting down this movement to the account of the Congress.

Now, Sir, the question is, under these circumstances what has this House to suggest or to propose. The Honourable the Law Member has told us that if we put forward any constructive and concrete suggestions as to something to be done under the circumstances, the Government will be prepared to see that the suggestions are adopted and something constructive done. We must thank the Honourable the Law Member for that declaration and we consider it to be in consonance with the spirit evinced by the British Government in sending out Sir Stafford Cripps to India with certain definite proposals, and after the failure of the Cripps mission, in declaring that the offers made in those proposals are still open. We do consider that what the Honourable the Law Member has said is genuine.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Syed Ghulam Bhik Nairang: I will simply say this. I hope Honourable Members of this House will put their heads together and try to put before the Government some agreed constructive suggestions and not be deterred by what the Honourable the Law Member very patronisingly called "inferiority complex". With these words, I resume my seat.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, the debate on the motion that has been going on for the last two or three days reveals that there are two definite points of view presented by the Members of this House. There is one point of view which holds that the action taken by the Government by arresting the members of the Congress and in suppressing the violent movement that has sprung up was not justified. There is one section of the House which holds that the action taken by the Government is perfectly justified. In a situation like this it might be well for Government to say that it is unnecessary for them to intervene in this debate for the simple reason that one side of the House cancels the other, but it seems to me, from what my Honourable colleague,

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the Member for Law, has said, that it would not be proper for Government Members and, particularly, the Indian Members of the Executive Council to allow this matter to rest there. Rather than let the burden remain on the shoulders of one section of the House, I think it is very necessary that the Members should take the burden upon themselves, and I, therefore, propose to deal with some of the points that have been made by that section of the House which thinks that the action was not justified.

The points that have been raised evidently fall into two categories: Some points are particular in their significance and in their nature; some points are of general importance and although it might be desirable for some of us not only to deal with the particular points but also with the general points, time, I am afraid, is so short that one has to make his selection in meeting some of the charges that have been levelled. I, therefore, propose to offer my remarks only on two charges which have been levelled by the Party opposite against the Government.

Sir, the critics of Government have said that the Government were not justified in arresting the members of the Congress and if I understand the argument correctly, the argument seems to be that Congress is a body which believes in non-violence and that if the Congress had been allowed to be free they certainly would have controlled the situation in such a manner that they would have prevented violence from emerging. It seems to me that the Members who take that line have not correctly read what has happened to the Congress and the members of the Working Committee during the last two years with regard to the principle of non-violence. Sir, as I read the proceedings of the Congress during the last two or three years, the impression that has been left upon my mind is that there has been a terrible landslide in the principle of non-violence as has been proclaimed by the Congress. The non-violence has been deeply buried—I have no hesitation on that point at all.

Let me give the House a few facts. Sir, on the 22nd of December, 1939, the Congress first gave the threat of civil disobedience. On the 10th March, 1940, the Congress had its Annual Session at Ramgarh. At the Annual Session Mr. Gandhi was made the dictator and given sole charge to lead the struggle. Mr. Gandhi became the Commander-in-Chief under that resolution. But on the 22nd of June, 1940, barely within three months, Mr. Gandhi was deposed from his place as a Commander-in-Chief. The Working Committee refused to accept the principle of non-violence as a guiding principle for its action, and Mr. Gandhi had to tender his resignation.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): That was with regard to the war.

The Honourable Dr. B. R. Ambedkar: Please do not disturb me.

On the 15th of December, 1940, the All-India Congress Committee met in Bombay and there a resolution was passed by which Mr. Gandhi was again made the Commander-in-Chief and requested to carry on the struggle. Mr. Gandhi continued to be the Commander till December 1941. In December 1941, a Working Committee meeting was held in Bardoli and a resolution was passed again deposing Mr. Gandhi. The important feature of the incident that took place in December 1941 is, I think, not quite well-known to the Members of this House. There was a great schism at

Bardoli between Mr. Gandhi and his followers who believed in non-violence out and out, and the other members of the Working Committee who did not believe in non-violence. The matter was put to issue at Bardoli at a meeting of the All India Congress Committee. Everybody in India, certainly the members of the Working Committee, expected that Mr. Gandhi would push the issue to a decision and either save the Working Committee's resolution passed at Bardoli resigned or, if it was not possible for him to do so, tender his resignation. One of the most astounding things that Mr. Gandhi did at Bardoli when the resolution came up for ratification before the All India Congress Committee was that the apostle of non-violence instructed his followers not to carry the matter to a division. Not only that, he continued to associate himself with the Working Committee and continued to be its Commander-in-Chief. Sir, if that is not evidence that the Congress was saturated with a spirit of violence, right under the very nose of the Congress—Mr. Gandhi—I do not know what better evidence one could offer on that point.

There is another point which, I think, Honourable Members are not aware of and about which I would like to make some reference. It is not only a fact that almost all members of the Congress Working Committee—at any rate a great many of them—had ceased to have any faith in non-violence, a great many of them had become indifferent to the principle, but there is enough body of evidence to indicate that inside the Congress there was an attempt being made for a planned campaign of violence.

Sardar Sant Singh: So far as the war is concerned

The Honourable Dr. B. R. Ambedkar: Please do not interrupt me.

Sardar Sant Singh: You are making mis-statements.

Some Honourable Members: It is not correct. There is no evidence.

The Honourable Dr. B. R. Ambedkar: I am not making any inaccurate statement. I think there is one piece of evidence to which no reference has so far been made in the House, and I would like to make a reference to it.

An incident occurred at Deoli Detention Camp where Mr. Jai Prakash Narain was kept. The House probably is aware that the Jail Superintendent in charge of the Camp succeeded in getting hold of some papers which Mr. Jai Prakash Narain was surreptitiously trying to pass out of the Jail to his wife. That incident occurred in December 1941 and anyone who wants to understand what was happening within the Congress—within the Working Committee—I submit, ought to pay the greatest attention to that document. What does that document reveal? That document, if I read it correctly, reveals four or five points. First of all—and I am using the words of Mr. Jai Prakash Narain himself—the Satyagraha which Mr. Gandhi was carrying on was held by a majority of Congressmen as a stupid farce; it had no sense, it had no meaning. Secondly, Mr. Jai Prakash Narain maintained that if the Congress wanted to achieve its goal it had better give up the task of attending to moral victories and should try to achieve political victories. That was again a hit against Mr. Gandhi. The second fact

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12 Noon. which the document revealed was that there were in existence in India certain parties who were not only not believing in non-violence but were pledged to violence and the parties that are referred to in that document, I find, are these, which are said to be within the Congress: The Communist Party of India, the Revolutionary Socialist Party in Bengal, the Congress Socialist Party, the Hindustan Socialist Republican Association. It was the project of Mr. Jai Prakash Narain that all these bodies, except perhaps the Communist Party, should be amalgamated into one single organisation which should be a secret party, working within the Congress and working below ground, subterranean—to use the exact technical terminology. Mr. Jai Prakash Narain also suggested that this secret party should not only be within the Congress but should resort to political dacoities for the purpose of getting funds to carry on its own policy. If these two matters to which I have made reference do not convince reasonable people that the Congress was not to be trusted in the lip service which it rendered to the principle of non-violence, I do not know that there can be any better evidence by which a reasonable man can be convinced. That, Sir, is at any rate one of the circumstances on which Government relied in taking action at the stage it took.

Then I come to the second point which I have selected in offering my remarks in this maiden speech. It has been said by the Members of the Opposition that, although repression may be justifiable by the circumstances of the moment, it should not be the duty of the Government merely to stop with repression but that Government must take some constructive step. When one begins to examine the constructive steps to which reference has been made from different sections of the House, one cannot but be surprised at the bewildering medley of suggestions that have been made. I, therefore, pick upon only one which appears to me something definite and something which you can put your teeth in and examine. The suggestion has been made that the Government of the day should be recast, refashioned, and should work as a national government. Now, in order that I may be able to present to the House the point of view which I am urging with regard to this suggestion, it would be better if I began by stating what the present Government is, what is its nature. As Honourable Members are aware, section 33 of the Government of India Act says, that the superintendence, direction and control of the civil and military government of India is vested in the Governor General in Council. I am a bit of a constitutional lawyer. I do not claim to be an expert, but I do claim to be a student; and examining this section 33 and comparing it with the constitutions that exist elsewhere and taking as a measure the wishes of the Indian people as to the nature of the government they want, I have no hesitation in saying that this section 33 provides a government which has two characteristics which are of infinite importance. The one characteristic which this government has got is that it excludes autocracy completely. The second characteristic which this government has got is that it imposes collective responsibility, a matter which is so much after the heart of the Indian people

An Honourable Member: Is it practised?

The Honourable Dr. B. R. Ambedkar: I will come to that. There is ample provision in the Act. The government is vested not in the Governor General, not in a single authority, but it is vested in the Governor General in Council

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Subject to the orders of the Secretary of State.

The Honourable Dr. B. R. Ambedkar: I am coming to that; I am dealing with all that. The position is this, that every Member of the Executive Council is a colleague of the Governor General. That fact can never be forgotten and ought never to be forgotten; and my submission, therefore, is that if Indians are wanting a government which is democratic, which excludes autocracy, and which by law—not by convention only—imposes upon those who are in charge of the administration a collective responsibility, then my submission to the House is this: that you cannot devise a better form of government than the one we have. I know it has been said against this government that although that may be so, this government is subject to the veto of the Viceroy and of the Secretary of State

Mr. Jamnadas M. Mehta: Not merely veto—orders.

The Honourable Dr. B. R. Ambedkar: I call it veto; you can call it orders. I would like to use a constitutional phrase as I am a constitutional man

An Honourable Member: The master's voice from Whitehall!

The Honourable Dr. B. R. Ambedkar: What I said is that this government is not a free government; it is a government that is subject to the veto of the Viceroy, it is also subject to the veto of the Secretary of State. With regard to the veto of the Viceroy I would like to point out that the veto is confined to matters which relate to the safety and tranquility of India. It is not a general veto. It is not a veto which applies to the day to day administration of the country

Sardar Sant Singh: May I ask one question.

The Honourable Dr. B. R. Ambedkar: You must not ask any question now, I have got a very short time. I am going to admit for the sake of argument that there is a veto. I have read a lot of constitutions, not to be afraid of a veto

Sardar Sant Singh: I am asking a legal question.

The Honourable Dr. B. R. Ambedkar: You can ask me later. I have no time to give a lecture now.

I am perfectly prepared to admit that there is a veto and that the veto exists. My question to Honourable Members who are so much disturbed by the veto is this: what is the significance of the veto? What does the veto mean? Let me state it in the most categorical terms, because I find there is a lot of confusion in the minds of many Honourable Members who wish to talk about the constitutional question. What is the difference between an autocratic government and a responsible government? What is the difference that exists in Germany under Hitler and the Government that exists in Great Britain? The answer simply is this (Interruption).

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LEGISLATIVE ASSEMBLY

[18TH SEPT. 1942]

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Honourable Members must not go on interrupting like this.

The Honourable Dr. B. R. Ambedkar: The answer is simply this and I want to put it in the most categorical form—the difference between autocracy and responsible government—I repeat it, I emphasise it,—lies in the fact that in autocracy there is no veto, in responsible government there is a veto. That is the simple fact about it. Let all those who want to understand the constitution and who want to frame constitutions bear that fact in mind.

Sir, the only question, the only quarrel that can arise—I can perfectly understand that sort of quarrel—is where should the veto lie? Should it lie with the Secretary of State, should it lie with the Viceroy, or should it lie at any other place or in some other organisation? That can be the only point of quarrel. As to the existence of the veto, I submit that there can be no quarrel among those who believe in responsibility, among those who believe in democratic government. The question, therefore, that arises is this. If we are not to have the veto with the Secretary of State, where are we to have it? It seems to me that if you want to transfer the veto from the Secretary of State, the only place where I can see it can be rightly placed is the Legislature. There is no other place for the veto.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): I am glad that my Honourable friend has at last thought of the Legislature!

The Honourable Dr. B. R. Ambedkar: The question, therefore, is this, and I think it is a simple question. Can we transfer the veto to the Legislature as it exists today? (Interruption by Pandit Lakshmi Kanta Maitra.) I cannot teach you constitutional law. I am afraid I shall have to open a class. I spent five years in the Law College teaching constitutional law. The question to my mind is this. Can we transfer this veto to the Legislature? And I must consider the question from the standpoint of the present Legislature because the demand is that the British Government should abdicate at once. The question is, is this Legislature suited as a receptacle in which we can place this veto?

What is the composition, what is the character of this Legislature? Now, Sir, it is quite true and I do not think I am saying anything derogatory to this House, that, having regard to the efflux of time, this House is almost in a deceased state.

Sardar Sant Singh: It is always.

The Honourable Dr. B. R. Ambedkar: It was elected for three years, but it has been sitting for almost nearly nine years. I do not know to what extent the present Members of this House can be said to derive a mandate from their constituencies which can be regarded as direct and fresh, if it has not become stale by the efflux of time. I won't say anything about it, but let us proceed further and examine the composition of the House.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): What my Honourable friend says has nothing to do with the motion before the House.

The Honourable Dr. B. R. Ambedkar: If you think, Sir, that my time is up . . .

Mr. President (The Honourable Sir Abdur Rahim): The time limit was arrived at by agreement of all Parties and I have got to enforce it.

The Honourable Dr. B. R. Ambedkar: Then I will close my speech. Examining the Legislature from any point of view you like, examine it from the point of view of the mandate, examine it from the point of view of the composition of the Legislature, its representative character. Examine it also from the point of view of the electorate which is represented, and I have no doubt about it that this House cannot be regarded as sufficiently representative to impose a veto on a national government.

Mr. Jamnadas M. Mehta: Why did you call the Session?
(There were some more interruptions.)

The Honourable Dr. B. R. Ambedkar: The point, therefore, is this. Either you must acknowledge the fact that this House is not representative enough to have the veto deposited in it, or you must consider whether during the period of the war it is possible for us to enter upon re-fashioning this Legislative Assembly in such a manner that it will contain within itself a sufficient number of Hindus, a sufficient number of Mussalmans, a sufficient number of Depressed Classes, and all the other elements which go to make up the national life of the country. Therefore, my submission is that this demand which has been made for a national government is certainly the result of confused thinking, is the result of the desire of most people, to avoid what I regard as the most crucial question, namely, a communal settlement, because until we get a communal settlement, it is quite impossible to re-fashion this House in a manner in which it would be regarded as fit to receive the veto powers over the Executive that may be fashioned under the new Constitution. Sir, I cannot carry the matter further as my time is up and I resume my seat.

Mr. N. M. Joshi (Nominated Non-Official): May I rise to a point of order? Is it good parliamentary practice that the Government side which has to make provocative speeches should make them at the end of the debate instead of in the middle or at the beginning of the debate?

Mr. President (The Honourable Sir Abdur Rahim): It is not a point of order which the Chair can decide. It is left to the Members of the House.

Mr. Hooseinbhooy A. Lalljee (Bombay Central Division: Muhammadan Rural): It was my earnest desire to be able to congratulate my Honourable friend, Dr. Ambedkar, when he made his maiden speech, but I am sorry to say that I am unable to do that at this juncture after hearing his speech but I do sincerely welcome him as a member of the Government of India. We had today what I considered to be a bright day when we heard the Honourable the Law Member admitting on the floor of this House that he looks to this House, a House which his Colleague, the Honourable Dr. Ambedkar, says is a good for nothing House. We are between

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the verdicts of two Honourable Members of Government, and I do not know whether there is any good our going into this question until they come to hold one and the same opinion. They have undertaken collective responsibility and they say, "You are no good. Trust us. You do not represent the people. These nine years you have not seen an election. We are the representatives and ought to be trusted! Not only are we under the Act colleagues of the Viceroy but have a collective responsibility." But the fact is, Sir, they have been appointed by the Viceroy and their term of office is until the pleasure of the Viceroy. I have never had a business proposal like that put before me, and I say that as a business man I shall not be proud of such a business. I call my servant and tell him, "You are my equal. I have appointed you. You shall remain during my pleasure, that is, no sooner I do not want you, then you are to go". Is this collective responsibility?

We have been told further by our Honourable friend, Dr. Ambedkar, about the great veto. He asks, where is the veto to be placed? It is certainly not with this Legislature but I admit it is in reality with the Secretary of State. We know as a fact that the veto lies in the hands of one gentleman 6000 miles away, and the Viceroy and the Executive Council, are humble servants of the Secretary of State and have to be there during the pleasure of the Secretary of State. This is the true position. I am sorry I have to deal with this question but it is the bounden duty of every one here who has been returned by his constituency to maintain the rights of the people. If I have said anything which my friends do not relish, I am certainly very sorry. But I strongly appeal to them to feel that we represent the people of this country, especially at a time when every day the freedom and the rights of the people to self-determination is dinned into our ears. If the Government as a whole have kept us on in this House it is not for anybody to challenge our position. We have told Government often and I am prepared to tell my friends today: 'Dissolve this House; if you want fresh verdict of the people'. Your policy is like the dog in the manger policy. The other day you grudging to give us more than two days to discuss the whole situation and, when great persons like Marshal Chiang and Sir Stafford Cripps came to this country it was so arranged that this Legislature had nothing to do with them. Not till this morning did we hear the least anxiety on the part of the Government Benches to take us in confidence or treat us as people's representatives. I take the pronouncement made by the Honourable the Law Member to-day very seriously and I tell him that if that is the spirit with which they are going to work with us, who are now here, they will not be sorry. It is high time I feel that you and we all must go round the country and explain the true position of the Government to the people. It may be that the powerful parties have been able to carry the people in their own way a great deal, but the fault really lies with the constitution and specially with the manner in which the Government have often treated the people and the people's representatives who have been co-operating with them. Change that policy. Let Government openly acknowledge those who are always prepared to discuss matters and co-operate with them and not only those who come at times to co-operate with them. You should not also surrender to those who sit on the fence and say that they will co-operate with you on certain terms. You should co-operate with all those who are bold enough to offer their services to you, not as a master, but as the Government of the country.

Let me again express the hope and trust that the pronouncement made by the Law Member is serious. He will excuse me if I still have doubts. I have been here for nearly ten years, and in season and out of season, we are claiming what you have just tried to give us that is true situation in the country and of the Government and I must say that we have yet to see that this is going to be your practice. Let us hope that you will put it into practice hereafter.

Coming to the motion before the House, I want to say that I entirely agree with the remarks that have been made by the Honourable the Home Member and the Law Member with regard to the great and serious losses that the country has suffered on account of the recent disturbances. I also agree that it is the duty of the Government to take strong and immediate measures to put them down. I do not think there is anybody in this country, (who honestly and sincerely believes in the safety and happiness of the people), who likes these disturbances. One thing you have got to acknowledge and that is the fact that today there are a very large number of people in the country who claim to be the followers of the Congress policy. There are today a large number of Muslims who claim to be the followers of the Muslim League.

Sir Muhammad Yamin Khan: With the exception of a few.

Mr. Hooseinbhoy A. Lalljee: I said large number. I have not said all. There is also the fact that there is a strong universal feeling that we ought to be free and independent. In these circumstances, the first duty of the Government is to try and satisfy the people's aspirations. In the Cripps proposals, I admit that a sincere attempt was made by the British Government to meet to a very large extent the desires of the people. I am sorry that attempt has not been successful. The Congress declared that the powers given were not real and further also not sufficient for the successful prosecution of the war. It is also a fact that the great Commander-in-Chief, as my friend, Dr. Ambedkar, has pointed out Mr. Gandhiji declared something to the effect that the Cripps proposals were a post-dated cheque on a bankrupt bank, but Sir, many do not agree with these. Many also feel that the Muslim League ought not to have rejected them. The reason the Muslim League put forward is that they did not get sufficient power to run the Government, and in that position, they were not prepared to take up any responsibility. Whatever that may be, I feel that the Government ought to have there and then attempted to get together the other parties, namely, the Depressed Classes, the working classes and other independent people's representatives together in a little round table conference at that time, and through them put the proposals before the public. It is not proper to blame all if you have not consulted or cared to consult all.

Sir, the Government are anxious and the people are anxious that we must carry on the war successfully. People are more anxious to carry on the war successfully because there are involved in this war two important questions for them. One is that our country is threatened and we cannot and will not allow our country to be invaded. The second is that we shall be able to get our freedom as soon as war successfully ends, because nobody can dare refuse us this right after the position that we have established and in the position we are now in. I feel also that a great deal and much more can be done for the war to be successful soon if the people of this country were frankly and fully trusted and taken into

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confidence. And further, if those Indians who are working in responsible position for the war supplies and preparations and those who can work in this direction should be given real and more responsible positions in the conduct of the war and in all the activities connected with the war. If this is done without any reserve India will be able to show very soon to the world at large that they not only can defend themselves but can defend the liberties of the people of the world at large. Unless and until some honest and real endeavours are made to place the real position and a fair right to handle the same in the accredited representatives of the country and a satisfactory solution is brought about in this respect, I am afraid we will not be able to do, with all the goodwill in the world, full justice to the cause of successfully carrying on of the war and for the cause of freedom. We have to seriously consider this position and I would earnestly and seriously draw the attention of the House and Government to it.

Only yesterday I read a small account in the newspapers the statement of Mr. Nash, the Prime Minister of New Zealand. He said:

"As I see it, Britain has made an offer, an honest offer, telling Indians to form a Government, and we drop our Government when you form yours. It is absurd to say you shall not have a Government meanwhile."

He further adds:

"There is one qualification. We do want to use the area to defend the interests of the United Nations."

Here is the Prime Minister of the smallest Dominion in the British Empire who calls this Government as 'our' Government. This is the statement of the Prime Minister of the smallest Dominion where an Indian cannot get free entrance or equal rights but who claims the Indian Government as 'our' Government. Mark these words, especially and consider its effect when you want to rouse the enthusiasm of the people to fight for their freedom as well. Then, the next thing he says is that he wants the area to defend the interests of the United Nations. In other words, he wants our country to be used as a battlefield to defend the interests of the United Nations, including of course New Zealand. It is not only New Zealand that wants this, but Australian and South African also want it because they all are in same position. Even the great American nation and the unfortunate China, (which is just like ourselves) also want it. The presence of their nationals in this country clearly shows what they mean. I do not say that we shall refuse them co-operation and help, but what I do say is this we are ourselves prepared to fight for our defence, if you want help ask us, do not dare to claim it, as we are prepared to fight for the cause of real freedom. We are prepared to make all sacrifices for the same but we must insist on being treated as equals. From this day let it be admitted by these people in all fairness that the people of India shall certainly and also have equal status with the people of the United Nations not only in India but in their countries as well. Make that simple and honest declaration. Let the great people of the United Nations also make this solemn simple declaration, that from today onwards the British Indian, or call him what you like, shall have in all those places where the United Nations rule the equal status and they shall and will accept the same position in India hereafter which is accorded to Indians in their countries by them. We are prepared to concede these privileges to them. In fact, we have

upto now been forced to concede equal status, position, to them but hereafter they will get if they concede. Now, may I ask my friend the Leader of the European Group and his friends who kindly gave assurances to us yesterday to kindly rise and tell us whether he is agreeable and is going to allow us to be equals with him in this country, in their country and in other parts of the world where he has got his own kith and kin ruling and for whom he is fighting and asking us to fight this war. Here is a test, Sir, before you. May I ask him that since he has given us pledges and also assurances of freedom soon after the war to answer this simple question boldly. This simple question I am putting to you only as a businessman because they are all businessmen. Are you prepared to admit here and now that you will see that a British Indian shall have the equal status wherever the United Nations will be ruling? If that is not forthcoming, let me put to him another question. Will you at least concede that the poor brave Indian soldier wherever he has shed his blood, shall be treated on that soil as of equal status with the people of those countries? Our poor brave Indian soldier is taken to Iraq, Iran, Syria, Egypt, Malta, etc., will he get an equal status in those lands or if he is taken to New Zealand, Australia or South Africa or to England or even to America will he be treated after victory is won by him as equal there. We are prepared to send them to all these countries,—will these great nations say here and now to his children or send messages to his orphans and to his widow and to his father and mother that their precious blood which was shed on their soil to defend their hearths and homes entitles them to an equal status with them? For the time being, let me leave aside the Indian people, let them answer to those who are actually laying down their lives. Will you do that? These are the things that really and truly will appeal to the mind of the people. Declare these simple things, when you make so many others. The moment you do that, let me assure you, you change the whole aspect of the war, especially when every day you din into our ears that equality and freedom is everything in the world and that the Axis powers are not only refusing these but are committing cruelties. They are really doing so and are really committing cruelties but may I ask why are you treating us as subject races and conquered nations. Are you prepared even to say here and now that such a thing shall not happen? I leave aside all other great and weighty constitutional questions for the time being; I only want this great fundamental principle of humanity, namely, equality of status to come at once. As a businessman who has travelled in many parts of Asia, a part of Africa and of Europe let me tell you frankly, I have often found myself in a position when I had to hide my real identity to be a British Indian.

Mr. Jamnadas M. Mehta: What did you go as?

Mr. Hooseinbhoy A. Lalljee: I have tried to pass as a Egyptian or as a Muslim without giving my nationality. The moment I had to say that I was a British Indian, they look down upon me as an inferior being.

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[Mr. Hooseinbhoj A. Lalljee.]

confidence. And further, if those Indians who are working in responsible position for the war supplies and preparations and those who can work in this direction should be given real and more responsible positions in the conduct of the war and in all the activities connected with the war. If this is done without any reserve India will be able to show very soon to the world at large that they not only can defend themselves but can defend the liberties of the people of the world at large. Unless and until some honest and real endeavours are made to place the real position and a fair right to handle the same in the accredited representatives of the country and a satisfactory solution is brought about in this respect, I am afraid we will not be able to do, with all the goodwill in the world, full justice to the cause of successfully carrying on of the war and for the cause of freedom. We have to seriously consider this position and I would earnestly and seriously draw the attention of the House and Government to it.

Only yesterday I read a small account in the newspapers the statement of Mr. Nash, the Prime Minister of New Zealand. He said:

"As I see it, Britain has made an offer, an honest offer, telling Indians to form a Government, and we drop our Government when you form yours. It is absurd to say you shall not have a Government meanwhile."

He further adds:

"There is one qualification. We do want to use the area to defend the interests of the United Nations."

Here is the Prime Minister of the smallest Dominion in the British Empire who calls this Government as 'our' Government. This is the statement of the Prime Minister of the smallest Dominion where an Indian cannot get free entrance or equal rights but who claims the Indian Government as 'our' Government. Mark these words, especially and consider its effect when you want to rouse the enthusiasm of the people to fight for their freedom as well. Then, the next thing he says is that he wants the area to defend the interests of the United Nations. In other words, he wants our country to be used as a battlefield to defend the interests of the United Nations, including of course New Zealand. It is not only New Zealand that wants this, but Australian and South African also want it because they all are in same position. Even the great American nation and the unfortunate China, (which is just like ourselves) also want it. The presence of their nationals in this country clearly shows what they mean. I do not say that we shall refuse them co-operation and help, but what I do say is this we are ourselves prepared to fight for our defence, if you want help ask us, do not dare to claim it, as we are prepared to fight for the cause of real freedom. We are prepared to make all sacrifices for the same but we must insist on being treated as equals. From this day let it be admitted by these people in all fairness that the people of India shall certainly and also have equal status with the people of the United Nations not only in India but in their countries as well. Make that simple and honest declaration. Let the great people of the United Nations also make this solemn simple declaration, that from today onwards the British Indian, or call him what you like, shall have in all those places where the United Nations rule the equal status and they shall and will accept the same position in India hereafter which is accorded to Indians in their countries by them. We are prepared to concede these privileges to them. In fact, we have

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[Mr. Hooseinbhoy A. Laljee.]

Sir, I wish to say all this as I feel I can claim it because I am one of those who are out to help openly and sincerely the Government in the successful prosecution of the war as a people's representative. We believe and strongly believe that in the successful prosecution of the war lies the safety of our hearth and home and our freedom, and that every endeavour must be made to win the war and that every obstruction should be removed and every thing must be done which would help people to come out to win this war. I do not ask for freedom. I do not wish to say that we shall be given freedom. I say, let by friends realise that hereafter if they do not concede, the Indian soldiers and people who are fighting in this war will demand freedom and take it and no power on earth will be able to deny it. The great President of the American Republic and the very great Premier of Great Britain found time during this great war to consider the Atlantic Charter for European Small Nations. But when the question of my country comes, they say, "We shall send white soldiers, English soldiers and American soldiers and also Chinese soldiers. We have nothing to talk to you or we have no time to talk to you and we have nothing to do with your domestic affairs". I wish they had nothing to do with our domestic affairs. I want to tell them one thing, what about our status in their countries? If we are an inferior nation, why come to us for men and for help. It is in the interest of those who are really out and working for the successful conclusion of this war I say, help us in attaining our status; I am making this appeal to our Treasury Benches, especially to my Indian colleagues who have now collective responsibility with the Viceroy as his colleagues and who have taken upon themselves great responsibilities in these grave and trying times. I appeal to my Honourable friend, Dr. Ambedkar, specially, who has very rightly asked his people to join the army and I hope and trust that he is as anxious as any one to see that the Depressed class soldiers shall shout wherever they be, with the foreign soldiers, "His Majesty the King" or "His Majesty the King Emperor" according as what the foreign soldiers themselves shout. Sir, I make this pointed reference and want to draw the attention of the Government to it. It has come to my knowledge that in different places when the British and Dominion soldiers toast the King, they simply toast "His Majesty the King" and the Indian soldiers also stand up. It has never been an occasion for our poor brave Indian soldiers to hear the Britishers and Dominion soldiers getting up and toasting "His Majesty the King Emperor". I have no quarrel about this. I may tell my Honourable friends, the Britishers sitting on the Treasury Benches that if they really want to treat this country as their own, they must treat us on equal status. I assure you that the moment the Japanese or Germans or anybody else know that Indians have been won over; Indians have acquired equal status and India to a man is behind the British and that India is out doing all it can in the successful prosecution of this war, then believe me, Sir, both Japanese and Germans, our enemies, would not dare to make any advance on India or Asia and I very soon they would even try to sue for peace. India has great potentialities, she has done great things and she can do much more. Our enemies have made a great study of this country let me tell you when you gave them all opportunities and they very well know the real power of India, and the very great potentialities existing in it to fight them to a finish.

Dr. P. N. Banerjee: Sir, I strongly condemn acts of violence and hooliganism; and there is no Party in this House, there is no person in my Party who does not condemn such acts with equal emphasis. But, Sir, I cannot see eye to eye with the Honourable the Home Member when he observes that there were no excesses committed by the police and that due care and caution was adopted in repressing lawlessness. Concrete instances have been pointed out by many Honourable friends and I have myself personal knowledge of innocent persons having lost their lives through no fault of their own. This is, therefore, a matter for full and proper investigation.

There is another reprehensible feature of the present situation, and that is the muzzling of the Press. Sometime ago the restrictions imposed on the Press of the country were so stringent in character that most of the nationalist papers thought it incumbent upon them to suspend publication. Some relaxation of control has now been provided, but even now the restrictions which continue are harmful not only to the people but also to the Government. The Government should remember that the Press is a great safety-valve and that it is dangerous to tamper with it.

I cannot agree with the Honourable the Home Member when he seeks to connect the Indian National Congress with loot, arson and murder. I have my own differences with the Congress. I was the Chief organizer of the party which was formed in Bengal under the guidance of our venerable Leader, Pandit Madan Mohan Malaviya and the great scientist, Sir P. C. Ray, a party which returned all its candidates to this Assembly, after inflicting crushing defeats on their Congress rivals. But whatever differences may exist between myself and the Congress, I cannot believe that non-violence is no longer the creed of the Congress. My Honourable friend, Dr. Ambedkar, pointed out that there have been serious differences in the Congress ranks with regard to non-violence. But these differences, he forgot to mention, refer only to the question of defence of the country. I cannot believe that Gandhiji and the other Congress leaders have fallen so low as to soak their hands in the blood of postmen and police officers.

I do not deny, however, that what the Congress intended to do was in itself a serious thing. The Congress threatened to launch a campaign of non-violent struggle. Their programme, in short, was a general strike all along the line. This was calculated to create serious disturbances in the country. I made a public appeal through the press to Mahatma Gandhi and the Congress leaders to desist from such a course. But it seems that the Congress was compelled by the unbending attitude of the British Government to resort to this method. Thus, while the Congress is partly responsible for the present situation, and while I admit that the Congress made a mistake, I must say that the Government also made a mistake, perhaps a greater mistake and that the Government are even more responsible than the Congress in bringing about the present catastrophe. More than three weeks elapsed between the meeting of the Working Committee and the meeting of the All-India Congress Committee and during this period the Government might have called the representatives of the different parties to a conference so as to be able to find a way out of the difficult situation. But the Government did nothing of the kind.

[Dr. P. N. Banerjee.]

The Government mishandled the situation. And what is the consequence of this mishandling of the situation? The consequence is that anti-British feeling is today twenty times greater than it was ever before. And what is worse than that, is that before the 7th of August there was no pro-Japanese feeling in this country, but today there is a feeling which approaches dangerously a pro-Japanese feeling. A feeling of active hostility to the Japanese invasion is gradually giving place to a feeling of passive acquiescence. That is a most dangerous symptom of which the Government must take note.

Mr. N. M. Joshi: They do not bother.

Dr. P. N. Banerjee: The Government should also consider that in addition to the political discontent there have been other factors such as economic distress, food shortage, misbehaviour of the soldiers, and the policy of repression followed by Government officers which have greatly enhanced the seriousness of the situation.

The Government should also consider the present situation, in relation to the most urgent need of the hour. And what is that? The most urgent need of the hour is to aid the war effort of the United Nations to the fullest extent. But how is that to be done? That can only be done with goodwill of the people, but can goodwill be secured by means of whipping, shooting, collective fines and gagging of the press? The answer ought to be an emphatic 'no'. The Honourable the Home Member spoke the other day about the "internal enemy", but why is he desirous of converting a friend into an enemy. The Congress has said again and again that it is prepared to aid the war effort of the United Nations to the fullest extent; and I do not know why the Honourable the Home Member is seeking to open two fronts in India. If a second front has to be opened, let it be opened in Europe against the Fascist powers, but in India what we want is a single united front against all the enemies of the United Nations—Japan, Italy and Germany. If this object is to be achieved, a reversal of the policy of the Government will be needed. The policy of repression must give place to the policy of conciliation. The administrator has played his part. Let him now stand aside and make room for the statesman. The first act of statesmanship in India will be to reverse the present policy, to convene a conference of the different parties of the people including the Congress, and transfer a substantial measure of real power to the people of the country.

My European friends say that power will be transferred to the people after the war; and they ask "Why are you not satisfied with promises?" But it is regrettable that our friends forget that the pages of the history of British-Indian administration are covered over with broken pledges.

An Honourable Member. No.

Dr. P. N. Banerjee: They seem to forget that the Charter Act of 1833 contained a provision for removing all racial discrimination between Indians and Europeans, and has this provision of the Charter Act been given effect to? This Charter Act was not the promise given by this person or that person, but was given by the Parliament of Great Britain. And if this Charter Act could be ignored with impunity, what reliance can be placed on the promises of the Members of the European Group. No. Promises will not do. You will have to do some thing immediately. If your promises

are to be believed they should be accompanied by some measure of fulfilment even at the present time. My European friends further say: "Power cannot be transferred in the twinkling of an eye" but do they not know that important events occur in the twinkling of an eye? Do they not know that Burma and Malaya ceased to be British possessions in the twinkling of an eye. They should remember that three years have now elapsed from the date of the commencement of the war; and are three years a mere twinkling of an eye?

No one will accept their view in this matter unless they are prepared to transfer at least a substantial measure of real power to the people here and now. If it is impossible to transfer the whole power immediately, they should transfer a substantial portion of that power. I am glad that the Honourable the Law Member took a line in this regard different from the line taken by others. I do not know who is the spokesman of the Government on this question—the Honourable Sir Sultan Ahmed or the Honourable Dr. Ambedkar? The Honourable Sir Sultan Ahmed says: "Prepare a scheme and we shall give effect to it", but the Honourable Dr. Ambedkar says: "The present is the best system of Government that is possible."

The Honourable Dr. B. R. Ambedkar: I did not say any thing of the kind. You did not allow me to conclude my speech.

Dr. P. N. Banerjee: The Honourable Dr. Ambedkar made so many incorrect statements that we cannot now take his explanation as correct. The Honourable Dr. Ambedkar said that the present Governor General in Council possessed very great powers. Because he is a Member of that body, he may take pride in that fact that he is a Member; but what are the powers? If you read section 33 of this Act you will find that 'the Governor-General in Council is required to pay due obedience to all such orders as he may receive from the Secretary of State'. It is not a veto; it is an order to be obeyed.

The Honourable Dr. B. R. Ambedkar: What is the difference between 'order' and 'veto'?

Dr. P. N. Banerjee: My Honourable friend takes pride in the fact that he is a constitutional lawyer. Is that the interpretation of a constitutional lawyer? I ask the Honourable Sir Sultan Ahmed,—who is the representative of the Government in this regard,—do you accept this interpretation? If so, I can only pity the Government of India that it has fallen so low.

Sir, I maintain that even within the limits of the present constitution considerable advance is possible. You have to remove certain sub-sections and amend only certain unimportant portions of the Government of India Act. If you do this and alter the Legislative Rules and the Electoral Rules you can make the Government responsible to the present Legislature.

Without much difficulty that can be done. But my Honourable friend pours his vial of contempt on this House. Does he represent in this House the Government with regard to this matter? Do the other Members of the Government share that view? If the Government pour such contempt, why do not the Government order a re-election? A general election would be welcome; in fact we have urged again and again that there should be a general election. But the Government, instead

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[Dr. P. N. Banerjee.]

of taking that step, is seeking to pour contempt on this body. Sir, within the frame-work of the present Constitution, a considerable advance is possible; the transfer of a substantial measure of power is possible without changing the whole Constitution and without ordering a general election. If the Honourable Sir Sultan Ahmad is sincere in his offer, as I believe he is, then we can sit round a table and point out such changes in the Constitution as will bring about a better Government which will be responsible to the Legislature.

But where is the statesman? Is there any statesmanship in this country or in England? The people have doubts about it. But if Britain fails to rise to the demand on this occasion, let the United States of America stretch out its hand of fellowship to a country struggling for freedom. It was that great country that wrote the noblest and most brilliant chapter in the history of world freedom; let the United States help an ancient nation which once was so great as a pioneer in art, in science, and in civilization.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions; Muhammadan Rural): Mr. President, I am sure the House must have appreciated the learned discourse that the one-time professor of constitutional law, Dr. Ambedkar, was pleased to give on the question of veto. I think it would have been more advantageous for the purposes of this debate if he had told us something about the sanction that is required behind a totalitarian government and a popular government. There is an opinion in this country that there is no popular sanction behind the present Government; and I think if Dr. Ambedkar had given us some details regarding the different types of sanctions that are needed for a government, it would have been more advantageous for the purpose of this debate. He made certain observations regarding this House. I think it was in bad taste. If there have not been any general elections during the last eight years, the responsibility cannot be thrust on the shoulders of the Members of this House, the responsibility is on the Government of which he is a part today.

The Honourable Dr. B. R. Ambedkar: What is the electorate behind this Legislature? (Interruptions.)

Nawabzada Muhammad Liaquat Ali Khan: I say that there is greater popular sanction behind this Legislature than behind the Government of which Dr. Ambedkar is a part.

Before dealing with the present political situation let me put before the Government one very important point which is causing great concern to the Mussalmans. It is the question of collective fines which have been imposed in certain areas by the Government. The Honourable the Home Member was pleased to remark that the Mussalmans on the whole have kept themselves absolutely aloof from the present civil disobedience movement. I am glad to say that some Provincial Governments have taken steps to exempt Mussalmans from such fines, but what I do submit is that the Mussalmans as a rule should be exempted from this collective fine and if it is proved—and mind you, the burden of proof must be on the Government officials—that any Muslim or Muslims have taken part in this movement, only then are they at liberty to realise fines from such Muslims. But the

burden of proof must be on the Government officials themselves and not on the people to prove that they have not taken part in this civil disobedience movement, and I want the Government to be very careful in this matter. There should be very strict instructions to their subordinate officials that this rule shall be scrupulously adhered to and followed. Without going into the details, let me tell you that since this movement was started, certain attempts in certain localities were made by certain officials to implicate Mussalmans who really had nothing to do with the civil disobedience movement; and, therefore, if the higher authorities do not take extra precaution in keeping the control over their subordinate officials, it might create an unnecessarily unpleasant situation where the Muslims are concerned; and, therefore, I would strongly impress upon the Government that nothing should be done by any of their officials which would in any way exasperate the Muslims against the actions of this Government. In certain cases fines have been realised from the Muslims who had nothing to do with the civil disobedience movement, thus causing great hardships to some of them. I have got specific instances in my possession; they had to sell their chattel, they had to sell their grain, which they had stored for a rainy day, to pay the fines.

Sir Cowasji Jehangir (Bombay City; Non-Muhammadan Urban): In what province?

Nawabzada Muhammad Liaquat Ali Khan: In the Central Provinces.

Sir Cowasji Jehangir: In any other province?

Nawabzada Muhammad Liaquat Ali Khan: I have not got any information as regards any other province. The Central Provinces Government have since passed an order that the Mussalmans shall be exempted; but what I do want to impress is that in matters such as these immediate action is needed and is more necessary than anything else.

Now, Sir, coming to the subject matter of the motion which has been placed before this House, the position of the Muslim League has been made abundantly clear in the resolution passed by the Working Committee of the All-India Muslim League last month. We deeply deplore the decision of the Congress in having launched upon this open rebellion, not for the purpose of achieving independence for the country, but for the purpose of getting their demand conceded by the British Government. The Congress Party have not declared war only against the British Government; they have, indeed, declared war against Mussalmans and all such other elements as do not agree with the demand of the Congress. If their objective was really to fight for the freedom of India, they would have made attempts to get the support of other parties in the country. Not only have they not done that, but they have thrown to the winds their oft-repeated declarations that there was no Swaraj without Hindu-Muslim unity. Today their position is that there is no Hindu-Muslim unity possible unless the British have withdrawn from India, and this, Mr. President, they did without consulting any one.

The object of the Congress since the declaration of the war has been to take power into their own hands. They have on different occasions cajoled and coerced the British Government into conceding their demand. And what is their demand? Let me tell this House quite frankly that the hundred million Mussalmans of this country believe it to be the establishment of a Hindu Congress Raj in this country.

Dr. P. N. Banerjee: Wholly wrong.

Nawabzada Muhammad Liaquat Ali Khan: Therefore, as far as the Muslim League is concerned, it can only condemn that the Congress should have resorted to such an action without taking into consideration the appeals that were made by the different parties in this country, and we believe that by this method the freedom of India cannot be achieved. Every one desires the freedom of India. I do not think there is any Indian who does not want to free or who does not desire the independence of his country. But, unfortunately, the conception of independence of the Congress and the conception of independence of the Muslim League differ very widely. Their conception of independence of India is domination of one community over others.

Mr. Jamnadas M. Mehta: That is not so.

Nawabzada Muhammad Liaquat Ali Khan: Our conception of an independent India is equal opportunity for both the major nationalities to develop themselves in accordance with their own ideals, their own culture and their own ideology. This is the vital difference between the Muslim League and the Congress, and not only the Congress but the other Hindu organisations like the Hindu Mahasabha, the Liberal Federation and the India League. I appeal to my Hindu friends. Believe me when I say that we thirst for independence perhaps much more than what you do, because our period of slavery is shorter than yours. We both want to be free. We want to be free, but let us not try to get what really does not belong to either of us. The only solution in my opinion which could achieve the freedom of India is the proposal we have placed before our countrymen. It is, as is commonly known, Pakistan. By Pakistan we are handing over three-fourths of India to our Hindu friends and we only want one-fourth of India. Is that an unreasonable proposition? Can anybody say that the proposal which the Muslim League has placed is such as is doing injustice to the Hindus? Whereas, on the other side, the proposal which the Congress has placed before the country, the proposal which the Hindu Mahasabha has placed before the country, is such which can only mean the rule of one community in India and the subjection of the hundred millions of Mussalmans and every other minority in this country.

Sir, I have tried to state briefly as to what is the position of the Muslim League regarding the civil disobedience movement started by the Congress. Let me say quite frankly that the Government cannot be absolved from responsibility for the present state of affairs in this country. It is the policy which the Government have been following during the last three years which has created the present situation. The central pivot of their policy since 1939 has been to placate and appease the Congress. In 1939 His Excellency the Viceroy invited Mr. Gandhi Dr. Rajendra Prasad, the then President of the Congress, and Mr. Jinnah, President of the All-India Muslim League, to a joint meeting. He put certain proposals before these leaders. It was immediately after the war was declared in Europe. What was the reply of the Congress? The Congress rejected those proposals out of hand, unceremoniously, whereas Mr. Jinnah at that time stated that he was prepared to negotiate and try

to come to a settlement with the Congress. What did the Viceroy do after having made certain proposals? Nothing was done till August, 1940, and then the Viceroy made a declaration on behalf of His Majesty's Government which is known as the declaration of the 8th of August, 1940, offering certain powers in the Government to Indians. What was the position of the Congress? The Congress rejected those proposals out of hand, and in spite of the fact that no less a person than the Secretary of State for India had stated on the floor of the House of Commons that the Government would go on with the help of those such other elements as were prepared to help and would not give up this scheme of theirs because the Congress were not accepting, nothing was done.

They again waited on the pleasure of the Congress. Then, after that, the Congress started what is known as the individual civil disobedience, and while the tools in the hands of the master mind were being imprisoned, the fountain of mischief was allowed to flow with full force from Wardha. Then, Sir, in 1942, again the British Government tried to please and placate the Congress. May I ask the Government here and through them the British Government which other party except the Congress had been demanding declarations regarding the future of India? Was it not the position of the Muslim League and others that the major issues may be decided after the war and let us get on with the job now within the framework of the present Constitution? It was only the Congress that was demanding these declarations and the British were going on making concession after concession and the declaration of 1942, and the proposals which Sir Stafford Cripps brought out to India, I make bold to say, were more to placate the Congress than to placate any other element in India. And what was the result of that. Now, we have it on the authority of the Leader of the House of Commons, Sir Stafford Cripps, that the proposals were not accepted by the Congress because Mr. Gandhi did not approve of them. So, really speaking, Mr. President, British Government have wasted these three precious years in trying to placate and please one individual in India. And what has been the result? I contend, Mr. President, that the present situation is a direct outcome of this policy of appeasement which the Government have been following during the last three years. If the Government had got on with the job, if they had taken courage in their hands and taken into their confidence those elements in India's life which have been crying hoarse for the mobilisation of war efforts in the country, the situation today would not have been what it is and, Sir, the Government cannot absolve themselves from the grave responsibility which, due to their action in the past, rests on their shoulders.

Some of my friends have made appeals to the Muslim League outside in the Press and in this House. Some of our Hindu friends have made appeals to us, that we should come forward and find a solution of the present deadlock. It is suggested that the Muslim League should take the initiative in getting the Congress out of the mire in which it has placed itself but before any party can do anything one must be sure if there is any basis for discussion, for negotiation, between the Muslim League and the Congress. The last resolution of the Congress is before the country. It is stated definitely by the Congress that there can be no question of Hindu-Muslim settlement—it is not possible—unless the British have withdrawn from India. What is the basis for discussion?

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LEGISLATIVE ASSEMBLY

[18TH SEPT. 1942]

[Nawabzada Muhammad Liaquat Ali Khan.]

Either the Congress decisions are to be taken as their honest intentions or they are to be taken as their dishonest declarations. I for one am not prepared to accuse the Congress of dishonesty on this occasion. I believe that they mean what they say. I think they mean that there cannot be any unity in this country unless the British have withdrawn, and I believe, that they mean that there cannot be any independence in this country unless the Congress demand is conceded in full. On that basis, I ask the Honourable Members of this House and I ask our countrymen outside—is there any room for negotiations with the Congress? What can you do? A party has made a declaration after considering every aspect of the question and it says point blank that there is no room for negotiations for a Hindu-Muslim settlement unless the British have withdrawn from India. In view of that declaration of theirs, those of our countrymen who have been appealing to us should try to convert the Congress to the only sensible point of view that Hindu-Muslim settlement is necessary for achieving India's freedom.

My Honourable friend, Mr. Griffiths, said yesterday—to whom are we to hand over power—a very sensible question. I give a very sensible reply. Hand over Hindu India to the Hindus and Muslim India to the Mussalmans. What is the difficulty about it? What is the trouble about it? Why cannot you decide and say—which is a fair proposition—that instead of one community having control over the whole of India, both the communities should have equal opportunities of living their own life. What is the difficulty about it and apart from that, Mr. President, there is no question of handing over power today. We are in the midst of a terrible struggle. We know that a new constitution for India cannot be framed today. All that is needed is an honest intention on the part of the British Government and a frank declaration that Hindu India is of the Hindus and Muslim India is of the Muslims and we pledge ourselves to give effect to this declaration after the war. Let me tell you that this will create a profound impression throughout the country.

Pandit Lakshmi Kanta Maitra: Do you call India your homeland?

Nawabzada Muhammad Liaquat Ali Khan: My Honourable friend asks me whether I call India my homeland. Yes. And that is why I want a share in this homeland. As a foreigner my position would have been that of Mr. Griffiths who had told us that he won't be here when the time for achieving India's independence came. It is because I consider India my homeland that I desire my share and that is the proposition which the Muslim League has, in all earnestness and in all sincerity, placed before the country and before the Government.

Bhai Parma Nand (West Punjab: Non-Muhammadan): Would you define Muslim India and Hindu India?

Nawabzada Muhammad Liaquat Ali Khan: If my friend will come to my place I shall be glad to enlighten him.

It has been stated, I think by Mr. Lawson, that they wanted the co-operation of all the Parties at this juncture. I do not believe that the British want the co-operation of any party at this juncture. I believe

that they are suffering from the disease of self-satisfaction. They seem to be under the impression that it is not necessary for them to have the co-operation of any party in this country. They tried their best to get the Congress co-operation but may I know what they did to get the co-operation of the Muslim League and such other parties in this land that have been willing to take their due share in the prosecution of the war effort? Our hand of friendship has been extended since 1939. The British Government have spurned that offer of co-operation. They want our co-operation not as allies, not as equals, but as camp followers, and I am afraid that type of co-operation no self-respecting nationality, no self-respecting party, could give. Only my Honourable friend, Mr. Jammadas Mehta, could give that type of co-operation. After having given us the past history of the misdeeds of the British Government and after having painted them in the darkest colours possible, what was his appeal to his countrymen. Follow the British. This is not the time for this kind of co-operation and let me tell you quite frankly that that type of co-operation will not help you. Really speaking, unless you make up your mind to get the co-operation of any party in this country as your allies, it is much better not to talk about it. If you want co-operation, then you must have it as of allies and as of equal partners. It is only then that they will be able to face dangers on equal terms with you. You cannot expect any decent party to give you any co-operation on your own terms.

Sir, the Prime Minister of England has made a gracious reference to the Mussalmans of India. He told us that the 90 millions of Mussalmans were opposed to the Congress. It has been a self-evident truth since 1937. He told us that the Mussalmans were entitled to their rights of self-expression. Every individual is entitled to a right of self-expression. What is the concession that he has made to the Mussalmans? What is it really that he has given to the Mussalmans which could put heart into them and help this Government to win this war? The right of self-expression. What a phrase! And that shows, Mr. President, that even now when the Government declare that they are faced with an enemy inside and an enemy outside, the co-operation of Mussalmans is of no value to them. They do not want the co-operation of Mussalmans.

Sir, let me explain as to what is the position of the Muslim League Party regarding the amendments that have been moved by the different sections of this House. As I have just pointed out, we have no share, no authority, no voice in this Government and we are certainly not here to register their decrees and give our approval to the actions of the Government. Therefore, the Muslim League Party has decided not to vote for the Resolution of Mr. Dumasia. As regards the amendments that have been moved by Sardar Sant Singh and others, I have at great length explained our position which shortly is this. We stand for the independence of India; we stand for the freedom of India. We are prepared to form a provisional Government in co-operation with any party in this country for purposes of prosecuting the war successfully and defending our hearths and homes, provided we are given a guarantee by every party and by the British Government that the hundred millions of Mussalmans of India will have, not the right of self-expression, but the right of self-determination, to determine their destiny, to establish completely independent States in those areas where they are in a majority and thus to achieve freedom for our own homelands.

[Nawabzada Muhammad Liaquat Ali Khan.]

Sir, this is the position of the Muslim League, and I once again appeal to my Hindu friends to consider over this matter. The whole world is crying for freedom. Every country in Europe which is under the heel of Nazi Germany is longing for independence. Can not we, the Hindus and the Mussalmans of India, give to each other what is their due? Is it better for us to live in a united India as slaves, or is it better for us to live as free-men in a divided India. I appeal to my country-men in this House, to my countrymen outside, let us join hands; let us defend our hearths and homes; let us push the enemy away from our borders and let us give to the other what is his due. I can assure you that if we would agree to recognise the right of each other, there is no power that can stop India from achieving independence. Here is a proposal from the Muslim League—a fair proposal and a just proposal to our countrymen. Take three-fourths of India and give us one-fourth. Let us both join together and take the whole of India from the British Government.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, the debate for the motion which was placed before this House by my Honourable colleague, Sir Reginald Maxwell, has gone for four days and during these four days expression of opinion has been given by a large number of Members. I find that that those opinions disclose a good deal of diversity which it is not easy to reconcile even by a person endowed with much greater ingenuity than I myself can claim to have.

One of the reasons why I have got up to speak today is that the Honourable the Home Member, who should have properly been the person to wind up this debate, is unfortunately lying ill and is unable to attend. So, I have to perform that work for him. The second thing was that my Honourable friend, Sardar Sant Singh, in his speech on the amendment that he moved made a remark at the very outset that he was shocked that the Resolution was not moved by the Leader of the House. I want to minimise the effect of that shock, if possible, even at this late stage.

Sir, what I wish to mainly bear in mind in winding up this debate is to pick out a few points which require a reply, apart from the broad issues that have been raised in the debate by some of the important speakers in the House. The debate has naturally centred upon two points,—the advisability of the step taken by the Government in arresting the Congress members and Mahatma Gandhi after they passed the resolution of the All-India Congress Committee. Secondly the manner in which the policy has been carried out. That was one part of the criticism. The second part of the criticism is the very broad issue relating to the constitutional problem of India. This is a problem which for the last four years has puzzled and baffled the statesmanship of the most veteran politicians in India.

Now, Sir, in the first part to which I have made reference, I shall take the latter portion of that part, namely, the manner in which the policy of the Government of India has been executed at present. A number of points have been made by certain speakers to show how in executing the present policy and making an effort to put down the disturbance, excesses have been committed in many places and some instances have also been given by certain Members. Now, it is not claimed by anybody that in

the big efforts which the Government of India have to make through the Provincial Governments to put down the disturbances scattered over the whole country, there would be no place where somebody did not commit some indiscretion. It is difficult to make a sweeping statement like that. All we have been claiming is this, that the authorities who are entrusted with this work have to meet a very uncommon situation. It is not easy to put down riotous assemblies and rebellious people. In meeting a situation of that kind, necessarily recourse is to be had to force and in the use of that force, certain latitude is to be given to those persons who are on the spot. If there are excesses of any kind, it has been stated very clearly in the speech of the Honourable the Home Member that it is in the interest of the Provincial Governments and Officers of those Forces concerned who are responsible for the discipline of their Forces to take note of those facts and make an enquiry into the matter. So far as the law on that point is concerned, I may say once for all that no soldier and no police officer is above the provisions of the law if serious charges are made to the effect that the officer concerned made wanton use of force against innocent persons who cannot be supposed to have been involved in any way in the troubles and so on. These are matters for enquiry in the case of individuals. If there are cases of that kind, the proper authorities to investigate into these matters will be Local Governments. I believe, as my Honourable friend, the Law Member, said in the course of his speech, if these matters were brought to the notice of the Local Governments, then I have no reason to suppose that those complaints will not be considered and the matters gone into.

Pandit Lakshmi Kanta Maitra: What about the Province of Delhi?

The Honourable Mr. M. S. Aney: What has been stated as a general proposition will apply to every province in this country. It is a question of fact to be gone into in such cases. What holds good for Madras holds good for the Punjab and other places.

Now, I come to certain specific cases which have been brought to the notice of this House by my Honourable friend, Mr. K. C. Neogy. There is one important case to which he made a reference and it sent a thrill of horror through the whole House. Reference was made to the case of my friend, Sir Madhava Rao Deshpande, of Nagpur. Yesterday, my Honourable friend, Mr. Neogy, stated in the course of his speech, I do not know on whose information

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): I will tell the Honourable Member the source of my information.

The Honourable Mr. M. S. Aney: I will just tell what I know of the matter. In the first place, I am sorry reference was made to this thing. In the second place, I want to say that what my Honourable friend, Mr. Neogy, said, was that Sir Madhava Rao Deshpande was ordered to remove the litter from the street, at the instance of some officer who was there whether he was a police officer or a military officer—he did not specify. In this connection, I may inform the house, that Sir Madhava Rao Deshpande had been here a few days ago in connection with some work and as an old friend of mine, he did not like to go away without calling on me. He told me many things, but he never referred to this personal

[Mr. M. S. Aney.]

incident to which reference was made by Mr. Neogy now. After this disclosure was made in this House, I made an attempt yesterday to get into touch with Sir Madhava Rao Deshpande on the telephone to get the facts ascertained. Unfortunately the telephonic line last night was not clear and whether it would be clear today or not, I do not know. But I am glad to find that efforts were made in other directions also and I am in a position to make the statement which I am sure, Mr. Neogy will accept and it is this:

"Enquiries made by the Chief Secretary of the Central Provinces Government indicate that the allegations made about Sir Madhava Rao Deshpande were entirely without foundation and Sir Madhava Rao Deshpande himself denied it entirely and vehemently."

That is the information I have got.

Mr. K. C. Neogy: On a point of personal explanation, Sir. The Honourable the Leader of the House wanted to know the source of my information on this point. I hold in my hand a slip of paper on which I wrote down the thing at the dictation of Dr. Moonje whom I met a few days ago in Delhi. Having heard this story from some other source, I was anxious to have it verified. I asked Dr. Moonje "Is this true". I did not unfortunately know the full name of the gentleman, nor had I any occasion to meet him. I said to Dr. Moonje: "Is it a fact that a distinguished gentleman—Sir Madhava Rao Deshpande of Nagpur—had been asked or rather was made to remove the litter from the street". Dr. Moonje said, "yes, he was actually made to remove the litter". I put it to him: "Was he only asked or was he actually made to do it". He said "Oh! yes, he was actually made to remove". and then he added, "he went and complained to the police authorities, and they said, unfortunately, he could not be recognised". Then I asked Dr. Moonje: "Would you dictate to me the name of this gentleman, so that I could take down the name properly and also the purport of the story". This is what I took down then, "Sir Madhava Rao Deshpande had to remove obstruction from the road near his house."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech and not giving a personal explanation.

Mr. K. C. Neogy: This conversation took place in the presence of Mr. Shyam Prasad Mukherjee, the Finance Minister of Bengal.

Dr. P. N. Banerjee: I also saw Dr. Moonje and he gave me also the same information.

Mr. K. C. Neogy: You may also ask my Honourable friend, Mr. David V. Deshmukh, for confirmation of this story. I am glad the existence of this gentleman is not denied. It is a great mercy.

The Honourable Mr. M. S. Aney: I am not at all suggesting that there is no source from which my Honourable friend could have got this information. I am not suggesting that my Honourable friend made the statement without getting it from any source which he considers reliable. I am afraid, Dr. Moonje might have been misinformed about this matter and *bona fide* he might have mentioned the story. Now, Sir, we have got here

a categorical statement made by Sir Madhava Rao Deshpande himself to the Chief Secretary who has communicated it to us, that he denied this episode entirely and vehemently.

Then, there is another point to which I should like to make a reply and it has some relation to the portfolio which is in my charge. My Honourable friend referred to certain allegations about Indian evacuees recently circulated in a leaflet by Mr. Siddiquee. I have only to say this that those Indian evacuees who have come from Burma at present and are in Chittagong, are being given the same treatment which Indian evacuees from Burma in other parts of India are given. What Mr. Siddiquee wants is something which he has not made clear in that letter, but he also addressed a communication to me and I have sent him a long reply on the point. I only want to say that the number of those persons is somewhere between 20,000 and 30,000 and twelve officers are working under the Collector of the District of Chittagong for the sake of investigating their cases and granting them the allowances they are entitled to under the rules which have been published recently and which are known to the Members of this House. They will be getting subsistence allowance to which they are entitled. I do not see that there is any reason for making any complaint about that matter. The number of evacuees being very large, it may be that some cases have remained undecided. It will take time. We have given them twelve officers and we have recently informed them that if that number is inadequate to cope with the work, they are entitled to add to their staff and the Government of India will bear the expenses. I only want to assure this House that the Government of India are not at all negligent about the interests of those unfortunate Indians who had to leave Burma and come across to Chittagong on account of the conditions that have ensued after the war. That was the second point which had some relation to my Department.

There are many other small points to which he made a reference. I believe so far as the question of commandeering boats and the condition of the fishermen in Bengal is concerned, the Government have already issued a communique and there was a good deal of correspondence between the Defence Department and my Honourable friend, Mr. Neogy, and I do not think it can be legitimately stated that their complaints have not been and are not being sympathetically considered by the Government of India.

He also referred to the case of boys who fired shots in connection with the affray. Those boys who are alleged to have fired shots are standing their trial on a charge of murder under section 302 I.P.C., before a Magistrate. The case is *sub-judice* and, therefore, I am not prepared to say anything further on this point. These were some of the points which were specifically referred to by my Honourable friend, Mr. Neogy, and, I believe, I have specifically replied them. I will only say that, if there are any matters which are really causing serious trouble and if those matters are brought to the notice of the Government of India, Honourable Members can rest assured that the Members of the Government of India will do what they can to find out the real facts and will see that justice is done.

Now, I would come to the main question. At the very beginning I want to say that the Members should not go under the impression that the Government of India have no regard for this House. It would be an entirely wrong impression if anybody thought that the Government of India treat this House with contempt. I believe you do not require to be told

An Honourable Member: Your own colleague has said that?

The Honourable Mr. M. S. Aney: I am sure the interpretation that has been put on certain observations of my Honourable Colleague is far-fetched. He did not mean that the Government of India is treating this House with contempt. He had something else in his mind but I am not going to enter into that discussion now. He could not mean that. I am sure, and I have his authority to say, that he did not mean that.

Dr. P. N. Banerjee: He did not mean what he said?

The Honourable Mr. M. S. Aney: The Government of India would really not have thought fit to associate the Members of this House on several committees which deal with matters of great importance. My Honourable friends know that there are Members of this House on the Defence Consultative Committee—a Committee before which matters of confidential nature are discussed. If there had been no respect for the Members of this House, the Government of India would not have given them an opportunity to travel all over India to see all the positions of strategy and the nature of defences there. The Government of India are conscious that one of the great factors on which they can rely for the successful prosecution of the war is the support of this House and, therefore, they make every possible effort to keep them informed and get the support that they need. The very fact that this House was summoned much earlier than usual shows the attitude of Government towards this House

Mr. K. C. Neogy: What about Ordinances which are being enacted by the Government of India?

The Honourable Mr. M. S. Aney: That is a different point.

This is a proof of the regard which the Government of India have for the House as a whole.

Mr. K. C. Neogy: What about the other proof which I gave?

The Honourable Mr. M. S. Aney: Ordinances? Well, my Honourable friend will realize that emergency arises from moment to moment and things have to be done in the form of Ordinances. The Government certainly cannot wait for Session to meet and there are matters which if they are taken through the procedure of the Legislature would take a good deal of time. Sometimes the action that is demanded requires promptness and immediate attention and no time can be wasted by the Government. These are the considerations that come in the way and Ordinances have to be promulgated to meet various emergencies as they arise.

Sardar Sant Singh: Why not get the sanction of this House afterwards? You never place those Ordinances before us.

The Honourable Mr. M. S. Aney: Now I come to the first point—the step which the Government of India have taken in arresting Mahatma Gandhi and members of the Congress Working Committee—a drastic step

as some of the Members have characterised it—immediately after the resolution of the Working Committee was adopted by the All India Congress Committee. This question has been debated in such a way that the Government of India can afford to remain silent and not make any reply. The arguments on both sides have been elaborated with great ability and force. My Honourable friend, Mr. Jamnadas Mehta, has emphatically stated that that is the only proper thing to do. My Honourable friend, Nawabzada Liaquat Ali Khan, who spoke for the Muslim League Party, has given his reason that the Government could not have done better than this

Nawabzada Muhammad Liaquat Ali Khan: I never said that.

The Honourable Mr. M. S. Aney: I am glad that I stand corrected. But I am sure my friend, Syed Ghulam Bhik Nairang, the Deputy Leader of his Party, has definitely said the same thing—I have taken down his words.

In a matter of this kind I must say what I feel on the point. When I got the information—I am going to say something and I hope my Honourable Colleagues will not be unnecessarily frightened—when I got this information on the 9th—I did not get it on the 8th, because the decision was taken here in my absence—I first thought that it was a mistake which was taken here in my absence—I first thought that it was a mistake which the Government of India had committed. I felt like that. In fact, I was even prepared to communicate my views to the Government of India, but as I left the place where I got the information and was proceeding on my journey and was gathering information and meeting friends and saw students and others, and met mobs, and saw railway stations burnt and Government and public property damaged and destroyed, I thought that I would have committed a great mistake of my life if I had communicated my views to the Government at my first impulse. These things I may not have anticipated then. Then I realized that behind the step was the collective wisdom of the Council, and they were right.

Mr. Hooseinbhoj A. Lalljee: Are we to understand that the Honourable Member did not know this position till the 8th?

The Honourable Mr. M. S. Aney: I did not know what they were going to do. If the Honourable Member was in possession of information as to what was going to take place then he as a loyal citizen of the country should have supplied the information to the proper authorities and I am sure they would have made use of it.

Mr. Hooseinbhoj A. Lalljee: I am not to take action. Did the Honourable Member take action on the 8th?

The Honourable Mr. M. S. Aney: Any action taken by the Government of India would have had results on the whole of India and, therefore, in view of the consequences that were likely to follow, it is the duty of every one of us to keep the Government of India properly informed.

There is one more point. Many friends think that the mistake of the Government was this: that the time asked for by Mahatma

2 P.M. Gandhi should have been given and the country would not have lost anything by it. I could have understood that if the resolution of the All India Congress Committee really left some scope for negotiation. If

Dr. P. N. Banerjee: What about the immediate future?

The Honourable Mr. M. S. Aney: The Government have given an opportunity to this House to express their opinions on the present situation, and I will appeal to those gentlemen in whose names the amendments stand that according to approved parliamentary procedure a motion like this is merely debated and no vote of the House is demanded.

Mr. President (The Honourable Sir Abdur Rahim): I do not know if Honourable Members who have moved their amendments want the Chair to put them to the vote.

Mr. N. M. Dumasia (Nominated Non-Official): Sir, I beg leave of the House to withdraw the amendment that was moved by me. The amendment was, by leave of the Assembly, withdrawn.

Sardar Sant Singh: Sir, I beg leave of the House to withdraw the amendment that was moved by me. The amendment was, by leave of the Assembly, withdrawn.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I also beg leave of the House to withdraw my amendment. The amendment was, by leave of the Assembly, withdrawn.

Mr. President (The Honourable Sir Abdur Rahim): There is no need to put the main motion to vote. The House stands adjourned till 11 o'clock on Monday next.

The Assembly then adjourned till Eleven of the Clock on Monday, the 21st September, 1942.

LEGISLATIVE ASSEMBLY.

Monday, 21st September, 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 George Richard Frederick Tottenham, C.S.I., C.I.E., M.L.A., (Home Secretary).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

STERLING POSITION OF INDIA.

110. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Finance Member be pleased to make a statement regarding the sterling position of India in regard to repatriation of sterling debts upto 31st August, and lay it on the table?

(b) Will the Honourable Member be pleased to state what is the total amount of sterling standing at present to the credit of India and how he contemplates to invest this amount?

The Honourable Sir Jeremy Raisman: (a) Out of a total sterling debt (exclusive of Railway Stock, debentures and annuities) of £276 million outstanding at the end of 1936-37, £199 million had been repatriated by the 31st August, 1942. Of the balance still outstanding, about £80 million will be redeemed in January, 1943 in accordance with the notice of discharge given in December, 1941.

(b) For information regarding sterling assets I would refer the Honourable Member to the weekly statements of the Reserve Bank which are regularly published in the Gazette of India. Practically the whole of these assets is already held by the Bank in the form of investments.

Dr. Sir Ziauddin Ahmad: What is the amount lying in England in favour of India in sterling balances?

The Honourable Sir Jeremy Raisman: I have already said that these are given in the weekly statements of the Reserve Bank which are published in the Gazette of India.

Mr. Jamnadas M. Mehta: What is the total premium paid on the portion which is already repatriated?

The Honourable Sir Jeremy Raisman: As the Honourable Member is aware, there is a difference of opinion as to whether any premium has been paid and what is the meaning of that.

Mr. Jamnadas M. Mehta: Anything in excess of the face value of the scrip. I would call premium.

The Honourable Sir Jeremy Raisman: The Honourable Member will remember that some of these repatriations have taken place at below the face value of the scrip and if that is his criterion I think it may be found that there was no premium.

Mr. Jamnadas M. Mehta: I want to know what is the premium paid on the portion repatriated from 1936 till August 1942, the period referred to in the question.

The Honourable Sir Jeremy Raisman: I am afraid I cannot answer that offhand. I have not got the figures. If the Honourable Member will put down a question, I will give him the figures.

WAR EXPENDITURE IN MALAYA AND BURMA. APPORTIONMENT OF DEFENCE EXPENDITURE AND LEASE AND LEND POSITION OF INDIA.

111. ***Mr. Amarendra Nath Chattopadhyaya:** Will the Honourable the Finance Member please state what amount of expenditure on the war in Malaya and Burma including the allowances to European, Anglo-Indian and Indian evacuees from Burma and Malaya, the Government of India have decided to bear? What is the ratio of apportionment of defence expense between Government of India and His Majesty's Government?

(b) What is the position of India in relation to United States in respect of Lease and Lend Act arrangement? Is India being involved in debt of United States? If so, what is the present financial obligation of India so far as United States supply of materials, and soldiers for defence of India are concerned? What portion of the expenses on account of these troops is being borne by His Majesty's Government and what portion has to be shared by India?

The Honourable Sir Jeremy Raisman: (a) No part of Defence expenditure in Malaya and Burma is charged to Indian revenues. Maintenance grants to evacuees from Burma and Malaya are given in the shape of repayable advances. It is impossible to say at this stage what the amount to Government will be of irrecoverable advances.

(b) Questions regarding Lease-Lend arrangements should be addressed to the Honourable the Supply Member. As regards expenditure on supplies and services for the United States Forces in India, the incidence of the expenditure is under consideration.

Mr. Lalchand Navalrai: May I know who will repay them?

The Honourable Sir Jeremy Raisman: I am not sure whom the Honourable Member means by "them". Does he mean the evacuees?

Mr. Lalchand Navalrai: I mean the evacuees' expenses.

The Honourable Sir Jeremy Raisman: We hope that it will be repaid by the recipients who are in a position to make repayments.

Mr. Lalchand Navalrai: If they are not in a position?

The Honourable Sir Jeremy Raisman: I leave that to the Honourable Member's own inference.

Mr. Lalchand Navalrai: Will the British Government pay or the Indian Government or the Burmese Government?

The Honourable Sir Jeremy Raisman: If the original liability was that of His Majesty's Government, then of course His Majesty's Government will suffer the loss.

Dr. Sir Ziauddin Ahmad: Will the authority which is now paying for the maintenance of the Burmese Government in India pay also for the expenses of the evacuees?

The Honourable Sir Jeremy Raisman: I am not quite clear what the Honourable Member means by the "authority which is now paying".

Dr. Sir Ziauddin Ahmad: The British Government, in plain words.

The Honourable Sir Jeremy Raisman: The authority which has the liability would obviously bear the loss but I would like to have notice of the question.

Maulana Zafar Ali Khan: The Burmese Government has only been shifted from Burma to India. It is the guest of the Indian Government. Would the evacuees from Burma represent their case to the Burmese Government or the Indian Government?

The Honourable Sir Jeremy Raisman: I must have notice of that question.

Maulana Zafar Ali Khan: What I want to point out is that the Burmese Government still exists, after the liquidation of Burma which went to the Japanese. It has only been shifted from Burma to India. Should the evacuees from Burma represent their case to the Burmese Government or to the Indian Government?

The Honourable Sir Jeremy Raisman: I think there is some misunderstanding on this point. Perhaps I myself have not been quite clear about the question. I believe I am right in saying that my Honourable Colleague, the Overseas Member, would be able to verify this. All payments to Indian evacuees from Burma are being paid by the Indian Government on the basis that they are our nationals who are in difficulties, and if that is so it is clear that any ultimate loss which will accrue on that account will be at the charge of the Government of India.

Pandit Lakshmi Kanta Maitra: In view of the fact that the Indian evacuees from Burma and Malaya have the same domicile as the Britishers; will the Honourable Member explain to the House on what principle

is the Indian Government made to bear the expenses with regard to Indian evacuees as well as that of British and Anglo-Indian evacuees?

The Honourable Mr. M. S. Aney: I have not quite followed the question.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member say if the expenditure on the Indian evacuees is to be borne by the Indian Government and the amounts that are advanced to Anglo-Indian and European evacuees from Burma and Malaya are to be borne by His Majesty's Government?

The Honourable Sir Jeremy Raisman: I cannot say offhand. I will have to verify the position.

Pandit Lakshmi Kanta Maitra: Is it not a fact that one of the objects of the Honourable Member's visit to England was to discuss that question with the Home Government?

The Honourable Sir Jeremy Raisman: No, Sir.

The Honourable Mr. M. S. Aney: That question does not form part of the financial settlement.

TREATMENT OF THE CONGRESS WORKING COMMITTEE MEMBERS UNDER DETENTION.

112. ***Mr. Amarendra Nath Chattopadhyaya:** Will the Honourable the Home Member be pleased to state if he is aware of various rumours about the treatment of the Congress Working Committee members arrested and kept interned under the Defence of India Act in different places? If so, will the Honourable Member state if there is any foundation for such rumours?

Sir Richard Tottenham: I do not know to what rumours the Honourable Member refers and, therefore, cannot say if they are true, but I should think it was most unlikely.

Pandit Lakshmi Kanta Maitra: Is not the Honourable Member aware of the persistent rumour in this country that some of the leaders of the Congress Working Committee have been deported from India?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has not specified it in his question.

Pandit Lakshmi Kanta Maitra: I only want to know whether the Government of India is in a position to contradict that rumour?

Mr. President (The Honourable Sir Abdur Rahim): That ought to have been part of the question.

Pandit Lakshmi Kanta Maitra: The question that has been put to the Honourable Member relates to certain rumours

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have mentioned the rumours on which he wants information. If the Honourable Member wants any information about this particular rumour, he had better put down a question to that effect.

Pandit Lakshmi Kanta Maitra: Is it or is it not a fact that some of the leaders of the Congress Working Committee have been deported from India?

Mr. President (The Honourable Sir Abdur Rahim): That does not arise out of this question. Next question.

ALLEGED USE OF MACHINE GUNS, TEAR GAS AND INCENDIARY BOMBS IN CALCUTTA DURING RECENT DISTURBANCES.

113. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Home Member please say if it is a fact that during the recent disturbances machine-gun fire was used in Calcutta streets due to which more than 150 lives were lost and many more wounded?

(b) Is it also a fact that tear-gas bombs and some other kinds of incendiary bombs were dropped on crowds in Calcutta from aeroplanes?

Sir Richard Tottenham: (a) and (b). There is no truth whatever in either of these suggestions.

REPATRIATED STERLING DEBT.

114. ***Dr. P. N. Banerjee:** Will the Honourable the Finance Member please state:

- (a) the amount of the sterling debt of India repatriated since 1939; and
- (b) the method and manner of such repatriation?

The Honourable Sir Jeremy Raisman: (a) From 1939 till the end of August 1942 debt to the extent of £ 198 million has been repatriated.

(b) The method and manner of repatriation is fully explained in the Ways and Means portions of my Speeches introducing the Budgets for the years 1940-41, 1941-42 and 1942-43 to which I invite the Honourable Member's attention.

Dr. P. N. Banerjee: Would not India have obtained any advantage if a slightly different method had been adopted?

The Honourable Sir Jeremy Raisman: As I am not aware of the 'other method' the Honourable Member has in mind, I am afraid I cannot answer that question.

Dr. P. N. Banerjee: By the 'other method' I mean the better method of fixing the rate at which the repatriation was made?

The Honourable Sir Jeremy Raisman: That was a subject of considerable debate in this House and it remains a matter of opinion.

STERLING BALANCES HELD IN LONDON.

115. *Dr. P. N. Banerjee: Will the Honourable the Finance Member state:

(a) the amount of sterling balances held in London on the latest date for which figures are available; and

(b) whether the Government of India are considering the question of bringing these balances back to India; if so, the manner in which it is proposed to bring them back?

The Honourable Sir Jeremy Raisman: (a) If, as I assume to be the case, the expression "sterling balances held in London" is intended to connote the sterling assets of the Reserve Bank of India, I would refer the Honourable Member to my reply to Part (b) of Question No. 110 asked this morning by Mr. Chattopadhyaya.

(b) I am at a loss to understand what exactly the Honourable Member means by the expression "bringing these balances back to India". As the Honourable Member is aware, the sterling assets of the Reserve Bank have been, and are being, used for the purpose of repatriating the sterling liabilities of the Government of India.

Dr. P. N. Banerjee: Are such large balances required for this purpose?

The Honourable Sir Jeremy Raisman: The question whether they are required does not actually arise. These balances are accruing to India in payment of certain services rendered.

Dr. P. N. Banerjee: And these balances bring in interest to India?

The Honourable Sir Jeremy Raisman: Yes, Sir; they are invested in short term securities at the moment.

Dr. P. N. Banerjee: Would not the investment bring in larger amount of interest if otherwise invested?

The Honourable Sir Jeremy Raisman: As they form part of the assets largely of the Issue Branch of the Reserve Bank of India, there are certain restrictions on the duration of the securities in which they can be invested. At the present time, I believe, the restriction is five years.

Mr. Jamnadas M. Mehta: What is the total liability of the Issue Branch today?

The Honourable Sir Jeremy Raisman: The most recent figures which I have actually in my hand is the statement for the week ending the fourth day of September, 1942. On that date, the total liabilities were of the order of 491 crores.

Mr. Jamnadas M. Mehta: Against that, the only amount in cash available in India is about 70 crores?

The Honourable Sir Jeremy Raisman: The Honourable Member is not strictly correct. The total amount of sterling securities

Mr. Jamnadas M. Mehta: I mean cash in India—rupee coin and gold—which is available against these 500 crores of rupees is about 70 crores. Is that correct?

The Honourable Sir Jeremy Raisman: That is so, if gold is valued at the old rate.

Mr. Jamnadas M. Mehta: The practice all these years has been to value gold at the statutory rate and it comes to 44 crores. In addition, there are about 30 crores of rupee coins. This is all the cash you have got against 500 crores of rupee notes. Is that correct?

The Honourable Sir Jeremy Raisman: The Honourable Member is arguing and he has rather over-simplified the matter. But it is a fact that at the present rate the gold is worth at least double the amount.

Mr. Jamnadas M. Mehta: On the basis of the statement of the Reserve Bank of India which is presented week after week, against the liability of 500 crores the cash and gold in India is only about 70 crores. Is that correct or not?

The Honourable Sir Jeremy Raisman: It is not possible to answer the implications of a question like that in one sentence.

Mr. Jamnadas M. Mehta: I submit that this is an answer which is capable of being given simply by reference to the weekly statement. I only want him to confirm the figures.

The Honourable Sir Jeremy Raisman: Then the Honourable Member can refer to the weekly statement himself. It is unnecessary for me to confirm the figures. They are published every week, but the interpretation to be placed on those figures is a different matter.

Mr. Jamnadas M. Mehta: Actually, the figures

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got the answer.

Dr. Sir Ziauddin Ahmad: Is there any country in the world which is at present keeping metallic reserve equivalent to the paper currency?

The Honourable Sir Jeremy Raisman: Not that I am aware.

ASSETS AND LIABILITIES OF THE RESERVE BANK OF INDIA.

116. *Dr. P. N. Banerjee: Will the Honourable the Finance Member please state the Assets and Liabilities of the Reserve Bank of India on:

(i) the first week of April, 1939; and

(ii) the first week of September, 1942 (or any previous week for which the figures are available)?

The Honourable Sir Jeremy Raisman: The attention of the Honourable Member is invited to the weekly accounts of the Reserve Bank for the weeks ending the 7th April, 1939 and 4th September, 1942, which have

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been published in the issues of the Gazette of India dated the 22nd April 1939 and 19th September, 1942, respectively.

Dr. P. N. Banerjee: Has the cash balance increased or diminished during this period?

The Honourable Sir Jeremy Raisman: If by the cash balance the Honourable Member means the amount of rupee coins held in the Issue Branch, then it has decreased.

Dr. P. N. Banerjee: To what extent has it decreased?

The Honourable Sir Jeremy Raisman: It is somewhat difficult to make these arithmetical calculations on the floor of the House. The Honourable Member could do these sums if he were to look up the figures which are regularly published. The position was that whereas in September 1939 the rupee coin was of the order of 75 crores, in September 1942 was of the order of 28 crores.

Dr. P. N. Banerjee: So, the decrease is to the extent of 300 per cent.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got the figures before him.

Dr. P. N. Banerjee: What is the proportion of this cash to the total liabilities of the Bank on 4th September, 1942?

The Honourable Sir Jeremy Raisman: I understand the Honourable Member is referring to what is called in the weekly statement the ratio of total external assets to liabilities. In September 1939, the ratio of external assets to liabilities was 47.39 per cent., and on 4th September 1942, the ratio was 73.4 per cent.

Dr. P. N. Banerjee: Has not the ratio of cash to total liabilities fallen to a very dangerous extent?

The Honourable Sir Jeremy Raisman: The ratio of external assets has increased and I may remind the Honourable Member, who is an economist, that what is usually regarded as dangerous is a fall in the external assets, and not in the holding of the internal currency of the country. The Mints are always ready to turn out vast quantities of our own coinage.

INFLATION OF CURRENCY AND MEASURES FOR CHECKING IT.

117. ***Dr. P. N. Banerjee:** Will the Honourable the Finance Member state:

(a) whether any inflation has taken place in India; and

(b) whether any steps have been taken or are in contemplation to prevent or check inflation?

The Honourable Sir Jeremy Raisman: (a) I would refer the Honourable Member to the last report, recently published, of the Reserve Bank of India, which contains a paragraph dealing with this question. It is

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there stated that "on a review of the facts and figures bearing on inflation, e.g., the course of prices, the extent of currency expansion, the increase in bank deposits and the volume of bank clearings, that although most of the recognized elements of inflation are present, there is no evidence that inflation is present in the country in any serious form". With this view, I agree.

(b) Government have the situation constantly under review. Their taxation and borrowing programme is designed to draw off surplus spending power, various price control measures have been instituted and others are under active consideration and efforts are being made in collaboration with Provincial Governments for the increase of food production.

Dr. P. N. Banerjee: Will the Honourable Member please place a statement on the table of the House regarding the steps that they have taken?

The Honourable Sir Jeremy Raisman: The measures I have indicated are not capable of statistical presentation. I have indicated their general nature and I have no doubt that on suitable occasions, information will be given to the House. For instance in regard to taxation and borrowing, information is usually given to the House in the Budget speech.

Dr. P. N. Banerjee: Is the Honourable Member aware that in United States of America, steps have been adopted to prevent and check inflation?

The Honourable Sir Jeremy Raisman: I shall be glad to hear that the Honourable Member is prepared to support the adoption of those steps in this country.

Dr. P. N. Banerjee: What are your methods? Let us compare.

Mr. E. L. C. Gwilt: May I ask the Honourable Member whether he has received any deputation representing the *baniya Marwari* communities and whether any proposals they have made to avoid probable inflation were characteristically self sacrificing?

The Honourable Sir Jeremy Raisman: I have received no such deputation. I regret I do not hope to receive one.

Pandit Lakshmi Kanta Maitra: May I know if it is the policy of the Government to encourage or discourage inflation?

The Honourable Sir Jeremy Raisman: It is the policy of the Government to discourage inflation definitely.

Pandit Lakshmi Kanta Maitra: What steps do Government propose to take to discourage inflation of which a distinct tendency is visible in the report of the Reserve Bank?

The Honourable Sir Jeremy Raisman: I have answered that exact question in reply to part (b). The main steps to discourage inflation must always be first, taxation and second borrowing, and if this House is prepared to support me, I would be prepared to use the first weapon to the maximum possible extent.

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Mr. Jamnadas M. Mehta: May I ask the Honourable Member if inflation is a necessary evil, if it occurs slowly and progressively in a productive country, industrialised country and agricultural country?

The Honourable Sir Jeremy Raisman: I am not prepared to deny that a mild and progressive inflation over a number of years may have certain beneficial effects.

MONEY VALUE OF WAR MATERIAL SUPPLIED UNDER LEASE-LEND ARRANGEMENTS

118. ***Dr. P. N. Banerjee:** Will the Honourable the Finance Member please state,

(a) the money-value of the war material supplied to India by the United States of America in terms of the Lease-Lend arrangements; and

(b) the time and method of repayment agreed upon?

The Honourable Sir Jeremy Raisman: The question should have been addressed to the Honourable the Supply Member.

Dr. P. N. Banerjee: Is the Honourable the Supply Member interested in money value of material? The Honourable the Finance Member dealt with a part of the question in his last Budget speech.

The Honourable Sir Jeremy Raisman: It is quite true that in the Budget speech, I dealt with the financial aspect of the activities of many other departments. I understand that the correct allocation of this item of business is to my Honourable Colleague.

Dr. P. N. Banerjee: Then the Honourable Member might ask the Honourable the Supply Member to reply?

The Honourable Sir Homi Mody: I am going to answer all those questions later on.

DESIRABILITY OF ENTRUSTING ALL MATTERS CONNECTED WITH THE PRESS SOLELY TO ONE DEPARTMENT AND ONE MEMBER-IN-CHARGE.

119. ***Mr. K. C. Neogy:** (a) With reference to the present arrangement under which the Member-in-charge of Information and Broadcasting is responsible for the general conduct of Government relations with and advice to the Press, excluding the administration of the laws relating to the Press (including the provisions of the Defence of India Act and Rules framed thereunder as applying to the Press), while the Home Member is in charge of these excluded subjects, will the Honourable the Home Member be pleased to state whether in actual dealings with the Press in regard to the administration of the Defence of India Act and Rules and other laws relating to the Press, the Honourable Member-in-charge of Information and Broadcasting is usually consulted?

(b) Has the question of redistribution of these subjects, included in the portfolios of the two Honourable Members as indicated above, been

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under consideration at any time with a view to enabling the Press to deal with one Department and one Member-in-charge for all the above purposes?

Sir Richard Tottenham: (a) Yes.

(b) No. Not since the new Department of Information was created. It was very fully discussed before the separation took place.

Mr. K. C. Neogy: Is it a fact that this division of responsibilities was partly responsible for the resignation of Sir C. P. Ramaswami Aiyar?

Sir Richard Tottenham: The division took place a long time before Sir C. P. Ramaswami Aiyar joined the Government of India.

Mr. K. C. Neogy: Was this responsible in any way for his resignation?

Sir Richard Tottenham: Not to my knowledge.

SUBVENTION TO, AND POSITION OF, THE NATIONAL WAR FRONT.

120. ***Mr. K. C. Neogy:** (a) Will the Honourable Member for Information and Broadcasting please say if the National War Front movement is in receipt of any subvention from the Government of India? If so, what is the amount thereof?

(b) In what official relationship, if any, does this organisation stand with any of the Departments of the Government of India?

(c) Is the movement a purely non-political one, or is it concerned with controversial politics?

Mr. P. N. Thapar: (a) The National War Front has received a grant of Rs. 31.40 lakhs from the Central Government.

(b) The main work of the National War Front in British India is done by Provincial Branches which are not in any sense under the control of the Government of India. There is, however, a Central Organisation of the National War Front, the functions of which are to advise the Provincial Organisations, to act as a co-ordinating agency between them and to prepare propaganda material for use at their discretion. This Central Organisation forms part of the Information and Broadcasting Department of the Central Government.

(c) The only objects of the movement are to assist the War effort in all directions, to keep up the morale of the people of India and to fight any influences which tend to hamper India's War effort. It is in no sense concerned with controversial politics but it is, of course, concerned with opposing and criticising any movement which is intended or likely to hamper the War effort.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member say whether Rs. 31 lakhs were made available to the National War Front?

Mr. P. N. Thapar: Yes, Rs. 31.40 lakhs.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member kindly state if this Central organisation finances the provincial branches of this National War Front?

Mr. Jamnadas M. Mehta: May I ask the Honourable Member if inflation is a necessary evil, if it occurs slowly and progressively in a productive country, industrialised country and agricultural country?

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Mr. P. N. Thapar: Yes, Rs. 31-40 lakhs.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member kindly state if this Central organisation finances the provincial branches of this National War Front?

Mr. P. N. Thapar: As I have said the total sum allotted by the Central Government in connection with the National War Front is Rs. 31.40 lakhs. Of this about 19 lakhs has been distributed to the Provinces for provincial and district organisations; about eight lakhs has been allotted for expenditure on propaganda vans and about four lakhs only has been allotted for the issue of propaganda material, on advertizing or on the Central organisation.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that eight lakhs is made available for the purpose of carrying on propaganda?

Mr. P. N. Thapar: For propaganda vans. The provinces in British India have been supplied with about 50 motor vans which have been fitted with cinema projectors and the cost of these vans is about eight lakhs.

Pandit Lakshmi Kanta Maitra: May I know from the Honourable Member who furnishes the material for propaganda and whether this department bears any relation to the Department of Information and Publicity of the Government, and if so, what relation?

Mr. P. N. Thapar: Material for National War Front propaganda is prepared both by the provincial branches themselves for their own use and also by the Centre. The central material is sent to the National War Front organisers in the provinces but it is for use at their discretion; If they think that the material is suitable for their province, they use it, but if they find that the material is not suitable for their province they can reject it.

Pandit Lakshmi Kanta Maitra: The Honourable Member has said that the Central Government furnishes certain material, which may or may not be utilized by the Provincial Governments according to the needs of those particular provinces. I want to know from the Honourable Member who, on behalf of this National War Front organization, prepares the material for propaganda and whether this department bears any relations to the Department of Information, and if so, what relation this Information and Publicity Department has to the National War Front?

Mr. P. N. Thapar: The intention of the whole movement is that it should be a non-official organization and therefore its connection with the Information and Broadcasting Department is only on the financial and administrative side. So far as its propaganda policy is concerned, it is determined without any orders or instructions from the Government of India. The organizer of the National War Front is constantly in touch with the organizers and leaders of this movement in the provinces and after consultation with them he works out a policy which is followed by the front.

Pandit Lakshmi Kanta Maitra: May I know from the Honourable Member if it is correct, as he says, that his Department makes absolutely no reference to the Government of India and that they were free to carry on on any line without reference to the Government of India?

Mr. P. N. Thapar: No, that is not the position. They can and do consult the Government of India for guidance on policy or main publicity lines, but they are not obliged to follow this advice.

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

+121*—122*.

WAR EXPENDITURE INCURRED AND ITS APPORTIONMENT.

123. *Mr. K. C. Neogy: Will the Honourable the Finance Member be pleased to make a statement, for the period April, 1942, to August, 1942, showing:

- (i) the total expenditure on account of the war met out of Indian revenues;
- (ii) how much of the above amount is chargeable to His Majesty's Government; and
- (iii) how much of the said liability of His Majesty's Government has actually been liquidated during the period?

The Honourable Sir Jeremy Raisman: (i) The total net expenditure brought to account on the books of the Military Accountant General was 174.2 crores of rupees.

(ii) and (iii). The great bulk of the expenditure is charged in the first instance to His Majesty's Government, India making monthly 'on account' payments. The exact allocation between India and His Majesty's Government is done at the end of each financial year for the reason that the factual basis for it cannot, in view of the rapidly changing situation, be known until sometime after the close of the year.

Mr. Jamnadas M. Mehta: May I know from the Honourable Member whether the principles under which this is to be done are settled?

The Honourable Sir Jeremy Raisman: The principles are guided by the Defence Expenditure Settlement.

Mr. Jamnadas M. Mehta: Did the Honourable Member recently proceed to England to settle this matter or any part of it?

The Honourable Sir Jeremy Raisman: Yes, Sir. I proceeded to discuss certain problems arising out of this settlement.

Mr. Jamnadas M. Mehta: Could the Honourable Member enlighten the House broadly as to what came out of it?

The Honourable Sir Jeremy Raisman: No, Sir. I am answering a question a little later on this subject. I am afraid I shall not be in a position yet to make a statement to the House.

SCOPE OF THE MARTIAL LAW ADMINISTRATION IN SIND.

124. *Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to state whether the object of establishing martial law in Sind was solely intended to put down the Hur trouble which was causing havoc there?

(b) Is it a fact that the jurisdiction of the martial law in Sind was intended to apply to 'Hur' element, their supporters and abettors only and not to other civil population?

+These questions were withdrawn by the questioner.

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(b) Is it a fact that the jurisdiction of the martial law in Sind was intended to apply to 'Hur' element, their supporters and abettors only and not to other civil population?

†These questions were withdrawn by the questioner.

(c) Is it a fact that the Chief Administrator of the Martial Law has framed rules and regulations and has included in them the application of the martial law relating to punishments and trials for offences to the civil population also? If so, to what extent and why?

(d) Is it a fact that the ordinary offences under Chapter XVI (affecting the human body) and Chapter XVII (against Property) of the Indian Penal Code could, under the above regulations, be tried and punished, against the civil population, unconnected with the Hur movement, in the areas where martial law has been applied, by the Martial Law Courts?

(e) Are Government, in view of the facts that the aforesaid regulations are causing great inconvenience to the civil population unconnected with the 'Hur' movement, prepared to revise the regulations, exempt such civil population from their application and direct such civil population to be tried by the ordinary courts under the ordinary laws as they would otherwise be? If not, why not?

Mr. C. M. Trivedi: (a) Yes.

(b) No.

(c) Yes. Martial Law Regulations or orders apply to all persons within the defined Martial Law area. The regulations issued give power to special courts of criminal jurisdiction to try and punish any person for contravention of Martial Law Regulations, or orders, or for offences under ordinary Law. They also direct that the criminal courts, as by Law established, shall continue to exercise jurisdiction over persons accused of offences other than offences created under Martial Law, or not connected with the present disturbances, or which, though connected with the present disturbances, have been transferred under Martial Law Regulations for trial by such courts. The object is to enable the courts established by Law to continue functioning to the maximum extent possible.

(d) Yes.

(e) The Government of India are satisfied that Martial Law in the area is being administered so as to cause the minimum of inconvenience to law-abiding persons and see no reason for any action.

Mr. Lalchand Navalrai: Has the Honourable Member been apprised of the fact that actually many complaints have been made to the effect that Martial Law is being applied to the civil population very severely?

Mr. C. M. Trivedi: No, Sir. I have received no such reports. On the contrary we have received reports that the proclamation of Martial Law was generally appreciated by the law-abiding section of the population.

Mr. Lalchand Navalrai: The proclamation may have been asked for and applied but the question is whether these regulations that have been made are not so stiff as to injure the civil population also.

Mr. C. M. Trivedi: No, Sir. I have received no such reports.

Mr. Lalchand Navalrai: May I know from the Honourable Member if these regulations received the consent of the Government of India?

Mr. C. M. Trivedi: The regulations have been issued by the Martial Law Administrator in his discretion.

Mr. Lalchand Navalrai: May I know from the Honourable Member under what law have they been made—under the ordinary law or under any other law?

Mr. C. M. Trivedi: The regulations have been made under the Proclamation of Martial Law.

Sardar Sant Singh: May I know from the Honourable Member if he is aware that similar appreciations from the people were made during the Martial Law regime in 1919 and they were condemned by the Hunter Committee Report later on?

Mr. C. M. Trivedi: I have no information.

POSTPONED QUESTIONS AND ANSWERS.

FINANCIAL LIABILITY FOR AMERICAN AND CHINESE FORCES ON SERVICE IN INDIA.

40. ***Mr. K. C. Neogy:** Will the Honourable the Finance Member please state what is the understanding with the Governments of United States of America and China, respectively, as regards the responsibility for financing the armed forces of these countries while on service in India; and what is the present estimated amount of financial liability undertaken by India on this account, of a capital as well as recurring character, in the case of the forces of each of these countries? Postponed from 16th September, 1942.

The Honourable Sir Jeremy Raisman: The United States Forces in India are paid by the Government of United States of America. Certain supplies and services are provided on Reciprocal Lease-Lend the allocation of the cost of which is under consideration.

Chinese forces in India are provided with supplies and services on Lease-Lend by His Majesty's Government and no financial liability has been undertaken by India.

BROADCAST STATEMENT ON RECENT DISTURBANCES BY THE SECRETARY OF STATE FOR INDIA.

42. ***Mr. K. C. Neogy:** (a) With reference to Mr. Amery's broadcast on the 9th August last on which date Mahatma Gandhi and other Congress leaders were placed under arrest in Bombay, to the effect that he believed that the trouble that might arise could be dealt with by the Government of India through the police and courts, and the statement issued by the India Office on the 12th August that the 'authorities in India have the situation completely in hand and that any picture of widespread disorder in that country is utterly distorted', will the Honourable the Home Member be pleased to state whether these statements were made on the basis of information supplied on behalf of the Government of India? Postponed from 16th September, 1942.

(b) In how many places and on how many occasions in the different parts of India during the last few weeks, had the Police to use force for the purpose of dispersing processions or other crowds and quelling disturbances of various kinds, and on how many occasions fire arms had

to be used either by the Police or by the Military for the purpose of quelling these disturbances?

(c) How many persons were killed or wounded, respectively, as a result of such shooting?

(d) Has a full report of the situation, or a censored version on the lines of the reports appearing in the Indian Press been sent to the Secretary of State day after day on behalf of the Government of India?

Sir Richard Tottenham: (a) The statements were of course made on the basis of such information from India as was available at the time when they were made.

(b) and (c). It will be some time before full information on these subjects can be collected from Provincial Governments, and it may not be possible to obtain accurate details until the disturbances are completely at an end.

(d) The Government of India have naturally kept the Secretary of State fully informed of the situation.

VISIT TO GREAT BRITAIN OF THE HONOURABLE THE FINANCE MEMBER AND THE ECONOMIC ADVISER TO THE GOVERNMENT OF INDIA.

Postponed
from 16th
September,
1942.

47. *Mr. K. C. Neogy: (a) Will the Honourable the Finance Member be pleased to make a statement explaining the mission that took him recently to Great Britain and the result achieved thereby, with particular reference to:

(i) any alteration in the existing basis of allocation of expenditure as between His Majesty's Government and the Government of India in relation to the war expenditure in different theatres of war and in India,

(ii) further repatriation of sterling,

(iii) the financial aspect of lease-lend supplies to India, and

(iv) the settlement of war accounts between Great Britain and India?

(b) Have definite decisions been arrived at in regard to any of the matters comprised within the Honourable Member's mission to Great Britain, or are they still open to negotiation?

(c) Was the visit of the Economic Adviser to the Government of India to Great Britain along with the Honourable Member undertaken as a deputation specially in connection with any specific matters appertaining to the Commerce Department, or was it broadly connected with the mission of the Honourable Member himself?

(d) Did the Honourable Member and the Economic Adviser jointly represent the Government of India in their discussions with the authorities in Great Britain regarding the important financial and economic issues arising out of the war, and such other issues as may arise in post-war conditions in the fields of international trade and financial and economic reconstruction?

(e) Were they fully authorised by the Government of India to carry on negotiations in regard to these matters on the basis of any definite scheme approved by the Government of India, or were their duties merely exploratory in character?

(f) Was the question of partially utilising the sterling balances of India for the acquisition of investments of the United Kingdom in industrial projects in India, particularly Railways and other utility concerns, considered in the course of these discussions?

The Honourable Sir Jeremy Raisman: (a) I regret I am not in a position to make a statement.

(b) No. The matter is still under consideration.

(c) I would invite the Honourable Member's attention to the Press Note issued by the Commerce Department on the 14th July, 1942, which explained the reason for Sir Theodore Gregory's visit to London.

(d) No.

(e) The duties were exploratory, and there was no authorisation to commit the Government of India.

(f) There was some general discussion of questions of this nature.

Mr. Jamnadas M. Mehta: When is the Honourable Member likely to be in a position to inform the House and the country?

The Honourable Sir Jeremy Raisman: I cannot say until the Government of India have themselves had time to go into these matters.

Mr. Jamnadas M. Mehta: Will the Honourable Member advise the Government of India to hold a special Session to discuss their provisional decisions in this matter?

The Honourable Sir Jeremy Raisman: There will in any case be a Budget Session and I expect that by that time the decisions will be made known to the House.

Mr. Jamnadas M. Mehta: Will it not be too late in this important matter where hundreds of crores of rupees are concerned?

The Honourable Sir Jeremy Raisman: I cannot say at present whether it will be appropriate, or whether I should be in a position, to announce a decision at any earlier stage.

Dr. Sir Ziauddin Ahmad: May I ask whether the Government intends to consult this House before finally making up their mind on this question?

The Honourable Sir Jeremy Raisman: I do not think the questions will be such as to be suitable for discussion in this House before decisions are taken.

Dr. Sir Ziauddin Ahmad: These are very important financial questions and we will have to pay by means of taxes: is it not fair that the House should be consulted?

The Honourable Sir Jeremy Raisman: The House will in any case be in a position to discuss and make its comments on the Budget.

Mr. Jamnadas M. Mehta: In this important matter before Government comes to a decision, if somehow our advice is sought earlier, the final responsibility rests with the Government.

The Honourable Sir Jeremy Raisman: I think the Government is fully aware of the different opinions in India on all the matters which are at issue.

Dr. Sir Ziauddin Ahmad: When was it expressed?

The Honourable Sir Jeremy Raisman: It is being expressed to my knowledge almost every day in the newspapers.

Dr. Sir Ziauddin Ahmad: Is it fair that we should pay without having any voice in the decision?

The Honourable Sir Jeremy Raisman: That is a matter of opinion.

Pandit Lakshmi Kanta Maitra: Do I take it that the Honourable Member's proposal is that after the Government have taken a decision on this matter, it will be submitted before the House at the next Session for some sort of *ex post facto* approval of the House?

The Honourable Sir Jeremy Raisman: It may take some time before the Government of India reach decisions on this question.

Pandit Lakshmi Kanta Maitra: My point is whether the Honourable Member is prepared to give an undertaking to this House that before final decisions on this matter are reached, which may entail heavy commitments on the part of India, the House should be taken into consultation and given an opportunity to express itself?

The Honourable Sir Jeremy Raisman: I regret I cannot give an undertaking of that kind.

Sir Cowasji Jehangir: Does the Honourable Member's answer mean that the House will consider this question only when they are discussing the budget provisions?

The Honourable Sir Jeremy Raisman: I think that that will probably be the position.

Mr. Hooseinbhoj A. Lalljee: May I take it that it is the opinion of the Government not to consult the House before this question is decided?

The Honourable Sir Jeremy Raisman: I have already answered in different forms that same question.

Mr. Muhammad Azhar Ali: May I know if when discussing these financial questions when the Finance Member was there, the question of the ratio was under discussion?

The Honourable Sir Jeremy Raisman: I am afraid the ratio question has become obsolete in present days.

Mr. N. M. Joshi: May I ask whether there is to be a Session of the Assembly in the month of November as usual?

The Honourable Sir Jeremy Raisman: I am not in a position to say. I believe it has been announced that there will not be such a Session.

Sir Cowasji Jehangir: May I remind the Honourable Member that as the Constitution and the constitution of the House stand at present this Honourable House has very little say and very little effective voice in the provisions of the Budget, except talking and giving their advice or perhaps going to the lobby ineffectively? In those conditions and under those circumstances, would it not be advisable for the Honourable Member to make a statement at any rate, or issue a press communique long before the Budget, so that the country may be able to consider what he has done and what the Government of India are proposing to do with regard to the negotiations he has had, so that Members may come ready with matured views? If the Honourable Member means to make a statement merely along with the budget statement and if the provisions that he wishes this House to make will be included in the Budget, the country will not have sufficient time to consider his proposals nor will this Honourable House. Under these circumstances and considering the present Constitution under which we are working, would it not be advisable for the Honourable Member at least to undertake to make a statement in good time?

The Honourable Sir Jeremy Raisman: These aspects of the matter will certainly receive consideration. But it depends on the nature of the decisions whether it is necessary to give my Honourable friend and others any particular period of time in which to consider them, other than the normal period which is available for all matters relating to the Government's financial policy.

Dr. Sir Ziauddin Ahmad: Will the Honourable Member watch over the privileges of the House so that this House is not reduced to the position of Public Accounts Committee doing only *post mortem* examination?

Mr. President (The Honourable Sir Abdur Rahim): The answers to the next questions of Mr. Neogy will be laid on the table as they are in excess of the quota.

FINANCIAL LIABILITY FOR INDIAN TROOPS EMPLOYED IN THE WAR IN FAR EAST AND BURMA.

148. ***Mr. K. C. Neogy:** (a) Will the Honourable the Finance Member please state whether Indian revenues had to bear any portion of the cost entailed by the employment of Indian troops in the recent war in the Far East and Burma? If so, what is the total amount thereof and on what principle has this been assessed? Postponed from 16th September 1942.

(b) As regards the contemplated campaign for the re-conquest of Burma, will Indian revenues be expected to bear any portion of the cost involved?

The Honourable Sir Jeremy Raisman: No part of the expenditure on the employment of Indian troops in the Far East and Burma is debited to Indian revenues.

†Answer to this question laid on the table, the questioner having exhausted his quota.

Mr. Jamnadas M. Mehta: In this important matter before Government comes to a decision, if somehow our advice is sought earlier, the final responsibility rests with the Government.

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[21st SEPT. 1942]

ALLOCATION OF EXPENDITURE ON AIR RAID CAMPAIGNS ON BURMA.

†61. *Mr. K. C. Geogy: (a) Will the Honourable the Finance Member explain to the House the procedure adopted in respect of the allocation of expenditure in connection with the Air Raid Campaigns on Burma since the occupation of Burma by the Japanese Forces?

(b) Will the Honourable Member state the amounts spent separately on operations by (i) Royal Air Force, and (ii) American Air Force, in their raids on Burma, and whether any payments were received from the Government of United States of America in respect of these expenses?

The Honourable Sir Jeremy Raisman: (a) It is impossible to compile separately or even to estimate the expenditure on any single operation of this description. The allocation of expenditure between India and His Majesty's Government is done on a much broader basis under the Defence Expenditure Plan.

(b) For the reason I have just given the information is not available. As regards the last part of the question, the answer is in the negative.

SHORT NOTICE QUESTIONS AND ANSWERS.

RECEIPTS FROM NEW AND ENHANCED TAXES, ETC.

Dr. P. N. Banerjee: Will the Finance Member please state:

(a) the approximate total yield of the new taxes levied and of the enhanced rates of the old taxes;

(b) the approximate total sum received by the Government of India as the result of the amendment of the Niemeyer formula; and

(c) the approximate total amount received from the earnings of the Indian Railways, from the date of commencement of the War to the 30th June, 1942?

The Honourable Sir Jeremy Raisman: (a) The estimated yield from new taxation measures has been indicated by me each year in my Budget Speeches, to which I would invite the Honourable Member's attention. It would not be possible, without a totally disproportionate expenditure of time and labour, to arrange for the compilation of figures giving the actual receipts from these several taxation measures.

(b) It is not possible to give the information asked for since, but for the amendment of the Niemeyer Order, the Government's scheme of war taxation would in some of its aspects have followed a different course from that which it has actually taken.

(c) I presume that the Honourable Member desires to know the contribution to general revenues from the railway surplus. The contribution is worked out on an annual basis and the relevant figures are Rs. 4.33 crores in 1939-40; Rs. 12.16 crores in 1940-41 and approximately Rs. 20.2 crores for 1941-42.

†Answer to this question laid on the table, the questioner having exhausted his quota.

EXPANSION OF INDIAN CURRENCY.

Dr. P. N. Banerjee: Will the Honourable the Finance Member please state:

(a) whether any expansion of Indian currency has taken place since the commencement of the War; and

(b) if the answer to part (a) above be in the affirmative, the amount of money received by the Government of India as profit from this source?

The Honourable Sir Jeremy Raisman: (a) Yes. I assume that the Honourable Member has in mind the increase in the Reserve Bank of India's note circulation.

(b) The amount received by the Government of India as its share of the surplus profits of the Reserve Bank is shown in Statement VI of the Financial Secretary's Explanatory Memorandum on the Budget for 1942-43 (which has been circulated to Honourable Members with the usual budget papers), but I would add that this receipt is offset by payment of interest in so far as the expansion has been effected against rupee securities and by loss of interest in so far as the expansion has been made against Sterling.

Dr. P. N. Banerjee: What is the position at the present moment? Can the Honourable Member tell us?

The Honourable Sir Jeremy Raisman: The position in this respect can only be determined at the close of each year.

SUBSCRIPTIONS TO DEFENCE LOANS.

Dr. P. N. Banerjee: Will the Honourable the Finance Member please state the total amount of money received from the flotation of loans since the commencement of the war?

The Honourable Sir Jeremy Raisman: The total subscriptions to the various defence loans up to the 12th September, 1942, amount to Rs. 1,22,01,96,000. In this connection, I would draw the Honourable Member's attention to the Press Communique on the subject dated the 17th September, 1942, which gives the progress of figures for the various loans.

CONTRIBUTIONS BY THE BRITISH GOVERNMENT TOWARDS INDIA'S MILITARY EXPENDITURE.

Dr. P. N. Banerjee: Will the Honourable the Finance Member state the amounts of contribution made by the British Government during the financial years 1939-40, 1940-41, 1941-42, 1942-43 (from 1st April, 1942, to the date for which figures are available) towards India's military expenditure:

(i) In India, and

(ii) Outside India?

The Honourable Sir Jeremy Raisman: The following expenditure on defence and supply was brought to account in Government of India's books

as chargeable to His Majesty's Government under the Financial Settlement:

1939-40 Actual	Rs. 4 crores.
1940-41 Actual	Rs. 53 crores.
1941-42 (Revised Estimate)	Rs. 185 crores.
1942-43 (Budget)	Rs. 387 crores.

In addition as mentioned in my last budget speech, His Majesty's Government have undertaken to supply to India without charge a large quantity of aeroplanes, vehicles, guns and other equipment required in connection with the expansion of India's Navy, Air Force and Army. The total value of such free supplies already made or expected to be received by the end of 1942-43 was estimated at Rs. 60 crores when the budget was framed. No later estimate has been made.

Dr. P. N. Banerjee: What proportion of this expenditure has been incurred in India and what proportion outside India, approximately?

The Honourable Sir Jeremy Raisman: As I have pointed out, the figures I gave relate to expenditure brought to account in the Government of India's books, and by that is meant expenditure incurred in India.

COMPLAINTS AGAINST THE WORKING OF THE FOOD CONTROL.

Dr. P. N. Banerjee: Will the Honourable Member for Commerce please state:

- whether Government are aware of the great inconvenience which is being felt by the people in different parts of the country on account of the manner in which food control is practised; and
- whether Government propose to consider the desirability of taking steps to remove this grievance?

The Honourable Mr. N. R. Sarker: (a) Yes. The Government of India have received many general complaints of this nature. The difficulties experienced were not all due to the defective working of the Price Control Machinery but to numerous other factors, such as panicky or speculative hoarding of stocks, inability of some Provincial Governments to set up adequate organisation, lack of adequate transport facilities and so on.

(b) The difficulties stated above were thoroughly discussed at the recent Price Control Conference and the matter is now under active consideration of the Government. Their decision in the matter will be announced shortly.

Dr. Sir Ziauddin Ahmad: Is it not a fact that the control of prices without control of the stock and compelling people to sell compulsorily does more harm than good.

The Honourable Mr. N. R. Sarker: Sorry, I have not followed the question.

Dr. Sir Ziauddin Ahmad: I ask whether the control of prices without previously controlling the entire stock does any good? Is it more injurious or useful?

The Honourable Mr. N. R. Sarker: I cannot give any categorical answer to that question.

Dr. Sir Ziauddin Ahmad: Is it not a fact that the control of price of wheat has failed on account of the fact that people began to hoard and did not bring the grain to the market?

The Honourable Mr. N. R. Sarker: That is not the only reason.

Dr. Sir Ziauddin Ahmad: Is it not the main factor?

The Honourable Mr. N. R. Sarker: That is a question of opinion.

Sir Syed Raza Ali: Do Government propose to requisition stocks compulsorily so that the price control may keep pace with the market rate, namely, the rate at which the grain is actually sold?

The Honourable Mr. N. R. Sarker: Up to the present that matter is still with the Provincial Governments, but now the whole question is under the consideration of the Government of India and they will decide that issue.

Maulana Zafar Ali Khan: Is it not a fact that since the commencement of the control of prices the prices of commodities have actually risen?

The Honourable Mr. N. R. Sarker: Yes, in the case of some commodities they have risen.

Maulana Zafar Ali Khan: And Government cannot do anything?

Sardar Sant Singh: May I ask the Honourable Member if he is aware that the control of wheat and wheat flour has not effectively checked the making of profits on maida and sooji, which are the products of wheat, and, as a result maida and sooji of inferior qualities are being sold at very high prices?

The Honourable Mr. N. R. Sarker: I know that and steps are being taken to prevent it.

Dr. Sir Ziauddin Ahmad: The Honourable Member said that there were other factors which decided the control of markets. What are those other factors please?

The Honourable Mr. N. R. Sarker: As I said, the lack of adequate transport facilities, and Provincial Governments' inability to organise the price control machinery effectively.

Dr. Sir Ziauddin Ahmad: In view of the fact that the Honourable Member has already replied to the points raised in my short notice question in his answer to starred question No. 47, I do not ask the question.

ALLEGED REFUSAL BY THE AUTHORITIES OF THE IRWIN HOSPITAL, DELHI, TO GIVE BLOOD TRANSFUSION TO A PERSON WOUNDED IN RECENT RIOTING.

Sir F. E. James: Will the Honourable Member for Education, Health and Lands be pleased to state whether there is any foundation for the allegation made in the Legislative Assembly by an Honourable Member—I think it is Mr. Neogy—that the authorities of the Irwin Hospital refused to give a blood transfusion to a person suffering from wounds sustained in the recent rioting in Delhi on the ground that he was a rebel?

Mr. J. D. Tyson: Government have been entirely unable to trace any such incident. None of the doctors concerned with the transfusion service at the Irwin Hospital is able to recall any occurrence which could possibly have formed the basis of this extraordinary story. During the period of the disorders no facilities for blood transfusion were refused. On the contrary, blood transfusions were given by the Superintendent of the Hospital to members of the public said to have been injured in the rioting.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member tell the House if his Department is prepared to hold a judicial enquiry into this question with a promise of immunity?

Mr. J. D. Tyson: I am not prepared to hold a judicial enquiry. The position is that on the 16th September, an Honourable Member in this House made a very general allegation in the form of a question. He said, "Is it a fact that in the Irwin Hospital blood transfusion was refused to such patients (in the plural) on the ground that they were rebels?" We have done our best to trace the origin of this allegation and we have been unable to find any basis for this. There is no question therefore of a judicial enquiry. There is no specific allegation before us.

Sir F. E. James: Will the Honourable Member take steps to see that the real facts as now disclosed by him will receive the same publicity through the press as the original allegation?

Mr. J. D. Tyson: I have no control over what the press will do, but I have answered the question on the floor of the House. I hope they will give the same publicity.

Mr. K. C. Neogy: As the matter refers to me, I should like to enquire as to whether the Government ever enquired from the Honourable Member of the Executive Council whose name I have given to the Honourable the Leader of the House and who also heard the very same allegation, whether the Government have enquired from him as to the sources of his information?

The Honourable Mr. M. S. Anay: The Honourable Member has referred to me. The other day, after the debate was over, I asked the Honourable Member whether he would give the name of the Honourable Member who was supposed to have knowledge of this fact. The allegation as we understood it was that this fact was within the knowledge of an Honourable Member and that he was present. That was our understanding (Interruption by Mr. K. C. Neogy.) I am telling the House how we understood it, but you made it clear to me later. He only wanted to say that

one of the Members present here had knowledge of the fact, and he gave me his name. I did not communicate that name of the Honourable Member to the Secretary of the Department because I did not know that another question was going to be tabled by somebody and an answer was going to be given. Otherwise I would have mentioned the name to the Secretary.

Sir F. E. James: May I ask the Honourable the Secretary of the Department whether there are any instructions, standing or otherwise, under which the authorities of the Hospital make any differentiation in the giving of blood transfusions in respect of persons who might suffer injuries as a result of civil commotion?

Mr. J. D. Tyson: No, Sir. There are no instructions which would prevent the utilisation of blood collected in the Irwin Hospital for persons who have suffered injuries in civil disorders. On the contrary, the Superintendent's policy is to collect blood for the general purposes of the hospital as he regards the maintenance of facilities for blood transfusion as the proper function of any upto date hospital, and he has appealed to persons to give their blood to the hospital for the purpose of serving the needs of the people of Delhi without any reservation that it should be for A. R. P. casualties or any other kind of casualties. There was therefore no reason why blood should be refused in circumstances such as have given rise to this question.

Sir F. E. James: Is my Honourable friend aware that during these disturbances surgeons of the Irwin Hospital, both Indian and European, were working at a stretch for 14 hours in alleviating the sufferings of those who were wounded?

Mr. President (The Honourable Sir Abdul Rahim): That hardly arises. The matter has been sufficiently discussed.

PAYMENT OF DEARNESS ALLOWANCE TO NON-GOVERNMENT EMPLOYEES AND WORKMEN.

Mr. K. C. Neogy: (on behalf of Sir Abdul Halim Ghuznavi): Will the Honourable Member for Labour be pleased to state:

(a) Whether the Government of India has apportioned a certain amount of money for payment of whole or part of any dearness allowance to workers in factories or other industrial concerns;

(b) whether the Government of India has under consideration the payment in whole or part of any dearness allowance to employees and labour who are not employed by the Government directly and if they have, what is the nature and description of those who employ such labour?

The Honourable Dr. B. R. Ambedkar: (a) No.

(b) Government do not pay or propose to pay dearness allowance as such either wholly or in part to employees other than their own.

TRANSPORT FACILITIES FOR RELIEVING THE GRAVE FOOD GRAINS SITUATION
ON THE MALABAR COAST.

Mr. H. A. Sathar H. Essak Salt: Will the Honourable Member for Commerce be pleased to state:

- (a) whether he is aware of the grave situation on the Malabar Coast with regard to food grains;
- (b) whether he is aware that before the war Malabar depended largely on Burma for its staple food grains, e.g., rice;
- (c) whether the present stock of rice in that district is very small;
- (d) what steps Government are taking to remedy this state of affairs: and
- (e) in view of the possibility of further curtailment of facilities for transport, is he prepared to consider the taking of special measures to rush supplies immediately to the West Coast?

The Honourable Mr. N. R. Sarker: (a), (c) and (d). According to the latest information received, the Madras Government are fully alive to the rice situation in all parts of the Province including the West Coast. The information regarding the surpluses and deficits of any districts is not available to the Government of India. They are trying to meet the food situation as best as they can.

(b) Yes.

(e) All possible consideration will be given to any request that may be made by the Government of Madras for special arrangements in this connection.

Mr. Muhammad Nauman: The Government of Madras, the Honourable Member said, is fully alive to the situation but they have not conveyed the full report to the Central Government as to what the stock is. We wanted to know whether the Government of India have any information not as to the stock they have on the Malabar side.

The Honourable Mr. N. R. Sarker: I have no information. We discussed the present situation last week with the representative of the Madras Government and he said that the Madras Government will be able to meet the situation.

Mr. H. A. Sathar H. Essak Salt: Is the Honourable Member satisfied that so far as the transport facilities are concerned there will be sufficient number of wagons available for the Madras Government?

The Honourable Mr. N. R. Sarker: We shall try for it as much as possible.

Dr. Sir Ziauddin Ahmad: The Madras Government said that they would meet the situation themselves.

The Honourable Mr. N. R. Sarker: That is what they stated. As a matter of fact, they are meeting it.

Mr. H. A. Sathar H. Essak Salt: I was wanting to know whether the wagons would be supplied, whether we could get priority?

The Honourable Mr. N. R. Sarker: That is for the Honourable Member in charge of War Transport to say.

Mr. H. A. Sathar H. Essak Salt: So far as the question of priorities are concerned, will the Government of India be able to supply as many wagons as the Madras Government may require?

The Honourable Mr. N. R. Sarker: That I cannot say.

MOTION FOR ADJOURNMENT

ALLEGED MALTREATMENT TO MR. AND MRS. S. N. JAUHAR BY THE DELHI POLICE.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for the adjournment of the business of the House, signed by two Members, Sardar Sant Singh and Mr. Govind V. Deshmukh. I do not know what is the object of two Members signing it but if it means that both of them have a right or any of them to make a speech at this stage, that is not allowed. The notice runs to this effect:

"We beg to ask the leave of the House to make a motion that the business of the Assembly be adjourned to discuss a definite matter of urgent public importance, namely, the merciless beating given to Mr. S. N. Jauhar, a leading businessman of Delhi, after his arrest on Friday afternoon, the 18th September, 1942, by 25 armed policemen, and in the presence of a Magistrate outside his office in Connaught Circus and also assault made on his driver who came to save his master from the beating and the dragging away of Mrs. Jauhar who tried similarly to save her husband from unlawful and unjustifiable beating."

Will the Honourable Member tell me on what charge this gentleman was arrested, if any. Why was he beaten and what has happened to him? Is he in hospital?

Sardar Sant Singh (West Punjab: Sikh): I hold before me the statements of eye-witnesses

Mr. President (The Honourable Sir Abdur Rahim): I do not want the statements of eye-witnesses. I want to know the facts.

Sardar Sant Singh: I do not know what was the charge against him. He was arrested two or three miles away from Delhi, at a station. He was brought from that place by the Police. The officer in charge of the party was Rai Sahib Lal Gopal, who is a high police official

Mr. President (The Honourable Sir Abdur Rahim): Was there any charge against him?

Sardar Sant Singh: I do not know what the charge was. He was brought to his office in Connaught Place. He was given ten minutes to see his wife and ten minutes to see his subordinates in his office. Before he could enter his office, he was waylaid by one Sitaram, a C. I. D. official

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who began to beat him and then the public gathered there and they protested. There were 25 policemen with them and they all joined in beating him. Beating was given to the driver who tried to save his master. Then his wife came and she was dragged away forcibly. After that, those 25 policemen began to beat him indiscriminately. Then one Sikh gentleman, a local pleader, came and he protested against this lawlessness and he was also arrested and taken away. I have got here the statement of one Attar Singh and also two other witnesses. The beating was given without any provocation whatever. I am not concerned with the offence. I am protesting against the treatment meted out to him after the arrest. My point is that the police had absolutely no right to beat a person after they had arrested him.

Mr. President (The Honourable Sir Abdur Rahim): Can the Honourable Member on behalf of Government give any information about this matter?

Sir Richard Tottenham (Home Secretary): Sir, I object to this motion on two grounds. In the first place, if the allegations made were true, the individual concerned, Mr. Jauhar, clearly has a legal remedy and his proper course would be to go to the court. In the second place, it is only fair that the House should know that two charges of resistance to lawful authority and escape from lawful custody have been lodged against Mr. Jauhar and a number of other people by the police.

Mr. President (The Honourable Sir Abdur Rahim): Are there cases pending before any Magistrate?

Sir Richard Tottenham: The cases have not yet been put before the Court but they are likely to be put before the Court. The first incident took place at Mehrauli when the attempt was successful. There were two police officers and they were both injured. The second attempt took place at Connaught Circus and a third police officer was also injured on that occasion.

Mr. President (The Honourable Sir Abdur Rahim): Attempt to do what?

Sir Richard Tottenham: After he had been arrested, he attempted to escape out of the car in which he was being taken to the police station. Then a scuffle took place, in the course of which he received certain injuries and the police also received injuries. These two reports have been lodged by the police in the respective police stations and I understand that the cases will probably go into Court very shortly.

Mr. President (The Honourable Sir Abdur Rahim): Has Mr. Jauhar also lodged any complaint?

Sir Richard Tottenham: I am not aware of that. But I submit that in these circumstances, the trial would undoubtedly be prejudiced if the matter were discussed on the floor of the House.

Sardar Sant Singh: May I reply to the points raised by the Honourable Member? The first point . . .

MOTION FOR ADJOURNMENT

Mr. President (The Honourable Sir Abdur Rahim): I simply asked him what the facts are and no reply is needed. The motion is clearly out of order. Whatever may have taken place, the person concerned has a legal remedy, and if there has been any assault on the police by him or by his friends, the police have also their remedy. Surely, this is not a matter which can be usefully debated in the Assembly.

ELECTION OF A MEMBER TO THE ADVISORY COMMITTEE FOR THE UTILIZATION BRANCH OF THE GEOLOGICAL SURVEY OF INDIA—contd.

Mr. President (The Honourable Sir Abdur Rahim): Further consideration of the motion moved by the Honourable Dr. Ambedkar on Monday, the 14th September. Dr. Ambedkar had then stated that this motion might stand over so that he might be able to give some information.

The Honourable Dr. B. R. Ambedkar (Labour Member): May I know, Sir, how you propose to deal with the amendments? Perhaps it would be better if the amendments are moved so that I may deal with the motion and the amendments also.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Members who wish to move their amendments may formally move them now. Then, the motion and the amendments will be for discussion before the House.

Mr. H. A. Sathar H. Essak Salt (West Coast and Nilgiris: Muhammadan): Sir, I beg to move:

"That in the motion for the words 'one representative' the words 'four representatives' be substituted."

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

"That in the motion for the words 'one representative' the words 'four representatives' be substituted."

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Sir, I beg to move:

"That in the motion for the words 'one representative' the words 'three representatives' be substituted."

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

"That in the motion for the words 'one representative' the words 'three representatives' be substituted."

The Honourable Dr. B. R. Ambedkar: Sir, the motion and the amendments raise two questions. Last time when I moved the motion, my Honourable friend, Mr. Neogy, asked for some information to be given to the House with regard to the constitution of the Utilisation Branch of the Geological Survey of India. As the House will remember, on the very next day the Honourable Mr. Neogy had tabled a question with regard to the very same question. In the course of my reply, I gave some information with regard to the Utilisation Branch and I do not

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know whether my Honourable friend and the rest of the Members of this House desire any more information with regard to this Branch. But I see that there is probably some information which it was not possible for me to give to the House by reason of the fact that it could not be put either as answer to the main question or because of the peculiar nature of the supplementary questions that were asked on that day. I propose to give to the House some information now which I was not able to convey to it the other day.

The first thing that I wish to refer from the point of view of information is the duties of the Utilisation Branch which, I think, I did not mention that day. I should like to inform the House that according to the constitution of the Utilisation Branch, it will have three main duties. Firstly, to carry out the necessary field work for proving mineral deposits; secondly to initiate, where necessary, preliminary mining operations; and, thirdly, conduct experimental work as may be necessary to solve problems in ore dressing and smelting and other problems of production that may be capable of solution by the utilisation of India's minerals. These are the duties of the Utilisation Branch.

Then, with regard to the programme of work of the Utilisation Branch, I would like to inform the House that at present it falls under six heads: (1) re-opening of the lead and zinc mines of Zawar in Udaipur State in Mewar; (2) development of Rajputana mica mines; (3) working of sulphur deposits in Baluchistan; (4) operations on wolfram in Bengal and the Central Provinces; (5) examination of certain deposits in Bihar; and (6) search for certain minerals, stones and salts and other related substances.

The third question on which my Honourable friend, Mr. Neogy, wanted information was the relationship in which the Utilisation Branch stands to the Board of Scientific and Industrial Research. Now, Sir, the position is this. The Board of Scientific and Industrial Research deals with three things, namely, inventions, heavy chemicals and naturally occurring salts. The Utilisation Branch deals with the discovery of minerals and proving them. Obviously, their functions are different. At the same time, there is a certain amount of inter-relationship between the Board of Scientific and Industrial Research and the Utilisation Branch, and the inter-relationship has been brought about in this way. Dr. Fox, who is in charge of the Geological Survey of India, is the Chairman of the Committee on heavy chemicals which is working under the Board of Scientific and Industrial Research. On the other hand, the Director of Scientific and Industrial Research is a Member of the Advisory Committee to the Utilisation Branch of the Geological Survey, and, secondly, by this arrangement, the House will see that exchange between the two Departments has been arranged.

There were two other questions to which my Honourable friend referred. They were by way of criticism of Government's actions. He stated that there was a neglect of India's mineral resources and, secondly, he suggested that the Utilisation Branch was started more for the purpose of providing occupation for evacuees from Burma. Now, Sir, with regard to the first question, I say I regret as much as my Honourable friend does that the question of the development of India's mineral resources was not taken in hand earlier than it was done. But I think my Honourable

friend realises that there were three principal difficulties in the way of India's undertaking a project such as the one we have now undertaken, namely, the establishment of the Utilisation Branch. It is to be admitted that up to the present time the Geological Survey of India had not qualified official mining personnel. Unfortunately, the Indian Geological Survey of India followed the functions which the Geological Survey in England had followed, namely, to act merely as an inspectorate of mines rather than as a technical body of experts who were engaged in developing the mineral resources of India. Secondly, there is a certain amount of shyness in the mineral exploitation due to the risks involved in opening up mineral deposits. There was a general belief prevalent in India, probably due to long disuse of mining operations in the country, that India was not well-endowed with minerals other than those which were suitable for export, such as manganese and mica. What I would submit to the House and to my Honourable friend is that while we may regret that we have not tackled the business much earlier than we have done, whether it is not a case where one ought to say that better late than never.

With regard to the question of the employment of Burmese evacuees, I would like to point out to my Honourable friend as well as to the House that in this matter, we really had no choice. As I told my Honourable friend we have been suffering from lack of official mining personnel. Burma was the only place where mining, such as, for instance, of lead and zinc, was carried on on an extensive scale. Burma is the only place where mining engineers were trained. Consequently rather than saying that we have opened this branch to give employment to Burmese evacuees I think the correct interpretation would be to say that it is because we were able to use the services of the Burmese evacuees that we have been able to undertake this project which I have no doubt is going to be not merely an item in India's war effort, but is going to be one of the greatest things for the future of India.

Sir, turning to the question of the amendments, one thing I would like to say. I am really very glad that these amendments have been made. I can now say that the account which I have given of the Utilisation Branch is so convincing that those who came to scoff have remained to pray. But the temple is a very small one and although I welcome the enthusiasm of the worshippers, I cannot allow this small temple to be so overcrowded as to leave no breathing space. I am sorry I cannot accept the amendments.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Would you refuse them entry into the temple even.

The Honourable Dr. B. R. Ambedkar: I am sorry I have to oppose these amendments. I will tell the House exactly the reasons which have dictated this policy. I would like to draw the attention of the Honourable Members who have moved these amendments to bear in mind that this Committee is not an Executive Committee. It is not a Committee which can take decisions and, therefore, anything that is done in this Committee is not going to commit this House one way or the other. It is purely an Advisory Committee. The second thing which in my judgment presents a stronger reason than the first arises out of the object of the Committee. The object of the Committee is to bring together experts of the representatives of trade and industry together. That is the primary object of

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this Committee. I would like to draw the attention of Honourable Members to the composition which has been devised for this particular Committee in order that this principal object may be achieved. Sir, there are altogether 16 Members on this Committee as planned for the present. The House will see that what has been done is to put five experts on the Committee and to put five representatives of trade and industry along with them. First of all, there is the Director of Geological Survey, the Director of the Board of Scientific and Industrial Research, one representative of the Mining and Metallurgical Institute, one representative of the Indian Mining Association and representative of the Indian Mining Federation. They constitute a body of experts who will sit on this Committee. Then, as representatives of trade and industry, we have given two seats to the Federation of Indian Chambers of Commerce. We have given two seats to steel industry and we have the Secretary of the Commerce Department to represent the Commerce Department on this Committee. From this the House will see that the object of the Committee is really to bring experts who will tell the industrialists and the representatives of the trade, what minerals they are in a position to prove and representatives of trade and industry will tell the experts how they could be commercially exploited.

Now, Sir, if the House bears in mind that this is the principal object of this Committee, there is really not much scope left for the inclusion of what I might call general opinion in the country.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Representatives of the general public.

The Honourable Dr. B. R. Ambedkar: Yes, representatives of the general public. The next argument to which I wish to refer is the fact that the Committee is already a large Committee. As planned now, there are 14 Members on it. If I accept the amendment which demands four, then the Committee will consist of 18 and I must take into consideration the fact that if I allow four Members of this House, the Upper House will demand at least three. That means that the Committee will consist of 21 Members which I have no doubt the House will agree will be too unwieldy for doing the business which it will be called upon to undertake.

The next point to which I should like to draw the attention of the House is this: that the constitution of the Committee already provides for the nomination of four Members by the Labour Member and without committing myself to any particular line of using this power of nomination, I think it is perfectly possible that one Member of the House may find a place on it through nomination. Therefore, Sir, having regard to the considerations which I have placed before the House, I am sorry to say that I cannot accept these amendments.

Pandit Lakshmi Kanta Maitra: Sir, I have carefully followed what has fallen from my Honourable friend, Dr. Ambedkar. Sir, the main function which the Utilisation Branch of Geological Survey is expected to discharge is that it will, in the first place, carry out a sort of field work and in the second place, initiate preliminary mining operations. Sir, I was told the other day that this Utilisation Branch had been functioning

for some time already. We did not get any information from the Honourable Member as to the progress this Branch had so far made. The vital objection, in my opinion, to this Committee being under the Department of the Honourable the Mover of this motion is that this subject should not be in the Portfolio of Labour. The Board of Scientific Research was brought into being about a couple of years ago and it has been rendering admirable service. This Board should have direct and intimate relationship with this Committee which, for the present at least, is an exploratory body.

Dr. Ambedkar has pointed out that the liaison that will be kept between the Department of Commerce and the Utilisation Branch through Dr. Fox

The Honourable Dr. B. R. Ambedkar: Dr. Fox, who is the Director of Geological Survey, is a member of the Chemicals Committee.

Pandit Lakshmi Kanta Maitra: Yes. But I am not sure, Sir, if that by itself will ensure that measure of contact and co-operation with the Scientific Board as is desirable in the best interests which my Honourable friend has in view. The mercantile opinion of the country should have free scope for association with it through the Commerce Department, which deals specifically with the commercial and industrial matters of this country. This is a matter relating to the development of mineral wealth, leading eventually to the industrial development of this country, and, as such, it seems only reasonable that this should be placed under the Department of the Honourable the Commerce Member so that a greater correlation of activity between the Board of Scientific Research and the Utilisation Branch of the Geological Survey may be secured effectively.

Another point on which I should like to have a clear assurance from my Honourable friend, Dr. Ambedkar, is this. Is he in a position to tell us in this House that, after the field work is done and after the exploratory work is finished, when the Utilisation Branch recommends that certain metals or mineral substances may be commercially mined—and by 'commercially mined' I mean that they may be mined so successfully as to stand competition in the market—Indians will get the benefit out of it? Is he prepared to give us an assurance that the money that will be spent on this Utilisation Branch of the Geological Survey will eventually lead to the fostering of Indian enterprise in the development of mineral industry, and not to investment of British capital as has been our unfortunate experience in the past? We have now Mr. Cowen of Mawchi mines, Burma, who is in charge of exploring these Indian mines, and we have a natural apprehension that, when exploratory work is done, British capitalists will be given the benefit and will be given the privileges of monopoly to carry on the mineral development in this country. What would be the position of Indians? In what way would they be able to have an effective voice in the final utilization?

I also want to know whether prospecting licences for mining metals and mineral substances would be given to the Indian business people—Indian commercial community. Unless a clear assurance is forthcoming that Indians would be given every opportunity to invest their money in this business—the development of mineral resources of my country—I do not think I can be enthusiastic about the composition of the Committee

[Pandit Lakshmi Kanta Maitra.]

or the objects which this Committee has in view. We do not want that in the name of effective prosecution of the war, development of the mineral resources of my country should go to the hands of foreigners. Let this be very clearly understood. We want an assurance to the effect that if the Utilization Branch of the Geological Survey Department ultimately decides that certain types of minerals can be developed in this country profitably, preference should, in the first instance, be given to Indian companies to work and develop them.

The House will do well to bear in mind that the initial grant to this Branch has been on a very liberal scale—I think it is over twelve lakhs of rupees, and the House will remember that for the Board of Scientific and Industrial Research this House only voted ten lakhs. . . .

Mr. President (The Honourable Sir Abdur Rahim): I do not know what the Honourable Member is driving at. The question now is whether this Board should exist or not. It is already there. The Honourable Member cannot bring in all sorts of subjects in relation to the question before the House.

Pandit Lakshmi Kanta Maitra: I was simply pointing out to the House, Sir, that the interests of the Indian Commercial Community should not be prejudiced. . . .

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

Pandit Lakshmi Kanta Maitra: I will now come directly to the question of nominating Members to this Committee from this House. My Honourable friend, Dr. Ambedkar, proposes to impose that ban on temporary entry. . . .

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

Pandit Lakshmi Kanta Maitra: The Honourable Member has used the very expression, Sir.

However, I want that in place of one Member three Members should be put in so that all Parties in the House may address themselves seriously to the question, and the problems that may crop up from time to time may engage the serious attention of this House. When the Government of India have made an initial grant of over twelve lakhs of rupees, we want adequate representation on the Advisory Committee which is going to be set up and I want to see that the Committee is not stunted. I, therefore, suggest that the Honourable Member should see that three Members of this House are associated with this Committee and if he does that, I do not think his Committee would be handicapped in any way in carrying out the purposes which it has in view. If six members can function in a committee, I do not see any reason why with three more, nineteen members cannot function, unless the Honourable Member does not want more people. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already moved it.

Mr. H. A. Sathar H. Essak Sait: Sir, I will not detain the House at any great length over my amendment. I will just explain why I am not satisfied with my friend's amendment asking for three and why I want four members in the Committee. My friend has stated that this is an advisory committee and not an executive committee. I think that is all the more reason why the committee should be a bigger one rather than a smaller one. That is my reaction to my friend's statement. I think that if the House is to have a proper share in the consideration of these matters, all the Parties now functioning in the House should be represented and that is why I say four instead of three.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I have no desire to discuss this simple point at very great length. . . .

Mr. President (The Honourable Sir Abdur Rahim): There is only one simple question in it.

Mr. Muhammad Nauman: I only want to impress upon the House that the Honourable Member's objection to increasing the number on the Advisory Committee has not impressed anybody; and as has been explained, it is very necessary that when we are a party to the expenditure on that committee, this House which is voting the amount, could have a better representation than others. I do not say that the representation of experts or commercial interests should not have been what it is, but I do not see why the representation of this House should be any less than that of commercial representatives. In these times when expansion of the Executive Council has been going on, probably the Honourable Member should not have refused this House this particular expansion in the Committee. If the Executive Council can be expanded from seven to thirteen, there is every reason for claiming four instead of one as proposed on this Committee. I hope the Government will think over the matter once again and satisfy the House by showing them this little courtesy in this very small matter.

Mr. Hooseinbhoj A. La'ljee (Bombay Central Division: Muhammadan Rural): Sir, I rise to support the amendment. I think it is but fair that this House should have sufficient representation on such committees formed by the Government who have to look to this House constitutionally for guidance. In fact, we will be paying the taxpayer's money, for which we should be responsible—entirely responsible. I feel that the Honourable Members on the Treasury Benches ought to know that so long as they can have Members to serve on committees from this House, they ought to give them a chance—not only a chance but it will be doing bare justice to the public who have selected them. If the people's voice or their selection does carry any weight with my Honourable friends here, then I think the first thing they should do should be to select and invite Members of this House. Unfortunately, the practice has arisen when we see that the Commerce Department and the Education Department seem to look to somebody else. Of course, they are eminent

[Mr. Hooseinbhoy A. Lalljee.]

experts sometimes. But in these various committees that have been appointed—Price Control Conference, this conference and that committee—they have made it a point to boycott this House. Why is that so? Why are they fighting shy of the people's representatives? You have no right to do so. If you are really working for the rights of the people you have to choose among them a so. Surely, there are eminent persons here: we have given you Members to sit on those Benches

The Honourable Mr. N. R. Sarker (Commerce Member): Not for Geological Survey!

Mr. Hooseinbhoy A. Lalljee: Do you not think that there are people here who can serve on those Committees? Do you deny that in your own Commerce Department Advisory Committees there are people in this House who know much more?

An Honourable Member: This motion has nothing to do with that.

Mr. Hooseinbhoy A. Lalljee: I do appeal to the Treasury Benches to realise that it is no use trying to insult the people; they are provoking the people and they are not taking due care and attention to have the representation of this House.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, this amendment must be accepted, I submit,

An Honourable Member: Which amendment—three or four Members?

Mr. Jamnadas M. Mehta: Even four is desirable as I shall point out, although I know that if the Japanese come there will be no Geological Survey, and if peace comes the world's materials will be divided equally between all races. Therefore, this question is somewhat academic for the future; but in the present, so long as nationalist sentiment remains I must support this amendment. The Utilisation Branch has stolen a march over this House in one very important respect which I must bring to its notice; there is an article called mica. This mica, according to the information I have got, is the most strategic and key material for the purposes of war. It is such an important thing that in the war effort, particularly in the electricity, aeroplane and wireless industries, mica is absolutely essential. Not only is it essential for those industries but in other respects, particularly in the high compression motors, spark plugs, and other industries there is no substitute for mica. It is this material of which India has 75 per cent. production: India is in the position of a monopolist country; other countries produce little—either the quality or the quantity of mica that India produces; and strange as it may seem, the Indian unskilled labour makes the quality superior—I do not know how it is, but that is the information I have got. Now, in regard to such an article of war and peace, which is essential and for which there is no substitute, what is the Government doing about its production, distribution and sale? What is being done? I do not want to go into the history, but in Bihar and Madras where mica is mostly produced, since the War the Indian industrialist has not had an opportunity.

The Honourable Sir Sultan Ahmed (Law Member): It is not correct.

Mr. Jamnadas M. Mehta: I am speaking subject to correction. I have never seen a mica mine myself and I can only speak on the information which I have, but I can assure you that that information is most authoritative. You will find it very difficult to contradict it because another Member of the same Bench will contradict you.

Sir Syed Raza Ali: That is not generally done.

Mr. Jamnadas M. Mehta: He will have to. I am speaking from something which comes from those Benches. Therefore, let not my friend be in a hurry to contradict me. My information is based on papers which I can make some of the other Honourable Members of the Treasury Benches admit to be based on facts. Therefore, while I have the greatest respect for my Honourable friend, Sir Sultan Ahmed

The Honourable Sir Sultan Ahmed: May I enquire whether the statement is that this industry is entirely in the hands of non-Indians?

Mr. Jamnadas M. Mehta: No. Largely, and even now in the later stages it is much worse, that is what I am going to show today from the information which I have got. What I want to say is that up to 1939 the sale of mica was according to ordinary channels of trade. But since 1940 mica is sold and exported mainly through the Supply Department which undertook to collect and submit to Washington, on behalf of the Ministry of Supply, offers of mica to form a Federal stock pile. Therefore, from that date the Indian mica trader has been virtually dispossessed from the industry. In 1941, at the request of the United States of America Government, the Supply Department negotiated contracts with the Metal Reserve Company of America for the procurement of 14,000,000 lbs of . . .

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member is going beyond the scope of this motion.

Mr. Jamnadas M. Mehta: I am telling the House that we have got to be very vigilant.

Mr. President (The Honourable Sir Abdur Rahim): If that sort of speech is to be allowed, then the whole question of industrial development of this country can be debated on this motion, and the chair cannot allow that. This is not the occasion to go into such questions.

Mr. Jamnadas M. Mehta: I shall only sum up the points to which I want to invite Honourable Members' attention, because this Utilisation Branch is dealing with mica.

Mr. President (The Honourable Sir Abdur Rahim): That may be, but it does not mean that you can go into the history of the whole question of mica industry.

Mr. Jamnadas M. Mehta: I shall bring to the notice of the House some points so that the House may vote with full knowledge that four members are not too many. That is my submission, and since you are pleased to think that the history of the question is not relevant, I shall pass on to the main proposals which affect the question very vitally. What is the present position? The mission has been established. It will purchase all the mica, the price of which will be settled without any reservation as to what the Indian will get. The wages will be settled without any reference to the workers' needs. The stock of mica may be exhausted during the war. I want that this Utilisation Branch should pay attention to the following five points. These points are. One is that they should keep in mind the estimated reserves of mica in the mines against which production is being made and sent abroad so that these mica reserves may not be exhausted. Secondly, do the Government of India propose to take steps with a view to the conservation of these resources for future utilisation in India and for their orderly and profitable marketing? Thirdly, what is the Government's policy with regard to the sale price of mica; this Mission is a powerful body and we do not know whom it consists of. So far as I can see, there is no Indian. It is a joint product of America and the United Kingdom. I may be wrong, if so, please correct me, but I want to know who are those people who are going to buy out the whole of this stock of mica, such a vital element, from this country, at what price—I do not know how it is fixed. The man who works is an unskilled labourer, he may be exploited for the benefit.

Mr. President (The Honourable Sir Abdur Rahim): All those broad questions do not arise on this motion.

Mr. Jamnadas M. Mehta: I do not want this Committee unless these points are settled.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member can oppose the Committee.

Mr. Jamnadas M. Mehta: Yes, and I shall give you the grounds.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot discuss all that on a motion like this. My ruling is that the Honourable Member cannot.

Mr. Jamnadas M. Mehta: The only two points.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go into all that.

Mr. Jamnadas M. Mehta: Since I am not allowed to proceed further I am not even justified in supporting this motion because I am so thoroughly ignorant and in the dark about the prospects of my country in the matter of the mica industry, and so anxious that Indian labour may be exploited, I shall certainly support this amendment and afterwards oppose it if I am not allowed to make my submission.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): There are two points in this, namely, the merits

of the proposition and the representation of the Legislature on this Committee. As regards the merits, before the war the whole world was one unit and every country developed its particular industry for which it was best fitted. The war has however shown that every country must be self-supporting and we must now try our level best to find what minerals India can produce. We discussed this question in very great detail only two days ago in the Standing Finance Committee and I was satisfied that this particular Department was absolutely necessary in the interests of India and that also a small Committee was necessary. I understood from the Honourable Member that it would be a small Committee of perhaps 8 to 10 experts only and I thought that the representation of one member from this House was enough, but from the speech he has delivered the Committee is not so small as I thought it was. For example, taking the case of the mining associations, there are three, and each one of them has a representative. Why should you not have one representative for all the mining associations put together? The Federation of Chambers has two. Why should it have two, why should it not be content with one? You have also four nominated members. If there is only one representative of the Assembly and if he happens to be absent on the day the Committee meets, the Assembly will go without any representative at all on the Committee.

An Honourable Member: Let 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.

The Honourable Dr. B. R. Ambedkar: I am prepared to take two. (Interruption.) As I said in my speech, I said that there were four seats for nomination.

Dr. P. N. Banerjea: Elected Members will not accept any nomination.

The Honourable Dr. B. R. Ambedkar: The question is about the total representation that the House should have and not the channels through which the representation of the House should be provided. Therefore, my submission is that I am prepared to have two, and one will be nominated. There will altogether be three members.

Mr. President (The Honourable Sir Abdur Rahim): I take it that the suggestion of the Honourable Member is accepted.

Several Honourable Members: No, no.

The Honourable Dr. B. R. Ambedkar: Very well. I will agree to three.

Mr. President (The Honourable Sir Abdur Rahim): I will put the first amendment. The question is:

"That in the motion for the words 'one representative' the words 'four representatives' be substituted."

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): Now I will put the second amendment. The question is:

"That in the motion for the words 'one representative' the words 'three representatives' be substituted."

The motion was adopted.

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

"That the Assembly do proceed to elect, in such manner as the Honourable the President may direct, three representatives of the Assembly to serve on the Advisory Committee consisted by the Government of India to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of three members for the Advisory Committee for the Utilization Branch of the Geological Survey

of India the Notice office will be open to receive nominations up to 12 o'clock on Tuesday, the 22nd September, and that the election, if necessary, will take place on Thursday, the 24th September. The election 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, between the hours of 10-30 A.M. and 1 P.M.

THE INDIAN COMPANIES (SECOND AMENDMENT) BILL

The Honourable Mr. N. R. Sarker (Commerce Member): Sir, I beg to move:

"That the Bill further to amend the Indian Companies Act, 1913, be taken into consideration."

The object of the Bill has been fully stated in the Statement of Objects and Reasons appended to the Bill. There is at present no separate comprehensive legislation for the banking companies. Banking companies, like others, are governed by the Companies Act. When in 1936 the Companies Act was generally amended, opportunity was taken to incorporate certain special provisions for regulating banking also. In accordance with the definition laid down in this section, a banking company means a company which carries on as its 'principal' business the acceptance of deposit of money on current account or otherwise, subject to withdrawal by cheque, draft or order notwithstanding that it engages in addition in other forms of business which are specified in detail in these provisions of the Companies Act, and it was also settled that the banking companies have to comply with certain other requirements for the protection of the depositors, namely, that a banking company shall not employ managing agents, it must maintain certain cash reserve and submit certain returns, etc. These protective requirements are to be complied with only by such banking companies as fall within the scope of the definition laid down in section 277F, that is

companies whose *principal* business is the acceptance of deposit on current account are required to comply with the provisions of the section. But if such business of the company did not constitute its principal business, even though it may use as part of its name the word 'banking', 'banker' or 'bank', the company was not required to comply with the provisions laid down in the Act.

It was brought to the notice of the Central Government that a large number of smaller institutions styled themselves as banks and were carrying on banking business while successfully evading compliance with the provisions of the law regarding submission of returns to the Reserve Bank or maintaining statutory balances. While the depositors with such institutions are not protected by the existing provisions of the law, the activities of such institutions tend to undermine the strength of the banking structure as well as the banking development of the country. The result has been that out of a total of 1421 concerns which may be considered to be non-scheduled banks operating in India only about 672 are reported to be providing the returns or maintaining the cash balances required by the law. So, 749 of such companies claim for one reason or another that they do not fall within the definition of banking companies and this contention has in several cases been upheld by the courts. The Registrars of Joint Stock Companies have found it difficult to decide in practice whether a particular institution carried on banking as its principal business, or whether it fell within the scope of the definition of a banking company. Pending any comprehensive banking legislation, it has been thought necessary that any companies using the word 'bank', 'banker' or 'banking' as a part of their name shall be made to comply with the provisions relating to banking companies irrespective of the consideration whether the acceptance of money on deposit on current account forms its principal business or not, and clause 2 of the Bill is intended to achieve this object. In order, however, to allow some time to such companies as may like to omit the word 'bank', 'banker' or 'banking' as a part of their name—to make it clear to depositors that they are not banking companies,—it is proposed that the new definition should not be brought into force without giving adequate time to such companies to decide their course of action.

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

"That the Bill further to amend the Indian Companies Act, 1913, be taken into consideration."

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): I have full sympathy with the objects of this Bill but there are two difficulties which confront my acceptance of this measure in the form in which it stands at the present moment. I find that it is suggested that a proviso be added to section 277F and the form in which the proviso is sought to be added contradicts the very wording of the section itself. Now, when a proviso is added to a section, it is generally the case that the proviso qualifies the Act and does not entirely conflict with it. How does the section run? Section 277F runs thus:

"A banking company means a company which carries on as its principal business the accepting of deposits of money on current account or otherwise."

The wording of this proviso is this:

"Provided that any Company which uses as part of the name under which it carries on business the word 'bank', 'banker' or 'banking' shall be deemed to be a banking company notwithstanding that the accepting of deposits of money on current account, etc., is not the principal business of the company."

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[Dr. P. N. Banerjee.]

So, the proviso directly contradicts the main provision of the section. I think, therefore, that better phraseology should be adopted. Further, I am told that this matter was circulated to the Provincial Governments and to commercial bodies and that the Provincial Governments have accepted it and that an overwhelming majority of commercial bodies have supported these proposals.

Now, these papers have not been placed before us. If these papers had been placed before us, we would have been in a position to support this Bill fully. It is possible that these commercial bodies, which very often represent the larger concerns, may have no objection. The smaller concerns may feel aggrieved. Therefore, I want to see what the opinions of these commercial bodies actually are. In view of all these things, I would request the Honourable Member-in-charge to refer this matter to a Select Committee which may consider the wording of the Bill and which may also give us some time to consult the general public.

Mr. President (The Honourable Sir Abdur Rahim): Is there any amendment to that effect?

Dr. P. N. Banerjee: There is no amendment, but if the Honourable Member and the Leaders of other Parties agree, the amendment can be put forward immediately. If there is any substance in what I have said, there will be no difficulty in this matter. I appeal to the Honourable the Law Member to support me whether I am right in my contention or not.

The Honourable Sir Sultan Ahmed (Law Member): Sir, as reference has been made to me, I must get up and examine the validity of the interpretation put by my Honourable friend so far as this proviso is concerned. As far as I can see, and the matter seems to be quite clear, the amendment does not seek to negative the main section 277F at all. It only adds a few things which would not come within the definition of a banking company within the meaning of section 277F except by the proviso which we have put in. There is no question of negating anything, but we have described other things which may be deemed to be banking companies within the meaning of section 277.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, while I support this motion moved by the Commerce Member I feel that it is a half-hearted measure. We were promised a full Banking Act before and I also understand that some progress was made to introduce such legislation. But I do not know why we have not heard about that Banking Bill for some time. It is a matter of common knowledge that Sir Nripendra Sarkar, the previous Law Member, after he had finished with the Companies Bill and the Insurance Bill, had every intention of having a Banking Bill as well. The banking law at the present moment is in a very unsatisfactory condition. There are many evasions by the mushroom banks—I call the small banks by that name—which are banks only in name. They have got very little capital and it is these banks which defraud the unwary people. This amendment, I think, will go some way in checking that. Still, I do think it is high time that we should have a comprehensive banking legislation so that these mushroom banks may be weeded out. By 'mushroom banks' I do not mean that only big banks

should exist and the smaller banks should not. What I mean is that the smaller banks which exist at present must be on a sound financial footing. That is the main criterion. At the present moment, what we find in a big city like Calcutta is that there are numerous banks, almost in every street, which call themselves as banks. I think nobody in this House will support those banks which have not got financial stability behind them.

On this motion, I do not think it is necessary to speak at length on banking legislation generally, but I think that the Honourable the Commerce Member, who is a commercial man himself and who knows much about banking also, should undertake this legislation and bring it into shape at an early date. With these few words I support the motion.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I have full sympathy with this measure and I appreciate the anxiety of the Government to rope in those people who are carrying on business under some garb and who try to avoid those legalities which the banks have to undergo under the scheduled scheme. I am fully convinced that this is not contrary to section 277F after the able elucidation given by the Honourable the Law Member, but what I would like to know is whether this legislation also ropes in those firms and those financiers who may be doing some sort of banking by advancing money on the stocks in commercial towns like Calcutta or in the mofussil. As the Honourable Member-in-charge happens to know more of business than many other people can claim to, he is the best man to enlighten this House whether such people as hold stocks or advance money on the stocks as financiers will come under this category or not. I feel that probably they won't because the word 'bank' has a necessary compliment. If that is the idea, I have no objection and I am absolutely in full sympathy with the amendment that the Honourable Member has proposed to the Company Act of 1939.

The Honourable Mr. N. B. Sarker: Sir, I am sorry I have not been able to accept Dr. Banerjee's suggestion that the Bill may be referred to a Select Committee. He mentioned two points. Regarding the legal point, my Honourable friend, the Law Member, has already given a reply. I would bring to the notice of Dr. Banerjee that section 277-G involves exactly the same principle as I have enunciated in this Bill. So, it is not contradictory but it is restrictive. With regard to the opinion of the commercial community, he said that big organisations like the Federation of Indian Chambers of Commerce, and the Bengal Chamber of Commerce may not take the affairs of the small banks into consideration. But I would read to him the opinion of the organisation of the small banks in Calcutta whose President is Dr. N. Law, whom Dr. Banerjee knows so well. He says:

"My Committee are already aware of the fact that a large number of smaller institutions style themselves as banks and are carrying on banking business while successfully evading compliance with the provisions of the law regarding the submission of returns to Reserve Bank or maintaining the statutory cash balances. My Committee have therefore no hesitation in welcoming the Government proposal to amend section 277F of the Act by the insertion of the said explanation."

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

"That the Bill further to amend the Indian Companies Act, 1913, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Mr. N. R. Sarker: Sir, I move:

"That the Bill be passed."

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

"That the Bill be passed."

The motion was adopted.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move:

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

Sir, the House will be pleased to observe from the Statement of Objects and Reasons that the Bill proposes the amendment of the Code of Civil Procedure so as to authorise civil courts to add the Government as a party in suits in which the constitutional issue may be involved. In a case which came up before the Federal Court, the Chief Justice doubted the position that the Provincial Governments might be made a party in such suits and he also observed that the matter "might well engage the attention of the Central Legislature", for if those doubts were justified, "private persons could by a private settlement of their dispute, or even by collusion, prevent a Provincial Government from obtaining a decision of the Federal Court on issues of the highest importance". When these observations were made, the ever vigilant Dr. Banerjea, our Honourable colleague in this House, at once brought the matter in the form of a Bill in this House last November and the Bill that he introduced meant to provide for two matters, firstly, for empowering the Federal Court to delegate to the Registrar or any other Officer of the Court quasi-judicial and non-judicial duties and the other amendment related to the Order of the Civil Procedure Code as was suggested by the Chief Justice of the Federal Court. On an examination of these two amendments, we were satisfied that there was a necessity for both these amendments. But we suggested at the time that there must be two separate Bills for the purpose of these two provisions because they did not seem to be holding together properly. This suggestion was accepted by my Honourable friend, Dr. Banerjea, and he proceeded with the first part in his Bill which was passed into an Act by this Assembly. At that time, I gave an undertaking that I will bring forward before this House another Bill with respect to the second part of that Bill and that is the reason why it has been brought forward now. The necessity for such an amendment was pointed out by the Chief Justice of the Federal Court and it is obvious that in matters which involve constitutional issues, it is absolutely necessary, if the Court thought it proper, to make the Province a party. I, therefore, move the consideration of this Bill.

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

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I thank the Honourable the Law Member for the observations which he has made with regard to myself. I am glad that he has taken the earliest opportunity to place this measure before the House. As a matter of fact this Bill has been appropriated by the Government, and it has not only been appropriated, but it has considerably been improved in form and, for that also, I thank the Honourable the Law Member. His attitude, in this connection, is one which I cannot too strongly commend to this House. I hope the example set by him will be emulated by his colleagues. If the Government are prepared to accept what we give them, we, on our part, will always be prepared to accept what they wish to give us.

As for the merits of the Bill, the Honourable the Law Member pointed out that this is an important measure. It seeks to prevent private parties by collusion from bringing before the Federal Court matters of the highest importance. To that extent, it is a very important measure and I hope it will receive the full assent of this Assembly.

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

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Sultan Ahmed: Sir, I move:

"That the Bill be passed."

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

"That the Bill be passed."

The motion was adopted.

THE CODE OF CIVIL PROCEDURE (SECOND AMENDMENT) BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move:

"That the Bill further to amend the Code of Civil Procedure, 1908, (Second Amendment) be taken into consideration."

Sir, the proposed amendment of the Act is to provide for the recovery of court fees in pauper suits as arrears of land revenue where the suit abates by reason of the death of the sole plaintiff or one of several co-plaintiffs. The House will be pleased to observe that the Statement of Objects and Reasons clearly gives the position as to why these amendments have been put forward. There is a clear lacuna that where the suit abates by reason of the death of the sole plaintiff or one of several co-plaintiffs, there is no provision to recover court fees as you find under the provision

[Sir Sultan Ahmed.]

of Rule 11. That is the reason why we felt that it was essential to bring the matter in the form of a Bill before the House.

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

"That the Bill further to amend the Code of Civil Procedure, 1908, (Second Amendment), be taken into consideration."

Mr. Lalchand Navaltai (Sind; Non-Muhammadan Rural): Sir, in support of this Bill, I find some difficulty. No doubt the object of the Bill is to recover court fees in a case where a suit abates by the death of the plaintiff or one of several co-plaintiffs. I quite understand the anxiety of the Government to recover court fees in that case, but then it should be considered that while the Madras High Court says that there is no provision of this nature and that provision should be enacted, it has not considered the point that I am going to place before the House. I do admit that Rule 11 of Order XXXIII does not provide for the recovery of court fees in the case where the suit abates on account of the death of the sole plaintiff because it says:

"Where the plaintiff fails in the suit or is dispaupered or where the suit is withdrawn or dismissed."

Now, therefore, in the absence of that, this Rule 11-A is sought to be enacted. But my difficulty is this. The recovery of the fees is when the plaintiff has been held to be pauper and the suit has gone on and if he succeeds in the suit, then he has to pay the court fee. And the second time when he is to pay his court fee is when his suit fails.

Now, Sir, I submit that if a similar provision is made that in case of abatement of the suit by the plaintiff's death the court fee will be recovered from the estate of the deceased plaintiff, there will arise many cases where the plaintiff who has died and whose suit has abated has still time to make an appeal, because in these cases of paupers, if a decision has been made with regard to court fees against him, he has got a right to appeal in that case. Now, he has no chance of appealing at all; he died before any appeal was made. In that case it will not be right, it will not be reasonable to recover court fees from him.

It seems to me that in such cases no provision has formerly been made and I do not think the Madras High Court has considered this point. I will put it like this. It may be said that there is no appeal for the pauper with regard to court fees. Now, I submit that formerly that was the law, namely, that there was no appeal, but subsequently the rule for appeal has been made, and, therefore, if the suit has abated by death then I submit that no court fees should be levied in that case. If any authority is needed for the purpose of supporting my submission with regard to appeal, I refer you, Sir, to page 1051 of the Civil Procedure Code, by Mulla, wherein it is laid down that:

"Questions arising between the Government and any party to the suit under the rule would be questions relating to the execution, discharge and satisfaction of a decree within the meaning of section 47,"—

and it is provided by rule 13:

"that they should be deemed to be questions arising between the parties to the suit within the meaning of section 47."

It follows that an order deciding any question is valid as a decree under the Civil Procedure Code, 1908. It was held by the High Courts of Bombay and Madras that the Government not being a party to the suit such questions could not be said to be questions arising between parties to the suit within the meaning of section 47 and that the orders determining such questions were not appealable as decrees. On the other hand the High Court of Allahabad held that such orders were appealable. Rule 13, which is new, sets the conflict at rest, by providing that the Government is a party to the suit and the Government shall be deemed to be a party to the suit for that purpose.

Now, we find rule 13 clearly saying:

"All matters arising between the Provincial Government and any party to the suit under rule 10, rule 11 or rule 12 shall be deemed to be questions arising between the parties to the suit within the meaning of section 47."

I submit, therefore, that when the suit abates on account of the plaintiff's death or the death of the co-plaintiff and he has had no opportunity to appeal no court fee should be levied. Therefore, it cannot be said that in all cases of abatement the court fee will be recovered. Under the circumstances I think that this Bill should not be given any support by this House.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions; Muhammadan Rural): Sir, to me this enactment seems to be a very harsh one for the object in view. This Bill, if passed, would mean that if the suit abates by reason of the death of the plaintiff, the Court shall order that the amount of court fees which would have been paid by the plaintiff, if he had not been permitted to sue as a pauper, shall be recoverable from his heirs; that is, his sons are to be held liable to pay for the faults of his father. Sir, the intention of the provision in the Civil Procedure Code in regard to a suit by a pauper is not like that. Under the Civil Procedure Code a man is first of all judged by the court as pauper, that is, a person who is not capable of paying the court fee which would be adjudged when the suit finishes. Here the provision says that it will be realized as 'arrear of land revenue', which assumes that he has some property for paying land revenue. If he has not, then it means that his children should be taxed for the faults of his father and for the fault of the Court who held him as a pauper. Sir, I submit that it is a very stringent and hard rule which this House is being asked to back. Sir, it is a well known fact how the land revenue is realized from people. They are treated very severely and very harshly by the Tehsildars and by the Magistrates who are in charge of execution of these decrees. Sir, to treat the son or the heir of a pauper who had no voice in the declaration of the court like that, would be very harsh and unjustifiable. I, therefore, oppose this Bill.

The Honourable Sir Sultan Ahmed: Sir, the objection raised by my friend, Mr. Azhar Ali, shows that he has not done us the courtesy of having read the proposal at all. He says that it would be very hard to proceed against the heir of the deceased pauper and it would be awful if he is sent to prison and what not. As a matter of fact the amendment does not seek to do anything of the kind. (Interruption).

Mr. Muhammad Azhar Ali: You have said "by reason of death".

The Honourable Sir Sultan Ahmed: What the amendment says is this:

"Where the suit abates by reason of the death of the plaintiff or of any person added as a co-plaintiff the Court shall order that the amount of court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper shall be recoverable by the Provincial Government from the estate of the deceased plaintiff."

If there is no estate, it will not be proceeded against. I do not know why my learned friend came to this conclusion that his son and heir will be proceeded against and sent to jail and so on. If there is no estate left by the deceased, the question is at an end.

Mr. Muhammad Azhar Ali: If the estate is not there, then the word 'land revenue' is in conflict.

The Honourable Sir Sultan Ahmed: That is the procedure—as to how it should be realised from the estate; if there is no estate, there is no personal liability.

Mr. Lalchand Navarai: May I draw the Honourable Member's attention to rule 14—in the end the Honourable Member will see the words "recover the amount of court-fees specified therein from the person or property liable for the payment as if it were an arrear of land revenue". How can that be?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has made one speech already.

The Honourable Sir Sultan Ahmed: I respectfully submit that my Honourable friend, Mr. Azhar Ali, has misread the section wholly. Now, as regards the objection taken by my friend, Mr. Lalchand Navarai, the position is perfectly clear from the section itself. If you will kindly read rules 10 and 11, you will find that the costs are payable by the pauper where he succeeds, just as he would have to pay if he had not been permitted to sue as a pauper. The next is rule 11—the procedure where the pauper fails. Where the plaintiff fails in the suit or is dispaupered or where the suit is withdrawn or dismissed because of certain causes or because the plaintiff does not appear when the suit is called on for hearing, the court shall order the plaintiff or any person added as a co-plaintiff to the suit, to pay the court fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper. If he dies and if the right to sue survives—that is essential of course—then there is no reason why he should not prosecute the suit; or if there is an appeal where an appeal is provided for, he can come in on the record and then proceed.

Mr. Lalchand Navarai: But if he has no heirs?

The Honourable Sir Sultan Ahmed: Then the question does not arise. Why are you anxious about somebody who does not exist in this world? There must be a person holding the property; there must be some representative; if there is none, the question does not arise, the estate will be escheated. I have not been able to understand the objection. If the right to sue survives to any one, then in that case he can proceed with the suit or he can file an appeal. The moment he does that he is liable just as his predecessor has been; but if he does not choose to do that in spite of

the opportunities that the law gives him, then the estate which may be in his hands coming from his predecessor is liable, just in the same way as the predecessor himself would have been liable if the suit laid failed or been withdrawn.

Mr. Lalchand Navarai: The Honourable Member has not answered my question; that is, that in case where there is a descendant and heir.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go on making fresh speeches.

The question is:

"That the Bill further to amend the Code of Civil Procedure, 1908 (Second Amendment) be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Sultan Ahmed: Sir, I move:

"That the Bill be passed."

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

"That the Bill be passed."

The motion was adopted.

THE REPEALING AND AMENDING BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move:

"That the Bill to repeal certain enactments and to amend certain other enactments be taken into consideration."

This is a very harmless Bill and it does not do anything substantive; it only removes from the Statute-book certain Acts or portions of Acts which have become absolutely inoperative and are not in force, and to correct small errors here and there. I see an amendment has been tabled in the name of Maulvi Mahammad Abdul Ghani—I am afraid it is perhaps due to some misconception of the position. There is absolutely no attempt here to make any change in any substantive law at all and I do not know whether he is going to move the amendment or not. Sir, I move.

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

"That the Bill to repeal certain enactments and to amend certain other enactments be taken into consideration."

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon."

Mr. President (The Honourable Sir Abdur Rahim): I cannot follow the Honourable Member. Will he speak up?

Maulvi Muhammad Abdul Ghani: I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the M.L.A. of January, 1943."

[Maulvi Muhammad Abdul Ghani.]

The long list of Acts to be repealed contains something like a hundred Acts and we have had very little opportunity to see these Acts. Besides, the Statement of Objects and Reasons says that the Bill is intended to remove from the Statute-book certain Acts or portions of Acts which have either ceased to have effect or ceased to be in force. Sir, I am a layman. I think if the words in the Statement of Objects and Reasons mean that there will not be printed separately the various Acts passed as they have already been incorporated into the original Acts and they will continue to give effect or to be in force, then it is all right but the wording of the Statement does not in my opinion carry such sense. The Statement further says that the Bill intends to correct small errors detected in the Acts. This does not mean that there are any new additions. If you refer to the list of enactments going to be repealed, you find that, for instance, in item 2 on page 8 of the Bill, in the Insurance Act, 1938, the word 'inspection' is going to be substituted by the word 'investigation'. I do not think that the word 'inspection' carries the same legal sense as the word 'investigation'. Secondly, in sub-section (3) of section 82, for the words, brackets and figure.

The Honourable Sir Sultan Ahmed: Please speak up. We cannot hear at all.

Maulvi Muhammad Abdul Ghani: In the Insurance Act, 1938, the second part—in sub-section (3) of section 82, for the words, brackets and figure "sub-section (1) of this sub-section" the words, brackets and figure "sub-section (1) of this section" shall be substituted. That is a new addition and change of substance. Again, in the Calcutta Port Act, 1890, you have, in section 5, for clauses (v) and (vii) the following clauses shall be substituted, respectively, namely:

"(v) The General Manager, Bengal and Assam Railway, *ex officio*";

"The Principal Officer, Mercantile Marine";

Mr. President (The Honourable Sir Abdur Rahim): What is the good of reading all this? I do not know what the Honourable Member's argument is.

Maulvi Muhammad Abdul Ghani: I do not quite follow you, Sir. It struck me that these are all new additions and not merely correcting errors, and that they should have been done by separate amending Bills. With these words, I move my motion.

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

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st of January, 1943."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): I will draw the attention of the House to the fact that there are no explanatory notes showing fully why these Acts are being taken out of the Statute-book. In all Bills clauses are given and explanations are made why they have been put down. But here I find that there are so many Acts which are going to be repealed, some portions are to be amended, and some deleted from the Statute-book. Still I find not explanation has been given to us, and not

sufficient materials placed before us. If certain Acts are obsolete and they are removed, one can understand, but that is not so here. In the First Schedule it is said:

"The enactments, or portions of enactments, which are dealt with in the First Schedule are either 'spent' or are of a purely amending nature and by virtue of section 6A of the General Clauses Act, 1897, can now be removed from the Statute-book."

So far as it says that they are of an amending nature, it should have been explained why they are going to be removed completely. The second schedule is actually supplying certain supplementary amendments and certain words are going to be changed. At any rate the House should have sufficient materials before them to judge for themselves if these amendments that are going to be made are merely verbal amendments. What I submit is that these notes should have been copious and should give us an idea with regard to each Act why that Act should be removed and so on. To say merely that 48 Acts are going to be removed from the Statute-book is not enough. If they have all become obsolete and so are going to be removed, that is another matter, but that is not the case here. On the last occasion also when a Bill like this was presented to this House, the same comment, the same remarks were made in the House in order to show that the notes should be more copious so that we might have an idea. To have a number of Acts removed in this one Bill is objectionable.

The Honourable Sir Sultan Ahmed: So far as Mr. Abdul Ghani's objections are concerned, I had the greatest difficulty in hearing him clearly, except in regard to one thing when he referred to page 8 with reference to the Insurance Act. He pointed out that a substantive change had been made because of the change of the word 'inspection' in sub-section (4) of section 33 into 'investigation'. The reason why this was done was that word was not used there and the marginal note merely conforms to it. I have not followed the other points made by my Honourable friend. As regards Mr. Lalchand Navalrai's objection, I do not think there is any validity in that at all. As regards the First Schedule, clause 2 of the Bill says:

"The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof."

The short title of the Act, and what has been repealed are mentioned everywhere and that is the usual thing that is done in such repealing and amending enactments. There is absolutely nowhere in this Bill any idea of making any substantive change in any Act at all. It is only to correct errors or to remove from the Statute-book certain Acts or portions of Acts which have ceased to have effect or which are not in force. I submit that the Bill as it stands is quite good and is not open to any objection at all.

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

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st of January, 1943."

The motion was negatived.

Maulvi Muhammad Abdul Ghani: I am not moving any of my other amendments.

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

"That the Bill to repeal certain enactments and to amend certain other enactments be taken into consideration."

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Mr. M. S. Aney: What happens to the Schedules?

Mr. President (The Honourable Sir Abdur Rahim): They are covered by clauses 2 and 3 of the Bill.

The Honourable Sir Sultan Ahmed: Sir, I move:

"That the Bill be passed."

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

"That the Bill be passed."

The motion was adopted.

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

LEGISLATIVE ASSEMBLY.

Tuesday, 22nd September, 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

SUBJECTING OF THE OLD OUDH AND ROHILKHUND RAILWAY STAFF TO FURTHER EXAMINATION ON TRANSFER TO EAST INDIAN RAILWAY.

125. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 4, asked on the 11th February, 1942, and the promised information given on the 27th February, 1942, in regard to the subjecting of certain exempted staff to further examinations on East Indian Railway, and state:

(i) the dates from which the terms "Goods Accounts Examination (Lower)" and "Goods Accounts Examination (Higher)" have been introduced and brought into operation respectively; and

(ii) the particulars of the staff who are promoted to upper subordinate posts and are required to pass the Goods Accounts Examination (Higher) but have not passed the examination and are confirmed in those posts after the date when the examination was introduced?

(b) Is it or is it not a fact that in the old Oudh and Rohilkhund Railway the Goods Examination was considered to be the standard examination for the staff to be promoted to upper subordinate posts?

(c) What are the reasons for subjecting the staff of the old Oudh and Rohilkhund Railway to a further examination on their transfer to the East Indian Railway system?

The Honourable Sir Edward Benthall: (a) (i). In May, 1928.

(a) (ii). I regret that I cannot undertake to secure the information the collection of which will involve an amount of labour and time unjustifiable under present war conditions.

(b) So far as my information goes, the reply is in the affirmative.

(c) I would refer the Honourable Member to the information laid on the table of the House in reply to part (a) of Maulvi Syed Murtuza, Sahib Bahadur's unstarred question No. 4 asked on the 11th February, 1942.

Mr. Muhammad Azhar Ali: Will the Honourable Member kindly say what were the subjects prescribed for the coaching and goods examinations respectively by the old Oudh and Rohilkhund Railway and what are the subjects prescribed for lower and higher Goods Accounts Examinations?

The Honourable Sir Edward Benthall: I would like to have notice of that question.

**RE-EMPLOYMENT OF MR. A. J. DORAN AS SUPERINTENDENT (COMMERCIAL),
MORADABAD DIVISION.**

126. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 86, asked on the 6th March, 1942, regarding the re-employed staff on the East Indian Railway, and state if it is or it is not a fact that one Mr. A. J. Doran has been re-employed as a Superintendent, Commercial, Moradabad Division, from September 1940 or 1941, on the old scales of pay?

(b) Is it or is it not a fact that the said Mr. Doran was adjudged by the Sessions Judge, Patna, as an inefficient, unprofitable and mal-administrative Officer in the defamation case brought by him against the Editor, Printer and Publisher of an English Paper, namely, *Maxdoor*, in 1935 or 1936?

(c) Is it or is it not a fact that Government financed him with a sum of Rs. 10,000 (ten thousand) approximately for the said case?

(d) Is it or is it not a fact that the said sum as a rule is recoverable from him as he failed to succeed in the case?

(e) What are the reasons for re-employing a person who was adjudged by a court of law as a mal-administrator?

The Honourable Sir Edward Benthall: (a) Mr. Doran was not re-employed but was recalled from leave.

(b) No, it is not a fact.

(c) Yes, it is a fact.

(d) No, it is not a fact.

(e) Does not arise.

Mr. Muhammad Azhar Ali: Is it or is it not a fact that persons appointed or re-appointed, other than those brought under reduction due to economy campaign 1931, after 15th July, 1934, are paid the new scales of pay 1934?

The Honourable Sir Edward Benthall: I do not think that arises out of this question and in any case I should require notice of it.

Mr. Muhammad Azhar Ali: Is it or is it not a fact that the staff employed under the crew system of ticket checking and collecting on the East Indian Railway and discharged on re-organisation of the system were re-appointed after 15th July, 1934, and are paid new scales of pay 1934?

The Honourable Sir Edward Benthall: I do not think that arises out of the question either.

**PREPONDERANCE OF HINDUS IN RATES SECTION, COMMERCIAL BRANCH, NORTH
WESTERN RAILWAY HEADQUARTERS OFFICE.**

†127. ***Mr. H. M. Abdullah:** (a) Will the Honourable Member for Railways please state if it is a fact that in the Rates Section of the Commercial Branch of the North Western Railway Headquarters Office, all Officers, Head Clerks and Inspectors are Hindus?

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

(b) Is the Honourable Member prepared to consider the desirability of posting Muslim Officers, Head Clerks and Inspectors to this Section to break this monopoly of the Hindus?

The Honourable Sir Edward Benthall: (a) No, it is not a fact.

(b) Does not arise, but I may add that promotions are not made on communal considerations and Muslim officers are at present few in number.

**FILLING OF CERTAIN VACANCIES IN PERSONNEL BRANCH, NORTH WESTERN
RAILWAY HEADQUARTERS OFFICE, RESULTING IN SUPERSESSION OF
MUSLIMS.**

†128. ***Mr. H. M. Abdullah:** (a) Will the Honourable Member for Railways please state if it is a fact that four vacancies in grade III of the Personnel Branch of the North Western Railway Headquarters Office fell vacant?

(b) Is it a fact that two vacancies were filled with senior men but the other two, which were to go to Muslims, were not filled?

(c) Is it a fact that the claims of the senior Muslims were overlooked and one of the vacancies was given to the junior-most Hindu of class I and the other was given to a junior Sikh who has been working in this Branch for the last nine months?

(d) Is it a fact that the senior Muslims who were superseded appealed against these orders but no reply has been given to them up to now?

(e) Will the Honourable Member say what action he proposes to take to stop undue supersession of Muslims by non-Muslims?

The Honourable Sir Edward Benthall: (a) The Honourable Member has not specified the period to which he is referring, but I am informed that four vacancies in Grade III of clerks in the Personnel Branch of the Headquarters Office of the North Western Railway occurred in the first quarter of this year.

(b) The reply to the first part is in the affirmative, one by a Hindu and one by a Muslim; as regards the second part, I am informed that two junior clerks familiar with the work were appointed to officiate in the two vacancies.

(c) As I have stated in the reply to part (b), the posts have been filled in an officiating capacity. The two senior Muslims were also subsequently appointed to officiate in other Grade III posts.

(d) I understand that one of the Muslims appealed; he has, as I have said, been appointed to officiate in grade III.

(e) I do not consider any special action is called for, as I do not believe that the facts are as stated by the Honourable Member.

**CONFIRMATION OF CERTAIN ELECTRICAL SUBORDINATES AS ASSISTANT CHARGE-
MEN ON NORTH WESTERN RAILWAY RESULTING IN SUPERSESSION OF
MUSLIMS.**

†129. ***Mr. H. M. Abdullah:** (a) Will the Honourable Member for Railways please state if it is a fact that certain Electrical subordinates of the North Western Railway were confirmed as Assistant Chargemen, with

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

effect from 14th February, 1941, 15th February, 1941, 16th February, 1941, 17th February, 1941, 18th February, 1941 and 19th February, 1941?

(b) Is it a fact that this has resulted in the supersession of a senior Muslim? If so, why?

(c) Is it a fact that certain others were confirmed as Assistant Charge-men, with effect from 23rd June, 1941 and 25th June, 1941 and placed on probation from 26th June, 1941 and 27th June, 1941?

(d) Is it a fact that as a result certain comparatively senior Muslims have been superseded? If so, how many and why?

(e) Are confirmations in such appointments being made by seniority or by merit?

(f) Is it a fact that a non-Muslim obtained only 62½ per cent. of marks in 1934 but was confirmed according to seniority although others—Muslims—appearing in the same examination had obtained as much as 96 per cent. of marks?

The Honourable Sir Edward Benthall: (a) Yes.

(b) The promotions resulted in the supersession of two Muslims, one Hindu and one Sikh who were not then considered fit for confirmation.

(c) Yes, some were confirmed and others placed on probation on the dates indicated.

(d) Yes, four Muslims including the two referred to in the reply to part (b) and for the same reason.

(e) Seniority among those declared fit for confirmation.

(f) The non-Muslim obtained 61½ per cent. and two Muslims obtained 90 and 61 per cent. The non-Muslim was confirmed first as being senior among the three all of whom were declared fit for confirmation. The other two were confirmed subsequently.

TRAFFIC INSPECTORS IN HEADQUARTERS OFFICE OF NORTH WESTERN RAILWAY.

†130. ***Mr. H. M. Abdullah:** (a) Will the Honourable Member for Railways please state the total number, communal composition and order of seniority of Traffic Inspectors in the Headquarters Office of the North Western Railway?

(b) Is it a fact that Traffic Inspectors perform both Operating and Commercial duties in the Divisions?

(c) Is it a fact that in several cases Traffic Inspectors of the Operating Branch, Headquarters Office, have been appointed to officiate as Lower Gazetted Officers in the Commercial Branch?

(d) Is it a fact that both Anglo-Indian as well as Hindu Traffic Inspectors have been appointed to officiate as officers in the Lower Gazetted service in the Operating and Commercial Branches in spite of their being comparatively junior?

(e) Is it a fact that a Hindu Head Clerk, officiating as Superintendent, Commercial, has also been ordered to officiate in the Lower Gazetted service in the Commercial Branch?

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

(f) Is it a fact that an Anglo-Indian Inspector of Coaching and Goods in the Accounts Branch cadre has also been appointed to officiate in the Lower Gazetted service of the Commercial Branch? Is there any precedent for a subordinate of the Accounts Branch having been imported into an Executive Branch as an Officer?

(g) Is there any precedent of a subordinate of the Executive Branch having been imported as an Officer in the Accounts Branch?

(h) If not, what action do Government propose to take to stop such promotions on the North Western Railway?

The Honourable Sir Edward Benthall: (a) Three, one Muslim, one European and one Hindu in that order of seniority.

(b) Yes, except on the Karachi Division, where as an experimental measure Traffic Inspectors are performing Transportation or Commercial duties exclusively.

(c) Once in 1938, as far as can be ascertained.

(d) Promotion to the Lower Gazetted Service is made on the basis of selection and is not governed by communal considerations.

(e) Yes.

(f) The reply to the first part is in the affirmative. As regards the second part, I am informed that there is no precedent on the North Western Railway but there are such instances on other Railways.

(g) I am unable to trace any.

(h) I see no reason to interfere with the action of the North Western Railway.

RAILWAY BOARD INSTRUCTIONS CONCERNING CORRECTIVE ACTION AGAINST RAILWAY EMPLOYEES.

†131. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the Railway Board issued orders on the 9th April, 1941 to the General Managers of State-managed railways to the effect that the employees should not be reduced in pay but fined and warned?

(b) Is it also a fact that it was further desired that the employees who did not show improvement and were found permanently unfit for the posts they were holding and against whom corrective action by way of fines, warnings etc., had been or was considered ineffective, such employees may be removed from service after due notice and then re-appointed to posts of lower responsibility?

(c) Are the provisions of Rule 1710 (b) of the State Railway Establishment Code, Volume I, and North Western Railway Subsidiary rules thereto, satisfied by the administration before discharging an employee under circumstances referred to in part (b) above?

(d) If the reply to part (c) above be in the negative, under what provision of law did the Railway Board issue instructions in contravention of rules framed by the Governor General in Council under sub-section (2) of section 241 of the Government of India Act, 1935, and embodied in the State Railway Establishment Code, Volume I, referred to in part (c) above?

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

The Honourable Sir Edward Benthall: (a) and (b). Yes.

(c) Yes, but I would add that it is open to Railway Administrations to discharge an employee and re-engage him as provided in the orders referred to in parts (a) and (b) even for one single offence where it merits such treatment.

(d) Does not arise.

REVISION OF THE MAXIMUM PAY FOR CLERICAL STAFF ON NORTH WESTERN RAILWAY.

†132. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the revised scales of pay introduced on the Indian State-managed Railways in 1931-34 laid down common grades of pay for similar class of employees on various railways? If so, why was the maximum pay of class I grade I clerical staff on the Great Indian Peninsula Railway fixed at Rs. 80 and that for the North Western Railway at Rs. 60?

(b) Is it proposed to revise the maximum pay for clerical staff on the North Western Railway to Rs. 80? If not, why not?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the negative; the second part does not arise.

(b) No, as there is no justification for doing so.

DISCOURTEANANCING OF CERTIFICATES FROM PRIVATE REGISTERED DOCTORS ON NORTH WESTERN RAILWAY.

†133. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that under General Rule 3 of the "Rules governing issue of medical certificates to railway servants", framed and promulgated by the Railway Board, the competent departmental authority has discretion to accept certificates issued by private registered doctors in certain cases?

(b) If the reply to part (a) be in the affirmative, why have restrictions been placed by the North Western Railway Administration [*vide* Subsidiary Rule 6], on the discretion of such a competent authority who shall have to submit all such certificates to the railway doctors for orders and must abide by their recommendations?

(c) Do Government propose to direct amendment of the North Western Railway Subsidiary Rules to fit in with the specific provisions of the General Rules? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) The North Western Railway has apparently considered such restriction necessary.

(c) I shall consider the matter.

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

CURTAILMENT OF POWERS OF SUB-ASSISTANT SURGEONS ON NORTH WESTERN RAILWAY.

†134. *Mr. Lalchand Navalrai: (a) Will the Honourable the Railway Member be pleased to state whether his attention has been drawn to a note entitled "Powers of SAs on N. W. Railway" appearing on page 201 of the *Railway Herald*, Karachi, dated the 24th August 1942? Will he please state if it is a fact that the "Medical Certificate Rules" were issued by the Railway Board? If so, why and how were the powers of Sub-Assistant Surgeons on the North Western Railway were curtailed under the 'Subsidiary Rules'?

(b) Has there been any delegation of authority to the Railway Administrations which justify the issue of 'Subsidiary Rules' in contravention of the specific provisions of the General Rules? If so, will the Honourable Member please give a reference to the specific delegation orders?

(c) If the reply to first portion of part (b) above be in the negative, is it proposed to direct amendment of 'Subsidiary Rules' to accord with the General Rules? If not, why not?

The Honourable Sir Edward Benthall: (a) I have seen the article referred to. The rules contained in Appendix VI to the State Railway Establishment Code Volume I were issued by the Railway Board. As regards the last part, I would point out that the limits prescribed in the Railway Board's rules are correctly treated as the maxima, it being open to individual Railway Administrations to prescribe other limits falling within these maxima.

(b) No.

(c) No direction is necessary as the Subsidiary Rule is not at variance with the General Rules.

CERTAIN RAILWAY BOARD ORDERS RELATING TO DISPOSAL OF APPEALS.

†135. *Mr. Lalchand Navalrai: (a) With reference to the speech delivered by Sir Andrew Clow, the former Railway Member, on the 25th February, 1942, and published on page 534 of the Assembly Debates, Volume I, No. 10, will the Honourable the Railway Member be pleased to state whether orders in regard to disposal of appeals have been issued by the Railway Board clarifying the points referred to in Sir Andrew's speech? If not, why not?

(b) If the reply to first portion of part (a) above be in the affirmative, will the Honourable Member please lay on the table of the House a copy of the orders issued? If not, why not?

The Honourable Sir Edward Benthall: (a) Sir Andrew Clow actually stated in the speech referred to by the Honourable Member that orders had already been issued. The second part does not arise.

(b) No, as the orders are confidential. I would add that Sir Andrew Clow had referred in his speech to the material parts of the orders.

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

CITY BOOKING AGENCIES ON NORTH WESTERN RAILWAY.

†136. *Mr. Lalchand Navalrai: (a) Will the Honourable the Railway Member be pleased to state the number of City Booking Agencies on the North Western Railway in the calendar years, 1939, 1940, 1941 and half year upto the 30th June, 1942?

(b) What is the total amount of commission paid to the contractors during the periods referred to in part (a) above?

(c) Is it proposed to close all such agencies for the duration of the war when alternate means of railway booking and goods offices exist? If not, why not?

The Honourable Sir Edward Benthall: (a) and (b). Information has been called for and will be laid on the table of the House when received.

(c) Many of our important stations are crowded with civilian passengers and there are considerable numbers of troops in addition and Government consider city booking offices afford appreciable relief and their retention is in the public interest. Government do not, therefore, propose to order that they should all be closed.

TRANSPORT FACILITIES FOR RELIEVING THE GRAVE FOOD GRAINS SITUATION ON THE MALABAR COAST.

137. *Mr. H. A. Sathar H. Essak Sait: Will the Honourable Member for Railways and War Transport be pleased to state:

(a) whether he is aware of the grave situation on the Malabar Coast with regard to food grains;

(b) whether he is aware that before the war Malabar depended largely on Burma for its staple food grains, e.g., rice;

(c) whether the present stock of rice in that district is very small;

(d) what steps Government are taking to remedy this state of affairs; and

(e) in view of the possibility of further curtailment of facilities for transport, whether he will consider the taking of special measures to rush supplies immediately to the West Coast?

The Honourable Sir Edward Benthall: I would refer the Honourable Member to the reply given to his short notice question by the Honourable the Commerce Member on the 21st September, 1942.

Mr. H. A. Sathar H. Essak Sait: This question was replied to yesterday by the Honourable the Commerce Member except the last portion, namely (e), and I hope my Honourable friend will be able to give me some information on that.

The Honourable Sir Edward Benthall: Yes, Sir. The question was replied to yesterday.

As regards (e), I can assure my Honourable friend that all possible consideration will be given to the movement of food stuffs to Malabar. As my Honourable friend is probably aware, a Regional Controller of Priorities has been appointed in Madras for the very purpose of assuring

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

that such traffic gets proper consideration. If my Honourable friend will bring the requirements of any particular part of the country in which he is interested to the notice of the Provincial Government the Provincial Government will take up the matter with the Priorities Officer.

Mr. H. A. Sathar H. Essak Sait: Thank you.

LIABILITY ON ANGLO-INDIAN RAILWAY EMPLOYEES TO SERVE IN AUXILIARY FORCE.

†138. *Mr. F. R. Anthony: Will the Honourable Member for Railways be pleased to state:

(a) whether Anglo-Indians are liable for service in the Auxiliary Force as a condition precedent to their employment on Railways; and

(b) whether this liability is due to the fact that the Anglo-Indian, for the purpose of service in the Auxiliary Force, is defined as an European British Subject?

The Honourable Sir Edward Benthall: (a) Anglo-Indians are normally required to serve in the Auxiliary Force as a condition of their service on Railways.

(b) No. They are eligible to join the Auxiliary Force since they are British subjects of European descent in the male line.

MATERIALS OR ARTICLES RECEIVED UNDER THE LEASE AND LEND AGREEMENT.

139. *Mr. Govind V. Deshmukh: Will the Honourable Member for Supply please state what materials or articles have been received by India under the Lease and Lend Agreement and of what value? Are the terms of this agreement the same as between the United Kingdom and the United States of America?

The Honourable Sir Homi Mody: No agreement of the kind referred to exists between the United States of America and India. The goods so far received by India under Lease/Lend are of many different kinds, and the Honourable Member will appreciate that it is not in the public interest for me to give details. The more important general categories are, however, vehicles, ammunition, and ordnance stores generally, steel, oil, machine tools, and wireless equipment. I regret that I cannot give figures for the value of the goods received. In many cases the figures are unknown.

Mr. Govind V. Deshmukh: But what about the terms? I wanted to know whether the terms of this agreement so far as India is concerned are the same or different?

The Honourable Sir Homi Mody: I have said that there is no direct agreement between the United States and ourselves. There is an agreement between the United Kingdom and the United States of America under which we work. We share in the benefits of Lease/Lend in the same way as other Empire countries do.

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

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Mr. Govind V. Deshmukh: Benefits are all right, but what about the liabilities? Are our liabilities the same as the United Kingdom has under this Lease/Lend Agreement?

The Honourable Sir Homi Mody: I have no reason to think that they are any different.

UNSTARRED QUESTIONS AND ANSWERS.

APPLICABILITY OF THE OLD EAST INDIAN RAILWAY COMPANY MANAGEMENT RULES TO STATE RAILWAY STAFF.

4. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please state if it is or it is not a fact that the old East Indian Railway Company management Rules are made applicable to the staff of the Indian State Railways?

(b) Is it or is it not a fact that the Rules in force on the old East Indian Railway Company management became inoperative and ineffective on the termination of the company-management?

(c) Will Government state the Resolution or any other authority given by the Governor General in Council under which the adoption of the old East Indian Railway Company-management Rules to the staff of the Indian State Railways is ordered?

The Honourable Sir Edward Benthall: (a) and (b). When the East Indian Railway was taken over, the staff of the Company who were employed by the State were permitted to continue to be governed by the Company's rules in certain specified matters; in others it was specified that they should be governed by State Railway Rules. Apart from this however, there were many local rules extant on the East Indian Railway Company designed to suit local conditions and these have continued in force even after the Railway was taken over by the State.

(c) No specific notification or order covering all matters has been issued.

SUSPENSION OF PRIVILEGE PASSES, ETC., ON EAST INDIAN RAILWAY.

5. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please state whether it is or it is not a fact that the General Manager, East Indian Railway, on the 21st August, 1942, ordered that the issue of all privilege passes and Privilege Ticket Orders including Week-End Privilege Ticket Orders should be suspended until further notice?

(b) Is it or is it not a fact that the Gazetted Staff are in possession of metal passes (permanent) under which they and their family unrestrictedly travel?

(c) Is it or is it not a fact that the Divisional Superintendent, Moradabad Division, on the 31st August, 1942, travelled in his Inspection Carriage from Moradabad to Dehra Dun with 9-Up Passenger train and that no family member was in company with him?

(d) Is it or is it not a fact that the said Divisional Superintendent proceeded to Mussoorie on the 1st September, 1942, avoiding the Taxes thereat by presenting an exemption certificate?

(e) Is it or is it not a fact that the said Divisional Superintendent returned from Mussoorie on the 1st September, 1942, accompanied with his wife who was there during the summer of 1942?

(f) Is it or is it not a fact that the said Divisional Superintendent carried his wife with him in the Inspection Carriage from Dehra Dun to Moradabad on the 2nd September, 1942, by 10-Dn. Passenger train?

(g) Is it or is it not a fact that the fare of the wife was neither paid for by a ticket or by an authority to travel gratuitously with the exception of the metal pass?

(h) Is it or is it not a fact that the above instance establishes that the suspension of the privileges only tells upon the Non-Gazetted Railway Servants who are already burdened with the high cost of living?

(i) Do Government propose to withdraw metal passes from the Gazetted Staff and only permit them to travel on duty passes to be obtained before the commencement of the journey? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Gazetted staff are in possession of metal passes but their use is limited to journeys on duty only, within the holder's jurisdiction. The rules permit a holder's family (wife and children only) to accompany him.

(c) to (g). Government have no information.

(h) No. The suspension of privilege passes equally affects gazetted staff and their families. The Honourable Member appears to be confusing duty passes with privilege passes.

(i) No, as Government see no reason to do so. I would also refer the Honourable Member to the reply given to Bhai Parma Nand's unstarred question No. 23 of 22nd September, 1939.

IMPLICATIONS OF SANCTIONING OF AN INCREMENT OF PAY OF A RAILWAY SUBORDINATE.

6. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please state if it is or it is not a fact that an increment in the time scales of pay is earned and sanctioned for satisfactory work and good conduct?

(b) Is it or is it not a fact that the increment earned and sanctioned is for the approved period of service?

(c) Is it or is it not a fact that subsequent to the sanction of the increment no officer is permitted to make adverse remarks to the effect that a subordinate failed during that period to give satisfaction to his higher authorities?

The Honourable Sir Edward Benthall: (a) and (b). Yes, it is a fact.

(c) No, it must depend on the circumstances of each case whether such action is justified or not.

RAILWAY BOARD LETTER CONCERNING FINE SYSTEM.

7. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please lay on the Table of the House the Railway Board's letter No. 1023-E, dated the 25th August, 1925, regarding Fine System? If not, will he please give the reasons therefor?

The Honourable Sir Edward Benthall: No; such correspondence is not meant for publication.

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RIGHT OF RAILWAY TRADE UNIONS, ETC., TO ASSIST A RAILWAY SERVANT AT ENQUIRY INTO HIS CASE.

8. **Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please state if it is or it is not a fact that the Trade Unions, Associations or Federations of the Railway Servants are constitutionally entitled to assist any railway servant in the preparation of his case?

(b) Is it or is it not a fact that the assistance does include the appearance with the railway servant (complainant or accused) before any committee of enquiry or before any individual officer enquiring into the case, and to the giving of such ready assistance as is required on the spot?

(c) Will he be pleased to lay on the Table the instructions issued by Government to the General Managers of Railways in this respect? If no instructions have been issued, will he please state the reasons therefor?

The Honourable Sir Edward Benthall: (a) Trade Unions are organised, it is presumed, for rendering assistance to their members, but this does not involve any constitutional or legal right or obligation to do so.

(b) The Honourable Member is referred to the reply to starred question No. 192 asked by Mr. Amarendra Nath Chattopadhyaya on 16th March, 1942.

(c) The right of a railway servant to be assisted by another railway servant is defined in para. 1707 (c) of the State Railway Establishment Code, Volume I, a copy of which is in the Library of the House.

DESIRABILITY OF SANCTIONING UNIFORM DEARNESS ALLOWANCE FOR ALL RAILWAY SERVANTS.

9. **Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please state if it is or it is not a fact that in March, 1941 the Government of India was pleased to sanction a dearness allowance to Railway servants in accordance with the population of the cities, towns and rural areas?

(b) Is it or is it not a fact that in March, 1941 the prices were not controlled by the Government, and there was a variation in the prices according to the locality?

(c) Is it or is it not a fact that in August, 1942, Government revised the scales of the dearness allowance on the same principles of population?

(d) Is it or is it not a fact that since the prices are controlled by Government, the locality is unable to vary the prices according to population?

(e) Do Government propose to sanction the dearness allowance to all Railway servants irrespective of the locality or of the population? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes, it is a fact.

(b) Price control had not been introduced in March, 1941, except as regards the margin between wholesale and retail prices; the reply to the second part is in the affirmative.

(c) Yes, it is a fact.

(d) In the case of commodities, wholesale prices of which are controlled by Government on an all-India basis, the scope for variation is more limited than in the case of others which are not controlled.

(e) No, because there is no justification for giving a dearness allowance to all railway servants beyond a certain rate of pay or at a uniform rate throughout the country.

RATE FOR A PLATE OF FISH AT THE HINDU REFRESHMENT ROOM, DELHI RAILWAY STATION.

10. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 74, asked on the 24th March, 1942, on the subject of the rate for a plate of fish at the Hindu Refreshment Room, Delhi Railway Station, and state whether his reply to part (c) of the said question is correct after perusal of the counterfoil of Cash Memo. No. 140131, dated the 7th August, 1942?

The Honourable Sir Edward Benthall: Government do not propose to call on the contractor to produce the document mentioned as it does not appear to be in any way relevant to the reply given in this House in March.

INCREASE IN THE TARIFF RATES OF MESSRS. BALLABDAS ESHWARDAS, CATERING CONTRACTORS, EAST INDIAN RAILWAY.

11. **Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please state if it is or it is not a fact that the General Manager, East Indian Railway, has increased the rates in the tariff of Messrs. Ballabdas Eshwardas, Catering Contractors, by 50 per cent.?

(b) Is it or is it not a fact that the Government did consider, when sanctioning the dearness allowance, that the general run of prices did not warrant an increase of the allowance by 50 per cent.?

(c) What justification had the General Manager in increasing the catering tariff rates by 50 per cent.?

(d) Do Government propose to reduce these rates and bring them to the level of the prices on which the dearness allowance has been sanctioned? If not, why not?

The Honourable Sir Edward Benthall: (a) Government have no detailed information but understand that there have been certain increases in the rates, the percentages varying considerably for the different edibles and in the case of full meals being roughly 15 to 25 per cent. From information available it does not appear that each and every rate has been increased by 50 per cent.

(b), (c) and (d). In view of the reply given to part (a), do not arise.

PARTIAL RE-IMBURSEMENT OF COUNSEL'S FEE PAID BY CERTAIN TRAVELLING TICKET EXAMINERS OF MORADABAD DIVISION FOR THEIR DEFENCE IN A CRIMINAL CASE.

12. **Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please refer to the reply given to part (k) of unstarred question No. 5, asked on the 11th February, 1942 in regard to the Hardwar Railway Ticket Fraud Case, viz., "Expenditure on counsel was necessary to ensure

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the proper prosecution of the case before the various courts", and state if it is or it is not a fact that the principle laid down in the reply is observed when a subordinate employee is involved?

(b) Is it or is it not a fact that the four Travelling Ticket Examiners of Moradabad Division were not re-imbursed the Counsel's fee in full which they incurred in their defence against a criminal complaint lodged against them by one of the gang of Iranies whom the Railway Administration prosecuted for assault and travelling without tickets?

(c) What were the fees charged by the Counsel (Rai Banadur Mr. Basant Lal, Bar-at-Law) of the Travelling Ticket Examiners and by Mr. Kidar Nath when engaged by the Government and the reason for difference in the rates?

(d) Do Government propose to re-imburse the Travelling Ticket Examiners in full for their Counsel's fee? If not, why not?

The Honourable Sir Edward Benthall: I have called for information and will lay a reply on the table in due course.

DISREGARD OF COMMUNAL RECRUITMENT RULES IN THE OFFICE OF THE CHIEF AUDITOR, NORTH WESTERN RAILWAY, LAHORE.

13. Bhai Parma Nand: Will the Honourable Member for Railways please state if Government are aware that the rules regarding communal recruitment of the clerical staff are being flagrantly disregarded in the office of the Chief Auditor, North Western Railway, Lahore?

The Honourable Sir Edward Benthall: With your permission, Sir, it is proposed to reply to questions Nos. 13, 14 and 15 together.

These questions should have been addressed to the Honourable the Finance Member.

IGNORING THE CLAIM FOR CONFIRMATION OF A HINDU LOWER GRADE CLERK OF NORTH WESTERN RAILWAY, AUDIT DEPARTMENT.

14. Bhai Parma Nand: (a) Will the Honourable Member for Railways please refer to the gradation list of lower grade clerks of the North Western Railway, Audit Department, as corrected up to the 1st April 1942, and say if the two Muslims shown as numbers 15 and 16 on that list were confirmed one after the other, although a Hindu should have come between them according to the communal cycle prescribed in the Railway Audit Manual?

(b) Is it not a fact that an "unreserved" place in the cycle of permanent vacancies was treated as lapsed although no permanent employee actually left service?

(c) Is he aware that when a Hindu in the office of the Chief Auditor, North Western Railway, leaves service, the "unreserved" serial number in the communal cycle of temporary vacancies against which he was employed, is treated as lapsed and the vacancy so created is treated as a fresh vacancy and transferred to the next vacant number towards the bottom of the cycle?

+For answer to this question, see answer to question No. 13.

(d) If so, will he please say if this practice gives the Muslims, an excess over the percentage prescribed for them for recruitment in the Audit Department on the North Western Railway?

(e) Is he aware that this is being done in violation of the Auditor General of India's note to paragraph 217 of his manual of standing orders that the percentage prescribed for the minority communities is the maximum as well as the minimum percentage and that no preference is to be given to them except on grounds of merit?

(f) Is he aware that in case of a resignation by a Muslim in the North Western Railway, Audit Department, the other Muslims working against the reserved places lower down are each brought a step up, so that the serial number in the communal cycle occupied by the Muslim resigning is secured by the Muslim next below him and the last reserved number so falling vacant is again filled in by a Muslim? Why is not a similar provision made for filling up an unreserved vacancy that occurs in the communal cycle of temporary vacancies with the only difference that the vacancy being "unreserved" could go to a member of any community on grounds of merit?

(g) Will Government please consider the necessity for issuing necessary instructions in the matter to their subordinate Departments?

NON-POSTING OF CERTAIN MUSLIM RAILWAY AUDITORS OF THE PUNJAB CIRCLE AT BAREILLY OR GORAKHPUR FOR FULL PRESCRIBED PERIOD.

15. Bhai Parma Nand: (a) Will the Honourable Member for Railways please say whether each of the Auditors in the Punjab Circle of the Railway Audit Department is required to serve either at Bareilly or at Gorakhpur for a certain fixed period?

(b) If so, is it not a fact that a Muslim junior auditor has not so far been to either of these two places and another Muslim auditor has only spent one-half of the prescribed period at one of these two places?

(c) Will Government please say whether there are any Hindu auditors who have completed their period but are still employed at these two places?

(d) Is it not a fact that there is another Hindu Auditor under orders of transfer from North Western Railway to Gorakhpur although he, on a previous occasion, had completed three-fourths of the prescribed period?

MINIMUM AGE FOR APPOINTMENT TO INFERIOR SERVICE ON NORTH WESTERN RAILWAY.

16. Bhai Parma Nand: Will the Honourable Member for Railways please say if Government have laid down any minimum age for appointment to the inferior service on the North Western Railway? If so, what is the minimum?

The Honourable Sir Edward Benthall: Government have specified no minimum age for employment in the inferior service on the North Western Railway. It is understood that the railway itself has prescribed 18 years as the minimum age except in categories in which boys are engaged; no boy may be employed until he has attained the age of 15 years.

+For answer to this question, see answer to question No. 13.

RAILWAY EMPLOYEES REDUCED FROM HIGHER TO LOWER GRADE POSTS ON NORTH WESTERN RAILWAY.

17. **Mr. Lalchand Navalrai:** With reference to Sir Andrew Clow's reply to my unstarred question No. 37, asked on the 10th November, 1941, will the Honourable Member for Railways be pleased to state:

- (a) if there have been any instances of reduction of employees from the higher grade posts to the lower grade posts by discharge and re-appointment and whether an occasion has now arisen for clarification of the points of seniority, pay and prospects of such persons;
- (b) what are the rules or orders in force on the North Western Railway in regard to the following points in connection with employees reduced from the higher to the lower grade posts by the process referred to in part (a) above:
 - (i) whether such a reduction is imposed for any definite period,
 - (ii) seniority in the lower grade post to which reduced,
 - (iii) seniority in the higher grade post on re-promotion,
 - (iv) pay that a reduced employee would draw on re-promotion to the higher post, and
 - (v) pay for the purpose of gratuity for retirement from the lower or higher grade posts; and
- (c) if no orders have been issued clarifying the points referred to in part (b) above, is it proposed to issue some orders early? If not, why not?

The Honourable Sir Edward Benthall: (a) Government have no information in regard to the first part; as regards the second part, no occasion has yet arisen for Government to consider the matter.

- (b) There are no rules at present in force.
- (c) It is understood the North Western Railway contemplate issuing some orders.

DEBITING A RAILWAY EMPLOYEE WITH "GOOD CONDUCT MARKS" ON NORTH WESTERN RAILWAY.

18. **Mr. Lalchand Navalrai:** (a) Will the Honourable the Railway Member be pleased to state if there is any provision of obtaining the explanation of an employee before he is debited with 'Good Conduct Marks' on the North Western Railway? If not, is it proposed to provide for such an opportunity?

(b) Is there any provision for an appeal against debit of Good Conduct Marks? If so, to which authority? If not, why not?

(c) What is the maximum number of 'Good Conduct Marks' that can be debited to an employee at one time? If no such provision exists in the rules, does the Honourable Member propose to make such a provision in the Rules? If not, why not?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the negative; Government will consider the suggestion made in the second part. It is understood, however, that an explanation is in fact usually obtained.

(b) The reply to the first part is in the negative; the second part does not arise. As regards the third part, Government have the question under consideration.

(c) It is not clear what the Honourable Member refers to in his expression "at one time". The maximum number of marks that may be debited for one offence is five. The second and third parts do not arise.

PROTESTS FROM NORTH WESTERN RAILWAY EMPLOYEES AGAINST EMBARGO ON CONFIRMATIONS.

19. **Mr. Lalchand Navalrai:** (a) Will the Honourable the Railway Member be pleased to state whether the Railway Board have placed any embargo on confirmations with effect from 1st June, 1942? If so, why?

(b) Is it a fact that protests have been addressed to the General Manager, North Western Railway, to the effect that employees recruited prior to 1st June, 1942, have a legitimate claim for confirmation in permanent posts, as they were not appointed with the condition that their services would be terminated on the cessation of war to make room for those returning from active service? If so, how have the same been disposed of?

The Honourable Sir Edward Benthall: (a) Yes; in order that persons with war service may, after the war, be given an opportunity of securing civil employment.

(b) Government have no information; the second part does not arise. It might, however, be added that those on probation before 1st June, 1942, may be confirmed. Those in temporary employ on 1st June, 1942, however have no claim to permanent employment.

SHORT NOTICE QUESTIONS AND ANSWERS.

WITHDRAWAL OF BAN ON EMIGRATION OF INDIAN LABOUR TO CEYLON.

Dr. P. N. Banerjee: Will the Honourable Member for Indians Overseas please state:

- (a) whether it is a fact that the Government of India have withdrawn the ban on emigration of Indian labour to Ceylon; if so, why; and
- (b) whether it is a fact that the Ceylon Government have not yet withdrawn the anti-Indian laws in force in that country?

The Honourable Mr. M. S. Aney: (a) and (b). The Government of India have not removed the ban on the emigration of Indian unskilled labourers to Ceylon; they have only relaxed the ban to the extent of permitting the return to Ceylon of Indian labourers already in the island who may come to India on visits.

This was done purely in the interests of the Indian labourers in Ceylon and in order to remove the hardship which was being caused to them by the fact that they were deterred from paying their usual visits to India on holiday or for social, domestic and religious purposes, for fear that their return to Ceylon, would be prevented by the operation of the ban. The Government of Ceylon were not a party to the decision taken by the Government of India and there was, therefore, no question of its being accompanied by the repeal of any ordinances in Ceylon, which the Honourable Member may have in view.

Dr. P. N. Banerjee: The answer is quite satisfactory.

BURMA AND MALAYA EVACUEES OF THE MALABAR DISTRICT.

Mr. H. A. Sathar H. Essak Sait: Will the Honourable Member for Indians Overseas be pleased to state:

- whether he is aware that a substantial proportion of the South Indian evacuees from Burma and Malaya are from the District of Malabar;
- whether in his recent tour of South India which he undertook for the purpose of collecting personal information about evacuees, he visited Malabar; if not, why not;
- whether his visit to Salem was in connection with the evacuee problems;
- whether the evacuee problem was more acute in Salem than in Malabar; and
- whether the Honourable Member took any steps to come in contact with officials and non-officials in Malabar to understand the peculiar problems in Malabar about these evacuees. If so, what steps did he take with what results?

The Honourable Mr. M. S. Aney: (a) and (d). Government are aware that a number of evacuees from Burma and Malaya belong to the Malabar district; but they have no statistics to show the numbers in each district in South India to enable a comparative estimate to be made.

- Yes; partly in connection with evacuee problems.
- and (e). It was not possible for me during my recent tour of South India to find time to visit Malabar and to study the conditions in that district. But I have had the opportunity of discussing Malabar evacuee problems with the authorities concerned.

Mr. H. A. Sathar H. Essak Sait: With what results?

The Honourable Mr. M. S. Aney: I have got the information and I have given instructions to the authorities that they should be promptly attended to.

MEASURES FOR EXPEDITIOUS HELP TO THE BURMA EVACUEES OF THE MALABAR DISTRICT.

Mr. H. A. Sathar H. Essak Sait: Will the Honourable Member for Indians Overseas be pleased to state:

- whether he is aware that the help promised to Burma evacuees in various forms has not yet reached most of the evacuees in Malabar and that hundreds of applications for help from these evacuees in that District have been pending before the District Officials for months and are still pending and that these evacuees are suffering untold miseries owing to the usual and cumbersome methods which the officials in that District are pursuing in this matter; and
- if so, is the Honourable Member prepared to consider at an early date the necessity of asking these officials to take special and expeditious measures for the speedy disposal of these petitions?

The Honourable Mr. M. S. Aney: (a) and (b). The Government of India are not aware that conditions in the Malabar District are as described by my Honourable friend. The district officials are under the administrative control of the Provincial Government who are the proper authority for issuing any necessary instructions to them. A copy of this question and the reply thereto will however be forwarded to the Government of Madras.

Dr. Sir Ziauddin Ahmad: May I ask whether relief is given by the Provincial Government or the Government of India?

The Honourable Mr. M. S. Aney: The Government of India.

Dr. Sir Ziauddin Ahmad: May I draw his attention to a letter which a Member of the Legislative Assembly . . .

The Honourable Mr. M. S. Aney: And also partly by provincial funds specially raised.

Dr. Sir Ziauddin Ahmad: May I draw his attention to the case of the evacuees of Burma in Chittagong? A letter has been sent by one of the Honourable Members to the Members of the Assembly showing how pitiable is their condition and I wish the Honourable Member would try to better their state.

The Honourable Mr. M. S. Aney: As a question is tabled on that point I shall in reply make the position clear.

Dr. Sir Ziauddin Ahmad: The position is the same.

DELAY IN THE DISPOSAL OF THE PERSONAL EFFECTS OF DECEASED EVACUEES IN MADRAS.

Mr. H. A. Sathar H. Essak Sait: Will the Honourable Member for Indians Overseas be pleased to state:

- whether he is aware that many evacuees from Burma have died at the General Hospital, Madras, leaving their effects with the Protector of Emigrants;
- whether the Protector of Emigrants has been taking long time to hand over these effects to the relatives of the deceased evacuees;
- whether such cases have been pending since May last;
- whether the Honourable Member is aware that such long delay causes great hardships and sufferings to the unfortunate relatives in most of whose cases the only bread winner has been snatched away by death; and
- whether he proposes to consider the necessity of suggesting to the Protector, through the Provincial Government, to adopt expeditious methods and to seek the help of such non-official agencies as have been rendering very useful services in giving relief to those evacuees for the purpose of speedy disbursement of these effects?

The Honourable Mr. M. S. Aney: (a) to (e). The Government of India are not aware that there is any undue delay in the disposal of the effects of deceased evacuees in Madras. A copy of this question and the reply thereto will be forwarded to the Government of Madras.

Dr. Sir Ziauddin Ahmad: With the recommendation that they should expedite matters.

The Honourable Mr. M. S. Aney: Yes.

EVACUEES FROM BURMA AND EXPENDITURE ON THEM.

Mr. Lalchand Navalrai: Will the Honourable Member for Indians Overseas be pleased to state:

- (a) what the number of Europeans and non-Indians, separately, evacuated from Burma was;
- (b) who bore their evacuation expenses;
- (c) who is defraying their living expenses in India; and
- (d) whether the cost referred to in parts (b) and (c) above is borne by the Government of India; if so, why?

The Honourable Mr. M. S. Aney: (a) The numbers are not readily ascertainable.

(b) to (d). Refugees who could afford it paid their own evacuation expenses. The charges in respect of destitute evacuees in Burmese territory were borne by the Government of Burma and in India by the Government of India. Undertakings to repay were obtained from the evacuees where possible and the charges in respect of refugees other than Indians and Burmans are debitable to His Majesty's Government in the United Kingdom.

The Government of Burma have accepted responsibility for the maintenance allowances given to Burmans and Anglo-Burmans in India and His Majesty's Government for the cost of maintenance of other non-Indian evacuees.

Dr. Sir Ziauddin Ahmad: Who will pay for the maintenance of the Indians who will come here from Burma?

The Honourable Mr. M. S. Aney: The Government of India.

Mr. Lalchand Navalrai: Is there any agency to find out the number of European and Indian evacuees? Why is not the Honourable Member in a position to give the number?

The Honourable Mr. M. S. Aney: It is difficult to assess the numbers because they are scattered all over the country.

Mr. Lalchand Navalrai: Is there any agency adopted for that purpose?

The Honourable Mr. M. S. Aney: We will try to get one as soon as convenient.

Mr. Lalchand Navalrai: It is now past 8 months and I think the Honourable Members should be in a position to say where they are and what help they receive.

The Honourable Mr. M. S. Aney: Who?

Mr. Lalchand Navalrai: The evacuees.

The Honourable Mr. M. S. Aney: The Provincial Governments are in charge of the work and they are finding out from the evacuees in the different provinces what help they require.

Mr. Lalchand Navalrai: But they will take a long time.

The Honourable Mr. M. S. Aney: But that is, the most expeditious way of doing it. They are in the provinces and as such Provincial Governments are nearer to them than the Central Government.

Mr. Lalchand Navalrai: Have there been any Europeans who have been evacuees and who have made arrangements for themselves without the help of any of the Provincial Governments?

The Honourable Mr. M. S. Aney: Yes, there are.

Mr. Lalchand Navalrai: How many?

The Honourable Mr. M. S. Aney: I cannot give the number, but I know that there are.

Mr. Lalchand Navalrai: And about the Indians?

The Honourable Mr. M. S. Aney: There are Indians also who do not require assistance at all. There are a number who do.

Mr. Lalchand Navalrai: We have received information that in Bengal there are Indian evacuees who are not being given any help and that they are going about from door to door.

The Honourable Mr. M. S. Aney: I have stated in a reply to a question by Dr. Sir Ziauddin Ahmad that there is a question relating to this on the table which will come up on the 24th.

Maulvi Muhammad Abdul Ghani: Do you propose to lay on the table a list containing the numbers of evacuees from Burma?

The Honourable Mr. M. S. Aney: The approximate number I can give. It is about 2 lakhs.

BREACHES ON RAILWAY LINES DUE TO FLOODS IN SIND.

Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways and War Transport be pleased to state which lines on the North Western Railway, in Sind Karachi Railway Division, have been breached owing to floods and since when each of them?

(b) What attempts were made by the Railway Department to avert the breaches being made?

(c) Is it a fact that the railway lines in the areas where breaches were made by the River Indus and the floods were built on a low level with no culverts at these places?

(d) Do Government propose to see that for future safety the lines at such places are raised up with passages for water to pass through?

(e) How much loss has the Railway suffered on account of the communications having been impossible owing to these breaches?

(f) Is it a fact that Railway communications and transport at present do not exist for Quetta, Jacobabad, Shikarpur, Sukkur (via Ruk), Larkana City and the whole District of it and large portion of the Dadu District?

(g) Will the Honourable Member be pleased to say how much time will it take to repair these lines respectively and to open railway communication between the places mentioned in part (f) above?

(h) Have any temporary arrangements been made or are they proposed to be made for railway communication for places mentioned in part (f) above, which at present are bottled up? If so, which?

The Honourable Sir Edward Benthall: (a) East of the Indus there has only been one breach in July which was quickly repaired. Apart from this the breaches have been on sections west of the Indus. Breaches have occurred from time to time following the movement southwards of flood waters, but generally between the middle of July and early September.

(b) and (c). A system of protective bunds constructed by the Irrigation Department have in normal years protected the line from breaches due to floods in the Indus. The embankments and water openings on the railway were adequate so long as these bunds were intact, but unfortunately owing to the unprecedented nature of the floods this year, the protective works were breached.

(d) Investigations are already in progress to see what steps can be taken so as to avoid a repetition of these breaches.

(e) No estimate has yet been prepared of the loss sustained by the railway on account of these breaches.

(f) and (h). Where railway transport has been temporarily interrupted by breaches, transshipment or the use of other means or routes for transport have been resorted to where necessary.

(g) It is not possible to give an accurate forecast until there is a further subsidence of the flood water in certain localities. Thereafter through running will be restored as soon as possible.

Mr. Lalchand Navalrai: May I know that between Sukkur and Shikarpur there is some arrangement of boats and that is also very expensive; but at other places where there are bridges, to the south, there is no arrangement at all and the posts and people cannot go and they are bottled up within a particular area—between Sukkur, Ruk and Kotri. What arrangements is the Honourable Member going to make even temporarily for the purpose of posts and other communications being resumed?

The Honourable Sir Edward Benthall: I am aware that there is great inconvenience to the public owing to these floods. If the Honourable Member will suggest any specific proposals for relieving that inconvenience, I will have them investigated.

Mr. Lalchand Navalrai: Does the Honourable Member allow that the press now says that the breaches between Larkana and Kotri have been closed but the railway running has not yet been started? May I know how much time will that take? That will be one of the ways of opening the line on the side towards Kotri.

The Honourable Sir Edward Benthall: I have not seen the reference in the press.

REPRESENTATION OF SCHEDULED CASTES IN THE CIVIL PIONEER FORCE UNITS.

Rao Bahadur N. Sivaraj: (a) Will the Honourable the Labour Member please state how many battalions of Civil Pioneer Force have been raised in the different Provinces?

(b) To what extent are the Scheduled Castes represented in the ranks and as officers?

(c) If the Scheduled Castes are not represented will he please state the reasons therefor?

(d) What steps do Government propose to take to secure their proper representation?

The Honourable Dr. B. R. Ambedkar: (a) Twelve units of the Civil Pioneer Force have been sanctioned in the first instance, as under:
Bengal—3, Madras—2, Bihar—1, Bombay—1, C. P. and Berar—1, N. W. F. P.—1, Orissa—1, Punjab—1, U. P.—1.

Most of these units are still in the process of forming.
Seven additional units have recently been sanctioned, as under:

Bengal 3.

Bombay 1.

C. P. 1.

Madras 2.

Recruitment for these has now commenced.

(b) At present scheduled castes are represented in the Civil Pioneer Force as under:

Bengal 2 per cent.

Bombay 10.5 per cent.

C. P. and Berar 26 per cent.

Punjab 82 per cent.

U. P. 20 per cent.

Madras figure not known.

N. W. F. P. All Muhammadans.

These figures are liable to fluctuate as further recruits are enrolled.
At present so far as information goes there is only 1 officer classed as Scheduled Caste.

(c) The raising of Civil Pioneer Force Units under Ordinance No. X of 1942 was entrusted to Provincial Governments who therefore become responsible for deciding on the composition of their respective units.

(d) The Government of India addressed all Provincial Governments regarding the percentage of Scheduled castes to be recruited in future and directing that the percentage both of officers and men should be up to the percentage of Scheduled castes in the province and that where this percentage had not been previously met it should be made up in recruitment to subsequent units.

Mr. N. M. Joshi: May I ask what is the function of this Civil Pioneer Force?

The Honourable Dr. B. R. Ambedkar: The function of the Civil Pioneer Force is more or less analogous to that of the Fire Brigade. When there is an air raid and property is destroyed, the Civil Pioneer Force will come into operation and do rescue work.

PRESCRIBED GOVERNMENT CONDITIONS FOR CONTRACTORS AS REGARDS PAYMENT OF WAGES, ETC., TO THEIR EMPLOYEES.

Rao Bahadur N. Sivaraj: Will the Honourable the Labour Member please state if he is aware that in Western Countries conditions have been prescribed to be observed by the contractors in the matter of wages and benefits to their employees; if so, whether the Government of India have prescribed any such conditions for the contractors in India?

The Honourable Dr. B. R. Ambedkar: Yes. In certain western countries contracts require that contractors should observe certain labour conditions in respect of such matters as hours of work, wages and conditions generally. The Government of India have prescribed in the case of Central Public Works Department contracts that the contractor should pay his labourers not less than the wages paid for similar work in the neighbourhood.

Rao Bahadur N. Sivaraj: What steps, if any, are taken by the Government to enforce this clause in the contract?

The Honourable Dr. B. R. Ambedkar: I cannot say offhand, but I will make inquiries and let the Honourable Member know.

Mr. N. M. Joshi: May I ask whether this condition about fair conditions to be given by contractors applies to the other Departments of the Government of India such as the contractors of the Supply Department?

The Honourable Dr. B. R. Ambedkar: If my Honourable friend will give me notice I will make inquiries.

Mr. N. M. Joshi: The question was about contractors taking Government contracts, not only the Public Works Department. The Honourable Member only answered for the Public Works Department. He should have answered for the Government of India.

The Honourable Dr. B. R. Ambedkar: That question should be addressed to the Supply Department.

Mr. N. M. Joshi: May I ask whether there is a central Government of India or only a Government of India divided into ten or eleven or twelve members?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows that questions have to be addressed to the Departments concerned.

Mr. N. M. Joshi: My point is this: the question was asked, asking for information regarding the whole of the Government of India. They have been addressed to the Labour Member because it was a labour matter; but the information asked for is as regards the whole of the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): I do not know; I suppose there is a particular department which can answer a question like that; otherwise I suppose it is the Leader of the House.

Mr. N. M. Joshi: I would like you to consider this point, Sir,

Mr. President (The Honourable Sir Abdur Rahim): There is nothing for me to consider; it is a matter of division of work between the different Departments of the Government of India.

Mr. N. M. Joshi: It is important, Sir, from the point of view of the rights and privileges of Members. . . .

Mr. President (The Honourable Sir Abdur Rahim): I have heard the Honourable Member's argument.

MOTION FOR ADJOURNMENT.

UNSATISFACTORY REPLY OF THE FINANCE MEMBER IN REGARD TO EARLY OPPORTUNITY FOR DISCUSSION OF CERTAIN FINANCIAL ARRANGEMENTS BETWEEN THE BRITISH GOVERNMENT AND THE GOVERNMENT OF INDIA.

Mr. President (The Honourable Sir Abdur Rahim): There is a notice of an adjournment motion by Mr. Jamnadas Mehta, who wishes to discuss a definite matter of urgent public importance, i.e., the anxiety created in the public mind by the unsatisfactory reply given by the Honourable the Finance Member during question time yesterday to a request to give an opportunity to this House for influencing the decision of the Government of India on matters arising out of his recent financial mission to England.

So far as I followed the questions and answers in this respect, the Finance Member refused to commit himself to a position that he would give an opportunity to this Assembly to discuss the questions that were discussed between him and the Government of Great Britain with regard to certain financial arrangements, before decisions had been arrived at in the matter by the Government of India. That is what I believe, the Honourable Member said, and a section of the House is not satisfied with that answer. Has the Honourable Member got to say anything?

(c) The raising of Civil Pioneer Force Units under Ordinance No. X of 1942 was entrusted to Provincial Governments who therefore become responsible for deciding on the composition of their respective units.

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The Honourable Sir Jeremy Raisman (Finance Member): With your permission, Sir, in objecting to this motion, I should like to take the opportunity of clearing up a misunderstanding and to explain the position of the Government. All Honourable Members are aware that the developments in the war situation since the last Budget was presented have resulted in a great intensification of the measures taken for the defence of India. To take the most obvious example, there has been an enormous increase in the strength of the air force stationed in this country and anti-aircraft defences have also been greatly strengthened. It is clear that even within the terms of the existing financial settlement certain questions may arise regarding the share which may fairly be allocated to India of the cost of measures which are indubitably directed to the defence of Indian territory and which at the same time cover a wider objective. Problems of this nature and even of this magnitude have arisen under the settlement from an early stage and been dealt with in accordance with well defined principles.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is really arguing the merits of this motion.

The Honourable Sir Jeremy Raisman: I was trying to indicate the position of Government in case it might influence the Honourable Member who has asked leave to move this motion.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): It only means that the Finance Member is making a speech and we are not likely to get an opportunity of replying to him.

Mr. President (The Honourable Sir Abdur Rahim): The Chair must ask the Honourable Member (Finance Member) to confine himself now to the question whether the adjournment motion is in order.

The Honourable Sir Jeremy Raisman: I was trying to indicate in what circumstances the Government would be prepared to give the House an opportunity to discuss the matter.

Mr. President (The Honourable Sir Abdur Rahim): It is for the House to judge when the motion is discussed.

The Honourable Sir Jeremy Raisman: Yesterday I said that it depended upon the nature of the decisions, whether the House got an opportunity or not.

Mr. President (The Honourable Sir Abdur Rahim): That may be a good answer, but the question now is whether the motion is in order.

The Honourable Sir Jeremy Raisman: I am not contending that the motion is not in order, but I was really taking the opportunity of explaining the position of the Government.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection apart from the question whether the motion is in order?

The Honourable Sir Jeremy Raisman: I was explaining the grounds on which I was objecting to the motion on behalf of the Government.

MOTION FOR ADJOURNMENT

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

(After a count.)

As not less than 25 Members have risen in their places in favour of leave being granted, leave is granted and the motion will be discussed at 3-30 P.M. today.

THE INDIAN RUBBER CONTROL (TEMPORARY AMENDMENT) BILL.

The Honourable Mr. N. B. Sarker (Commerce Member): Sir, I beg to move:

"That the Bill temporarily to amend the Indian Rubber Control Act, 1934, be taken into consideration."

This is a very simple Bill and its objects have been stated clearly in the Statement of Objects and Reasons. The main purpose of the Bill is to remove the present limitation in respect of increasing the production of rubber in this country. As Honourable Members are aware, the production and export of rubber in this country are controlled and regulated by the Rubber Control Act of 1934, which was enacted for the implementation of a Governmental agreement between all the rubber producing countries. Unfortunately, about seven out of the nine countries are now in the occupation of the enemy, and as a result there has been an acute shortage of rubber production for the use of the United Nations. This amending Bill seeks to remove the limitations on rubber production in India. I hope Honourable Members will not find it difficult to support this Bill.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Bill temporarily to amend the Indian Rubber Control Act, 1934, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Mr. N. B. Sarker: Sir, I move:

"That the Bill be passed."

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Bill be passed."

The motion was adopted.

The Honourable Sir Jeremy Raisman (Finance Member): With your permission, Sir, in objecting to this motion, I should like to take the opportunity of clearing up a misunderstanding and to explain the position of the Government. All Honourable Members are aware that the developments in the war situation since the last Budget was presented have resulted in a great intensification of the measures taken for the defence of India. To take the most obvious example, there has been an enormous increase in the strength of the air force stationed in this country and anti-aircraft defences have also been greatly strengthened. It is clear that even within the terms of the existing financial settlement certain questions may arise regarding the share which may fairly be allocated to India of the cost of measures which are indubitably directed to the defence of Indian territory and which at the same time cover a wider objective. Problems of this nature and even of this magnitude have arisen under the settlement from an early stage and been dealt with in accordance with well defined principles.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is really arguing the merits of this motion.

The Honourable Sir Jeremy Raisman: I was trying to indicate the position of Government in case it might influence the Honourable Member who has asked leave to move this motion.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): It only means that the Finance Member is making a speech and we are not likely to get an opportunity of replying to him.

Mr. President (The Honourable Sir Abdur Rahim): The Chair must ask the Honourable Member (Finance Member) to confine himself now to the question whether the adjournment motion is in order.

The Honourable Sir Jeremy Raisman: I was trying to indicate in what circumstances the Government would be prepared to give the House an opportunity to discuss the matter.

Mr. President (The Honourable Sir Abdur Rahim): It is for the House to judge when the motion is discussed.

The Honourable Sir Jeremy Raisman: Yesterday I said that it depended upon the nature of the decisions, whether the House got an opportunity or not.

Mr. President (The Honourable Sir Abdur Rahim): That may be a good answer, but the question now is whether the motion is in order.

The Honourable Sir Jeremy Raisman: I am not contending that the motion is not in order, but I was really taking the opportunity of explaining the position of the Government.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection apart from the question whether the motion is in order?

The Honourable Sir Jeremy Raisman: I was explaining the grounds on which I was objecting to the motion on behalf of the Government.

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

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The motion was adopted.

Clause 2 was added to the Bill.

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The Honourable Mr. N. R. Sarker: Sir, I move:

"That the Bill be passed."

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Bill be passed."

The motion was adopted.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

The Honourable Sir Edward Benthall (Member for War Transport):

Sir, I move:

"That the Bill further to amend the Indian Railways Act, 1890, be referred to a Select Committee consisting of Sir Hugh Raper, Mr. Muhammad Nauman, Nawab Siddique Ali Khan, Mr. J. Ramsay Scott, Sir Frederick James, Raja T. Manavedan, Rao Bahadur N. Sivaraj, Mr. Amarendra Nath Chattopadhyaya, Pandit Nilakantha Das, Dr. Sir Ratanji Dinshaw Dalal, Mr. N. M. Joshi and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

As the House will be aware, under the existing law, railways are required to provide for the conveyance of passengers so far as skill, prudence and foresight can ensure. If there is no failure on the part of the railways in these respects, the railways are not liable for compensation for persons injured or killed in railway accidents. Where no negligence on the part of the railways or their servants is proved, no liability for compensation exists. Accidents which are due either to acts of God, such as, floods, sudden storms and so on, or to acts of man, such as train wrecking, in which the railways have shown no negligence, are those in which they would be absolved from all liability for payment of compensation. In many instances the causes such as I have enumerated would lead to accidents were it not for the constant vigilance of the railways and their servants. It is only the prompt action by the railway staff in many cases, of which the public never hears, which is successful in preventing railway accidents and safeguarding the lives and property of passengers.

In spite, however, of the utmost vigilance of the railways, accidents do unfortunately occur. In every case, there is a searching inquiry and it is not until the results of that inquiry have been examined that the railways can claim to be free from liability for paying compensation. The responsibility for the conduct of those inquiries is no longer that of the Railway Department. If the House, in the past, had any doubts about the findings of these inquiries the fact that these inquiries are now held by a Department other than the Railway Department and that the officers who carry out those inquiries are no longer responsible to the Railway Department should satisfy Honourable Members with the decision as to whether or not negligence on the part of the railways has occurred. I refer to this point because in considering the terms of the Bill which extends the liability of railways to cover injuries to passengers and their luggage in accidents for which railways are held negligent or not it may be feared that in future the railways will pay less attention to the causes of accidents and I, therefore, should like to state emphatically that our efforts will continue unabated to find out the causes of these accidents and to take whatever steps are necessary to prevent a recurrence; but I would emphasize that in presenting this Bill before the House we should not be considered in any way to be admitting that railways can in every case prevent accidents due to acts of God or to acts of train wrecking.

There are in India a very large number of people, in fact the majority, who cannot afford insurance, to whom indeed the principle of insurance is unknown and who, in any case, have no ready access to the means of insurance. To such people, mainly the people with scantier resources,

serious injury to or the death of the bread winner of the family is a real tragedy. Fortunately, the number of railway accidents which occur is relatively small, when you take into account the number of passengers who travel. Nevertheless, when an accident does occur and the railway is held free of liability it is very natural that attention should be drawn to the fate of the dependants of those who are killed or injured in the accident. The last accident of this kind was one which took place in connection with the Dacca Mail at Joyrampur in Bengal. The House, I think, will remember that case well. The evidence of train wrecking was unquestionable but in spite of that there was a very insistent demand that the railways should pay compensation. The Bengal Government on that occasion urged that the Government of India should investigate the possibility of paying compensation through the medium of an insurance scheme and here, in the House, Mr. Santhanam, speaking on a cut motion to discuss the provisions relating to inquiries into accidents on the 24th February, 1939, pressed his suggestion for automatic payment of compensation in such cases. At the same time he recognised that in each case there should be a limit for each individual passenger which he put at a figure of 2, 3 or 4 thousand rupees according to the status and means of the passenger concerned. This suggestion was supported by my Honourable friend, Mr. Joshi.

I have considered this suggestion for an insurance scheme but believe that unless it is made compulsory it would not achieve the purpose which the Government have in view. Very few people, especially the poorer classes of people, would trouble to take out a separate insurance for every journey which they perform. The only possible method, therefore, appears to be to make each ticket carry some insurance. We do not want to propose that there should be an additional charge for this purpose, one reason being that, with a very large number of passengers that we carry, any insurance scheme would involve the levy of so small a charge in each case that it would be impossible to collect. The lowest charge which we could possibly make, namely, one pie, would result in a sum very much in excess of what we have been paying out in compensation in the past. It is, therefore, proposed that railway revenues shall carry the liability involved.

I would like to make it clear to the House that the Bill applies only to train accidents. Ticketless travellers who are really trespassers on the railway will not come within the scope of the Bill. Passengers, who meet with an accident, when crossing the line or when going up and down the steps of a railway station, will not be covered. Accidents at a level crossing will not come within the scope of the Bill unless passengers in the train which is involved in the accident are affected. These types of accidents will be covered by the existing law.

By widening the liability of railways to cover passengers and their luggage involved in train accidents of whatever kind, whether or not the railway is liable, obviously a considerable sum of money may be involved. These occurrences in themselves cost the railways a very great deal of money in repairs and I would not feel justified in adding to the burdens of future railway administrations unless some limit were imposed. Due to the fact that the great bulk of our passengers travel in the third class and of this a very large proportion are people of very small means, I have taken as a maximum limit of compensation an amount which would cover in normal circumstances the full amount of

[Sir Edward Benthall.]

compensation that would be payable to such passengers. The limit, therefore, will generally speaking apply to other class of passengers,—people of greater means, people who can, if they wish, take out insurances and thereby supplement the amount that they would receive in compensation under the Bill. I trust the House will accept this principle as a reasonable method of dealing with the question. That it will be the means of bringing very great relief to the poorer classes of our passengers, I have not the least doubt.

It is unfortunately not possible to calculate precisely what will be the financial effect of the proposed modification to the existing liability. But if the Bill had been in force in the last five years ending 1939-40, the amount of compensation would have been enhanced by some 25 per cent. and the amount involved would have been some Rs. 60,000.

I ought to bring to the notice of the House one point of considerable importance to passengers. It is that the machinery to receive and settle claims will, under this Bill, be put in motion immediately after the accident has occurred and there will not be the delay which is necessitated now by the inquiry which is normally held. This, again, should be of very material assistance to the poorer classes of the people to whom immediate relief is so essential.

I would also remind the House that any individual who is dissatisfied with the amount offered by the Railway or by any Assessment Committee which may be appointed would continue to be able to seek redress through the ordinary processes of the law if he were dissatisfied subject to the maximum figure of Rs. 7,000 which is contained in the Bill.

So far as I know, no country in the world at present legislates for the payment of compensation by a railway in the case of an accident for which the railway is in no way responsible due to its negligence or the negligence of its servants. But I believe that I am right in thinking that public opinion in this country feels that it is anomalous that when a man is killed in a railway accident, his widow and children should receive compensation if a station master or a signalman or a driver is at fault but should be left destitute if some person removes a rail. The suffering to the victims in either case is identical and I do not think that all the lawyer's logic will convince the average man that the very different treatment afforded to the two classes of passengers is entirely equitable. It was, therefore, from this point of view, of meeting a public demand based on human need which caused my predecessor, Sir Andrew Clow, to initiate this Bill, and it is the same point of view which actuates the Government of India in bringing forward the Bill at this time now that it is ready.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): May I ask one question which my Honourable friend may explain? In the Bill it is said that people who are travelling without a ticket will not be entitled to any benefit. On whom will the burden lie to prove that the man was travelling without a ticket? There may be a corpse which may be mutilated and no ticket may be found: it may have been burnt.

The Honourable Sir Edward Benthall: That situation, of course, arises today also.

Sir Muhammad Yamin Khan: But how will it be met?

The Honourable Sir Edward Benthall: It is met in the course of the inquiry and it will be met in the same way as it is met today.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I thought a passenger is not a passenger if he is travelling without a ticket or a pass: he is an intruder.

The Honourable Sir Edward Benthall: A passenger is a person who pays for his ticket. A person who does not pay for his ticket is not a passenger but a trespasser.

Sir Muhammad Yamin Khan: What about the man who is travelling with a pass? Will he come in the category of a ticket holder or will he be considered a trespasser?

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

"That the Bill further to amend the Indian Railways Act, 1890, be referred to a Select Committee consisting of Sir Hugh Raper, Mr. Muhammad Nauman, Nawab Siddique Ali Khan, Mr. J. Ramsay Scott, Sir Frederick James, Raja T. Manavedan, Rao Bahadur N. Sivaraj, Mr. Amarendra Nath Chattopadhyaya, Pandit Nilakantha Das, Dr. Sir Ratanji Dinshaw Dalal, Mr. N. M. Joshi and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, I whole-heartedly support this motion moved by my Honourable friend, the Railway Member, and I congratulate him for bringing forward a Bill of this nature which will help the poorer classes of people. It was a pressing necessity especially at this time when there is so much sabotage going on to derail trains. The persons who may be involved in such accidents will now get the relief under this Bill to which they would not have been entitled under the ordinary law in force at the present moment. It is also gratifying to note that relief will be given immediately after the accident, even on the report of the station master, the driver or the signalman.

I also want to say something about the proviso in the Bill, that no passenger will be given the benefit of this Bill if he has not got a proper pass or a ticket. I think this is rather hard. He may be a ticketless passenger, but it will be very difficult to find out whether he was a ticketless passenger or not, as has been rightly pointed out by Sir Muhammad Yamin Khan. He may not have a ticket in his possession; the ticket may be in the possession of somebody else. Supposing there is a party of ten persons travelling together and the tickets may be in the possession of one person. Supposing that person is also involved in the accident along with other persons. In that case the other nine persons may not get the benefit of this Bill. I think the Railway Member will see that such an injustice is not done. Sir, take the case of a ticketless man, who is injured, in my opinion he should be made to pay for the value of the ticket plus the excess fare or other penalty which may be imposed on him but he must get the benefit of the compensation provided in this Bill. There is a law that if he is a ticketless passenger, you can ask from him the value of the ticket, the extra fare and penalty. Why should he be deprived of the benefit of this Bill?

12 Noon.

The Honourable Sir Edward Benthall: Because he is a trespasser.

Babu Baijnath Bajoria: In all cases ticketless passengers are not trespassers. Supposing a person has arrived at the station too late to purchase a ticket and he just gets into the compartment. Sometimes he has got an opportunity to tell the guard, sometimes he does not find that opportunity. I would personally feel much more satisfied if that portion is taken out of the Bill altogether. There are provisions by which you can penalise a man for not buying a ticket. He has no hand in the accident. When you are giving the benefit to the injured, I do not think he should be precluded from getting it. I hope the Select Committee will consider the point I have raised. Sir, I support the motion.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I really welcome a Bill of this nature. The public has been crying over the difficulties that hitherto existed in getting compensation. The technicality of proving negligence on the part of the railway has become very difficult. Many times, the railways put the accidents to sabotage and then they plead that negligence be proved on the part of the railways. I also know that these matters are investigated by some officers. I think some Inspector of some Department is deputed to find out the cause of the accident and also to see whether there was negligence on the part of the railway or not. Now, Sir, I am glad to see that that difficulty is being removed and compensation will be given to a certain extent. That has been provided in the Bill without the necessity of any proof of neglect or any mistake on the part of the railway for the accident.

I see now-a-days there is much sabotage and derailment and on this account there is much loss of life and property. In such cases, it is really an act of grace, it has become a great necessity for the railways to recognise that those persons, who are involved in the accidents through no fault of their own, are eligible for compensation. I understand that a maximum of Rs. 7,000 has been fixed in the case of any one person. I should like to know how this maximum has been fixed at this figure. In certain cases in which people have been killed, if their heirs go to the courts in the ordinary way, they could get more compensation if neglect is proved on the part of railways. Now, I want to know why the maximum is fixed at Rs. 7,000. We are not told about this at all. The Honourable Member also said that in order to fix what amount should be paid, some committee will be set up. There is nothing in the Act to say that any committee will be set up and their verdict will be final until the person takes to some other ordinary course. I should like to know from the Honourable Member that if the committee gives a certain amount and if a person is dissatisfied with the award, to whom has he got to appeal against that? What is the remedy left for him? Is the decision of that committee final? If so, it is not fair at all. I should also like to know whether the Committee will comprise purely of officials or whether non-officials also will be associated with the officials. I submit there ought to be non-officials also, so that the committee's decision might satisfy the people that they have got a reasonable amount. In this way, they need not have recourse to courts of law.

The sabotages and damage to life and property have been very much this year. I find that in the Act no date is mentioned as to when it will

have effect. I want to know whether this Act will have retrospective effect also. In my opinion the Bill should have retrospective effect because the accidents that have now happened are so horrible and the damage to life and property is so great that all cases should be included in the consideration of this Bill and suitable compensation given to them also. For instance, I may draw the attention of the House to the horrible accidents that occurred in Sind on account of lawlessness of the Hurs. The Lahore mail was derailed, many people were killed, there was so much loss of property. Do I understand that the accidents that occurred recently in Sind will also be included in this Bill for the purpose of compensation? Of course, all these accidents in Sind may not be due to the neglect of the railways. What I submit is that a liberal interpretation should be put on cases like these and compensation should be paid to them. If this measure is enacted so as to apply only to future cases of accidents, it will not be fair at all. Then you are giving no help to anybody. The dependants of these people who were involved in these accidents due to derailment should get compensation under this Bill. Otherwise, this measure will only be an eyewash. I hope it is the intention of the Honourable Member to apply this Act to cases which happened recently.

With regard to persons who are without ticket, I do not understand why that provision should be made. It will cause complication. It will mean again enquiries as to whether a man had ticket or not. These enquiries might be very perfunctory and they may not be very satisfactory at all. I submit this provision should not exist. My reason is this. It is well-known that if people are without ticket, they will be found out at the previous junction where tickets are generally examined by the travelling ticket collectors, who are on the train and who move about even in running trains. If there are any people who have no tickets, they will be found out. What I submit is this. If an accident takes place beyond that junction or the train has passed a certain station where the tickets could have been examined, then what is the necessity of finding out whether they had tickets or not? Because in accidents like these when people are injured, very seriously, they do not take care of their tickets, they do not see whether their tickets are in their pockets, or whether they kept them in their luggage or whether they were in the possession of somebody else—their servants, who may also have been killed. Therefore, Sir, if you are in a mood to help—as, it seems to me, you are—do not put such restriction. Now, for instance, some persons are injured or killed due to an accident, and you don't find tickets on some of them. How can you say that one man was travelling purposely without having a proper ticket, and the other took his ticket but it cannot be found. I, therefore, think that there is justification for Honourable Members in this House to ask for the elimination of these words from clause 2.

Mr. President (The Honourable Sir Abdur Rahim): This Bill is going to a Select Committee and there is a very heavy agenda for today. The Honourable Member will, therefore, be brief.

Mr. Lalchand Navalrai: I submit, Sir, that a Bill like this should be passed as speedily as possible. I cannot understand—and the Honourable Member has not told us either—why he wants this Bill to be considered by a Select Committee. I think that it should be put before this House for consideration so that it may be passed and the dependants of

[Mr. Lalchand Navarai]

those killed or injured in train accidents may get some relief at an early date. I, therefore, submit that this Bill should be passed as speedily as possible.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I am glad that there is such a measure before this House, although it is long overdue. The credit for introducing this measure does not, I think, go to the Government. In my opinion the present chaos and disorder have necessitated the introduction of such a measure, especially when it is going to pinch the Government because their employees and officials are going to be injured or killed. . . .

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): But even then credit is due to the Government for bringing forward this measure.

Maulvi Muhammad Abdul Ghani: Sir, a limit has been put here about the damages; it is provided that the liability of a railway administration shall in no case exceed seven thousand rupees. In sub-clause (1) of clause 2 of the Bill, it is mentioned that "loss on account of destruction or deterioration of animals or goods owned by a passenger will also be included". Sir, I fail to understand this. Supposing the value of animals or goods accompanying the passenger is worth more than rupees seven thousand, say a lakh of rupees, even then it will mean that all that he will get will be only rupees seven thousand. I expected that the Honourable Member, with his business head, should have considered this point.

Then there is no mention in the Bill that this applies only to third class passengers, although it has been pointed out by the Honourable Member in charge that the passengers may be from poorer classes and seven thousand rupees would be enough. Here there is no exemption of other class passengers. Therefore, as the Bill stands, passengers of all classes can be treated under sub-clause (2) and rupees seven thousand is a very small figure for the losses to be sustained by all classes of passengers.

There is another point in regard to ticketless passengers; there is a restriction imposed here. When there is an accident there is so much confusion that tickets and luggage can hardly be traced out, the dead persons are sometimes torn to pieces, their limbs are separated and so on. Under such circumstances, who will care whether the person had a ticket or not? In my view, therefore, this restriction is not justified. I hope this restriction will be deleted when the Bill is considered by the Select Committee.

While on this point of persons travelling without tickets, I would like to mention another case: What about those persons who on account of want of time informed the guard that they will purchase tickets at the next station, and supposing an accident occurs before reaching that station. Such passengers should not be excluded from the grant of compensation. But there is no provision made here. I hope the Select

Committee will take into consideration all these points. With these few words, I support the motion.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, although the Bill appears to be a very simple one, it has far-reaching effects. As I understand the position, it is that under the present law if negligence is proved on the part of the Railway Administration there is no limit to the damages that the railways will have to pay. The damages will be levied by a court of law according to the standing of the passenger killed or injured, according to his earnings and what his family have lost by his death or injury to him. By this Bill the damages are limited to rupees seven thousand, regardless of the standing of the passenger, but the concession made is that negligence need not be proved on the part of the railways. Well, Sir, that is a double-edged weapon. The Railways will never have to pay more than rupees seven thousand to any individual passenger; at the same time the passenger need not prove negligence on the part of railways. But what about the position where a passenger can prove negligence, or his successors or his heirs can prove negligence and where the damages under the present circumstances may be a lakh of rupees—damages to the extent of a lakh of rupees has been paid by railways to an individual passenger on many occasions. In England it is a fairly common thing to have seven thousand or ten thousand pounds damages in the case of a passenger killed in an accident. That is the loss sustained by his heirs by his death and, therefore, I do think that point deserves consideration on the part of the Select Committee. You cannot deprive passengers of their present privileges, or the heirs of passengers of their present privileges of getting damages according to the standing of the passenger. That is one point I would like to emphasise and which I would ask the Select Committee to consider. If you are making a concession, by all means do so, but do not deprive others who may have a claim for much greater compensation than rupees seven thousand. That ought to remain if negligence on the part of the railway administration can be proved.

The other point is about ticketless passengers. Perhaps the Select Committee will examine the percentage of these passengers or trespassers, if the Honourable Member chooses to call them so, and compare it with the number of passengers that travel. It may be a fairly high percentage. The figures were given to the House some time ago and I cannot remember them. Then there is the percentage of trains that meet with accidents in a year. When you take these two percentages together, you will find perhaps that the percentage of ticketless passengers on a train that meets with an accident is very small indeed, and it is for consideration whether it will not be worth while neglecting this provision after considering these two percentages, because there is the risk of injustice as has been pointed out by several Honourable Members. It might not be possible for the heirs of a passenger to prove that he had a ticket but that the ticket was in the possession of somebody else killed, or that he informed the guard that he had no time to purchase a ticket. Under those circumstances, I would ask the Honourable Member to compare those two averages and if he finds that there are a negligible number of ticketless travellers on trains that meet with accidents, he then should consider, however legitimate may be the claim he makes, of paying compensation to such passengers.

[Mr. Lalchand Navalrai]

those killed or injured in train accidents may get some relief at an early date. I, therefore, submit that this Bill should be passed as speedily as possible.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I am glad that there is such a measure before this House, although it is long overdue. The credit for introducing this measure does not, I think, go to the Government. In my opinion the present chaos and disorder have necessitated the introduction of such a measure, especially when it is going to pinch the Government because their employees and officials are going to be injured or killed.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): But even then credit is due to the Government for bringing forward this measure.

Maulvi Muhammad Abdul Ghani: Sir, a limit has been put here about the damages; it is provided that the liability of a railway administration shall in no case exceed seven thousand rupees. In sub-clause (1) of clause 2 of the Bill, it is mentioned that "loss on account of destruction or deterioration of animals or goods owned by a passenger will also be included". Sir, I fail to understand this. Supposing the value of animals or goods accompanying the passenger is worth more than rupees seven thousand, say a lakh of rupees, even then it will mean that all that he will get will be only rupees seven thousand. I expected that the Honourable Member, with his business head, should have considered this point.

Then there is no mention in the Bill that this applies only to third class passengers, although it has been pointed out by the Honourable Member in charge that the passengers may be from poorer classes and seven thousand rupees would be enough. Here there is no exemption of other class passengers. Therefore, as the Bill stands, passengers of all classes can be treated under sub-clause (2) and rupees seven thousand is a very small figure for the losses to be sustained by all classes of passengers.

There is another point in regard to ticketless passengers; there is a restriction imposed here. When there is an accident there is so much confusion that tickets and luggage can hardly be traced out, the dead persons are sometimes torn to pieces, their limbs are separated and so on. Under such circumstances, who will care whether the person had a ticket or not? In my view, therefore, this restriction is not justified. I hope this restriction will be deleted when the Bill is considered by the Select Committee.

While on this point of persons travelling without tickets, I would like to mention another case: What about those persons who on account of want of time informed the guard that they will purchase tickets at the next station, and supposing an accident occurs before reaching that station. Such passengers should not be excluded from the grant of compensation. But there is no provision made here. I hope the Select

Committee will take into consideration all these points. With these few words, I support the motion.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, although the Bill appears to be a very simple one, it has far-reaching effects. As I understand the position, it is that under the present law if negligence is proved on the part of the Railway Administration there is no limit to the damages that the railways will have to pay. The damages will be levied by a court of law according to the standing of the passenger killed or injured, according to his earnings and what his family have lost by his death or injury to him. By this Bill the damages are limited to rupees seven thousand, regardless of the standing of the passenger, but the concession made is that negligence need not be proved on the part of the railways. Well, Sir, that is a double-edged weapon. The railways will never have to pay more than rupees seven thousand to any individual passenger; at the same time the passenger need not prove negligence on the part of railways. But what about the position where a passenger can prove negligence, or his successors or his heirs can prove negligence and where the damages under the present circumstances may be a lakh of rupees—damages to the extent of a lakh of rupees has been paid by railways to an individual passenger on many occasions. In England it is a fairly common thing to have seven thousand or ten thousand pounds damages in the case of a passenger killed in an accident. That is the loss sustained by his heirs by his death and, therefore, I do think that point deserves consideration on the part of the Select Committee. You cannot deprive passengers of their present privileges, or the heirs of passengers of their present privileges of getting damages according to the standing of the passenger. That is one point I would like to emphasise and which I would ask the Select Committee to consider. If you are making a concession, by all means do so, but do not deprive others who may have a claim for much greater compensation than rupees seven thousand. That ought to remain if negligence on the part of the railway administration can be proved.

The other point is about ticketless passengers. Perhaps the Select Committee will examine the percentage of these passengers or trespassers, if the Honourable Member chooses to call them so, and compare it with the number of passengers that travel. It may be a fairly high percentage. The figures were given to the House some time ago and I cannot remember them. Then there is the percentage of trains that meet with accidents in a year. When you take these two percentages together, you will find perhaps that the percentage of ticketless passengers on a train that meets with an accident is very small indeed, and it is for consideration whether it will not be worth while neglecting this provision after considering these two percentages, because there is the risk of injustice as has been pointed out by several Honourable Members. It might not be possible for the heirs of a passenger to prove that he had a ticket but that the ticket was in the possession of somebody else killed, or that he informed the guard that he had no time to purchase a ticket. Under those circumstances, I would ask the Honourable Member to compare those two averages and if he finds that there are a negligible number of ticketless travellers on trains that meet with accidents, he then should consider, however legitimate may be the claim he makes, of paying compensation to such passengers.

Dr. Sir Ziauddin Ahmad: I would like to draw the attention of the Honourable Member to two points: the one is that the number of persons who travel without tickets, though in itself a large one, is less than .01 per cent. and therefore if this law stands, then a large proportion of those killed will be found without tickets, because the people on the spot will be the railway authorities and we apprehend that there may not be a square deal for every passenger concerned: secondly, we have a maximum of Rs. 7,000 for all. We have to make a distinction as regards the class of person injured. Rs. 7,000 may be a big sum for one passenger, but a trifling amount for another passenger. The sum is too low for persons travelling in upper classes. These are the two points that should be considered.

The Honourable Sir Edward Benthall: I thank Honourable Members for the support they have given to the principle of the Bill. One or two Members asked why we suggested a Select Committee. The reason in my mind was that I thought there would be some argument about the maximum of Rs. 7,000 and that Honourable Members through the Select Committee would like to have an opportunity of examining the reasonability of that figure.

Sir Muhammad Yamin Khan: We all want a Select Committee.

The Honourable Sir Edward Benthall: Mr. Abdul Ghani, followed by subsequent speakers, stated the case for the rich man. I was frankly more interested in the case of the poor man. However, the rich men on the Select Committee will have an opportunity of stating their case. On the question whether the Bill would be retrospective, so far as I am concerned, the answer will be in the negative, and I should like to stress again that this Bill was not produced on the spur of the moment. It was initiated some considerable time ago by my predecessor, Sir Andrew Clow, and I pointed out at the end of my speech that I brought the Bill forward as soon as it was ready because I thought it answered a public demand. As regards this question of ticketless passengers, I understand that a passenger is defined in the Act (I cannot lay my hand on it at the moment) as a person who has either a ticket or a pass, and that is the definition which will apply to this amending Bill. The suggestion is that someone who is not a passenger, someone who has not got a ticket or a pass should benefit from this Bill. My Honourable friend, Sir Cowasji Jehangir, suggested that everyone should benefit, whether he had a ticket or not. As I pointed out in my speech, this scheme is a form of insurance—every ticket will carry some insurance. I would ask my Honourable friend, whether, if he fails to pay his premium—in this case if he fails to take his ticket—the Insurance Company would pay him the insurance which is not due to him?

Sir Cowasji Jehangir: One is very easily proved, the other is not. When a man is dead it is difficult to find whether he had a ticket on him or not. He may have the ticket in a box which is lost. I pointed out that what I wanted examined was the average of ticketless men on a train that meets with an accident, i.e., of ticketless passengers and the number of trains that meets with accidents. Then you get an average of the number of people who travel in a train that meets with an accident. I asked him to consider the matter in relation to those averages.

The Honourable Sir Edward Benthall: I am not sure, Sir, whether those statistics will be available, but I would point out. . . .

Sir Cowasji Jehangir: They were given to the House by Sir Andrew Clow.

The Honourable Sir Edward Benthall: That was not within my experience. But under the existing Act there are ticketless passengers and when an accident occurs the first thing that the railway staff do is to find out whether passengers have tickets on them and where their tickets are; and I do not think that there has been any case in the past of complaint against the railways for failure to pay compensation on this ground, in cases where compensation was due from them. I do not think that it should be otherwise in the future. But in any case this and other points, such as those which have been raised by Mr. Lalchand Navalrai, will all be considered by the Select Committee and, if I may say so, these points, which have been raised, are justification for putting the matter to a Select Committee.

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

"That the Bill further to amend the Indian Railways Act, 1890, be referred to a Select Committee consisting of Sir Hugh Raper, Mr. Muhammad Nauman, Nawab Siddique Ali Khan, Mr. J. Ramsay Scott, Sir Frederick James, Raja T. Manavedan, Rao Bahadur N. Sivaraj, Mr. Amarendra Nath Chattopadhyaya, Pandit Nilakantha Das, Dr. Sir Ratanji Dinshaw Dalal, Mr. N. M. Joshi and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

THE RECIPROCITY BILL.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume further consideration of the following motion moved by Mr. Govind V. Deshmukh on Tuesday, the 24th March, 1942, namely:

"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. Hoosainbhoy Abdullahai Lalljee, Mr. N. M. Joshi, Mr. Naoroji 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 (Nagpur Division: Non-Muhammadan): Sir, I beg to move that the debate adjourned at the last Session be resumed for consideration.

Last time when I made a motion for reference to Select Committee, there was an amendment proposed by my Honourable friend, Mr. Aney, and I accepted the amendment for adjournment of the debate without any speech in reference to the motion of the Bill. I see there is a similar amendment today. I should first of all like to speak on the merits of

Dr. Sir Ziauddin Ahmad: I would like to draw the attention of the Honourable Member to two points: the one is that the number of persons who travel without tickets, though in itself a large one, is less than .01 per cent. and therefore if this law stands, then a large proportion of those killed will be found without tickets, because the people on the spot will be the railway authorities and we apprehend that there may not be a square deal for every passenger concerned: secondly, we have a maximum of Rs. 7,000 for all. We have to make a distinction as regards the class of person injured. Rs. 7,000 may be a big sum for one passenger, but a trifling amount for another passenger. The sum is too low for persons travelling in upper classes. These are the two points that should be considered.

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The motion was adopted.

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Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I beg to move that the debate adjourned at the last Session be resumed for consideration.

Last time when I made a motion for reference to Select Committee, there was an amendment proposed by my Honourable friend, Mr. Aney, and I accepted the amendment for adjournment of the debate without any speech in reference to the motion of the Bill. I see there is a similar amendment today. I should first of all like to speak on the merits of

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this Bill and deal with some of the points made last time by my Honourable friend, Mr. Aney, as to why the amendment should have been accepted at that time and if points are made again today for this amendment to be accepted I would like to deal with those points later.

In my Statement of Objects and Reasons I have stated that Indians overseas are suffering from disabilities, and the Indians Overseas as well as the Indians in India have given expression to those disabilities. They begin from the entry into a Colony or Protectorate or Crown Colony or Dominion and end with the acquisition or alienation of land in the Colony and even marriages that the parties are willing to contract.

Let me first of all give a bare idea as to what the disabilities are. The position of Indians is this. In Australia, New Zealand, Canada and New Guinea, Indian immigration into those Dominions is strictly prohibited. Then, I will come to South Africa. The emigration of Indians to South Africa is strictly prohibited. There are no political or municipal franchise for Indians in South Africa. Then I come to this passage—

"In Durban Indians wearing the national dress, and all others in practice, unless they are well-known to the principal officials, are required to travel outside the Municipal tramcars, no matter what the state of the weather may be. And even then, they are not always safe from molestation by the conductors. A similar state of affairs exists in Pietermaritzburg.

It is practically impossible for an Indian to secure accommodation in a hotel in South Africa.

With the exception of one small plot of ground in Pretoria, Indians cannot own fixed property in the Transvaal. The old Dutch Law 3 of 1885 still operates, notwithstanding all the protests of Imperial Ministers.

Indians cannot purchase a penny stamp at the public counter in the Main Hall of the General Post Office, Johannesburg.

Indians are not allowed to use the Pretoria tramcars in Johannesburg; they are prevented from riding on the ordinary municipal cars, but special trailer cars, for African and coloured people are occasionally run, at irregular intervals and on certain routes only, but out of regard for its dignity, are never used by the Indian community. The prohibition is contained in section 33 of the Johannesburg Tramway bye-laws.

British Indians with other coloured people are put into specially reserved compartment when travelling second class on the railways."

Then as regards Kenya. There have been many similar disabilities in Kenya and we have had several debates—we had a very lucid debate in 1939 dealing with this question of the disabilities of Indians in Kenya. The policy followed was to appease the European settlers; the Colonial Office had so far declined to consider the legitimate demands of Indian settlers for a common electoral roll. Then, Indians are not admitted into hotels and restaurants. This is the state of affairs in these Colonies; and let it be remembered that as far back as 1923 and 1937 the illustrious representatives of Indians did refer to this matter. The Rt. Hon. Sir Tej Bahadur Sapru at the Imperial Conference of 1923 said:

"I have noted with great pleasure the spirit of cordiality shown by my colleagues from all over the Empire except General Smuts. I note that what is wanted really has been achieved, namely, that they recognise the character of the resolution of 1921, that they have given me hope that they would do something material to achieve the end namely, the accomplishment of the principle of equality."

May I here remark that that hope has not yet been realised; and as I will show later on, disqualifications have been heaped upon us in numbers. Then the Honourable Sir Muhammad Zafrullah Khan in 1937 said:

"India is a foreign substance in the body politic of the British Commonwealth of Nations, and for the health, indeed for the continued existence of the British Commonwealth, it is imperative that this foreign substance shall either be completely assimilated into the system or cast out of it; otherwise, the safety of the whole system would be put in jeopardy. I am sure we are all agreed that the last would be too cowardly and too disastrous a remedy, disastrous alike for India as well as for the rest of the Commonwealth, and indeed, in the view of those who have the vision to see for the world at large. We are, therefore, left with the other remedy that I have indicated—viz., complete assimilation."

This was in 1937. We are in the year 1942 and there is not the slightest vestige of our being assimilated.

Sir Purshotamdas Thakurdas referred to the position of Indians in the Dominions and expressed the hope that reforms would be carried out in this connection as a result of the effects of the new Constitution. There was something, however, much worse, which had lately been exercising the minds of Indians in rather a grave manner, and that was the position of Indians in a Protectorate of the British Government under the supervision of the Colonial Office, namely, Zanzibar. Indians could to a certain extent appreciate the reason why they should have patience regarding their position in the Dominions, but in the case of His Majesty's Government it was extremely difficult for them to reconcile themselves to a position which appeared to them, and which was, quite impossible. The first speaker in the discussion had referred to the activities of the Congress with strong disapproval, but such treatment of Indians as proposed in Zanzibar, within the British Empire and under the direct control of a Cabinet Minister, was more likely to drive Indians towards the extreme left in India than anything else.

I have referred to the debate on Kenya and I would refer to the speech of my Honourable friend, Sir Syed Raza Ali, who has given us an idea that the disabilities were gradually being increased. He says: (L. A. Debates 1939-Vol. II):

"It is most unfortunate, it is humiliating and miserable, that, while the political constitution of India has undergone changes, while it has granted to the people of India certain rights and associated them more and more with the government of the country, outside India there has been one continuous course of policy subjecting Indians to disabilities and adding to those disabilities, beginning in any case with the year 1908. When as the first Reform Act associated with the names of Lords Minto and Morley was passed in the year 1909, the course of disabilities outside India began in the year 1908."

Here he has unequivocally referred to the continuance of disabilities and those disabilities being increased. Sir, the remedy left to the Government of India is one of negotiations. That was impressed upon us times out of number, that the only thing that the Government of India can do is to carry on negotiations with His Majesty's Government. The misfortune of those who carry on negotiations, if they have no sanction behind them, is, that they have to rely upon the favour of the persons with whom they have to carry on negotiations. It was exactly this sense of frustration, this feeling of despair which made the Agent General Sir Girja Shankar Bajpai to say at page 1686 of the same

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volume. In the debate the question was raised that if our political status was the same as that of the Dominions or of the United Kingdom things might be set right. Sir Girja Shankar Bajpai said:

"But it is not merely a question of political or constitutional status. I think it is fair to recognise that it is a question of sanctions. What is it with which you can back up your representations? Even within the constitutional limitations which press upon the Government of India today it will be admitted, that where certain sanctions are available to us, the Government of India have not hesitated to make use of those sanctions in order to safeguard legitimate Indian interests."

Sir Syed Raza Ali then wanted him to quote one or two such instances. Sir Girja Shankar Bajpai said:

"Yes. With regard, for instance, to Village Communities franchise, a question which has been under consideration for some time in Ceylon, the Government of India were in a position to suspend the assisted emigration of recruited labour and they did it. Similarly, with regard to wages in Malaya, a situation of that kind arose and the Government of India and the Secretary of State used the weapon which is in their hands."

It is only with respect to these that use was made of the power which the Government had, but there has been on the Statute-book an Act which prevents the entry into India of South Africans. No rules have been framed and the power which the Government has has not been exercised in that respect at all. It has been exercised, it is true, in the case of Ceylon and Malaya, but we must remember that these are small fries. If we are to be afraid of big guns, then the small fries also take courage and you will find it exemplified in the case of the attitude of Kenya. The Government of Kenya said in the year 1937 that whatever might be the state of affairs, if anybody wanted to interfere in their administration they would not tolerate it. I forget the name of the Lord who said it. That is the position so far as the Crown Colonies or Protectorates are concerned. They follow the footsteps of the Dominions when they see that the Government of India is in a helpless condition to do anything to have the grievances of Indians Overseas removed.

Let me also refer to certain of the disabilities which have increased. In April last, we find from a cable sent down by Reuters from Cape Town:

"Field Marshal Smuts was asked whether the British offer to India (the reference is to Sir Stafford Cripps' proposals), had met with his approval and whether the granting of Dominion Status to India would confer on Indians in the Union the rights and privileges of the nationals of other British Dominions and whether Indians in the Union would have the right to claim full Union nationality and political equality."

It will appear from this that they are very much afraid of any political equality being granted to or any rights which could be enjoyed by the citizens of the Union being enjoyed by Indians. The Field Marshal was then asked:

"Whether he would inform the British Government that acceptance of its proposals to India would not impose any obligations on the Union with reference to existing legislation."

And the existing legislation is full of disabilities. In other words, they wanted these disabilities to remain intact and the Indians should not enjoy the same rights which any citizen in South Africa enjoys.

Now, this recent one sample treatment to Indians refers to the education of Indian students in Natal.

"In Natal the educational grant for Indians has not been fully utilised year after year and Indian students are not allowed to study side by side with white students in the university."

However much we may boast that Indian soldiers fight shoulder to shoulder with the British soldier, the American soldier and the Australian soldier, when it comes to a question of enjoying the rights of citizenship we are poles as under. The statement is meant by way of only a sort of stimulus for Indians to help in the war. If we are to examine the allegations about the bravery of Indians and the Indian soldier fighting shoulder to shoulder, in the light of what is happening in the civil life, in the life of these Indians in the Dominions, we can very well say that this is all a camouflage. Let me say what is happening in Durban again a recent example after last April. The Secretaries of the Natal Indian Congress say:

"The Medwood gardens are one of the beauty spots of Durban, moreover, they are public gardens and as such should be accessible to all sections of the population. It is most reprehensible, therefore, that Indian citizens of this city who take civic pride in the local amenities are debarred from sitting in the gardens, and told to leave by native policemen."

This again from the *Times of India*:

"There are nearly 41,000 male Indians in Natal; but, according to the recently published annual report of the Protector of Indian Immigrants, only 26,000 are listed as employed."

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): What is the date of that article from the *Times of India*?

Mr. Govind V. Deshmukh: About four days ago:

"Thousands (it says) are not only workless but destitute. This seems a surprising statement. There must have been expansion of war industries throughout South Africa; and this should normally have the effect of reducing unemployment among all communities in the Union. If thousands of Indians in Natal are not only workless but destitute, the matter would appear to need immediate attention from all authorities, not excluding India's High Commissioner in South Africa."

I will now come to Ceylon, where we have the same painful story. This appears in the *Statesman* of the 19th September, 1942:

"Even so recently as three months ago, Mr. Iyer (who was connected with the Economic Committee of the Ceylon European Association and is now in Bombay) said in an interview, 'the Chief Secretary of the Ceylon Government had invoked the aid of a four-year old order precluding Indians from holding temporary, acting and substitute appointments even in such departments as the A. R. P. and supplies. Consequently, notices had been served on Indians employed in such departments terminating their services from August 31st last. The Ceylon Government, while eliminating Indians, had allowed evacuees from Malaya and other places to continue in service.'"

We have had in this island restrictions as regards immigration. Sir Girja Shankar Bajpai said, "We are doing all we can but we are not backed up by sanctions". I have now given this Government the sanctions required, in the form of this Bill, which I hope will be accepted by the Government.

As I have said in my Statement of Objects and Reasons, the Bill if passed into law will provide the necessary sanction, which will enable the Government of India to take strong and effective action—though not

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as effective as the economic—to bring about a solution of our troubles. The permanent solution of our troubles can only be achieved when India enjoys the same freedom as South Africa or Great Britain.

It has been already pointed out that the Government have, as a matter of fact, conceded the principle of the Bill. Last time when an amendment was moved, it was suggested that we should not disturb the peaceful atmosphere that was prevailing at that time and in view of the fact that the atmosphere at that time was full of hope, that Sir Stafford Cripps had come out with reform proposals, I did not want to press my motion but accepted the amendment outright. As I have said, in between the position has gone worse. Let me refer to one passage in a statement. This again refers to the Durban Indians:

"The latest information received from the Natal Indian Congress reveals the fact that the new move of the Durban City Council involves the expropriation of 1,095 acres of Indian-owned lands at Riverside, Merebank and Sydenham in terms of section 11 of the Slums Act."

There were representations in connection with this matter by the Indians who have got several organisations. They expressed their fears to the Minister but not having received any satisfaction, they approached Sir Shafat Ahmad Khan, the Indian High Commissioner in South Africa. He said that he has done everything in his power and he felt that Minister Lawrence would definitely sanction the expropriation scheme. Now, what is this expropriation scheme? It is to expropriate land from the Indians and allocate them to the Europeans as well as to the coloured people. If this state of affairs is not put right soon, it will be a miserable plight for the Indians who are in Durban.

As regards public opinion, I may say that so far as the principle of the Bill is concerned, everybody is in favour of it. As a matter of fact, there is nothing to find fault with in the Bill and there were only one or two dissenters. The rest did not find fault even with the drafting of the Bill or the principles of the Bill.

Let me read just a few lines from the public opinions that we have received. All of them are in favour but I wish to refer to certain specific portions of the public opinion on the advisability of having legislation like this during war. The Honourable Mr. Aney had said while moving his amendment last time:

"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."

Sir Syed Raza Ali: Will the Honourable Member read a little more loudly. We cannot hear.

Mr. President (The Honourable Sir Abdur Rahim): I hope the Honourable Member is not going to read the whole of that pamphlet.

Mr. Govind V. Deshmukh: No, Sir. I am merely reading out a few lines which these gentlemen could not hear:

"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."

Here I may observe that this pledge was not kept:

"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."

We wanted to appease these people, the Colonies, by not referring to any unpleasant subjects on the floor of the House. We wanted to maintain an atmosphere of harmony. We wanted to be gentlemanly, honest. The other party is not behaving in a gentlemanly way. It is the same story as in the case of the countries which wanted to appease the other countries which wanted to go to war. They could not be appeased and they went to war. The same story is repeated here. We are trying to appease the Colonies and the Dominions but they are not going to remove the disabilities that they introduce every now and then.

Speaking about this point which was made by the Honourable Member for Indians Overseas that there should be a peaceful atmosphere in these days of war, it will be observed that there is a gentleman Khan Bahadur Abdul Wahid Khan who says that this is a step in the right direction. He further says that it will have a very good effect on India's co-operation in the war.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Division: Muhammadan Rural): We have all read these opinions. What is the use of reading them?

Mr. President (The Honourable Sir Abdur Rahim): I am afraid the Honourable Member is repeating the arguments.

Mr. Govind V. Deshmukh: I am not reading all the opinions.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member is reading too much. Besides, the amendment has not been moved yet.

Mr. Govind V. Deshmukh: I am merely stating at present the point that was made out then by moving the amendment, that in these war time days a measure like this would hamper war activities. I am not reading from the opinions.

Mr. President (The Honourable Sir Abdur Rahim): The amendment has not been moved yet. The Honourable Member has not seen the point.

Mr. Govind V. Deshmukh: I am criticising the amendment which was moved last time.

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Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot do that.

Mr. Govind V. Deshmukh: I am simply trying to show why in these days of war we should go on with the Bill. That is the point which I can make.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that repeatedly.

Mr. Govind V. Deshmukh: I merely wish to read one or two lines more.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go on like that. The House is getting impatient.

Mr. Govind V. Deshmukh: What I wish to emphasise is this. The Government opinion is that even in these days of war when we are coming together with different Colonies, Crown Colonies and the Dominions, and when we should have a congenial atmosphere amongst ourselves, we should not proceed with the Bill. But the public opinion is that we should proceed with the Bill because it will facilitate the war measure. This is the opinion of many of those gentlemen who have forwarded their opinions.

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."

This was the motion that was moved on behalf of the Government in the last Session when my Honourable friend, Mr. Deshmukh, had moved the very motion which is now before the House, and the House had agreed to that motion. Mr. Deshmukh has now seized the opportunity of making a speech that he wanted to make, ventilating his views on the various disabilities and grievances which the Indians have to labour under in various Colonies, Dominions and other British Possessions. The point is not that these grievances do not exist. That is an admitted fact. The Government of India has been with the representatives of this House in urging upon these Colonial Governments, Dominion Governments and other Governments for the removal of those disabilities. There is no difference of opinion between the Government of India and the non-official Members of this House or the public opinion in the country outside.

Another point which I want to bring out in this connection is this. Last time I prominently emphasised this fact, and the House by adopting that motion virtually endorsed that fact, that we are at present insisting upon all these Governments not to proceed with discriminatory legislation which were then on the anvil of some of the Legislatures of these Colonies. And I have given the House an assurance that I was glad to inform them that some of them have decided to maintain *status quo*. I must say that none of those Colonies or Dominions have proceeded with anyone of those measures which were then under consideration before them. So, it would not be right to say that any assurance that I was able to give in this House was not kept by them. That would be an entirely wrong position

to take for this House. There were certain anti-Indian measures before the South African Government; and before the Ceylon Government as the Honourable Members know. But the measures have not been proceeded with. We have a *status quo*. It is true that two or three points have been brought out by Mr. Deshmukh. He has made a reference to the steps that are being taken by the Durban City Council and he has also mentioned one or two other things. These are matters which are still under negotiations between the Government of India and the Colonial and Union Governments. I cannot give any more information on that point as it would be difficult for me to deal with any specific grievances and say what the Government of India have been doing in this matter. But I must also say that at this very moment the question as to what greater educational facilities can be given to the Indian students is being tackled by the Union Government and in that matter the High Commissioner of the Indian Government and the members of a Committee appointed by the Union Government have been consulting each other. You cannot put the matter in one way only. I do not want to exonerate the Dominion and Colonial Governments from numerous disabilities under which their policy has kept down the Indian population there. But the point is whether this is a proper time when we can think of forging some new retaliatory measures against them. The only justification which my Honourable friend, Mr. Deshmukh, had made out for the sake of his Bill is that we are forging new sanctions now and on the authority of those new sanctions the Government of India would be in a better position to meeting Colonial and other Governments in defending the rights of the Indians.

It was really a great pity that our appeals and protests have so far generally been fruitless, futile and powerless. That was the main argument which he advanced. I know there may be a time when retaliatory measures will perhaps have to be used. If that time comes, I am sure the Government of India will not be lacking in making use of that weapon and arming themselves with the necessary sanction. In fact, the principle of retaliation has been considered and accepted by the Government of India in the Indian Emigration Act itself. There is a provision in that Act and it has thus been statutorily recognised. If, unfortunately, we have to use it in some form or another, we will make use of it. So, the principle of retaliation is not altogether a new one so far as the Government of India are concerned. The attempt of the present Bill is to widen the scope of that provision in that Act and include for the purpose of retaliation, other points which are enumerated in section 4.

My submission to the House is this. At a time when it is necessary for the people of India to stand shoulder to shoulder with other Members of the British Commonwealth of Nations, and the United Nations, among which the members of the British Commonwealth are also included, is it wise for us to proceed with legislation which is likely to be a source of bitterness between the people of India and the people of the Colonies and the Dominions? Would a discussion of that kind tend to improve the relations and bring about that solidarity on which we have to count if we are to prosecute this war with a combined will and with a full determination to fight the enemy who is knocking at the gates of India and various other parts of the Empire? That is the real point to be decided.

[Mr. M. S. Aney.]

This is not the time when we can think more seriously about our domestic grievances. Domestic grievances are no doubt bad. But there are occasions when they have to be subordinated, there are occasions when those domestic differences have to be sunk and forgotten. We must show the enemies that we no longer stand divided amongst ourselves. We have to put up a joint combined front. If we begin to discuss these domestic grievances at this time, will it not show the world and the enemy that we are divided, will it not afford a great incentive and a strong motive for the enemy to knock at our doors more strongly and spot out the dangerous places? If we understand the significance of these things, then the necessity for postponing the discussion will be realised by Honourable Members of this House. In spite of what has been stated by my Honourable friend, Mr. Govind V. Deshmukh, I appeal to the House that even though there is a good reason for us to feel that even the assistance that has been given by the Indian sepoys, about whose feats of valour and about whose exploits in all theatres of war, so much has been said, has not created that change of attitude towards Indians which we really want to have among the people of the Colonies and Dominions, still we should not, on our part, do anything to give cause to create bad feeling and to make the situation worse and thus add to the bitterness which already exists. I want the House to approach this question from that point of view. My justification for putting this motion before the House is based upon the broader considerations of the big problem with which we are confronted, rather than upon the merits of the Bill itself. I move, therefore, that the debate on the motion be adjourned till the next Session of the Assembly.

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

"That the debate on the motion be adjourned till the next Session of the Assembly."

This is the motion now before the House and the debate will be on this motion.

Sir Syed Raza Ali: Sir, I listened very carefully to the speech of the Honourable the Leader of the House

Mr. President (The Honourable Sir Abdur Rahim): I want the Honourable Member to speak on this amendment that the debate be adjourned till the next Session.

Sir Syed Raza Ali: I thought both the original motion and the present amendment were open to discussion.

Mr. President (The Honourable Sir Abdur Rahim): No, no. Only this motion for adjourning the debate is now before the House for discussion.

Sir Syed Raza Ali: Sir, as directed by you, I will speak on the motion for adjourning the debate. The Honourable the Leader of the House told the House that a similar motion was tabled by the Government when this Bill was under discussion in March last and that this House gave its blessing to that amendment with the result that the further consideration of the Bill stood postponed till today. The attempt is repeated

on behalf of Government today, namely, having succeeded in getting a postponement in March last, they want to get another postponement. From what the Honourable the Leader of the House told us it seems that the Government are very keen that no action should be taken on this question by this House till the war lasts. (Interruption.) Yes, that is what I understood from the Honourable the Leader of the House; that is, till the war lasts no action should be taken. My Honourable friend who interrupts me did not listen to that speech, and so he should not interrupt me.

Sir, my point is this: My Honourable friend whose patriotism we all value—I have seen him work on the Standing Emigration Committee for a pretty long time and I can assure him that nobody would admire his courage and independence more than I do—has had the benefit of sitting on official Benches now for over a year. It is not for me to say how this association has affected his views. But may I tell him that he was not justified in advising this House not to give further cause of complaint to any Dominions or Colonies against us. May I know from the Honourable the Leader of the House if unfortunate and helpless India ever gave any cause of complaint to any Dominion or Colony, not to speak of further cause

Mr. Hooseinbhoj A. Lalljee (Bombay Central Division: Muhammadan Rural): And will ever give.

The Honourable Mr. M. S. Aney: The word "further" can be omitted from my speech if I have used it at all. Give any cause at all, that is what I have to say.

Sir Syed Raza Ali: May I congratulate my Honourable friend on showing this reasonable attitude and I appeal to him to carry this reasonableness a little further and not persist in pressing this amendment. I do not want to use strong words but I feel very strongly on this subject. After all, I do not want to depict a tale of woe and misery, a tale of sorrows and tears of our people who have settled abroad. Sir, let me assure the House that the position is intolerable. It is not only so in South Africa; go to any part of the world where the unfortunate Indians have settled down and you find the same tale, that they are hardly treated, I do not want to use a strong word, as human beings. What is the use of citing East Africa or South Africa and those other Dominions which are as much masters of their houses as Great Britain? May I know what has been the result of our negotiations with Burma over the Indo-Burma Agreement?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is straying beyond the motion. The Honourable Member must confine himself to the motion before the House.

Sir Syed Raza Ali: I am citing these instances

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can go on to any extent quoting these instances.

Sir Syed Raza Ali: May I know your ruling, Sir?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's speech must be relevant to this motion, namely, that the debate on the motion be adjourned.

Sir Syed Raza Ali: May I know whether the Honourable the Leader of the House referred to Colonies and Dominions in his speech?

Mr. President (The Honourable Sir Abdur Rahim): It is not for the Honourable Member to ask the Chair questions. The Honourable Member must accept the ruling of the Chair.

Sir Syed Raza Ali: The real position is that our position has not improved anywhere and I think it is time that we made arrangements within the British Commonwealth of Nations, without giving any provocation, to deal with the question effectively when the war is over.

Sir, the Bill is a wholly innocuous measure. There are two provisions in the Bill which are very important and to which the Honourable the Leader of the House has not paid any attention: One is that the provisions of this Bill would be given effect to only when the Governor General in Council notifies the date in the *Gazette of India*. This House would have no control; it would be only the Governor General who will decide that. Secondly, this Bill does not set up any administrative machinery for enforcing the provisions of the Bill. The power is again given to the Government of India to make rules and unless those rules are made the provisions of this Bill cannot be put into effect. In view of these two provisions, what possible objection can there be to this Bill being referred to a Select Committee. It is not being passed. I am sure the Honourable the Leader of the House wants to do good to his own people. So far as my knowledge of the conditions of Indians Overseas is concerned. I think—let me tell this House frankly—I think that the time has come when this House should get ready to face the eventualities after the war. I do not want this House to do more; I submit that you should refer this Bill to a Select Committee. No harm will be done by doing that. Why this dilatory motion which has been proposed by the Leader of the House? That dilatory motion is not required. If the Select Committee brings out a report and the Bill, as recommended by the Select Committee is passed by this House, it would be wholly in the hands of the Executive Government to put the provisions of the Bill into force or not. Therefore, I appeal to the Honourable the Leader of the House, about whose patriotism I have no doubt, that if he is anxious to serve his own people and country—I mean Indians Overseas and India—he should not place any impediment in the way of this Bill going to a Select Committee.

Let me tell my Honourable friend in all seriousness that if this Bill is shelved like that, it will do a very very serious injury to Indians abroad. Since, Mr. President, you have ruled to that effect I am not going to mention any particular parts of the British Commonwealth of Nations, but danger threatens us from every side. I see not a ray of hope anywhere; either in the adjoining countries or in the countries which lie three to five thousand miles away from India. Let us take this Bill into consideration, let us pass it in such a form as may appeal to the collective wisdom of this

House and, having done that, we should take no further action. We should leave it to the Government of India to fix a date on which the provisions of this Bill shall come into force, and to devise the necessary machinery to enforce its provisions. May I appeal to the Honourable the Leader of the House to withdraw his amendment—and in this connection he can take the word of one who has tried to serve his unfortunate country—because any further postponement of this will have very very prejudicial and damaging repercussions outside India. If you simply refer this Bill to a Select Committee, no harm will be done. Let the Select Committee meet even during the next Session, but don't kill this Bill by your dilatory motion. Sir, I strongly appeal to my Honourable friend and this House to give their support to this Bill being referred to a Select Committee if this House wants to do even an iota of justice to its unfortunate countrymen settled abroad. Sir, I feel it my duty to oppose the amendment.

Mr. Hooseinbhoj A. Lalljee: Sir, I rise to oppose the amendment, and after the speech that has been delivered by my Honourable friend, Sir Raza Ali, very little remains for me to tell you. Honourable Members can, without diffidence, put their reliance on what he said. He has been in a very responsible position as our representative and the representative of the Government of India, and I am sure that every word that has fallen from him ought to carry great weight with all those present here.

Sir, he has told us that the position in the Colonies, in the Dominions and other places is intolerable and that the people are suffering untold hardships. May I ask the Honourable the Leader of the House whether this condition of his countrymen will be conducive to better effort being made towards the winning of this war either there or in this country? Is there any Indian who after having heard the story of what is happening, even today, can come forward and say the British Colonials and Dominion people are fighting for equality and freedom of all? Will you not condescend at least to tell them that this Government have agreed with the popular sentiment, that something ought to be done, that they are in real earnest, and that they are going to have something ready, and, as my friend has just pointed out, that, it will be put into action as soon as the necessity arises. At least you should give that assurance to our own countrymen, and make them feel that they are fighting in this war as equals for freedom, and then, Sir, you claim and say that you have done something which should make our people enthusiasts to back the war effort wholeheartedly. Sir, may I ask when you will tackle this question? Many years have passed and you have not yet been able to tell them that you have done needful or a definite assurance has been given to them. You have said, Sir, that you have appealed to those people. That has been done for many years. Appeals will not do, if I may say so with due deference. I remember the words of the late Sir Fazl-i-Husain—I may be repeating these—when he said, "All our endeavours have failed; we do not know what we should do. I wish our position was just the same as that of other Colonies and Dominions and you will see that your Government can certainly retaliate in the same way as they do". We have never taken any initiative in doing injustice to them, nor are we doing anything now. In fact, by passing this Bill what are we doing? We only say that we will have to do what you are doing. If you are doing good towards our people, we shall certainly do good to yours, but if you

[Mr. Hooseinbhoy A. Lalljee.]

do otherwise, we shall retaliate. We should give encouragement and hope to our countrymen abroad and show that we will, if necessary, be in a position to do something when the occasion arises. I am afraid what is working in the mind of the Honourable the Leader of the House is not the sentiment of his countrymen. Probably he is afraid that the other people will become excited and will threaten not to co-operate with the war. Is that so? We have not given them any provocation. They know you are not in a position or not able to do it. At least you should make your people feel that you will keep up their status on the basis of equality, and let me assure you, our people in India and outside will always stand by you.

Then, Sir, is it that we should show to others all sorts of generosity? We are not now able to do that. It is like if you ask a poor man to give away a lakh of rupees, he will laugh. This is not generosity shown to them. Let them be told that we want to co-operate with them on equal terms, that the war days require that this country, which is far greater in manpower, and in many other respects, could do a lot by having the people together wholeheartedly. There are people, a large number, who are for the defence of the country. In fact, I admit, and I am proud to say, that everybody is prepared to defend this country. Sir, what would be the effect upon the Indian people who have not been soldiers all their life, but recently recruited? What would be the effect on the young Indian officers, whom you are now recruiting, if you were to tell them that they are going to be officered, or that they are going to be under a General who comes from the country where their countrymen are in tears even today? Will it pay? Under these circumstances, I do appeal to the Government to kindly consider this aspect. We are not going to do anything. We are going to prepare ourselves, lest the contingency arises, to take necessary action, and furthermore by doing so we are telling our people this Government is doing its best to give the people equal status not in the eyes of the friendly public but in the eyes of the world at large.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): 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 the debate on the motion be adjourned till the next Session of the Assembly."

The motion was negatived.

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

"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. Anay, Sir F. E. James, Mr. J. Ramsay Scott, Sir Syed Raza Ali, Syed Ghulam Bhatt Naiz, Sardar Sant Singh, Mr. Akhil Chandra Datta, Mr. Hooseinbhoy Abdullabhai Lalljee, Mr. N. M. Joshi, Mr. Naoroji 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."

The motion was adopted.

THE DISSOLUTION OF MUSLIM MARRIAGES (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That the Bill to amend the Dissolution of Muslim Marriages Act, 1939, for certain purposes, be continued."

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

"That the Bill to amend the Dissolution of Muslim Marriages Act, 1939, for certain purposes, be continued."

The motion was adopted.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That the Bill further to amend the Code of Civil Procedure, 1908, for certain purposes, be continued."

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

"That the Bill further to amend the Code of Civil Procedure, 1908, for certain purposes, be continued."

The motion was adopted.

THE MUSLIM KAZIS BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That the Bill to provide for the appointment of persons to the office of Kazi and for performing and keeping a record of marriages and for the appointment of Tribunals for trying and deciding cases of divorce and dissolution of marriage amongst Muslims, be continued."

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

"That the Bill to provide for the appointment of persons to the office of Kazi and for performing and keeping a record of marriages and for the appointment of Tribunals for trying and deciding cases of divorce and dissolution of marriage amongst Muslims, be continued."

The motion was adopted.

THE INDIAN EVIDENCE (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That the Bill further to amend the Indian Evidence Act, 1872, for certain purposes, be continued."

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

"That the Bill further to amend the Indian Evidence Act, 1872, for certain purposes, be continued."

The motion was adopted.

[Sir Jeremy Raisman.]

House is aware, it is not very long since I returned from England. The House is also aware that the Government have been preoccupied with matters of great urgency during the period since my return, and that practically the whole of last week all the Members of Government were busily engaged in attending to the business of this House. If immediately on my return from England, a long statement had been put out of all the matters which had been under discussion it would undoubtedly have been said that this so-called Government had not even applied its mind to the question, that they had been faced with a *fait accompli*, exactly as my Honourable friend suggests this House will be faced, and that the working of this Government was a farce, that the Government, even as now constituted, had no influence whatever on the main financial questions with which the country is concerned. Now, it has happened on the other hand that the Government has required some time to consider the subject matter for itself, and I must say that it is somewhat surprising to me that the House should, in effect, have taken the attitude that our curiosity must be satisfied at the earliest possible date, whether or not the Government has had time to consider these matters for itself. (*Honourable Members*: No, no.) That seems to be the tenor of many of the remarks of at any rate the last speaker. But I would like to remove misunderstanding. I had hoped this morning to be able, if I received the indulgence of the Chair, to avoid the necessity for this discussion this afternoon, by explaining the position of the Government at this moment.

I was saying that as all Honourable Members were aware the developments in the war situation since the last Budget was presented have resulted in a great intensification of the measures taken for the defence of India. To take the most obvious example, there has been an enormous increase in the strength of the air forces stationed in this country. Our anti-aircraft defences have also been greatly strengthened. It is clear that even within the terms of the existing financial settlement certain questions may arise regarding the share which may fairly be allocated to India of the cost of measures which are indubitably directed to the defence of Indian territory and which at the same time cover a wider objective. Problems of this nature have arisen under the settlement from an early stage and have been dealt with in accordance with well-defined principles. And here I would traverse some of the remarks made by my Honourable friend, Sir Cowasji Jehangir, about the vagueness of the description of India's liabilities. The principles under which the liability of India is determined are perfectly clear and well understood: they are capable of being applied in audit; they are audited by the Auditor General on behalf of India and by the Controller and Auditor General on behalf of the other party, the United Kingdom; they are clearly set out in the Appropriation Accounts and placed before the Public Accounts Committee, first of this country, and then of the United Kingdom. There is no question of its being a vague or mystical formula. It is a category which is quite clearly understood and, in practice, I myself have constantly referred to that type of measure in this House as measures for the local defence of India; and I claim that there can be very little doubt as to what is meant by a measure for the local defence of India. It is obvious that a measure of that type is judged by reference to the geographical criterion, namely, by reference to the geographical boundaries of India. Therefore, when my Honourable friend, Mr. Jamnadas Mehta,

talks as though further liabilities might be imported into this category—from Aden, from Egypt, from Burma and so on—he is erring from what is clearly the meaning of this class of liability

Sir Cowasji Jehangir: In item 3 there is no mention of local defence. The Honourable Member has certainly mentioned that in his speech. We are talking of the future, not of the past.

The Honourable Sir Jeremy Raisman: In the working of this settlement it has always been understood on behalf of India that the measures falling within that category were measures for the local defence of India

Sir Cowasji Jehangir: For the future?

The Honourable Sir Jeremy Raisman: It was always so interpreted, and I may say that there is no question of widening the interpretation of that clause. The difficulty arises from this fact: The war on behalf of India, the local defence of India, cannot be a part of the War which is waged in complete isolation from every other sphere of War activity. To take a very familiar example near home, the cost of General Headquarters, India, might be regarded *prima facie* as a measure for the local defence of India. But since the organisation of General Headquarters, India, also at times deals with matters which go beyond the geographical frontiers of India, it has been agreed that the cost of General Headquarters is a joint measure and that, therefore, His Majesty's Government must pay a part of it, and since there is no simple way of allocating that part, it has been decided that it should be divided fifty-fifty. I merely give that as an example to show what is meant by a joint measure which phrase has been frequently used, which has been referred to in the Budget speech of 1940-41 and has also been used in the appropriation accounts. It is in relation to Indian war measures also that a body of case law has grown up which the two Auditors General concerned have been able to use to guide them in dealing with allocations of expenditure between the two Governments

Sir Cowasji Jehangir: May I point out to the Honourable Member that the only answer that I personally require is that the policy will not be changed in the future, due to the discussions he has had in England? That is the main question, that the policy will not be changed: is that so?

The Honourable Sir Jeremy Raisman: I was about to deal with that very point. I had to deal with that because, a certain amount of what I may call prejudice was imported by the description of this class of India's defence liabilities, and I wanted to make it clear

Mr. Jamnadas M. Mehta: It is not prejudice: it is the fear and anxiety.

The Honourable Sir Jeremy Raisman: Well, fear and anxiety. I was saying that decisions of this character, namely, in regard to problems of this nature, largely determine the amount of India's defence estimates. The war for the defence of India is a part of the war generally. The House

THE LEGISLATIVE MEMBERS' EXEMPTION BILL.

Mr. Hooseinbhoy A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, I move for leave to introduce a Bill to confer certain exemptions on members of legislative bodies constituted under the Government of India Act, 1935.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill to confer certain exemptions on members of legislative bodies constituted under the Government of India Act, 1935." The motion was adopted.

Mr. Hooseinbhoy A. Lalljee: Sir, I introduce the Bill.

THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT) BILL.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move for leave to introduce a Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose." The motion was adopted.

Dr. Sir Ziauddin Ahmad: Sir, I introduce the Bill.

THE INDIAN MEDICAL COUNCIL (AMENDMENT) BILL.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-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.

The motion was adopted.

Mr. Jamnadas M. Mehta: Sir, I introduce the Bill.

RESOLUTION RE BAN ON THE KHAKSAR MOVEMENT.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Mr. President, I move:

"That this Assembly recommends to the Governor General in Council that the ban on the Khaksar movement be lifted and Allama Inayatullah Mashriqi, and all other Khaksars interned under Regulation III of 1818, or the rules made under the Defence of India Act, be immediately released."

Since I gave notice of this Resolution, certain facts have come to my knowledge. I think in fairness to the Government I must state those facts

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here briefly, so that we should know what the actual position with reference to Khaksars today is. The first thing I have come to know is that no action was taken by the Government of India against any Khaksar under Regulation III of 1818. That is a matter on which I would like to have authoritative information from the spokesman on behalf of the Government

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Deportation?"

Sir Syed Raza Ali: No; I mean action under Regulation III. It need not be deportation, not necessarily. The second fact is that there is no Khaksar who is in incarceration under the rules made under the Defence of India Act by the Government. That is the second fact that has come to my knowledge. I would also welcome information from the Government spokesman on that point. Now, there is a third fact on which too I would like to have information. It is this, that Allama Inayatullah Mashriqi was released some time in the month of January, 1942, from Vellore jail in which he was kept in detention. He has been released and he is at liberty to go anywhere he likes within the Madras Presidency; but his liberty has been restricted and he is not allowed to go anywhere outside the precincts of the Madras Presidency. These are the three facts which have come to my knowledge and I have stated them before this House. I find that notice of an amendment to meet all the three points has been given by my Honourable friend, Maulvi Syed Murtuza Sahib Bahadur. If my information on these points is correct, I believe it will be useful to have that amendment in course of time. I will now come to the main question.

Let me make it clear that this is not a Resolution for which I have made myself responsible individually. This is our Party Resolution and it so happens that I am moving it on behalf of the Party. Our Party attaches considerable importance to this question. I do not think it would be necessary for me to tell this House as to what this movement is or as to who the leader of the movement is. The leader of this movement is a very distinguished individual who had a very eminent academic career, both in India and in England. His name is Mr. Inayatallah and he is generally known by the name of Allama Inayatullah Mashriqi

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Are you one of his followers?

Sir Syed Raza Ali: Not yet. Sir, I believe the occasion is far too serious for cheap sneers from whatever quarter they may come. I am always here to answer pleasantries but I think there are limits, and on this occasion I would request the House to deal with the matter with that seriousness which the occasion demands.

Mr. Inayatullah took a very high degree in mathematics in India and it is said that he secured very high marks. After that he went to Cambridge—to Christ College—and became a wrangler, and came back and accepted government service and my impression is that he was at the Government of India as Assistant Secretary or Under Secretary about the years 1918 to 1920 in the Department which used to be known as Education and Lands Department. Subsequently, he went to Peshawar and he was principal of a college—he worked in the Frontier Province Educational line. I am told that he was at the Government High School and then he retired. The long and short of it is that he started the Khaksar movement in the year 1931.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan-Rural): To what province does he belong?

Sir Syed Raza Ali: He comes from the Punjab, his village being five or six miles from Lahore. I think it is called Ichhra—in any case CH is there. As is the case with all those men who have done anything substantial in the shape of service to this world, Allama Mashriqi is a man of a very serious bent of mind. He devoted all his energies to the propagation of this movement. I have a pamphlet in my hand. I believe copies of this have been supplied to a number of Honourable Members.—I do not however want to go into the detailed programme which this movement has set to itself. But let me assure my Honourable friends that the movement is a purely social and spiritual movement. It is not a religious movement. It is open to every Jew, to every Christian, to every Muslim, to every Brahmo Samajist, in short to every man who believes in his Creator. It is by no means confined to the Mussalmans.

An Honourable Member: Hindus also.

Sir Syed Raza Ali: Hindhu—yes, anybody who believes in a Creator can join the movement. The movement flourished and people joined the movement in very large numbers. But, unfortunately, Allama Mashriqi crossed the path of certain authorities. We know, Sir, that in the year 1938-39 there was trouble in the United Provinces over what is known as the Sunni-Shia dispute. Allama Mashriqi went there with the sole object of bringing about a settlement between the Sunnis and the Shias. That was a very laudable object, every Mussalman agreed with that object. Unfortunately, in the methods that he adopted to accomplish his object, he crossed the path of the high and mighty Congress Government of the day with the result that he was put in prison. I went to Lucknow and wanted to see Allama Mashriqi and discuss the position with him. But the Congress Government would not let me see him unless I consented to certain humiliating conditions which they imposed upon me, with the result that I refused to abide by those conditions and I never met Allama Mashriqi. But I think it would be ungenerous of me to flog the dead horse, the Congress Government being no more.

Pandit Lakshmi Kanta Maitra: When was he imprisoned?

Sir Syed Raza Ali: That was in 1939 at Lucknow. Subsequently he was released and then, in 1940, a very unfortunate thing happened in Lahore. That was on the 19th March, 1940. The All-India Muslim League was going to meet there on the 22nd March, 1940. On the 19th March the Khaksars marched in a procession through some of the streets of Lahore proper—not Anarkali, but Lahore proper. They came into conflict with the police and used their weapons. The police had to open fire with the result that two policemen and 32 Khaksars were killed on that day and a number of Khaksars as also a few policemen were injured. Out of the policemen who were injured one was Mr. Beatty, Deputy Superintendent of Police, and the other was Mr. Gainsford, the Senior Superintendent of Police and the injuries received by Mr. Beatty were very serious. I paid a visit to the injured Khaksars and the injured police officers and policemen at the Hospital; so did the President of the All-India Muslim League, Mr. Jinnah. We visited all the patients, whether they belonged to the Khaksar party or to the police and we ascertained the extent of their injuries.

Pandit Lakshmi Kanta Maitra: When was this?

Sir Syed Raza Ali: Three days after the Lahore firing. We visited on the 22nd or 23rd March, 1940, the occurrence having taken place on the 19th March. I won't go into the merits of that incident, but this much I can say, I am in deep sympathy with the Khaksars. My Honourable friend had a sneer at my expense, but I must say I deeply sympathise with the Khaksars; but that sympathy cannot make me blind to their weaknesses or their blemishes or the excesses which they might have committed. It seems to me that the unfortunate occurrence which took place on the 19th March, 1940, could have been avoided if the Khaksars had exercised a little more tact and discretion. But we know that when a procession is on its march what can happen. I believe my Honourable friend who interrupted me has some experience of recent processions and the peaceful way in which they conducted themselves! He knows what processions can do whether they march into Marwari quarters, or into Hindu quarters, or into Muhammadan quarters. Processions are generally alike and they behave in a similar manner.

Babu Baijnath Bajoria: Marwari processions are not like that.

Sir Syed Raza Ali: I said, Marwari quarters. It is not given to everybody to go in a procession, for that you have got to have courage.

Babu Baijnath Bajoria: Sir, on a point of order. Marwari processions are not like that.

Sir Syed Raza Ali: I will not repeat what I said before because you cannot make a deaf man hear. So I give up the attempt. Afterwards, what happened was this. I must supplement what I have stated, by saying that on the night of the 19th March, to the best of my recollection, Allama Mashriqi, who happened to be in Delhi, was arrested here. I do not think I need go into other facts in detail. Suffice it to say that it was in the beginning of June, 1940, that the Khaksar movement, as a movement, was declared unlawful by a number of Provincial Governments. Allama Mashriqi was taken to Madras and lodged in Vellore Jail where he remained till January of this year. This is what took place 2½ years ago.

Sir, things are very different today from what they were when the occurrence in Lahore took place. The occurrence in Lahore took place at a time when Germany had not attacked Russia, when Germans had not proceeded as far as the neighbourhood of Moscow or Leningrad, when none of us had heard very prominently the name of Stalingrad. This occurrence took place at a time when Japan was no party to the present world conflagration. Since then all these events have taken place. The position of the world in general is very different to-day from what it was in the third or last week of March, 1940.

Then, Sir, let us see what the position of the Khaksars has been during the last 2½ years. That position has been this, that, whatever they might have done,—and they did try to take out some processions after the Lahore trouble,—but soon after, they came to their senses and no attempt has been made by the Khaksars to give trouble to Government in any province.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may stop now. The House stands adjourned till Half Past Three of the Clock.

The Assembly then adjourned till Half Past Three of the Clock.

The Assembly re-assembled at Half Past Three of the Clock. Syed Ghulam Bhik Nairang, one of the Panel of Chairmen, in the Chair.

MOTION FOR ADJOURNMENT

UNSATISFACTORY REPLY OF THE FINANCE MEMBER IN REGARD TO EARLY OPPORTUNITY FOR DISCUSSION OF CERTAIN FINANCIAL ARRANGEMENTS BETWEEN THE BRITISH GOVERNMENT AND THE GOVERNMENT OF INDIA.

Mr. Jamnadas M. Mehta: Sir, I move:

"That the Assembly do now adjourn."

Firstly, I wish to say why I thought it necessary to bring this motion at this time of the day when some people are not willing to work in the afternoon for religious reasons. But for the compelling sense of responsibility I would not have even troubled the Finance Member. The events that have happened during the last two months, since the 16th July, and the unsatisfactory discussion on the floor of the House yesterday about the various questions that were put to the Honourable the Finance Member have, as I said, compelled me, much against my will, to bring this motion. As the House is aware, in the middle of July last the Honourable the Finance Member proceeded to England to discuss with the British Government, I take it, the various problems arising out of the settlement about the military expenditure between His Majesty's Government and the Government of India. He returned, I take it, about a month ago. Since then, naturally, speculation is rife as to what was the real purpose of the mission and what has been the real sequel to it? As this country is vitally interested, several Honourable Members took opportunity yesterday to put him some questions. The replies that he was pleased to give will leave no room for doubt that the situation as it emerged is rather unsatisfactory. I asked, for instance,

"May I know from the Honourable the Finance Member whether the principles under which this (namely, the settlement) is to be done are settled?"

He replied:

"The principles are guided by the defence expenditure settlement."

This, of course, refers to the settlement referred to in his speech in 1940. Then I asked:

"Did the Honourable Member recently proceed to England to settle this matter or any part of it?"—He replied—"Yes, Sir, I proceeded to discuss certain problems arising out of this settlement."—Then, I asked—"Could the Honourable Member enlighten the House broadly as to what came out of it?"—He replied—"No, Sir, I am answering a question a little later on on this subject. I am afraid, I shall not be in a position yet to make a statement to the House."

Even on the second question to which a reply was to be given, the reply was to be the same, namely, in the negative.

Then the second question came and he said the same thing. I asked him:

"When is the Honourable Member likely to be in a position to inform the House and the country?"—He replied—"I cannot say until the Government of India have themselves had to go into these matters."—Then I asked—"Will the Honourable Member advise the Government of India to hold a special Session to discuss the provisional decisions after they had gone into these matters?"

Here, Sir, I pointed out to him the difficulties that I was feeling. I did not want to intrude on the secrets of the Finance Department nor to impede the work, necessarily very onerous and responsible work, which the Honourable the Finance Member is doing. But I gave him an inkling of my mind when I told him that we would like to be taken into confidence at a provisional stage. Then he said:

"There will in any case be a Budget Session."

This was, to my mind, a very unsatisfactory reply. My request to him was:

"Shall we be taken into confidence at a provisional stage before the Government of India had made up their mind?"—The reply was—"When the Government have made up their mind; the whole thing was thought out, decided upon, and published as a part of the Budget estimates, then for the first time you shall know."

The Honourable Sir Jeremy Raisman: Sir, the question as I understood it and I have it on record was:

"Will the Honourable Member advise the Government of India to hold a special Session to discuss the eventual decision?"

As far as I am aware, he did not use the word 'provisional' nor did I hear any such thing.

Mr. Jamnadas M. Mehta: It is the eventual decision of the Government of India before it became public. It means that before it became final and went out to the public. You have not now made up your mind. If you had made up your mind, you would have told us. When I was told that they will only be discussed at the time of the Budget, that was not the eventual decision. The eventual decision was the Government of India's decision before it became public. That is the sense in which it should be understood. That is what I meant. But he said:

"There will in any case be a Budget Session."—Then, I asked him—"Will it not be too late on this important matter when hundreds of crores of rupees are concerned?"—He replied—"I cannot say whether it will be appropriate or whether he will be in a position to announce a decision at an early stage?"

In other words, he says: "I am neither satisfied that it would be proper for me to tell you before the Budget nor will it be possible for me to say even if it was proper." In this way the Honourable the Finance Member put a damper on my zeal for getting to know something to enable me to make up my mind as to how this defence settlement was going to work and how far it had developed.

Thus the position was that the Honourable the Finance Member virtually told us that the Government of India had not made up their mind; that even when they had made up their mind, they won't consider it proper to take us into their confidence; and the only stage when they will take us into their confidence will be not only after they had made up their mind but had published their next Budget, which will be about

[Mr. Jamnadas M. Mehta.]

four months hence. So, we have to wait for five months. Even then we shall be treated as any other man in the street will be treated, only with this difference that we will know it a few hours earlier.

Then I said: "Will you be able to give us time to influence your judgment?" He said: "We are being influenced every day." I said, "how". He replied: "By newspapers."

Now, I say that is a very unsatisfactory position. What I wanted was that the House should be given an early opportunity for an early discussion, and the House's view to be taken thereon, its influence brought to bear on the figures and the facts before final decisions are taken. Of course, Government will have the last word. I am not the man to deny it. But even at that preliminary stage it is a pity that the House should have no opportunity of discussing the matter. I will tell you why? The settlement on which so much emphasis is laid requires India to spend more than about 38 crores on war. That is really the basic figure—36.77 plus one crore. So, as a matter of fact India is really required under that statement to spend 38 crores. But today what is the position? The revised estimates for 1940-41 show that the excess may be in addition to Rs. 3.7 crores, in 1941-42, Rs. 53 crores more, and the Budget estimate of 1942-43 is that the expenditure may be 80 crores after the basic expenditure is taken into account.

Further, Sir, the present information is that India is spending something like 20 crores a month on war expenditure and it comes to 240 crores a year. It may grow more and more every week and if the war lasts a year or two longer, it may grow into wider dimensions. Therefore, I am afraid that in the course of the next two or three years, including what has already been spent, it is likely that India's war expenditure in addition to the basic expenditure, may bloat up to one thousand crores, a figure which is staggering for a poor country like India. I hope there will be victory and peace tomorrow, but if the war drags on for two or three years more, then I would not be surprised if a thousand crores are required to be spent by this poor country and such a burden will be really crushing. The history of India in this connection in the past has not been happy. In the last war, as much as 370 millions sterling of expenditure was the subject matter of dispute between His Majesty's Government and the Government of India as to the real figure to be allocated between the Government of India and the Government of Britain. In the end we were made to pay a war gift of nearly £120 millions. A loophole exists in the present settlement to which reference is made and this may well land us into an additional burden. This loophole is under Article III of that settlement which says "the cost of such war measures as can be regarded as purely Indian liabilities by reason of their having been undertaken by India in her own interests".

Now, "by India", what is meant? Am I to be consulted? Am I, India? Or, am I not? I am not. By India is meant the Honourable the Finance Member and the Executive Council. Who are these Members of the Executive Council? The other day my Honourable friend, Dr. Ambedkar, said, with regard to this House, that it is a "deceased body". I say this Executive Council, every Member of it is an exhibit of the museum of India's disunity. Instead of being a solid team of Cabinet Ministers carrying on the war to a successful conclusion, each is an exhibit of national disunity, and the museum is complete with the recent

expansion. As I was saying, 'by India' will be meant the Finance Department and the Secretary of State for India and these two will be taken as India. This is the real mischief in the clause. "In her own interests"—who is to decide India's own interests? The Secretary of State and the Finance Member. Then, what is to be decided? Such war measures as can be regarded as purely Indian liabilities. Now, Sir, what are purely Indian liabilities? That is also not easy to decide. Who is to decide that? I am told now that the defence of India extends right up to Aden and Egypt and Burma, Malaya—all these are external defences of India.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member has exhausted his time limit.

Mr. Jamnadas M. Mehta: Can you not give me one or two minutes more? I am the Mover of the Motion.

Mr. Chairman (Syed Ghulam Bhik Nairang): But the rule is imperative that no speaker shall have more than 15 minutes.

Mr. Jamnadas M. Mehta: In conclusion, Sir, I will only say this. Who is going to be 'India'? Who is going to decide "India's interests" and what are Indian liabilities? We do not know any of these things today. I beg of the Honourable Finance Member to take us into his confidence so that we may be in a position to influence the decisions of the Government.

Mr. Chairman (Syed Ghulam Bhik Nairang): Motion moved:

"That the Assembly do now adjourn."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. Chairman, the Honourable the Finance Member while answering questions said that Government had not made up their minds and that therefore he was unable to make a statement. When he was asked whether that meant that the statement that he intended to make would be included in his Budget speech, he said, most probably, yes. Now, Sir, that would mean that this House would only have a chance of considering any modifications that Government may make at the time of the Budget, and, naturally, they would have a chance of expressing their views not only by speaking but by going to the Division Lobby during the Budget Sessions. I think the Honourable Member will admit that not only Honourable Members of this House but the very large public outside interested in India's finances have a right to know what are the nature of the discussions going on between the Government of India and His Majesty's Government in England. The very fact that the Honourable the Finance Member had to fly the other day to England to discuss these matters show that there were some matters of importance worth discussing. Therefore, even at this stage, I think it would allay apprehensions if we could get a definite assurance that there would be no radical changes in the terms of the agreement announced by the Honourable the Finance Member at a Budget Session of this Assembly to which Mr. Jamnadas Mehta has referred. That is the first assurance. If there are to be changes, or if changes are proposed, would he indicate in which terms he is thinking of making changes? If there are to be no changes...

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LEGISLATIVE ASSEMBLY

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[Sir Cowasji Jehangir.]

then discussions must be taking place on matters of very important routine. My Honourable friend, Mr. Jammadas Mehta, read out one of the clauses of those terms which is very wide indeed. I admit that we might have asked for explanations with regard to those terms when the Finance Member announced them two years ago or one and a half years ago. But then the expenditure was small compared to what it is today, and what it is likely to be in the near future, and, therefore, that term, which my friend, Mr. Jammadas Mehta, has read out, becomes very important indeed. It gives a very wide discretion to Government in the adjustment of finances between the Government of India and the United Kingdom. It will be a question of judgment, it will be a question of opinion. Honourable Members on this side may take one view, Government in their wisdom may take another view; both may be right or both may be wrong, but the fact remains that that term is vague when translated into figures. Let me read out that term again:

"India is to bear the cost of such war measures as can be regarded as purely Indian liabilities by reason of their having been undertaken by India in her own interests."

I think it will be admitted that there is scope for a great difference of opinion as to whether any particular expenditure was a purely Indian liability or not, and especially in the present war with so many nations interested not only in the war itself but in India's war effort. I need not go further than that to particularize or give details of what I mean; I think I am quite clearly understood. That term being vague, it is all the more important that Indian public opinion should know whether the discussions that took place in England between the Finance Member and representatives of His Majesty's Government had something to do with that term No. 3. Of course, there are other terms which are only decided after the war, such as the question with regard to non-effective charges for pensions and gratuity to be decided between the two Governments. Stores is another term that can only be decided later on. But with regard to this term (3), it is most important that this House should know and the public also should know as to whether discussions are taking place with regard to this term (3) or with regard to something else which cannot be divulged. We are not impatient and it will be foolish to ask the Government to say something on a question on which they have not yet taken a decision, and it will not be equitable on our part to ask for any information which is of a confidential nature, but considering the apprehensions which have been expressed all over the country, I think it is only due to this House that it should be made the medium of communication of such information as the Honourable Member is pleased to give just now. It may be something worth knowing or it may be nothing, but whatever it is let him tell the country about the exact position, and also say whether he will give us an opportunity of considering the proposals, if possible before a definite decision is taken and, if not, at least before we are asked to speak on them and consider them in this House at the Budget Session.

Babu Baljnath Bajoria (Marwari Association: Indian Commerce)

Sir, I think the Honourable the Finance Member should intervene in the debate at this stage so that we may be able to know the Government point of view which will help other Members to speak on the subject.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Mr. Chairman, I stand up to break the conspiracy of silence which the Treasury Benches have entered into.

Sir, I do not really understand in what light the Honourable the Finance Member has taken this motion for adjournment. Yesterday we on this side of the House tried our level best to draw out as much information as we could with regard to a matter which will vitally affect the interests of this country not only for the present, but for generations to come. We know, Sir, that in between the Railway Budget and the General Budget we have to handle something like two hundred crores of rupees a year and that burden by itself is staggering to the country and, today, in the name of effective prosecution of the war, the expenditure is mounting up from day to day. Well, we have not stood in the way of the Government in respect of what they required for the effective prosecution of the war, but let it not be made the pretext for bleeding my country white. If, after all, you win this war, we have to live in this world; we have not only to win, but we have to survive and live as a nation to enjoy the benefit of victory. Am I not entitled to know what financial commitments you are making on my behalf and on behalf of my country? Is it not a matter of duty with the Honourable the Finance Member to tell the representatives of the people, who have come here not through any backdoor constituency but through the votes of millions of their countrymen, all about the commitments that he is making on behalf of India? The Members of this House have every right to demand of this Government to tell them what are the financial commitments that are going to be entered into by the Government of India with His Majesty's Government. I put a supplementary question enquiring of the Honourable the Finance Member if an opportunity would be given to this House to express itself on the settlement which according to our information is being entered into behind our back. No hopeful reply was forthcoming. I asked him if we were to understand that we were going to be presented with a *fait accompli* or were going to be asked for *ex-post facto* approval of the decision taken by him. Well, there was the usual quibbling and no straightforward answer was forthcoming.

Sir, I do not understand what the Honourable the Finance Member thinks about us and about the finances of this country. Does he think that India is a milch cow and that he can go on milking it for all times to come? Does he think that we are a perpetual pagoda tree to be shaken by him in any way he likes without giving us an opportunity to know what is he shaking for? It is all very well to tell us that we are in the midst of a war and, therefore, any information given now may be of use to the enemy. That is the convenient bogey which has been trotted out in season and out of season to cover all manner of misdeeds of omission and commission on the part of Treasury Benches. But here is a matter which we cannot lightly pass over if we have to be true to ourselves and to our constituencies. We have read in the papers that up to now over 386 crores of rupees worth of supplies have been rendered by India in this war. It is all "on account" of India. We are further told that every

month we are executing orders to the tune of 20 crores for the same purpose. Yet, when we want to know from you who control the finances of this country why it is that you flew to England, what are the things that passed between you and His Majesty's Government affecting the financial position of this country, we are told that

[Pandit Lakshmi Kanta Maitra.]

either the Government do not know their mind, or if and when they make up their mind, they will communicate it in such a manner as will leave us no opportunity to express ourselves one way or the other; and all the same we will have to foot the bill. If the terms of settlement are embodied in the Budget proposals next year, in what way shall we get an opportunity to speak on it or express our approval or disapproval of it? The House knows the usual procedure adopted in the discussion of Budget proposals. A general discussion is held on one day; after that cut motions are moved from several Parties; and if we happen to carry any, there is that process of certification to set us right. How then are we getting an opportunity to speak on the settlement that you will be arriving at? After having heard the Honourable the Finance Member yesterday I come to believe that the object of calling this short and early Session is an entirely different one, and not, as my Honourable friend, Sardar Sant Singh, flatters himself, for giving us an early opportunity to discuss the present political situation. It is to deprive this House of a legitimate full normal Session, so that all legitimate opportunities for discussion of vitally important subjects will be taken away and only a few days allowed to the Members to let out a little gas for all the misdeeds perpetrated recently by the mob and the hooligans of the Government; and thereafter in three days' time all manner of Resolutions, Bills, Government business are to be pushed through and then the doors are closed and we are asked to go away leaving the motley crowd called the Treasury Group, talking, smiling and having their way. (Interruption.) Sir, this is an absurd position. This is not a matter for laughter. I have respect for the gentlemen there, but what surprises me most is that like an ostrich they have been burying their heads in the sand and do not see how things are shaping in the country. They fail to see that we are in the beginning of a revolution in the country; the financial condition of India is deplorable; if the financial future of India is at present kept away from us; if it is a sealed book to us now, but ultimately we are confronted with a colossal figure of 700 or 800 crores, which India after the war will have to bear, it will be the culminating point. No machine guns or aeroplanes will then be able to check the revolution already in progress. It is from this point of view that I am asking you not to trifle in this manner with the desire of the representatives of the people to know the financial settlement. I wanted to know, Mr. Chairman, whether the moneys that are now being advanced to the European, Anglo-Indian and Anglo-Burmese evacuees in this country are paid by His Majesty's Government or by the Government of India. The reply came: "I cannot give you the information."

The Honourable Mr. M. S. Aney (Member for Indians Overseas): The reply was given but the Honourable Member was possibly not in his seat in the House.

Pandit Lakshmi Kanta Maitra: I am sorry I was not present. But...

The Honourable Mr. M. S. Aney: The Honourable the Finance Member could not have said anything more than what was said yesterday. The question belonged to my Portfolio.

Pandit Lakshmi Kanta Maitra: I addressed the Finance Member. I could not know who was the proper person. There is so much confusion about these matters at present that it is not easy for an ordinary person

like myself with limited intelligence to understand who is the Honourable Member actually answerable for these matters. I wanted to know whether it was His Majesty's Government that was advancing the money or the Indian Exchequer, to these evacuees—Anglo-Indians, Europeans and Anglo-Burmans. I could not get a satisfactory answer. At every turn there was dodging.

The Honourable Sir Jeremy Raisman: I pointed out to the Honourable Member that without reference I could not at that moment verify the exact position. Surely, the Honourable Member does not expect me to carry every detail of such arrangement in my head?

Pandit Lakshmi Kanta Maitra: The Honourable the Finance Member has explained that he could not give the information offhand as it was not possible for him to carry all things in his head. Is this question, which is of so recent origin and has been actively engaging the attention of all people in this country,—the question as to the source from which money is being lavishly advanced to non-Indians is such as can not be answered straightaway now?

The Honourable Mr. M. S. Aney: May I again remind my Honourable friend that the reply given to a question asked by Mr. Lalchand Navalrai, a Member of the Party to which my Honourable friend belongs, gives a complete answer to all the points raised.

Pandit Lakshmi Kanta Maitra: Sir, I am afraid a lot of my time has already been taken away by these cross-fires from the Leader of the House and the Finance Member. But my whole point is that we are greatly anxious to know what financial adjustments have been made behind our backs and what are the financial commitments which we will be called upon to ratify. In this we have been hauled of our right by all manner of excuses. Sir, I submit to the House that this is an intolerable state of things. Government may now wind up this Legislative Assembly if they think that it of no use to them. If, on the other hand, they have any respect for this House, as the Honourable the Leader of the House the other day had been at considerable pains to show that they had, if all these professions are true, and if they really reflect the mind of the Government of India, I do tell them, even I would beseech them to be honest and to let us know as early as possible what bill we shall have to foot for this war. Sir, from time to time we have been told

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Pandit Lakshmi Kanta Maitra: Mr. Chairman, I had been subjected to a lot of interruptions. Anyway, Sir, I will not break the rule. I will again ask the Honourable the Finance Member to give a straightforward answer today, as to whether or not he is prepared to give the House a full opportunity for discussing the proposed financial settlement with which he wants to harness the country. We do not want to be presented with *fait accompli*. We want an opportunity to speak our minds.

The Honourable Sir Jeremy Raisman: Sir, I feel that the House is really, whilst jealous of its own rights, doing less than justice to what must be regarded as the rights of any Government. After all, as the

[Sir Jeremy Raisman.]

will, I trust, realise that it is hardly possible for questions relating to the amount of that expenditure to be discussed except in relation to the total picture which is presented in a budget speech. It was not the intention of the Government to present a supplementary budget in the course of this year, and, therefore, the occasion for a review of India's defence expenditure would not arise until the next regular Budget Session. Now on the other hand, a different type of question may also arise, namely whether any liability should be accepted which goes beyond the principles of the existing financial settlement, for example, if India were asked to defray part of the cost of operations beyond her frontiers—the point to which my Honourable friend, Mr. Jamnadas Mehta referred—if the Government were contemplating the acceptance of any liability of this nature, then there would undoubtedly be ground for consideration whether the question of principle was not one on which this House was entitled to have an opportunity to express its views before any commitments were undertaken. The discussion of such a matter of principle might well take place apart from the actual Budget debate. I think I have made clear the difference between these two types of questions which might arise. Sir Cowasji Jehangir raised another point, namely, whether Government would put out a statement of the position before the presentation of the Budget in order to give Members time to consider its implications before the general Budget discussion. This is a point which, as I indicated yesterday, will receive the careful consideration of the Government.

To sum up, the point at issue really depends upon the nature of the decisions which Government may have to take. Clearly, if Government were to take decisions which did not involve what my Honourable friend, Sir Cowasji Jehangir, calls a departure of principle, then the position would be entirely different from the situation if Government were contemplating the acceptance of a new type of liability or of a liability which went beyond the principles of the existing financial settlement. I hope I have made the position clear and that the House will agree that Government's position in this matter is entirely reasonable and has full regard for the rights of the House in matters of this kind.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): This House has always been jealous of its own privileges

An Honourable Member: Privileges or rights?

Dr. P. N. Banerjee: but at the present moment it is evident that the Members of the Government are not prepared to accord its rights and privileges as they have done in the past. This House may be disensed, but the Members of the Executive Council

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Let the physician heal himself.

Dr. P. N. Banerjee: but the Members of the Executive Council have no right to treat this House with contempt or with insult.

An Honourable Member: They never do.

Dr. P. N. Banerjee: The Honourable the Finance Member said that, while this House should be jealous of its privileges, it should also concede the rights of the Government. From this side of the House no insult was ever suggested even towards the Members of the Government and no curtailment of their rights was ever contemplated.

Sir F. E. James (Madras: European): They may be called hooligans!

Dr. P. N. Banerjee: Apart from the question of rights and privileges, we have to consider the importance of the matter at issue. Now, this matter of financial agreement between Great Britain and India with regard to the war expenditure, it will be admitted, is a matter of the greatest importance to India, and therefore when questions were asked from this side of the House it was naturally expected that the Finance Member would give a straight and sympathetic reply. Unfortunately, such a reply was not forthcoming. Questions were repeated by several Members but the Finance Member's reply was either evasive or of a nature which did not satisfy us.

Now, there are some points which my Honourable friend, the Deputy Leader of this Party, has raised. What are the commitments to which the Finance Member agreed during his recent visit to Europe? Have there been any alterations in the principles of the existing agreement? Have there been any alterations in the interpretation of the principles of the agreement, and what is the total expenditure which the country will be called upon to incur? All these are very important matters, and in view of the fact, as was pointed out by my Honourable friend, that during the last war India was saddled with a very huge burden, the matter assumes special importance at the present moment. I suggested to the Honourable the Finance Member that, if he was not prepared with a statement immediately, he might fix another day. He might fix a day some months hence, but we should not be faced with a *fait accompli*. We must be able to know what the facts are, and how the situation stands with regard to India's responsibility for the conduct of the war, and before a final decision is taken we ought to have an opportunity to discuss this whole matter. That is our view, and the Honourable the Finance Member has not been able to satisfy us with proper assurances. Will he at the present moment give us a satisfactory reply? In the speech which he has just made he has been rather vague and indefinite. He has not told us whether another Session will be held before the Budget Session in the course of which we shall get an opportunity to discuss this very important matter, nor has he told us whether any facts would be placed before us before he makes his financial statement in this House on the last day of February next. These matters are matters of great consequence to this country, and this country, as the Members of the Executive Council are perhaps aware, is a poor country, and for a poor country to be saddled with a huge burden is a very serious thing. That is why apprehensions have arisen in the minds of the Opposition as regards the financial commitments. I hope Government will take this matter seriously and will not try to pour contempt on this side of the House once again, but give us a definite assurance that the points which have been raised by my Honourable friend and other Members of this House will be taken into consideration and will be given effect to. The Finance Member did not make, I believe, a final speech. Under the rules he is entitled to speak again after the reply and I would request him to be more definite, more precise, with regard to what he contemplates to do in future.

Babu Baijnath Bajoria: This question of financing the expenses incurred for war is a very important one and for a country like India to meet all the expenses that are being incurred in this country is an impossible task. The very fact that the Honourable the Finance Member, at this critical stage, flew to England and has come back after discussing the financial settlement with His Majesty's Government gives rise to apprehension in our minds that there has been some disturbance of the *status quo*. All we wanted to know from him was in what way the financial settlement which exists at present has been disturbed. Unfortunately, even in today's speech, the Finance Member could not be drawn out. All he has said is that Government require time to consider the matter. We are prepared to give him time. I make a suggestion to him and that is that right at the beginning of the next Session, he should bring up a Resolution for discussion in this House on the Government's decision and he should give us an opportunity of discussing those proposals before a final decision is taken and those proposals are incorporated in his Budget proposals. That will satisfy this House. Government have already decided that it is not possible to have another Session of the Legislature before the Budget Session.

An Honourable Member: We are not prepared to accept that.

Babu Baijnath Bajoria: If a special Session is called for that purpose, I will be more satisfied but if it is not possible, then the only course left is to have a Resolution at the beginning of February and before the final Budget proposals are made at the end of February. There will be one month's time and Government may be influenced by our decision. The Finance Member has referred to the Appropriation Accounts which will be placed before the Public Accounts Committee. That is a *post mortem* examination.

The Honourable Sir Jeremy Raisman: The point was that the principles involved in these matters are just the same. I was merely emphasizing the principles of allocation and they apply not merely retrospectively but also now.

Babu Baijnath Bajoria: The thing is this. The post mortem examination of the Public Accounts Committee comes long after expenditure is incurred. It has got no bearing on the subject on which we are speaking at the present moment. The apprehension in our mind is that when a settlement is going to be made between the Government of India and His Majesty's Government it is not between two equal parties. One party is superior to the other and we are afraid that the will of His Majesty's Government will be forced upon the Indian Government and the Finance Member will be in a helpless position. That is why we are afraid that the new financial settlement will be to our disadvantage. The expenditure now incurred is not only for the defence of India. India is the base for the United Nations, to help China, the Far East and the Middle East. This expenditure should not be debited to India's account and, I think, under the present settlement they are not debited. So, what I suggest is that the Government of India should give us an opportunity of expressing

our views before any new arrangement is finally decided upon. With these words, I support the motion.

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

Pandit Lakshmi Kanta Maitra: May I ask the Honourable the Finance Member one question? If the Government of India decide, as they will do very soon, on an attack on or reconquest of Burma, Malaya and Singapore, will all that expenditure or a portion of it be treated as expenditure incurred for the defence of India?

The Honourable Sir Jeremy Raisman: If the Honourable Member had followed my reply, he would have realised that what I was saying was that before the Government of India commit themselves to any liability of this kind they would consider that that was a matter on which this House should have an opportunity of expressing its views.

Mr. Jamnadas M. Mehta: I am sorry to say that while the tone of the Honourable the Finance Member's speech was courteous, he was far too cautious and it has become as difficult to get any commitment from him in this matter as it is difficult for a child to cut its teeth. Cutting teeth is so painful to the child. So is the eliciting of any information from the Honourable the Finance Member. He spent part of his time in saying: 'Oh, I have only just come from England. There is this mob violence in the country and there are you, Gentlemen. All my time is thus occupied since I came here and you want me to be ready with an explicit answer on a question of such vital importance.' I want to assure my friend that we are in no hurry. We are not asking him for information here and now. Take your own time. Take weeks. Take months—one month or two months or call a special Session. Give us as much information as you can, without helping the enemy. Let it be of some help to your friends. You are treating friend and enemies alike. Your statement that you are being hurried or hustled is not correct. We are quite prepared to give you two months more time, if you so require. You can call a special Session later for four days. There will be no Ramzan fast then and in those four days you will be able to reach decision affecting the well-being and interest of 400 millions of people in this country. I assure the Finance Member that if he only agrees that we, the representatives of the people, are interested in and entitled to be consulted about the war commitments of this country which might extend to thousands of crores of rupees before we are finally and irrevocably committed; we are then quite prepared to wait for a period of two months.

Then, Sir, he admitted that Article 3 of the agreement of the settlement was capable of expansion out of all recognition. He has not been able to give a categorical list of what under Article 3 of the Agreement will be included. It is vague, as I said. It is vague as to the parties; it is vague as to the matters to be dealt with and it is vague as to the scope.

The Honourable Sir Jeremy Raisman: It is only vague because I cannot foretell the course of the war.

Mr. Jamnadas M. Mehta: You do not say what India is. In that Article 3 the Government do not tell us what India is. What a war measure is. What India's own interests are.

The Honourable Sir Jeremy Raisman: India is defined in the General Clauses Act.

Mr. Jamnadas M. Mehta: What are its interests? I think it is an evasion. I have great sympathy with the predicament in which the Finance Member finds himself at such a critical period, but there is no reason why he should go to the General Clauses Act: come to the particular Act. What is India? What are her war measures? What are her interests? If you cannot do it, you cannot satisfy the House.

Then, we were told about the great part which auditors play. Don't we know the auditors? They are very amiable persons, learned persons, technical persons, but they come in only after the mischief is done. What can they do? The policy is of the sovereign power and not of the auditor. The auditor is a servant who examines whether the policy has been carried out. If the policy is not decided by this House, how can the auditors help us?

Then, my Honourable friend told me that I was under an error. I will always be willing to admit an error when it is pointed out to me. I refer him to his speech of 1941 where he has himself stated:

"Whenever circumstances should make it necessary to employ the whole or any portion of India's external defence forces outside Indian limits in the discharge of India's joint responsibility for her external defence, India should accept some share of cost of doing so."

Now, what is this joint responsibility? What is the external defence? What is the external army? How far these three elements will add to the burden? That is what I wanted to know. But my friend told me that I was wrong in referring to them. It is in his own speech of 1941 where he clearly stated external defence, joint interests and also the countries outside India. Therefore, it is not correct to say, as my Honourable friend himself said, that the settlement applied only to local defence.

The last thing that I wish to say is that even supposing the principles of the settlement are carried out to the letter, India may be able to bear it if the expense is a hundred crores. But if it expands into thousands of crores, even though you keep to the letter and the spirit of the settlement, the capacity of India might long have been outstripped. We, therefore, also want to know the extreme limit of the liability which even under these clauses India may be called upon to bear. These things he has not been able to explain. On these points he is unwilling to commit himself. I want to know, therefore, whether within the limits I have submitted and before the Government make up their mind, the Government are prepared to give us an opportunity of knowing as clearly as possible under the circumstances what are likely to be the commitments of India so far and hereafter? On what principle they will be committed? How far India will be called upon to bear within her limited resources even the burden according to those principles? These cannot be settled by means of a statement like this: they will not be settled by any suspicion of our intentions. I assure my Honourable friend that we are willing to deal with him in the same spirit in which he deals with us.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Assembly do now adjourn."

The Assembly divided:

AYES—19.

Abdul Ghani, Maulvi Muhammad.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Chattopadhyaya, Mr. Amarendra Nath.
Dam, Mr. Ananga Mohan.
Das, Pandit Nilkantha.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Habibur Rahman, Dr.

Ismail Khan, Haji Chaudhury Muhammad.
Lalchand Navalrai, Mr.
Maitra, Pandia, Lakshmi Kanta.
Mehta, Mr. Jamnadas M.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur Maulvi Syed.
Neogy, Mr. K. C.
Raza Ali, Sir Syed.
Sant Singh, Sardar.
Zafar Ali Khan, Maulana.

NOES—41.

Abdul Hamid, Khan, Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ambedkar, The Honourable Dr. B. R.
Aney, The Honourable Mr. M. S.
Anthony, Mr. F. R.
Bentham, The Honourable Sir Edward.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chapman-Mortimer, Mr. T.
Dalal, Dr. Sir Ratanji Dinshaw.
Dumasia, Mr. N. M.
Ghiasuddin, Mr. M.
Griffiths, Mr. P. J.
Gwillt, Mr. E. L. C.
Haidar, Khan Bahadur Shamsuddin.
Imam, Mr. Saiyid Haider.
Ismail Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jawahar Singh, Sardar Bahadur Sardar, Sir.

Jehangir, Sir Cowasji.
Kamaluddin Ahmed, Shamsul-Ulma.
Kushalpal Singh, Raja Bahadur.
Lawson, Mr. C. P.
Miller, Mr. C. C.
Mody, the Honourable Sir Homi.
Noon, The Honourable Malik Sir Feroz Khan.
Pillay, Mr. T. S. S.
Raisman, The Honourable Sir Jeremy.
Raper, Sir Hugh.
Richardson, Sir Henry.
Sarker, The Honourable Mr. N. R.
Sivaraj, Rao Bahadur N.
Spence, Sir George.
Stokes, Mr. H. G.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Captain.
Thapar, Mr. P. N.
Tottenham, Sir Richard.
Trivedi, Mr. C. M.
Tyson, Mr. J. D.

The motion was negatived.

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

LEGISLATIVE ASSEMBLY.

Wednesday, 23rd September, 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.

TRANSFERRED STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

STEPS FOR CONSERVATION. ETC., OF PETROL SUPPLIES.

73. *Sir F. E. James (on behalf of Mr. J. Ramsay Scott): (a) Will the Honourable Member for Railways and War Transport be pleased to state what steps have been taken or are in contemplation:

- (i) to conserve petrol supplies;
- (ii) to prevent wastage and leakage to the black market of petrol; and
- (iii) to ensure that conditions of supply of petrol are the same in all parts of India?

(b) Why has there been an inability to supply petrol against petrol coupons in the United Provinces but not in Delhi?

The Honourable Sir Edward Benthall: (a) (i). The Honourable Member is referred to the Motor Spirit Rationing Order, 1941. In addition, such supplementary instructions as have appeared necessary from time to time, have been issued to rationing authorities.

(a) (ii). Every effort is made to prevent wastage and leakage to the black market. The Honourable Member is referred for example to the Coloured Motor Spirit Control Order, 1942, published in the Government of India Gazette dated the 11th July, 1942.

(a) (iii) and (b). Such inequalities in the distribution of petrol for civil consumption in different parts of India as have occurred, have been due to difficulties of transport, which in turn depend upon the routes over which petrol has to be railed.

Kunwar Hajee Ismaiel Ali Khan: May I know from the Honourable Member whether the supply of petrol has been suspended temporarily or permanently in the United Provinces?

The Honourable Sir Edward Benthall: So far as I know, temporarily.

Sir F. E. James: May I ask whether the Honourable Member would take special steps to inaugurate a publicity campaign for something perhaps connected with the national front whereby the public is kept much better informed as to the real problem underlying the supply and distribution of petrol?

†The question hour of the 17th September, 1942, having been dispensed with these questions were transferred till today, vide page 233 of these debates.—Ed. of D.

The Honourable Sir Edward Benthall: Yes, Sir. I am very anxious that public should be kept informed of the Regulations and of the various measures which they themselves can take to assist in the economising of petrol and also in the use of motor transport, and I am actually considering the steps which we can take in order to give effect to such publicity.

CHARCOAL GAS-PRODUCER PLANTS.

74. *Sir F. E. James (on behalf of Mr. J. Ramsay Scott): (a) Will the Honourable Member for Railways and War Transport please give:

(i) the number of charcoal gas-producer plants in use and on order for use in India; and

(ii) the number of manufacturers of these plants in India and the output per month?

(b) Is it a fact that steel priorities for 12,000 such plants have been arranged or given to manufacturers for the period April to September?

(c) Will Government please state how much steel has been delivered against these priorities?

The Honourable Sir Edward Benthall: (a) (i). According to the latest returns, up to the end of July (in some cases, June) in others the total number of vehicles fitted with producer gas plants in British India was 5,377. I regret I have no information regarding the number of orders placed by vehicle owners for plants.

(ii) About 70 manufacturers have been approved by different Provincial Governments. The manufacturing capacity of 50 of these, in the aggregate, is believed to be nearly 3,300 plants per month. We have no particulars of the capacity of the remainder. I regret I have no figures of the actual output of these manufacturers in any recent month.

(b) Yes.

(c) I regret that I cannot give precise information. The arrangement we have made is that steel is distributed from the mills to various controlled stockholders at suitable centres throughout the country, and the licensees are to draw their supplies from the stockholders. Against a total of nearly 3,500 tons of steel for the 2nd and 3rd quarters of the year approximately 1,400 tons have been delivered to the stockholders. The bulk of this material, is, however, of one type only and, until more complete supplies of all types are available with the stockholders, licensees are not able to take advantage of this material. Every effort is being made to place complete stocks with the stockholders with the least possible delay.

Sir F. E. James: Has the Honourable Member's Department or any of the Provincial Governments taken steps to control the prices at which these charcoal gas-producer plants are actually sold by the manufacturers?

The Honourable Sir Edward Benthall: Sir, I am dealing with that in my next question.

CHARCOAL GAS-PRODUCER PLANTS.

75. *Sir F. E. James (on behalf of Mr. J. Ramsay Scott): (a) Will the Honourable Member for Railways and War Transport please state if it is a fact that some Provincial Governments have issued orders that buses and lorries must be fitted with Gas-producer Plants?

(b) What steps have Government taken in conjunction with Provincial and Centrally administered areas to see that these plants are supplied at reasonable rates and that charcoal supplies are readily obtainable and at reasonable rates?

(c) What steps are Government taking to see that all Gas-producer Plants comply with specifications before being sold to the public? If this is done provincially, what is the procedure in the centrally administered areas?

The Honourable Sir Edward Benthall: (a) I have no knowledge of any specific order of the kind referred to. It is, of course, the policy of the Government of India that the maximum number of buses and lorries should be converted as rapidly as possible to producer gas.

(b) The control of prices of plants was recently considered by the Transport Advisory Council, and the conclusion was that competition would tend to keep down prices and that when the supply of controlled steel reaches manufacturers in sufficient quantities the conditions attached to the supply will enable the authorities to ensure that prices of plants are reasonable.

The position regarding the supply of charcoal at reasonable rates is, I understand, on the whole satisfactory.

(c) My Department has issued model specifications and rules on the subject, which have already in practice been generally enforced and which were recently accepted by the Transport Advisory Council as satisfactory. The Rules provide that manufacturers' designs and specifications shall be approved by competent officers of the Provincial Government. In the case of Chief Commissioners' Provinces, Rules to this effect have been made in the case of Ajmer-Merwara and Delhi, and also, I believe, in the case of Coorg. There are as yet no producer gas plants in Baluchistan.

ORGANISATION OF AND ASSISTANCE TO INDUSTRIES FOR MEETING WAR SUPPLY REQUIREMENTS.

76. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Supply be pleased to lay on the table of the House a statement showing the main categories or classes of goods supplied by his Department for War requirements, the volume of such supplies and their value?

(b) Will the Honourable Member briefly state the steps taken to organise the industry in this country to meet war supply requirements and what assistance, if any, has been given to industry in this connection?

(c) What are the cottage industries, if any, that have been organized or helped to compete for war supply requirements? In what shape and to what extent has assistance been rendered to such industries?

(d) Will the Honourable Member please state the volume of supplies drawn from the cottage industries in this country and the total approximate value of such supplies?

The Honourable Sir Edward Benthall: Yes, Sir. I am very anxious that public should be kept informed of the Regulations and of the various measures which they themselves can take to assist in the economizing of petrol and also in the use of motor transport, and I am actually considering the steps which we can take in order to give effect to such publicity.

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(c) Will Government please state how much steel has been delivered against these priorities?

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(ii) About 70 manufacturers have been approved by different Provincial Governments. The manufacturing capacity of 50 of these, in the aggregate, is believed to be nearly 3,300 plants per month. We have no particulars of the capacity of the remainder. I regret I have no figures of the actual output of these manufacturers in any recent month.

(b) Yes.

(c) I regret that I cannot give precise information. The arrangement we have made is that steel is distributed from the mills to various controlled stockholders at suitable centres throughout the country, and the licensees are to draw their supplies from the stockholders. Against a total of nearly 3,500 tons of steel for the 2nd and 3rd quarters of the year approximately 1,400 tons have been delivered to the stockholders. The bulk of this material, is, however, of one type only and, until more complete supplies of all types are available with the stockholders, licensees are not able to take advantage of this material. Every effort is being made to place complete stocks with the stockholders with the least possible delay.

Sir F. E. James: Has the Honourable Member's Department or any of the Provincial Governments taken steps to control the prices at which these charcoal gas-producer plants are actually sold by the manufacturers?

The Honourable Sir Edward Benthall: Sir, I am dealing with that in my next question.

(CHARCOAL GAS-PRODUCER PLANTS.)

75. *Sir F. E. James (on behalf of Mr. J. Ramsay Scott): (a) Will the Honourable Member for Railways and War Transport please state if it is a fact that some Provincial Governments have issued orders that buses and lorries must be fitted with Gas-producer Plants?

(b) What steps have Government taken in conjunction with Provincial and Centrally administered areas to see that these plants are supplied at reasonable rates and that charcoal supplies are readily obtainable and at reasonable rates?

(c) What steps are Government taking to see that all Gas-producer Plants comply with specifications before being sold to the public? If this is done provincially, what is the procedure in the centrally administered areas?

The Honourable Sir Edward Benthall: (a) I have no knowledge of any specific order of the kind referred to. It is, of course, the policy of the Government of India that the maximum number of buses and lorries should be converted as rapidly as possible to producer gas.

(b) The control of prices of plants was recently considered by the Transport Advisory Council, and the conclusion was that competition would tend to keep down prices and that when the supply of controlled steel reaches manufacturers in sufficient quantities the conditions attached to the supply will enable the authorities to ensure that prices of plants are reasonable.

The position regarding the supply of charcoal at reasonable rates is, I understand, on the whole satisfactory.

(c) My Department has issued model specifications and rules on the subject, which have already in practice been generally enforced and which were recently accepted by the Transport Advisory Council as satisfactory. The Rules provide that manufacturers' designs and specifications shall be approved by competent officers of the Provincial Government. In the case of Chief Commissioners' Provinces, Rules to this effect have been made in the case of Ajmer-Merwara and Delhi, and also, I believe, in the case of Coorg. There are as yet no producer gas plants in Baluchistan.

ORGANISATION OF AND ASSISTANCE TO INDUSTRIES FOR MEETING WAR SUPPLY REQUIREMENTS.

76. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Supply be pleased to lay on the table of the House a statement showing the main categories or classes of goods supplied by his Department for War requirements, the volume of such supplies and their value?

(b) Will the Honourable Member briefly state the steps taken to organise the industry in this country to meet war supply requirements and what assistance, if any, has been given to industry in this connection?

(c) What are the cottage industries, if any, that have been organized or helped to compete for war supply requirements? In what shape and to what extent has assistance been rendered to such industries?

(d) Will the Honourable Member please state the volume of supplies drawn from the cottage industries in this country and the total approximate value of such supplies?

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The Honourable Sir Homi Mody: (a) I place a statement on the table. (b) Industry has been organised by the appointment of advisers; by the establishment of industrial panels; by close contacts between the Production Directorates and the Controllers of Supplies on the one hand and industrialists on the other; by the provision of new factories and/or new plant; and by a great deal of development work in which Government and industry have both played their part.

Industry has been assisted with finance to accelerate the completion of plant; by the installation of new factories or independent new items at Government expense; by the installation of balancing plant at Government expense; by the grant of special facilities for the import of raw materials and equipment; by the placing of educational or guarantee orders; and in various other ways.

(c) Small scale industry, both urban and rural, has been organised to produce a large number of items including items made wholly or mainly of wood such as shelves for tools, tent mallets, folding Charpoy and racks, signalling flags, tent poles, and furniture; textiles items such as blankets and camouflage nets; minor metal manufactures such as cutlery and padlocks; leather goods such as Chaplis and sandals; and miscellaneous goods such as ambulance stretchers.

Small scale industry is organised through the Provincial Governments which establish "official agencies"—normally their Directors of Industries and/or Registrars of Co-operative Societies to take and distribute contracts and to supervise the work on behalf of the Central Government. Samples are supplied by the Central Government and if necessary working capital is provided.

(d) During 1941-42 orders on small scale industry were valued at Rs. 4.98 crores. The main items were camouflage nets Rs. 1.82 crores, Blankets Rs. 1.18 crores, leather goods Rs. 96 lakhs, and pith hats Rs. 45 lakhs. During 1942-43 to date orders totalling about Rs. 7 crores have been placed with the "official agencies" for allocation to small scale industry. I place on the table a statement giving particulars of the main orders placed.

Statement showing purchases made by the purchase organizations of the Department of Supply from the commencement of the war upto 31st July 1942.

Articles.	Value in Rs. 000.
1. Cotton goods	80,42.10
2. Woollen goods	28,47.75
3. Other textile goods	40,88.03
4. Leather materials	17,04.93
5. Timber and woodware	19,20.47
6. Foodstuffs	29,99.13
7. Engineering, miscellaneous and hardware	151,80.07
Total	367,82.47

NOTE.—The statement includes all purchases made for indentors in India whether the indentors themselves are in India or overseas. It excludes (a) the value of goods manufactured in Government factories and (b) purchases made through commercial channels without the intervention of the Supply Department. It is not possible to show the volume of the purchases in each category owing to the diversity of the goods.

Statement showing orders placed on official agencies in 1942-43 for allocation to small-scale industry.

Statement showing orders placed on official agencies in 1941-42		Quantity ordered.	Value of order.
Nomenclature.			
1	2	3	
		8,000	92,000
Charpoy folding	}	16,05,000	14,66,796
Helves Pick Axe			
Axes Pick Helves		3,72,650	2,17,296
Knives Table			
Clasp, 1939, with marline spike tin opener and screw		2,89,625	5,79,250
Driver		3,45,825	3,02,596
Padlocks, I. G., 1 1/4"		71,750	1,77,375
Padlocks, I. G., 2"	}		
Gloves, M. T., Size 8 1/2		1,14,075	3,06,571
Gloves, M. T., Size 9			
Gloves, M. T., Size 9 1/2		8,00,000	34,00,000
Sandals P. O. W. (pairs)		4,00,000	13,00,000
Chaplis, Frontier Pattern		1,60,000	26,00,000
Boots, Gilgit (Pairs)		2,40,000	1,56,00,000
Blankets 90" x 60"		44,46,600	88,93,200
Pith Hats			
Camouflage nets --		4,89,460	14,68,380
14 x 14		59,380	1,09,482
14 x 7		3,32,893	19,55,746
24 x 24		14,428	1,87,564
29 x 29		9,932	1,76,293
35 x 35		58,332	Price not yet fixed though production is there.
35 x 35 G. S.		622	
35 x 35 Artillery			
		21,968	1,46,911
29 x 14		46,868	25,30,872
35 x 15		34,935	13,92,595
25 x 12		20,00,000	40,00,000
Brass Buckles		18,00,000	1,12,500
Brass Slides		1,71,000	3,42,000
Deer Steel			35,42,149
Textiles			2,29,00,149
Miscellaneous items foodstuffs etc.			
Total			7,37,99,725

NOTE.—The orders for 1942-43 are not complete.

Mr. Lalchand Navalrai: With regard to part (c), may I know from the Honourable Member whether any industries have been organized for war purposes in the province of Sind?

The Honourable Sir Homi Mody: It is up to the Sindhis to do this. I cannot answer the question off-hand, but I am certain that the resources of Sind are being utilized to the fullest possible extent. As I said, this is an arrangement of the Provincial Governments, and I am certain that the Sind Government has set up the necessary agency for executing Government orders, but I shall be glad to give my Honourable friend fuller information after obtaining it.

Pandit Lakshmi Kanta Maitra: With regard to part (c), the Honourable Member said that the Government were, in most cases, prepared to advance capital for the establishment of small industries for the manufacture of articles for the Supply Department. Will the Honourable Member be pleased to state what is the amount of the capital, that has so far been advanced for starting new cottage industries?

The Honourable Sir Homi Mody: I cannot answer offhand. I would have to get those figures.

DAMAGE CAUSED TO POSTAL DEPARTMENT PROPERTY DURING RECENT DISTURBANCES.

77. *Pandit Lakshmi Kanta Maitra: Will the Secretary of the Posts and Air Department be pleased to make a comprehensive statement about the nature and extent of the damage and destruction caused to the buildings, lines, cables, etc., and other properties of the Postal Department in the recent disturbances? Have telegraph and telephone lines been fully restored to their normal conditions?

Sir Gurunath Bewoor: I would refer the Honourable Member to the reply given by me on the 14th instant to starred question No. 5 put by Mr. K. C. Neogy.

POSITION OF THE INLAND AIRMAIL SERVICE.

78. *Pandit Lakshmi Kanta Maitra: (a) Will the Secretary of the Posts and Air Department be pleased to make a detailed statement about the present position of the Inland Airmail Service in India, with special reference to Airmail Service from Delhi to Calcutta, Bombay and Madras?

(b) Is the Airmail Service run by Government Agency? If not, by which Company or Companies is it run?

(c) Is it a daily and regular service?

(d) Since when has it been introduced?

(e) What is the expenditure involved in the maintenance of this service?

Sir Gurunath Bewoor: Sir, I lay on the table a statement giving the information required by the Honourable Member.

Statement showing the internal air mail services operating at present in India.

Serial No.	Service.	Frequency.	Date of commencement.	Operating concern.	Expenditure involved.
1.	Karachi-Rajasamand-Madho Sagar-Allahabad-Calcutta.	Twice weekly.	1932	British Overseas Airways Corporation.	Service forms part of the arrangements under the Empire Air Mail Scheme.
2.	Karachi-Bombay-Hyderabad-Madras-Trichinopoly-Columbo.	Four times a week.	1932	Tata Sons Limited.	Do.
3.	Delhi-Cawnpore-Allahabad-Gaya-Calcutta.	Four times a week.	13th April 1942.	Indian National Airways Ltd.	A standing payment of Rs. 37,200 per month plus cost of operation on actual mileage operated.
4.	Calcutta-Tripura-Dinjan (temporary service).	Twice weekly.	10th Aug. 1942.	Do.	
5.	Lahore-Multan-Jalco-babad-Quetta (temporary service).	Daily	17th Aug. 1942.	Do.	

Pandit Lakshmi Kanta Maitra: May I know if there is a daily regular airmail service from Delhi to Calcutta?

Sir Gurunath Bewoor: The statement which I am laying on the table gives the names of the services and the frequency of the services. The statement shows how the different services are working. Some are twice weekly, some are four times.

Pandit Lakshmi Kanta Maitra: I take it that there is no regular daily service from Delhi to Calcutta?

Sir Gurunath Bewoor: No, Sir.

Pandit Lakshmi Kanta Maitra: When was this service introduced?

Sir Gurunath Bewoor: You are referring to (d)?

Pandit Lakshmi Kanta Maitra: The airmail service from Delhi to Calcutta.

Sir Gurunath Bewoor: The statement gives the service from Delhi to Calcutta. We have a B. O. A. C. service and we have also another service which has been working between Delhi and Calcutta four times a week since 15th April, 1942.

Pandit Lakshmi Kanta Maitra: Are they Government agencies or private companies which have been subsidized by the Government of India?

Sir Gurunath Bewoor: These are private companies. The statement gives the names of the operating concerns.

Pandit Lakshmi Kanta Maitra: They are not Government agencies but private companies employed to carry on the service?

Sir Gurunath Bewoor: The Companies are paid for the service they render.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that at the initiative of the Government these Companies were brought into existence, or that they had been functioning before, but that they approached Government for help and Government advanced them the money?

Sir Gurunath Bewoor: I said it is not a Government agency.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that it is not a Government agency.

DAMAGE CAUSED TO RAILWAY PROPERTY DURING RECENT DISTURBANCES.

79. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Railways be pleased to make a comprehensive statement about the nature and extent of the damage and destruction caused in the recent disturbances to the different Railways in India with special reference to:

- (i) stations, yards, sheds or cabins or other railway buildings,
- (ii) Railway tracks, bridges and signalling apparatus, and
- (iii) Locomotives and rolling stocks?

(b) Which of the Railways have suffered the heaviest damage and destruction?

(c) Was there any large scale dislocation of traffic, goods and passenger, on any railway? If so, where?

(d) Has through communication been since restored?

(e) What precautionary measures, if any, have been adopted for the future?

The Honourable Sir Edward Benthall: (a) to (e). I would refer the Honourable Member to the replies already given on the 14th to Mr. A. N. Chattopadhyaya's starred questions Nos. 11 and 12. I would add that the East Indian and the Bengal and North Western Railways have suffered the most severely and that there has been damage done to some engines, repairs to most of which have already been completed.

DAMAGE DUE TO FIRE IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI

80. *Pandit Lakshmi Kanta Maitra: Will the Honourable Member for Railways be pleased to state the nature and extent of the loss sustained by the Railway Board by the fire in the Railway Clearing Accounts Office in Delhi? Has there been a large scale destruction of documents? Is it likely to affect seriously the administration of the Railway Board?

The Honourable Sir Edward Benthall: The Railway Clearing Accounts Office was accommodated in five buildings, of which only two (viz., the Clive Building and the Jatia House) were destroyed by the fire. The capital cost of the Clive Building, owned by the North Western Railway Administration, including electric installations, was Rs. 3,94,385. The Jatia House belonged to a private owner on whose behalf notice of a claim of Rs. 1 lakh as compensation has been received. The estimated value of furniture, books, stationery, forms and records (treated as waste-paper for valuation) destroyed by the fire in the two buildings is Rs. 1,50,225.

All the documents in the two buildings were completely destroyed.

The reply to the last part of the question is in the negative.

Pandit Lakshmi Kanta Maitra: Do I understand from the Honourable Member that the papers destroyed were not valuable documents but waste paper?

The Honourable Sir Edward Benthall: The valuation was made at the waste paper rate.

Babu Baijnath Bajoria: Is Government considering the question of compensation for Jatia House?

The Honourable Sir Edward Benthall: Yes. Government has unfortunately to consider it.

Pandit Lakshmi Kanta Maitra: Has the work of the railway administration been affected by the destruction of this waste paper?

The Honourable Sir Edward Benthall: It has of course been affected; but the question was whether it had been seriously affected. Arrangements are being made for reconstructing a portion of the accounts for July 1942 and most of the documents can be obtained from stations and other offices. There will be difficulties in compiling accounts but by co-operation between the railways affected, we hope to get over them.

Babu Baijnath Bajoria: Were those buildings insured against fire?

The Honourable Sir Edward Benthall: Not in the case of the railway building.

REPORT OF THE AMERICAN TECHNICAL MISSION.

81. *Mr. K. C. Neogy: (a) Will the Honourable the Supply Member be pleased to lay on the table of the House a copy of the Report submitted by the American Technical Mission which visited India during the year?

(b) Will he be pleased to indicate, with reference to each recommendation made in the said report, as to what action has been, or is proposed to be, taken thereon?

(c) Is it a fact that Government are in negotiation with the Government of the United States of America for the services of certain American technical experts in India, and for the establishment of certain war industries in India? If so, what are these industries, and what are the intentions of Government as regards the organisation and control of such industries?

The Honourable Sir Homi Mody: (a) and (b). The Government of India regret they cannot lay on the table a copy of the Report of the American Technical Mission. The Report contains matter, the publication of which would not be in the public interest, and the Mission themselves have expressed the desire that it be treated as confidential. A summary faithfully recording all the recommendations has, however, been published and presents a correct picture of the measures suggested by the Mission for the purpose of accelerating India's war effort.

(c) The Report includes recommendations for the expansion of certain existing and the establishment of certain new industrial concerns. In connection with these developments it is hoped to make use of technical experts whose services have been offered by the Government of the United States. Broadly speaking, these experts will fall into two groups—first, leading industrialists, who, in an honorary capacity so far as India is concerned, may pay short visits to India for periods not exceeding, say, three months to advise the Government of India on industrial problems; and secondly experts who will be engaged by the Government of India, or in some cases by the firms concerned, on short term contracts. For reasons already explained in my reply to parts (a) and (b) of this question, I regret I cannot give details of the developments that the Government of India have in mind, but I can assure the Honourable Member that the American Technical Mission did not recommend the establishment in India of industries controlled by American interests or American personnel. The Mission made it clear that, as a general rule, the Government of India must limit themselves to short term contracts in engaging salaried personnel, e.g., contracts for periods of approximately one year.

Mr. K. C. Neogy: With regard to the new industrial concerns which are likely to be established as a result of these recommendations, do they relate to the establishment of any key industry in any case?

The Honourable Sir Homi Mody: Well, all I can say is that a second report has just come through, and until we are in a position to give consideration to that report, I am not able to say anything to my Honourable friend, but perhaps a little later I will be able to.

Dr. P. N. Banerjee: Will the second report be published?

The Honourable Sir Homi Mody: No.

Mr. Muhammad Nauman: May I know from the Honourable Member if the Mission has recommended any investment of American capital for the development of Indian industry?

The Honourable Sir Homi Mody: No question of American finances at all.

Babu Baijnath Bajoria: Will the Honourable Member supply a copy of this report to the Members of this House for their personal use?

The Honourable Sir Homi Mody: I regret I am not in a position to do that.

Babu Baijnath Bajoria: Is it a fact that the Honourable Member is not in agreement with certain main recommendations of this American Technical Mission?

The Honourable Sir Homi Mody: I think it would be too premature to say anything.

Babu Baijnath Bajoria: We have seen published in the papers the comments of the Honourable Member on those recommendations and they vary very much from the report of this Mission.

The Honourable Sir Homi Mody: I am afraid I was grossly misunderstood.

Babu Baijnath Bajoria: Will you clarify the position?

The Honourable Sir Homi Mody: I may inform the Honourable Members, if they really wish to know, that every effort has been made to implement as many of the recommendations of the American Technical Mission as possible. I may say that practically all recommendations are being sought to be given effect to. A sort of War Cabinet, such as was recommended by the Mission, was set up, known as the War Resources Committee, and that Committee apart from dealing with questions of co-ordination of the activities of the different departments related to the war effort, is dealing systematically and serially with every recommendation of the American Technical Mission.

Mr. K. C. Neogy: As regards the experts that are to come out from America, can we expect that properly qualified Indians will be placed for training under them so as to be able to replace them whenever necessary?

The Honourable Sir Homi Mody: There is no question of their employment on any long term basis. It is not as if the necessary personnel are not here. But in order to find out whether in the methods which are being employed in, say, the ordnance factories or in our steel or other plants any special technical assistance would be useful, assistance was sought and it has been freely placed at our disposal by the American administration. The intention is to make the best use of these men and then to send them back.

Maulana Zafar Ali Khan: With regard to part (c) of this question, I should like to know whether England could not spare such experts and why it is necessary to get them from America?

The Honourable Sir Homi Mody: Experts are not as readily available from the United Kingdom as from the United States, and since we are following up the main lines of the recommendations of the American Technical Mission, the United States are in the best position to supply the sort of technical personnel which we need.

COMMUNAL COMPOSITION OF OFFICERS IN THE STORES DEPARTMENT ON NORTH WESTERN RAILWAY.

82. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways please state what is the total cadre of officers in the Stores Department on the North Western Railway and what is its communal composition?

(b) Is it a fact that there has not been a single Muslim Officer in this Department for the last two years?

(c) Is it a fact that the Government of India have laid down the principle that they will prevent the preponderance of any one community in any branch of service under their control?

(d) What steps, if any, do Government propose to take to ensure equitable representation of Muslims in this branch?

The Honourable Sir Edward Benthall: (a) The total cadre is nine; the communal composition on the 1st April, was three Hindus, one Sikh, two Europeans and three Anglo-Indians and Domiciled Europeans.

(b) Yes.

(c) A declaration to the effect that Government would attempt to prevent the preponderance of any one class or community in the services under their direct control was made in 1923. Since then Government have of course decided to allot quotas for the representation of minority communities but the declaration still remains valid.

(d) Government do not consider that any special steps are necessary.

MUSLIM AND NON-MUSLIM CANDIDATES ON THE WAITING LIST OF STOCK VERIFIERS ON NORTH WESTERN RAILWAY.

83. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways please state the number of Muslim and non-Muslim candidates on the waiting list of Stock Verifiers on the North Western Railway?

(b) Why is the number of Muslim candidates smaller than that of the non-Muslims?

(c) Why were all the Muslim qualified men not allowed to appear before the Selection Board?

(d) Is it a fact that two Hindus have recently been appointed Stock Verifiers but their names neither appeared on the current nor on the previous waiting lists?

(e) Is it a fact that one of them was reverted from this post on the charge of claiming false travelling allowance, and was permanently debarred for appointment as a Verifier?

(f) Is it a fact that his appeal was also rejected?

(g) Is it a fact that the other person was previously found unfit for this post?

(h) What are the grounds for their special promotions from outside the list?

(i) Why were the selected candidates not appointed as Verifiers or why could not a selection be arranged at the time?

(j) Who are the persons responsible for such recommendations?

(k) Do Government propose to take necessary steps to set right matters?

The Honourable Sir Edward Benthall: (a) to (j). Government have no information on these matters of detailed administration which are within the competence of the General Manager.

(k) Does not arise.

INADEQUATE REPRESENTATION OF MUSLIMS IN ESTABLISHMENT SECTIONS OF NORTH WESTERN RAILWAY.

84. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways please state what instructions have the Railway Board issued from time to time to Railway Administrations in connection with the representation of Muslims in Establishment Sections?

(b) What has been the effect of the issue of these instructions as regards increase in the representation of Muslims:

(i) in the clerical cadre,

(ii) in the posts of Head Clerks,

(iii) in the posts of Superintendents, and

(iv) in the posts of Gazetted Officers

on the North Western Railway, comparing the position on 1st April, 1940, with that on 1st April, 1942?

(c) Is it a fact that the representation of Muslims in the Establishment Section of the Headquarters Office has decreased considerably since the present Deputy General Manager (Personnel) has taken over charge of the North Western Railway?

(d) What instructions, if any, do Government propose to issue to ensure the strict observance of their orders in this matter?

The Honourable Sir Edward Benthall: (a) I would refer the Honourable Member to the reply to question No. 146 asked in the Council of State by the Honourable Rai Bahadur Lala Mathura Prasad Mehrotra (on behalf

of the Honourable Mr. Hossain Inam) on the 6th September, 1933. Railways were subsequently reminded of these orders.

(b) I would refer the Honourable Member to the reply to Mr. Muhammad Azhar Ali's unstarred question No. 106 asked on the 10th March, 1941.

(c) No; the number has diminished by one.

(d) None, as they do not consider such instructions necessary.

PROMOTIONS IN THE LOWER GAZETTED SERVICE ON NORTH WESTERN RAILWAY.

85. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways please state how many promotions were made by the North Western Railway Administration in the Lower Gazetted Service in the various branches separately during the calendar year 1941 and up to date in 1942?

(b) Will Government please state the communal distribution of the promotions made to this service during this period separately?

(c) How many subordinates are at present officiating in the Lower Gazetted Service and what communities do they belong to?

The Honourable Sir Edward Benthall: (a), (b) and (c). I lay on the table a statement giving the required information.

Statements showing the communal composition of officers (I) promoted to the L. G. S. on the North Western Railway during the calendar year 1941 and up to date in 1942 and (II) officiating in the L. G. S. on North Western Railway.

STATEMENT I.

(a) and (b).

Department.	Europeans.	Hindus.	Muslims.	Sikhs.	Anglo-Indians & Domiciled Europeans.
Civil Engineering	..	1	2	1	1
Traffic and Commercial	1	1	1	..	..
Power and Mechanical	2	..	1	..	4
Signal	..	2	..	..	..
Medical	..	..	..	..	..
Printing	1	..	..	1	..
Accounts	..	1	..	..	..
Total	4	5	4	2	5

STATEMENT II.

(c)
(Communal composition of officers now officiating in the L. G. S. on North Western Railway.)

Europeans and Anglo-Indians	43
Hindus	24
Muslims	6
Sikhs	5
Indian Christians	3
Others	1

PAUCITY OF MUSLIM STENOGRAPHERS IN HEADQUARTERS OFFICE OF NORTH WESTERN RAILWAY.

86. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways please state whether it is a fact that posts of stenographers in the Headquarters Office of the North Western Railway used to be filled by

direct recruitment prior to the July 1934 Resolution of the Government of India in regard to reservation of posts for minority communities in direct recruitment?

(b) Is it a fact that no direct recruitment whatsoever is being made in this category except in the case of lady stenographers belonging to the Anglo-Indian community?

(c) Is it a fact that there is not a single permanent Muslim stenographer in the entire Headquarters Office of the North Western Railway?

(d) Is it a fact that direct recruitment is being made to the category of stenographers to a certain extent in respect of vacancies in the Divisional Offices of the North Western Railway?

(e) Is it a fact that the number of Muslims promoted as stenographers is negligible as compared with the number of non-Muslims during the last ten years?

(f) What action do Government propose to take to set right this injustice to the Muslim community?

The Honourable Sir Edward Benthall: (a) Yes.

(b) No.

(c) Yes, due to the transfer of two Muslim Stenographers and two Muslim Typists to the office of the Railway Board.

(d) and (e) Information is not readily available.

(f) Government do not consider that any injustice has been done to Muslims in this connection.

Maulana Zafar Ali Khan: With regard to parts (d) and (e), when will the information be available?

The Honourable Sir Edward Benthall: The collection of the information will, I think take a considerable time, and I am not sure that we should be justified in the present war conditions in throwing that burden on the railways; but I will consider that question further.

MONOPOLISTIC SUPPLY AGENCIES OF THE SUPPLY DEPARTMENT.

87. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Supply be pleased to state if there are any commodities supplied by monopolists? If so, which commodities and who are the monopolists? Does the Honourable Member propose to continue such "sole agency" of supply? In case such monopoly agencies are to continue, is the Honourable Member prepared to distribute the agency on the same terms to at least a dozen suppliers?

(b) What is the total quantity of rice, wheat, ghee, gur and sugar supplied during 1941 and upto the 31st August, 1942, and what was the value of such quantities supplied?

The Honourable Sir Homi Mody: (a) Certain Army food-stuffs are purchased through Purchasing Agents. The commodities are:

(1) Wheat, dals and animal food grains.

(2) Tea.

(3) Ghee.

The Purchasing Agents are for (1) Messrs. Owen Roberts and Co., Ltd., Lahore; for (2) Messrs. Harrison and Crossfield, Calcutta, and for (3) Messrs. Alopri Pershad and Sons Delhi.

Arrangements are under consideration to appoint additional purchasing agents for the purchase of wheat. Tea is at present purchased through Messrs. Harrison and Crossfield, but it is probable that the Tea Controller will take over the supply of tea for the Defence Services, and this would dispense with the necessity for utilising a purchasing agent. In regard to ghee, a second purchasing agent, viz., The Ghee Supply Co., Ltd., Calcutta, has recently been appointed, and it is proposed to appoint two or three more ghee purchasing agents for the 1942-43 ghee season. It is not proposed to distribute agencies on the same terms to a dozen suppliers, because it would have the effect of intensifying competition in purchasing which would tend to raise prices.

(b) A statement is laid on the table. Rice is purchased on the open tender system.

Sugar is purchased direct from the sugar mills under allotment advices received from the Sugar Controller.

The Supply Department does not purchase gur.

Statement showing the total quantities and values of rice, wheat, ghee and sugar supplied during 1941 and up to 31st August, 1942.

	Quantity.	Value.
	Tons.	Rs.
Rice	74,470	1,60,33,000
Wheat	3,70,843	4,54,51,964
Ghee	24,079	3,42,11,500
Sugar	50,950	1,45,78,500

Sir Cowasji Jehangir: What is the commission paid for wheat?

The Honourable Sir Homi Mody: So far as the wheat purchasing agents are concerned, it is on a sliding scale depending on the value of the orders placed.

Babu Baijnath Bajoria: Will it not be advantageous for the Government to have separate agencies in separate provinces for each commodity?

The Honourable Sir Homi Mody: Not separate agencies in separate provinces, but the employment of more agencies is being considered and a decision will be reached very shortly.

Babu Baijnath Bajoria: After the war?

The Honourable Sir Homi Mody: Very shortly, I said; unless you expect the war to end next week.

Sir Syed Raza Ali: What route would he like me to take in that case if there is no through carriage running between Delhi and Lucknow?

Mr. N. M. Joshi: Bullock cart!

The Honourable Sir Edward Benthall: In the United Kingdom there is a notice put up in all stations which reads, "Is your journey really necessary?". In the case of the Honourable Member I am quite certain that the journey is necessary. As to other necessary journeys, I am sorry for any inconvenience which he and the rest of the travelling public suffer, but the Honourable Member will, I am sure, be aware that the inconvenience is not the fault of the railway administration.

Pandit Lakshmi Kanta Maitra: Shall we be able to get back to our headquarters?

The Honourable Sir Edward Benthall: Certainly.

DAMAGE CAUSED TO RAILWAY PROPERTY DURING RECENT DISTURBANCES.

†89. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Railway Member please give value of the damage done to the Railways by rioters in destroying the track, breaking the bridges, burning Railway property and destroying material and stock loaded in carriages?

(b) On whom will the burden of replacement fall?

The Honourable Sir Edward Benthall: (a) I would refer the Honourable Member to reply already given on the 14th to Mr. A. N. Chattopadhyaya's starred questions Nos. 11 and 12.

(b) On the tax payers.

RESISTANCE TO RIOTERS SETTING FIRE TO THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†90. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable Member for Railways please mention the number of persons who were working at the Railway Clearing Accounts Office in Delhi at the time it was burnt by the rioters?

(b) How many such rioters actually came to burn the Railway Clearing Accounts Office?

(c) What resistance, if any, did the peons and the clerks of the Clearing Accounts Office offer to save the building from destructions?

(d) Did the Railway Board make any enquiry and what disciplinary action have Government taken in this connection?

The Honourable Sir Edward Benthall: (a) The Railway Clearing Accounts Office was accommodated in five different buildings of which two, situated adjacent to each other on the Queens Road, (viz., the Clive Building and the Jatin House) were set fire to by a mob. The number of persons working in these two buildings was 885.

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

(b), (c) and (d). A departmental enquiry was held by the officers in charge of the Clearing Accounts Office from which it appears that a mob of about 800 to 1,000 persons attacked the offices and that though the staff and peons attempted to save the building, they were unable to do so owing to the violence of the mob and the speed with which the fire spread. An enquiry by the police is now in progress.

PRECAUTIONARY STEPS AGAINST DAMAGE BY RECENT MOB VIOLENCE.

†91. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable Member for Railways please mention what precautionary steps he had taken to save the line and poles from destruction by rioters soon after the arrests of the members of the Congress Working Committee?

(b) Was the Railway Member familiar with the programme of violence of the rioters?

(c) Was he informed by the Intelligence Department of the Government of India?

The Honourable Sir Edward Benthall: (a) As stated in reply to part (d) to Mr. A. N. Chattopadhyaya's starred question No. 12, preventive measures are primarily the responsibility of Provincial Governments.

(b) and (c). Those responsible for the programme of violence did not communicate an advance copy of it to the authorities.

SHORT NOTICE QUESTIONS AND ANSWERS.

THE SPECIAL HAJ INQUIRY REPORT.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Honourable Member for Indians Overseas please state when Government propose to place Mr. Rahim's report regarding the Haj Pilgrimage before the Legislative Assembly for the consideration of the House and before the Central Haj Committee? What action has so far been taken on the recommendations made by Mr. Rahim?

The Honourable Mr. M. S. Aney: The opinions of all the bodies consulted on Mr. Rahim's Report have not yet been received. Government propose to call a meeting of the Standing Committee on Pilgrimage to the Hejaz as soon as possible after they are received—when its advice will be sought on certain recommendations. It is hoped to call this meeting about the end of next month. Thereafter an opportunity will be given as early as convenient to the House to consider the matter. The examination of the recommendations together with the comments so far received from various sources has been taken up.

Mr. Hooseinbhoj A. Lalljee: Are Government aware that Mr. Rahim's report has met with universal approbation from a large number of bodies who are really interested in the Haj traffic?

The Honourable Mr. M. S. Aney: We have received the opinions of some bodies and are awaiting the opinions of others.

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

Mr. Hooseinbhoy A. Lalljee: A large body directly interested in the matter have gone through the report and have expressed a favourable opinion.

The Honourable Mr. M. S. Aney: 'I am again saying that there are still bodies which are interested, whose opinions have not yet been received.

NATURE OF GUARANTEE TO HAJ SHIPPING COMPANIES AND ARRANGEMENTS FOR NEXT HAJ SEASON.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable Member for Indians Overseas please state the nature of guarantee given to the Shipping Companies at the time of fixing fares for the last Haj season?

(b) How much money has been paid to the Shipping Companies on account of that undertaking? If no payment was made, did the Shipping Companies make any profit? If so, how much?

(c) Will the profit be taken into consideration in fixing fares for the next Haj season?

(d) How many shipping companies participated in the last Haj traffic?

(e) Was the Scindia Navigation Company consulted? If so, why did they not like to ply pilgrim ships? Will they be consulted for the next Haj season?

(f) Do Government propose to make shipping arrangements for the next Haj season? If so, will they consult the Central Haj Committee as to the arrangements they propose to make?

The Honourable Mr. M. S. Aney: (a) His Majesty's Government and the Government of India had agreed to guarantee the shipowners against loss to the extent of their expenditure on elements of the fare which are the creation of war conditions, such as the cost of war risk insurance on pilgrim ships and expenditure on account of any abnormal detention of pilgrim ships. They had also agreed to consider sympathetically claims by the shipping company if heavy loss is sustained through release of vessels from requisition at inopportune times which make it impossible for ships to be employed pending use as pilgrim ships; to consider sympathetically any claim if vessels have to be diverted from the pilgrim trade at short notice on account of insufficient number of pilgrims coming forward; and to meet the whole cost of the additional life-saving appliances that had to be carried on board pilgrim ships in accordance with the Indian Pilgrim Ships (Additional Life-Saving Appliances) Rules, 1941.

(b) The Mogul Line have intimated that they do not claim any amount from Government in respect of the transport of pilgrims to and from Jeddah during the last pilgrim season except the cost of providing certain life-saving appliances. On receipt of their final bill for the cost of those life-saving appliances, one-third of the amount will be paid by the Government of India and the balance by His Majesty's Government. Government are not aware whether the Mogul Line have made any profit from the pilgrim traffic.

(c) The matter is under consideration.

(d) One Company, namely, the Mogul Line.

(e) The answer to the first part is in the affirmative; the answer to the second part is that the Scindia Steam Navigation Company considered that they could not provide adequate tonnage unless some of their requisitioned ships employed on the essential defence work were released. The answer to the last part is in the affirmative.

(f) The question is at present under careful examination of the Government of India.

Mr. Hooseinbhoy A. Lalljee: During the last two years we have heard the Government say that guarantees have been given for any loss that the company might sustain. But the latest reports of both years show that the company have made enormous profits; not only that, but they have got a monopoly of taking cargoes during the Haj season. In the circumstances, is it any more necessary for guaranteeing them any loss on their traffic, or is it ever going to be possible that they will make any loss?

The Honourable Mr. M. S. Aney: Government will carefully consider the suggestion implied.

BEVIN BOYS SELECTED FROM INDIA FOR TRAINING IN THE UNITED KINGDOM

Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Labour Member be pleased to state what is the total number of Bevin Boys selected by the Government of India for training in the United Kingdom? In how many batches were they sent? How many of those were (i) Muslims, (ii) persons belonging to scheduled caste, in each batch, separately? (b) What minimum qualifications did the Government prescribe for selection? Were they all manual labourers in the factories?

The Honourable Dr. B. R. Ambedkar: (a) 304 Bevin trainees have so far been selected for training in the United Kingdom. Five batches have actually been sent so far, one of 54 and four of 50 each. A tabular table is given below, showing the communal composition of the five batches already sent and the sixth batch now selected. It shows that 50 Muslims were sent out of 304.

	1st	2nd	3rd	4th	5th	6th	Total.
Hindus	21	25	27	29	26	34	162
Muslims	13	9	8	8	8	4	50
Anglo-Indians	4	5	4	3	7	3	26
Indian-Christians.	4	7	6	8	4	4	33
Parais	6	3	3	3	1	3	19
Sikhs	2	1	2	3	4	2	14
	50	50	50	54	50	50	304

No information is available as to the number of Scheduled caste trainees in the first 5 batches. Particulars in the case of the 6th batch are awaited.

Rao Bahadur N. Sivaraj: With reference to the last part of the Honourable Member's reply, will the Honourable Member make the necessary inquiries and get full information on the subject?

The Honourable Dr. B. R. Ambedkar: I will.

Babu Baijnath Bajoria: Do the Government appoint contractors also on a communal basis?

The Honourable Dr. B. R. Ambedkar: I am only answering a question which calls for information.

Babu Baijnath Bajoria: I want a reply to my question. Is it the intention of Government to appoint contractors on a communal basis, so many Muslims, so many Europeans, so many scheduled castes and so on?

The Honourable Dr. B. R. Ambedkar: That is not a question that arises now. I am only giving information.

Pandit Lakshmi Kanta Maitra: Are building materials also produced and purchased on a communal basis?

(No answer.)

MOTIONS FOR ADJOURNMENT.

DURBAN CITY COUNCILS MOVE FOR EXPROPRIATION OF INDIAN-OWNED LANDS.

Mr. President (The Honourable Sir Abdur Rahim): I received notice of an adjournment motion yesterday from Mr. G. V. Deshmukh. He wants to discuss a definite matter of urgent public importance, namely, the move of the Durban City Council to expropriate Indian-owned lands in Durban to be allocated for European or Coloured Housing schemes to be definitely sanctioned by the Union Government. It is difficult to follow the last part of the motion. What are the facts? When did this take place?

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): I do not propose to move the adjournment motion, but I would request the Honourable Member in charge to bear in mind the apprehensions of the Indians in Durban whose lands are going to be expropriated and the fears of the Indian High Commissioner in South Africa because of what the minister said in regard to this expropriation and to intervene in the matter before it becomes an accomplished fact.

RESTRICTIONS ON MAULANA HUSAIN AHMED MADANI, DR. K. N. KATJU AND DETENUS IN THE UNITED PROVINCES.

Mr. President (The Honourable Sir Abdur Rahim): The notice of next motion is from Mr. Kazmi. He wants to discuss a definite matter of urgent public importance, namely, the bad treatment meted out to Maulana Husain Ahmad Madani, a political prisoner kept in 'A' Class

at Moradabad and Dr. K. N. Katju, an ex-Minister of the United Provinces, a detenus, at Allahabad and other detenus in the United Provinces who are not allowed to correspond, to have interviews, to receive newspapers or supplement diet allowance and in fact about whom little is known since these restrictions. Is not this a Provincial matter and the concern of the Provincial Government?

Qazi Muhammad Ahmad Kazmi (Meerut Division Muhammadan Rural): Dr. Katju has been detained under the Defence of India Rules of the Government of India. If they have been arrested under the orders of the Government of India, then the Government of India is responsible for them.

Sir Richard Tottenham (Home Secretary): These persons have not been arrested under the orders of the Government of India. The action against them has been taken by the Provincial Government. The Government of India have no information and the matter is within the competence of the Provincial Government.

MALTREATMENT TO POLITICAL PRISONERS AND DETENUS IN THE UNITED PROVINCES.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is also of the same character. It runs thus:

"That the House do now adjourn to discuss a definite matter of urgent public importance, namely, the creation of a 'third class' for detenus in the United Provinces, the reduction in Sharanpur jail of most with a diet allowance of annas four and the reduction in Sharanpur jail of most of the political detenus to that class after beating them on the night of 31st August, in which Babu Ajit Prasad Jain, ex-Parliamentary Secretary, United Provinces, and Thakur Phool Singh, M.L.A., ex-Chairman, District Board, Saharanpur, were included, and the withdrawal of the right of correspondence, interviews, newspapers, supplementing diet, etc., from political prisoners and detenus."

What has the Government to say in this matter?

Sir Richard Tottenham: We have no information on this subject either. None of these people were detained under the orders of the Government of India.

Qazi Muhammad Ahmad Kazmi: So far as this motion is concerned, my submission is that there have been assurances given by this Government, time and again, that the detenus will be classed as Class I and Class II. Any departure from that practice which goes to reduce the position of the detenus and decreases their allowances will have to be objected in view of the assurances of the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): I understand that these men were detained under the orders of the Provincial Government and that it is the concern of the Provincial Government to look after them while they are in detention. It is not the concern of the Government of India.

APPOINTMENT OF MR. E. L. C. GWILT TO THE COMMITTEE ON TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF THE INDIAN LEGISLATURE.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, I beg to move:

"That Mr. E. L. C. Gwilt be appointed to the Committee constituted for the purpose of considering the amendment of the rules governing the grant of travelling and other allowances to Members of the Indian Legislature vice Sir Frederick James."

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

"That Mr. E. L. C. Gwilt be appointed to the Committee constituted for the purpose of considering the amendment of the rules governing the grant of travelling and other allowances to Members of the Indian Legislature vice Sir Frederick James."

The motion was adopted.

RESOLUTION RE BAN ON THE KHAKSAR MOVEMENT—concl'd.

Mr. President (The Honourable Sir Abdur Rahim): Resolutions. Sir Syed Raza Ali will continue his speech.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Sir, when the House rose yesterday at 2 o'clock I was dealing with the changes that have taken place in the political and military conditions of the country since action was taken against the Khaksars by Government. To complete that chain, let me refer Honourable Members of this House to the action that has been taken by Government with reference to certain other political parties. Let me make it quite clear that when I mention the action that the Government have taken, I do not mean to blame the Government in any way. Change of circumstances always justifies a change in policy. I believe it was the late Pandit Motilal Nehru who led the Opposition in this House so ably about 18 years ago who said 'consistency is the virtue of an ass'. He was taken to task by the Press for that remark, but, after all, when one considers the question dispassionately one must admit that there is lot of force in that observation. A change of policy as I pointed out, is always justified by changed circumstances.

We know that a number of communists were put under lock and key after the outbreak of the present war. We also know that action was taken by Government against certain Congressmen in 1941. I believe one case that would readily occur to the minds of Honourable Members is the case of Pandit Jawahar Lal Nehru, who was prosecuted at Gorakhpur, I believe, in 1941, and who was sentenced to a long term of imprisonment. The changes are these. Practically, all the communists have been set at liberty—I speak subject to correction—but I do not think there is any communist against whom action was taken under the rules made by the Government under the Defence of India Act who is under incarceration today. It is also important to recall that Pandit Jawahar Lal Nehru and other Congress leaders, who were sentenced to various terms of imprisonment, have been released. In fact, they were released some time ago. Let me repeat lest there be any misunderstanding that I do not object to the action taken by Government with reference to these people. I think the Government were quite justified in releasing the communists. I also consider that the Government were quite right in setting at liberty Pandit Jawahar Lal Nehru and other Congress leaders who had been sentenced to imprisonment after trial. All that I would say is this: Is there any reason when you have released all the communists who, according to you, were at one time, your enemies and also when you have released these Congress leaders, to continue the ban against the Khaksar movement?

Sir, in this world, as a rule, the future is more important than the past, and the present is more important than the future. I do not want to take up the time of the House in describing as to what the present position is. The point is this. Can the Government reasonably justify the present

ban against the Khaksars continuing in spite of the liberal action they have taken with reference to the communists and those who were convicted for various offences by courts of law. Let me here inform the House that Allama Mashriqi, a couple of months before he was arrested, wrote an article in his journal *The Islah* published at Lahore, offering 50,000 recruits from his organization. A question was also put on that point in this House, and the cold reply of the Government, if I may say so, was that no such offer was made to Government by Allama Mashriqi. It may be that no such offer was made direct to Government. I do not say that the Government statement was not right. But, after all, is there any reason why in the midst of this struggle you should insist on formalities being complied with and should not take advantage of a generous, liberal and loyal offer made by the leader of a very important party? I know this much that I do not think that that offer was in any way an over-estimate of the number of Khaksars offered for enlistment by Allama Mashriqi. The number of Khaksars is very large. I believe their numbers run into lakhs and lakhs. Fifty-thousand recruits was by no means a number to be despised. Unfortunately the Government did not take advantage of it.

We know how these practical men do constructive valuable work. We know how their minds work. I believe that in all likelihood Allama Mashriqi never put himself in touch or in communication with either the Defence Secretary or the Home Member or even the Premier of his own Province. It is none the less true that the offer was there, and if the Government wanted to take advantage of that, they could have put themselves in communication with him. Anyway they did not do that. The point is this. This is the man whose liberty is still restricted under the rules made under the Defence of India Act and who is not allowed to leave the confines of Madras Presidency.

I will now come to our relations with the Khaksar party. I believe some of my Honourable colleagues would like to know perhaps how the Muslim League viewed this question after the trouble that occurred in Lahore on the 19th March, 1940. I would invite the attention of Honourable Members to the resolution that was passed by the all India Muslim League at its Lahore session. Let me further point out that this resolution was not only passed unanimously but it was moved from the chair. Indeed, there was such a strong unanimity at the session that the resolution was moved from the chair. That resolution was moved by Mr. Jinnah himself. The resolution is a short one, the constructive portion being at the end. But in order to give a complete picture to the House, I will read out the whole resolution:

"This session of the all India Muslim League places on record its deep sense of sorrow at the unfortunate and tragic occurrence on the 19th March, 1940, owing to a clash between the Khaksars and the Police resulting in the loss of a large number of lives and injuries to many more, and sincerely sympathises with those who have suffered and with their families and dependants."

"This session calls upon the Government to forthwith appoint an independent and impartial committee of inquiry, the personnel of which would command perfect confidence of the people with instructions to them to make full and complete investigation and inquiry into the whole affair and make their report as soon as possible."

"This session authorises the Working Committee to take such action in the matter as they may consider proper immediately after the publication of the report of the Committee."

Now, I would invite the attention of Honourable Members to the last portion which runs as follows:

"This session urges upon the various Governments that the order declaring the Khaksar organisation unlawful should be removed as soon as possible."

[Sir Syed Raza Ali]

This is what was done on the 24th March, 1940. The committee that was appointed consisted of two members who enquired into the circumstances of the disturbance that occurred at Lahore on the 19th March, 1940. The members were Sir Douglas Young, the Chief Justice of Lahore and Chaudhri Niamatullah, Retired Judge of the Allahabad High Court. I understand that both these gentlemen went into the whole question carefully. They recorded statements, took evidence and made their report in the fulness of time. Strange to say that report was never allowed to see the light of day. It is rather an important matter. Here a disturbance takes place in which there was considerable loss of life. A committee is appointed which enquires and makes its report. As a result of that disturbance a ban is placed on a very important organisation. Yet the report is not published. May I enquire from the Honourable Member as to how it was that this report was suppressed and has not been published up to this day? The point is this. So far as the Khaksars are concerned, I myself yesterday said in this House candidly that it may be that the Khaksars used their discretion in a wrong manner up to a point on March 19. But surely it cannot be claimed that the Government were infallible. There must have been mistakes made on the side of Government also. What is there to show that what the Government did as regards matters which led up to the disturbance on the 19th March, 1940, was right. If the Government wanted to justify their position, it was the clear duty, it was the plain duty of Government to publish the report. I belong to the legal profession, and I am proud to belong to it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

Sir Syed Raza Ali: If the Government suppress evidence which is in their possession, the fair conclusion that one can draw is that that evidence is unfavourable to them. I should like to know what the position is. I do hope the Government would give careful consideration to this question and not attach too much importance to their prestige, because we know what is happening in the country today. Let the Government have imagination, let them act with imagination and if they do so, I have no doubt that they will have no hesitation in accepting this Resolution. I would wait for a reply from the spokesman on behalf of the Government. Sir, I move.

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

"That this Assembly recommends to the Governor General in Council that the ban on the Khaksar movement be lifted and Allama Inayatullah Mashriqi and all other Khaksars interned under Regulation III of 1818 or the rules made under the Defence of India Act be immediately released."

There are two amendments. They should be moved now.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move:

"That for the words 'lifted and Allama Inayatullah Mashriqi and' the following be substituted:

'lifted, the restrictions placed on the liberty of Allama Mashriqi be immediately withdrawn, and that'."

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved: "That for the words 'lifted and Allama Inayatullah Mashriqi and' the following be substituted:

'lifted, the restrictions placed on the liberty of Allama Mashriqi be immediately withdrawn, and that'."

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Sir, I move:

"That for the words 'Allama Inayatullah Mashriqi and all other Khaksars interned under Regulation III of 1818, or the rules made under the Defence of India Act be immediately released' the words 'the restrictions placed on the liberty of Allama Inayatullah Mashriqi be immediately withdrawn' be substituted."

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

"That for the words 'Allama Inayatullah Mashriqi and all other Khaksars interned under Regulation III of 1818, or the rules made under the Defence of India Act be immediately released' the words 'the restrictions placed on the liberty of Allama Inayatullah Mashriqi be immediately withdrawn' be substituted."

Now, there will be debate on the original motion as well as the two amendments.

Dr. Sir Ziauddin Ahmad: Sir, I would like to clear few points as a background of my arguments. There was an allegation at one time that the Khaksars were fifth columnists and that they were in touch with the Nazi organisation. If this thing is established, I have no hesitation in saying that the Muslim League will have no sympathy with them. If the Honourable the Home Secretary has got good documentary evidence I would request him to show it to two or three Members of the Muslim League Party, and if they are convinced, the question would be dropped. When I heard of such an allegation, I made a searching enquiry and I was convinced that this allegation was absolutely untrue. They are as much against absolute Axis dictatorship as any member of the Muslim League. Had they been fifth columnists this was the right opportunity for them to join the Congress and help in dislocation of administration, but we actually find that they are at present as staunch supporters of law and order as any loyal citizen of India.

At the present time, there are two criteria by which we should judge the *bona fide* of any organization: (a) Is that organization helping or obstructing war efforts? (b) Is the organization likely to create communal riots and widen differences between the Hindus and Muslims?

As regards the first point, the leader of the Khaksar movement, Allama Inayatullah Mashriqi, offered to give fifty thousand volunteers for the British Army to fight against the Axis powers. The offer of 1939 was repeated in 1940 and again in 1941, and it is still there. I know definitely that about 3,000 Khaksars have actually joined the ranks of the Indian Army and about 50 of them are in officers grade. They did not join as Khaksars but they took their chance as the citizens of the country. Some of them have already done good work. They are not in any way against the war efforts and they are willing to give as much help as the Government may require, in any direction connected directly or indirectly with war efforts.

With regard to the second point, I would like to mention that non-Muslims can become Khaksars. In fact, there are several Hindus and Sikhs in this movement. It is an organization for social service and not to spread bitterness amongst the different sects of Indians. There is not

[Sir Syed Raza Ali]

This is what was done on the 24th March, 1940. The committee that was appointed consisted of two members who enquired into the circumstances of the disturbance that occurred at Lahore on the 19th March, 1940. The members were Sir Douglas Young, the Chief Justice of Lahore and Chaudhri Niamatullah, Retired Judge of the Allahabad High Court. I understand that both these gentlemen went into the whole question carefully. They recorded statements, took evidence and made their report in the fulness of time. Strange to say that report was never allowed to see the light of day. It is rather an important matter. Here a disturbance takes place in which there was considerable loss of life. A committee is appointed which enquires and makes its report. As a result of that disturbance a ban is placed on a very important organisation. Yet the report is not published. May I enquire from the Honourable Member as to how it was that this report was suppressed and has not been published up to this day? The point is this. So far as the Khaksars are concerned, I myself yesterday said in this House candidly that it may be that the Khaksars used their discretion in a wrong manner up to a point on March 19. But surely it cannot be claimed that the Government were infallible. There must have been mistakes made on the side of Government also. What is there to show that what the Government did as regards matters which led up to the disturbance on the 19th March, 1940, was right. If the Government wanted to justify their position, it was the clear duty, it was the plain duty of Government to publish the report. I belong to the legal profession, and I am proud to belong to it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

Sir Syed Raza Ali: If the Government suppress evidence which is in their possession, the fair conclusion that one can draw is that that evidence is unfavourable to them. I should like to know what the position is. I do hope the Government would give careful consideration to this question and not attach too much importance to their prestige, because we know what is happening in the country today. Let the Government have imagination, let them act with imagination and if they do so, I have no doubt that they will have no hesitation in accepting this Resolution. I would wait for a reply from the spokesman on behalf of the Government. Sir, I move.

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

"That this Assembly recommends to the Governor General in Council that the ban on the Khaksar movement be lifted and Allama Inayatullah Mashriqi and all other Khaksars interned under Regulation III of 1818 or the rules made under the Defence of India Act be immediately released."

There are two amendments. They should be moved now.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move:

"That for the words 'lifted and Allama Inayatullah Mashriqi and' the following be substituted:

'lifted, the restrictions placed on the liberty of Allama Mashriqi be immediately withdrawn, and that'."

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved: "That for the words 'lifted and Allama Inayatullah Mashriqi and' the following be substituted:

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Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Sir, I move:

"That for the words 'Allama Inayatullah Mashriqi and all other Khaksars interned under Regulation III of 1818, or the rules made under the Defence of India Act be immediately released' the words 'the restrictions placed on the liberty of Allama Inayatullah Mashriqi be immediately withdrawn' be substituted."

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Now, there will be debate on the original motion as well as the two amendments.

Dr. Sir Ziauddin Ahmad: Sir, I would like to clear few points as a background of my arguments. There was an allegation at one time that the Khaksars were fifth columnists and that they were in touch with the Nazi organisation. If this thing is established, I have no hesitation in saying that the Muslim League will have no sympathy with them. If the Honourable the Home Secretary has got good documentary evidence I would request him to show it to two or three Members of the Muslim League Party, and if they are convinced, the question would be dropped. When I heard of such an allegation, I made a searching enquiry and I was convinced that this allegation was absolutely untrue. They are as much against absolute Axis dictatorship as any member of the Muslim League. Had they been fifth columnists this was the right opportunity for them to join the Congress and help in dislocation of administration, but we actually find that they are at present as staunch supporters of law and order as any loyal citizen of India.

At the present time, there are two criteria by which we should judge the *bona fide* of any organization: (a) Is that organization helping or obstructing war efforts? (b) Is the organization likely to create communal riots and widen differences between the Hindus and Muslims?

As regards the first point, the leader of the Khaksar movement, Allama Inayatullah Mashriqi, offered to give fifty thousand volunteers for the British Army to fight against the Axis powers. The offer of 1939 was repeated in 1940 and again in 1941, and it is still there. I know definitely that about 3,000 Khaksars have actually joined the ranks of the Indian Army and about 50 of them are in officers grade. They did not join as Khaksars but they took their chance as the citizens of the country. Some of them have already done good work. They are not in any way against the war efforts and they are willing to give as much help as the Government may require, in any direction connected directly or indirectly with war efforts.

With regard to the second point, I would like to mention that non-Muslims can become Khaksars. In fact, there are several Hindus and Sikhs in this movement. It is an organization for social service and not to spread bitterness amongst the different sects of Indians. There is not

[Dr. Sir Ziauddin Ahmad.]

a single case of communal riots on record which was created by the Khaksars. They want to do social service to all and not to create communal troubles. They came in conflict on two occasions: Once with the Congress Government of the United Provinces when Allama Inayatullah Mashriqi indiscreetly went to Lucknow with the object of solving an insoluble problem, i.e., of conflict between Shias and Sunnis which time alone could solve. I say this because Sir Raza Ali, myself and other made some efforts but without success. The Congress Government instigated the Ahrars to shout slogans against them. Allama Mashriqi was then arrested but he was subsequently released at the suggestion of Mr. Jinnah. The ban on Khaksars continued and many other Khaksars were still in jails. I went to Lucknow and approached the Ministers to draft any conditions for lifting up the ban. One of the Muslim Ministers agreed to the draft but his other colleagues did not agree. The Congress Government of the United Provinces were not prepared to lift the ban, but the moment the Congress Ministers resigned their offices, the Chief Secretary, Mr. Mudie, accepted the conditions drafted by one of the Congress Ministers. The ban was removed, and all the Khaksars left Lucknow the same evening.

The second time they came in conflict with the Punjab Government which objected to the use of shovels and military formations. The Sikhs were allowed to use Kirpans but the Khaksars were not allowed to use the shovels which was the emblem of labourers. This was resented not only by the Khaksars but by the Mussalmans in general. It was expected that Mr. Jinnah and other leaders of the Muslim League would settle the affair when they went to Lahore in March, 1940, but the trouble was precipitated by the Khaksars by open defiance of the orders of the Government. I never favoured such defiance which resulted in loss of life. The only other case I am familiar with is that of Ehlullah of Bhopal, who, in his eccentric frenzy issued a circular in Peshawar which Khaksars themselves condemned and Mr. Ehlullah was removed from the office. Some persons made capital use of this eccentric notification. I do not defend the indiscreet incident in Lahore in which the Khaksars suffered most heavily and paid disproportionately heavy tax, but what I press is that this incident should not be made the occasion of perpetual ban on the Khaksars. The Khaksars never disobeyed the orders of any District Magistrate and of Local Governments at any other place in any other province.

The Government have released persons who committed dacoity with arms from the arsenal of Chittagong. They have released all the communists, and they have lifted the ban from the communist society although some of them committed acts of violence. Why should the Khaksars be singled out at the present moment for the perpetuation of the ban when it has been lifted elsewhere in much worse cases. I think the rules and regulations of the Khaksars are in the hands of the Government and the Honourable Members of this House and the Honourable the Home Secretary is well familiar with them. I would like him to point out any rule to which he takes objection and we will make an attempt to get the ban modified if the Home Secretary undertakes that he would remove the ban.

I have heard some persons saying that the methods adopted by Allama Mashriqi are the Nazi methods and these are the chief grounds for suspecting connection with the Nazi movement. I would like to point out that Allama Inayatullah Mashriqi

draw up the constitution of the Khaksars in the year 1924. He asked me to join the movement as we were old friends, but I was in the middle of the non-co-operation trouble, as the Pro-Vice-Chancellor in the Aligarh Muslim University and I refused to join it. Hitler at that time was not heard of and he did not at that time draw up any scheme of Nazi organization. In case there is any similarity, it is a pure accident. If anyone copied the other, it must be Hitler who copied Allama Mashriqi as the constitution of the Khaksars was drawn up long before anyone heard of Nazi movement.

Now, I am making a very simple request which no reasonable person responsible for law and order will refuse and it is this: Let the restrictions on the movement of Allama Inayatullah Mashriqi be withdrawn and he may be invited to Delhi. In case the Government of India feel hesitation in taking responsibility for removing the ban from whole of India, they may at least remove the ban from the areas centrally administered and recommend to the Provincial Governments to settle the matter according to the local conditions. I venture to press it on the ground that during war time the Government must necessarily proceed with caution. It is wisdom to widen the circle of friends to meet both internal and external troubles and it is unwise to hammer friends to become enemies. There is a popular body who will stand by you in all your troubles. Don't bang the door on account of previous prejudices. Sir, I support the Resolution.

Mr. Hooseinbhoj A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, I rise to support the amendment which has been moved. Sir, in connection with this matter I wish to draw the attention of the House to three important questions. In the first place, the Resolution has come from one of the most important Parties of this House, and as such I do feel, Sir, that a very great consideration, if not acceptance of the Resolution, ought to be given by this House. The second point is that from the speeches we have just heard and from the information that we have received it is quite apparent that so far as the Khaksar movement is concerned and so far as the leader of this movement is concerned, there is not a single instance in which they could be blamed for creating communal riots. During the last three years that we have watched this movement nobody has levelled any allegation against them for being a party to any Hindu-Muslim riot. This is the very first consideration that we have to keep in view in these days. Furthermore, the Government stand in need of full co-operation from the people in the war effort, and here we have a body of people well disciplined and who are out to offer their services.

I do not think, Sir, how their offer, as it stands, and as many of us believe it to be sincere, could be refused by Government. Then, Sir, the third thing to which I should certainly point the attention of the House is that we have invariably seen that sometimes due to religious fervour a little strife has taken place. But those who have watched these strifes will admit that they have been found always short-lived. In this respect, Sir, I must admit and tell the House, which I probably believe the whole House knows, with all the emphasis that I have at my command that we are proud Mr. Jinnah belongs to our community and we have found in Mr. Jinnah, the Leader of the Muslim League, a great person who has always kept aloof from, not only kept aloof from but never encouraged, those who were connected with any communal riots. (Interruption.) I may tell my friend, Mr. Jamnadas Mehta, who just interrupted, that during the last ten years we have had in our own city Hindu-Muslim riots and

[Sir Syed Raza Ali]

This is what was done on the 24th March, 1940. The committee that was appointed consisted of two members who enquired into the circumstances of the disturbance that occurred at Lahore on the 19th March, 1940. The members were Sir Douglas Young, the Chief Justice of Lahore and Chaudhri Niamatullah, Retired Judge of the Allahabad High Court. I understand that both these gentlemen went into the whole question carefully. They recorded statements, took evidence and made their report in the fulness of time. Strange to say that report was never allowed to see the light of day. It is rather an important matter. Here a disturbance takes place in which there was considerable loss of life. A committee is appointed which enquires and makes its report. As a result of that disturbance a ban is placed on a very important organisation. Yet the report is not published. May I enquire from the Honourable Member as to how it was that this report was suppressed and has not been published up to this day? The point is this. So far as the Khaksars are concerned, I myself yesterday said in this House candidly that it may be that the Khaksars used their discretion in a wrong manner up to a point on March 19. But surely it cannot be claimed that the Government were infallible. There must have been mistakes made on the side of Government also. What is there to show that what the Government did as regards matters which led up to the disturbance on the 19th March, 1940, was right. If the Government wanted to justify their position, it was the clear duty, it was the plain duty of Government to publish the report. I belong to the legal profession, and I am proud to belong to it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

Sir Syed Raza Ali: If the Government suppress evidence which is in their possession, the fair conclusion that one can draw is that that evidence is unfavourable to them. I should like to know what the position is. I do hope the Government would give careful consideration to this question and not attach too much importance to their prestige, because we know what is happening in the country today. Let the Government have imagination, let them act with imagination and if they do so, I have no doubt that they will have no hesitation in accepting this Resolution. I would wait for a reply from the spokesman on behalf of the Government. Sir, I move.

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

"That this Assembly recommends to the Governor General in Council that the ban on the Khaksar movement be lifted and Allama Inayatullah Mashriqi and all other Khaksars interned under Regulation III of 1818 or the rules made under the Defence of India Act be immediately released."

There are two amendments. They should be moved now.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move:

"That for the words 'lifted and Allama Inayatullah Mashriqi and' the following be substituted:

'lifted, the restrictions placed on the liberty of Allama Mashriqi be immediately withdrawn, and that'."

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Maulvi Syed Murtaza Sahib Bahadur (South Madras: Muhammadan): Sir, I move:

"That for the words 'Allama Inayatullah Mashriqi and all other Khaksars interned under Regulation III of 1818, or the rules made under the Defence of India Act be immediately released' the words 'the restrictions placed on the liberty of Allama Inayatullah Mashriqi be immediately withdrawn' be substituted."

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Now, there will be debate on the original motion as well as the two amendments.

Dr. Sir Ziauddin Ahmad: Sir, I would like to clear few points as a background of my arguments. There was an allegation at one time that the Khaksars were fifth columnists and that they were in touch with the Nazi organisation. If this thing is established, I have no hesitation in saying that the Muslim League will have no sympathy with them. If the Honourable the Home Secretary has got good documentary evidence I would request him to show it to two or three Members of the Muslim League Party, and if they are convinced, the question would be dropped. When I heard of such an allegation, I made a searching enquiry and I was convinced that this allegation was absolutely untrue. They are as much against absolute Axis dictatorship as any member of the Muslim League. Had they been fifth columnists this was the right opportunity for them to join the Congress and help in dislocation of administration, but we actually find that they are at present as staunch supporters of law and order as any loyal citizen of India.

At the present time, there are two criteria by which we should judge the *bona fide* of any organization: (a) Is that organization helping or obstructing war efforts? (b) Is the organization likely to create communal riots and widen differences between the Hindus and Muslims?

As regards the first point, the leader of the Khaksar movement, Allama Inayatullah Mashriqi, offered to give fifty thousand volunteers for the British Army to fight against the Axis powers. The offer of 1939 was repeated in 1940 and again in 1941, and it is still there. I know definitely that about 3,000 Khaksars have actually joined the ranks of the Indian Army and about 50 of them are in officers grade. They did not join as Khaksars but they took their chance as the citizens of the country. Some of them have already done good work. They are not in any way against the war efforts and they are willing to give as much help as the Government may require, in any direction connected directly or indirectly with war efforts.

With regard to the second point, I would like to mention that non-Muslims can become Khaksars. In fact, there are several Hindus and Sikhs in this movement. It is an organization for social service and not to spread bitterness amongst the different sects of Indians. There is not

[Mr. Hooseinbhoj A. Lalljee.]

many people have gone to ask his advice and help, but on this principle that, with regard to Hindus and Muslims there should be no riot: there should be no strife so far as communal questions are concerned; I can say that he has kept up his principle and kept away from them. When the Party, which is led by him, has tabled this Resolution certainly with his consent, I, Sir, do believe and take it that so far as this Hindu-Muslim question is concerned, this release will not affect adversely but probably be helpful to create a better atmosphere. Certain things have happened about which they were blamed and for which I must admit I know very little, but from the statement that has just been read out by Dr. Ziauddin Ahmad, and from what my friend, Sir Raza Ali, has said, we do feel that even if there was anything that has passed away; and from what has been said over and over again and very recently by Allama Mashriqi we have only to consider whether it is not yet high time for Government to either tell us that all these declarations are unreliable; and if not, why should not they be taken as honest and sincere and why should we not immediately release them.

My friends have rightly pointed out the incident that has happened with regard to the Communist party. I am glad that the Government have realized that people for some reason or other had taken some actions which later Government had to condone, because, I will say, full co-operation of all the people is necessary. Under these circumstances, Sir, I ask the Government kindly to consider very seriously the two important aspects: that they are prepared to help the war, not as a bargain, but they are prepared to help the war effort to defend their hearths and homes; and the second thing is, Sir, to my mind, they are not at all to be considered as doing the least to create any internal disturbance between Hindus and Muslims, which we all do not like but hate to see.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab: Muhammadan): In moving the Resolution under discussion my Honourable colleague, Sir Raza Ali, has voiced the feelings not only of the Members of this House, but that of the whole of Muslim India and of many other people who are conversant with the Khaksar movement, its basic principles, aims and objects.

Sir, as in the past, there has been a lot of propaganda against the Khaksars made by the interested parties, and as many prejudicial reports and statements have been published in the Press I deem it necessary to acquaint the House with the real facts in the short time at my disposal.

The Khaksar movement was started by Inayatullah Khan, known as Allama Mashriqi, in the year 1931. The Allama is a renowned personality of the Punjab, and is a retired officer of the Indian Educational Service. He was an Under Secretary of the Government of India. He is a Wrangler and a scholar of the Christ College, Cambridge and a member of the Congress of Orientalists.

The motto of this movement is discipline, its line of action social service, and its aim peace—the essence of Islam and every other religion. The organisation has been a non-political and a non-communal one, and has among its votaries a large number of non-Muslims. Its principles are betterment of physical and spiritual health, development of individual and collective character, the ending of all controversies through extensive social service, strict discipline and all-embracing love. Every one

who believes in one God can be its member. Perhaps this is the only organisation in which no subscriptions are collected. Every member and worker meets his own expenses and does not depend on public collections. Every one works, toils, serves and strives to bring man and man together.

With the above aims and objects of the organisation, the Khaksar movement has not been confined to India alone but it has a considerable following in Burma, Ceylon, Bahrain, South Africa, etc. It is, however, in India, and particularly among the Muslim masses, that it has won most adherents. The reason for its phenomenal success is not far to seek. For the dis-spirited and disorganised Mussalmans of India, the Khaksar movement had many of the attractive features characteristic of early Islam—simplicity, discipline, self-sacrifice and a burning desire to serve the Community in all walks of life. The military drill and uniform were also typical of early Islam, for every Mussalman is a soldier in the service of Allah and his community. Under Muslim rule every Muslim is required to bear arms and undergo military training.

Sir, I would like to impress this point on the House as quite an unjustified prejudice has been created in the popular mind, as well as in the mind of the Government of India, by the fact that the Khaksar movement has some characteristics of a military movement. In the midst of a world-wide conflict in which the fate of India and of all freedom-loving countries is at stake, it seems astonishing that any one should condemn an organisation that seeks to arouse the masses to their responsibilities and once more to instil in them those martial instincts which were responsible for their great success in past ages.

Mr. President, this is not only a laudable object. The Khaksars share this programme with other organizations, e.g., The Hindu Mahasabha, the Sikhs, etc., to whose activities no objection has been taken either by the Government or by the various political parties in India. The attitude of the Government of India about the Khaksars has been far from clear. My Honourable colleague, Sir Raza Ali, has already asked, and I repeat his request, that Government should clarify their policy and place before the House their reasons for putting a ban on the Khaksar organization and keeping its followers in detention without trial for several years.

Perhaps we will be told that the Khaksars are a menace to the public peace, and that they are a fifth column organization, but I am sure the Government have no tangible proof for that. Being a fifth column and having connections with the enemy countries may appear to be a serious crime, but why are the Allama and his followers connected with his mission not sent up for trial and why are they not given a chance to defend themselves in a court of law? Let the Government come forward with the evidence in their possession to establish their charge against them. In any case they should not fight shy of taking the Legislature into their confidence. I would earnestly suggest to the House that for such charges there is no justification. The Khaksars, in general, and Allama Mashriqi, in particular, are essentially peaceful. They have no desire to fight the authorities or any other community as long as there is no interference with their faith and their programme of social service. The clash at Lahore in March, 1940, does not disprove this argument, and any fair-minded man who cares to examine all the evidence will be satisfied that this was the work of youthful hot heads and that Allama Mashriqi and the central organisation were not responsible for it. At

[Khan Bahadur Shaikh Fazl-i-Haq Piracha.]
 that time the Allama was trying to negotiate a peaceful settlement at Delhi. If he had really intended a trial of strength with the Government, is it reasonable to believe that he and his lieutenants would not have been at Lahore to organise the movement? But whatever the responsibilities for the clash may have been, the Khaksars have paid heavily for their folly. How the Khaksars were ruthlessly killed in the streets of Lahore is too tragic a tale to be told. I would not give currency to the many allegations of police excesses on that occasion which are still heard in the Punjab, but it is significant that so far Government have refused to publish the report of the Young Niamatullah Inquiry Committee, which inquired into all the incidents. This is sufficient proof to show that the Honourable Judges were satisfied that the Khaksars were not to be blamed and they were dealt with absolutely unjustified severity. Such was also the case when there was a Shia-Sunni clash in Lucknow over a very minor difference. The trouble increased and many lives were lost, not less than 20,000 Muslims were locked up in jail, hundreds were wounded, and thousands of families were starved. The untold misery spread; slowly the commotion began to spread and clashes were imminent in different places. The Khaksars who stood for peace and love had to come forward. The Congress Ministry could not tolerate this interference and Allama Mashriqi who had come for mediation among the two sections was arrested and the Khaksars camp was broken up. A ban was placed on the organisation. Soon after, the Congress Ministry resigned and the United Provinces Government lifted the ban and the Shia-Sunni dispute also vanished.

Mr. President, my desire is not to rake up past controversies. It is about the future of the Khaksars and about the Government of India's policy towards them that we are deeply concerned. Both the Allama and his lieutenants have most emphatically disavowed any intention to fight the administration. They are even willing to give up their drill, their uniform and the carrying of their spades. They have offered to produce thousands of volunteers for the armed forces. They only want to live in freedom and in peace. They have been much misunderstood and grievously injured in the past. Is it too much to hope that the Government of India will give up their ideas of false prestige and revise their policy and come to a generous and honourable settlement with the Khaksars, when they have come to an agreement with even the Communist Party? Before that the Government came to a settlement with the Bengal terrorists and also with the Akalis in the Punjab.

Sir, it is surmised that the Government of India are not keeping their promise with Allama Mashriqi of making a satisfactory settlement and are going against their declared policy. In their evasiveness they are trying to while away the time, expecting that the fervour of the Khaksars and the sympathy of the general public will settle down in the meanwhile, and thereby to crush the movement. If this is the reason I may warn the Government that they are mistaken. It signifies that they intend to emasculate subject nations and to kill their sense of life. It means that the subject nations have no right to organise themselves even in a most innocent way, as the Khaksars have done, no right to strive for a disciplined brotherhood, no right to love and serve their brotherhood. Sir, with these words, I support the motion.

Sir Richard Tottenham (Home Secretary): Sir, I think it may help if I intervene at this stage and explain the policy of Government regarding this Resolution. The subject of the Resolution,—the Khaksars,—have always presented a difficult and rather baffling problem. Some people have regarded them as a communal or political organisation; others describe them as the adherents of a new creed or mode of life; while others again look upon their activities as a movement designed to win temporal power. All those different views could be supported by the writings of the Khaksars themselves; but from the Government point of view, it is obvious that they must judge the Khaksars, not by what they say or by what they write, or even, if I may be permitted to say so, by what Honourable Members of this House say about them, but purely by what they do and how they act. Sir, judged by that criterion the Government of India and other Governments in this country have been compelled in the past to regard the Khaksars as for all practical purposes the nearest approach to a private army in India, an association organised on military lines under military discipline, armed with lethal weapons, and prepared on occasion to use those weapons in order to achieve their objects. In declaring drilling to be illegal and the wearing of semi-military uniforms, as they have done, and in setting their face resolutely against private armies as such, with the experience of many countries behind them, the Government of India believe that they are on unassailable ground; and if there are any people who say that this description does not apply to the Khaksars, the answer surely is that it is the Khaksars themselves, by their own action, who have earned for themselves the reputation under which they are now suffering.

The Honourable the Mover of this Resolution has already referred to the lamentable events in the United Provinces in 1939 and again in the Punjab in 1940. On these occasions the Khaksars did come into violent conflict with the authorities, and they must accept responsibility for serious breaches of the peace and loss of human life. Nor does it make the slightest difference what the objects of the Khaksars were on either of those occasions, whether on the first occasion it was a Congress Government they were up against or on the second occasion a Government of men quite a different nature. The only relevant fact was that on each occasion serious disorders did take place of a kind that no Government can permit. In Lahore it was not simply a matter of one procession on March 19, which came into conflict with the police. The trouble in that part of India continued for weeks after March 19th, and was not finally overcome until, I think I am right in saying, the end of June or the beginning of July, not without further loss of life; and it was as a result of the disturbances that at that time, in March, 1940 the Government of the Punjab and the Government of Delhi declared the Khaksars to be an unlawful association. But those two Governments removed the ban on the Khaksars after peace had been restored, at the end of August, 1940; and from that date onwards the Khaksars were not an unlawful association in any part of India for a considerable period of time.

It was also as a result of the disturbances in Lahore that the leader of the movement, Allama Mashriqi, and several other important Khaksars were detained under the Defence of India Rules, and a large number of other Khaksars were prosecuted and convicted of offences, more or less serious. As regards Allama Mashriqi I shall have more to say later, but

[Khan Bahadur Shakh Fazl-i-Haq Pincha.]

that time the Allama was trying to negotiate a peaceful settlement at Delhi. If he had really intended a trial of strength with the Government, is it reasonable to believe that he and his lieutenants would not have been at Lahore to organise the movement? But whatever the responsibility for the clash may have been, the Khaksars have paid heavily for their folly. How the Khaksars were ruthlessly killed in the streets of Lahore is too tragic a tale to be told. I would not give currency to the many allegations of police excesses on that occasion which are still heard in the Punjab, but it is significant that so far Government have refused to publish the report of the Young Nizamuddin Inquiry Committee, which inquired into all the incidents. This is sufficient proof to show that the Honourable Judges were satisfied that the Khaksars were not to be blamed and they were dealt with absolutely unjustified severity. Such was also the case when there was a Shia-Sunni clash in Lucknow over a very minor difference. The trouble increased and many lives were lost, not less than 20,000 Muslims were locked up in jail, hundreds were wounded, and thousands of families were starved. The untold misery spread slowly the commotion began to spread and clashes were rampant in different places. The Khaksars who stood for peace and love had to come forward. The Congress Ministry could not tolerate this interference and Allama Mashriqi who had come for mediation among the two sections was arrested and the Khaksars camp was broken up. A ban was placed on the organisation. Soon after, the Congress Ministry resigned and the United Provinces Government lifted the ban and the Shia-Sunni dispute also vanished.

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Sir, it is surmised that the Government of India are not keeping their promise with Allama Mashriqi of making a just settlement and are going against their declared policy. In their exasperation they are trying to while away the time, expecting that the fervour of the Khaksars and the sympathy of the general public will settle down to the new foe, and thereby to crush the movement. If this is the reason I may warn the Government that they are mistaken. It is clear that they intend to crush the subject nations and to tell their story of it. It seems that the subject nations have no right to organise themselves, even a most innocent organisation like the Khaksars, have to be suppressed for a discipline by their Government and serve their Government. Sir, with these words, I support the motion.

Sir Richard Tottenham (Home Secretary): Sir, I think it may help if I intervene at this stage and explain the policy of Government regarding this Resolution. The subject of the Resolution,—the Khaksars,—have always presented a difficult and rather baffling problem. Some people have regarded them as a communal or political organisation; others describe them as the adherents of a new creed or mode of life; while others again look upon their activities as a movement designed to win temporal power. All those different views could be supported by the writings of the Khaksars themselves; but from the Government point of view, it is obvious that they must judge the Khaksars, not by what they say or by what they write, or even, if I may be permitted to say so, by what Honourable Members of this House say about them, but purely by what they do and how they act. Sir, judged by that criterion the Government of India and other Governments in this country have been compelled in the past to regard the Khaksars as for all practical purposes the nearest approach to a private army in India, an association organised on military lines under military discipline, armed with lethal weapons, and prepared on occasion to use those weapons in order to achieve their objects. In declaring drilling to be illegal and the wearing of semi-military uniforms, as they have done, and in setting their face resolutely against private armies as such, with the experience of many countries behind them, the Government of India believe that they are on unassailable ground; and if there are any people who say that this description does not apply to the Khaksars, the answer surely is that it is the Khaksars themselves, by their own action, who have earned for themselves the reputation under which they are now suffering.

The Honourable the Mover of this Resolution has already referred to the lamentable events in the United Provinces in 1939 and again in the Punjab in 1940. On these occasions the Khaksars did come into violent conflict with the authorities, and they must accept responsibility for serious breaches of the peace and loss of human life. Nor does it make the slightest difference what the objects of the Khaksars were on either of those occasions, whether on the first occasion it was a Congress Government they were up against or on the second occasion a Government of quite a different nature. The only relevant fact was that on each occasion serious disorders did take place of a kind that no Government can permit. In Lahore it was not simply a matter of one procession on March 19, which came into conflict with the police. The trouble in that part of India continued for weeks after March 19th, and was not finally overcome until, I think I am right in saying, the end of June or the beginning of July, not without further loss of life; and it was as a result of the disturbances that at that time, in March, 1940, the Government of the Punjab and the Government of Delhi declared the Khaksars to be an unlawful association. But those two Governments removed the ban on the Khaksars after peace had been restored, at the end of August, 1940; and from that date onwards the Khaksars were not an unlawful association in any part of India for a considerable period of time.

It was also as a result of the disturbances in Lahore that the leader of the movement, Allama Mashriqi, and several other important Khaksars were detained under the Defence of India Rules, and a large number of other Khaksars were prosecuted and convicted of offences, more or less serious. As regards Allama Mashriqi I shall have more to say later, but

[Sir Richard Tottenham.]

is regards those persons who were convicted, after the settlement had been reached and the ban was withdrawn on the Khaksars in August, 1940, quite a considerable number were released. At this point I should like to make it clear, with reference to what the Honourable the Member said, that no Khaksar leader has ever been detained under the State Prisoners Regulation, nor is any Khaksar at the present moment in custody of any kind, except those—and I gather that they are not very large in number—those who were convicted of crimes of serious violence in 1940 and who are still serving their sentences.

Sir Syed Raza Ali: Cannot the Honourable Member tell us what the number would be approximately?

Sir Richard Tottenham: I am afraid I cannot say, but I imagine 20, 30 or 40 or something of that nature. I must make it clear that there can be no question, of course, of releasing such persons, and as reference has been made to other releases, such as of Communists, I should make it clear that no Communist who has been convicted of any crime of violence has been released.

Sir Syed Raza Ali: What about the Chittagong prisoners? Were they not released? Were they not convicted of very violent crimes?

Sir Richard Tottenham: As far as I know, no Chittagong prisoner has been released. (Interruption.) No prisoner who has been convicted of crimes of violence has been released as far as I know.

The next landmark in Khaksar history, and one to which the Honourable Member has so far referred, was in May, 1941. The House will remember that in August, 1940 the ban was removed on the Khaksar association in the Punjab and Delhi and this continued until May, 1941, for a period of about ten months. In that month the Government received reliable information that the Khaksars were contemplating concerted action to bring pressure to bear on Government to secure the release of their leader and that they proposed to adopt the same tactics as they had adopted in Lahore,—entering into mosques armed with their *belchas* and making those mosques the bases of operations or demonstrations. A representative gathering of leading Khaksars took place in Peshawar to discuss this plan and that gathering was officially warned not to proceed with it, but they decided to ignore the warning and the result was that the Khaksars were declared to be an unlawful association by all Provincial Governments in India at the beginning of June, 1941. Here again, I submit that the Khaksars had put themselves in the wrong and they had only themselves to blame for the consequences. The action of Government was, I think, generally regarded as necessary at that time, and, in fact, an adjournment motion in this House was defeated on the subject in October, 1941. About the middle of October, 1941, Allama Mashriqi, who was still in custody in Madras, started a hunger strike and he continued to fast in jail until the end of 1941. Early in January, 1942, that is, January of this year, he informed us that he was prepared to issue instructions to his followers to abandon the military side of the movement, entirely, for the period of the war. He issued that instruction; it appeared in the press; and he was immediately released and was allowed full freedom to meet other Khaksar leaders. He was, however, not allowed

to leave the Madras Presidency—not the Madras City, but the Madras Presidency—and a further condition of his freedom was that he would not make communications to the press. He was also told quite clearly at that time that there could be no question of negotiations between himself and the Government as between two parties to a dispute, but that if he wished to secure the removal of the ban on the Khaksar association it was for him to convince the Government and the authorities responsible for law and order that there would be no danger in that step and no risk whatever of a repetition of the events which had necessitated the imposition of the ban in June, 1941. From that day up to this, I am sorry to say, Allama Mashriqi has been trying to bargain with the Government of India, instead of trying to convince them by a direct statement of his intentions and of his ability to see that his instructions are obeyed.

Last May he sent us a draft statement on which we went so far as to consult all Provincial Governments, but opinion at that time was by no means unanimous. Moreover, while this consultation was actually going on, it came to our notice that Allama Mashriqi had been saying one thing to us and something very different to his own followers. In contravention of the condition about communications to the press, he had secured, through others, the publication of certain statements and he had also been issuing to his followers circular instructions which, to say the least of it, did not tally with the spirit of what he had said to us. We have, for instance, in our possession a circular which clearly enjoins that everything possible must be done to maintain the military spirit of the Khaksars although the outward forms of drilling, wearing uniforms and the use of arms must be suspended temporarily. We also have another circular in which he said that it was only necessary to recruit a large number of Khaksars and give them a thorough military training in order to bring the Government to terms. On being confronted with these circulars, Allama Mashriqi himself did not deny that they had been issued, but he sent us a long letter of an argumentative nature, the result of which, I am afraid, was merely to confirm our opinion that Allama Mashriqi is not a very easy person to do business with. I should also mention that on August 6th of this year I received a telegram from him in which he said that he would divest himself of all responsibility for Khaksar participation in the Congress movement unless a settlement was reached with him by a particular date. There the matter might have rested, and nothing more might have been done; but since then we have received a further approach from Allama Mashriqi which in our opinion does represent a considerable advance on anything that he had said to us before, and while this was actually under consideration we received notice of this Resolution. I have now given the House a full, and I hope fair, account of the background of this matter. I have done so because I do want the House to realise that we have not proceeded in this matter unreasonably or arbitrarily but that we have had good reasons for every step that we have taken.

Before concluding, there are some special points to which I must devote a few minutes. In the first place, I want to emphasise most strongly that the Government regard the whole of this matter as essentially a law and order problem. Reference has been made to the charge that the Khaksars are, or may be, a fifth column acting under enemy agency. All I need say about that is that the Government of India have never made this charge against the Khaksars nor do they make it now. But this

[Sir Richard Tottenham] being a law and order problem, it follows that the Government of India must act in the closest possible consultation and co-operation with the Provincial Governments, for, after all, it is they and not we who are directly responsible for the maintenance of law and order. This is essentially not a matter in which either for political or sentimental or any other reasons we could think of trying to persuade any Provincial Government against its will.

Dr. Sir Ziauddin Ahmad: What about the Centrally Administered Areas?

Sir Richard Tottenham: I would go on to say, in the second place, that I think we should have great difficulty in agreeing to withdraw the ban on the Khaksars in certain parts of India and not in others. Whatever else the Khaksars may be, they are an Allahi organisation, with common aims and objects, and if the pursuit of those aims and objects is held to be likely to cause trouble in certain parts of the country, two particular areas, it would obviously be extremely embarrassing and difficult for the Governments of those areas, if the Khaksars were allowed freedom of action elsewhere.

The third point to which I should like to make special reference is the offer of help to many thousand Khaksars to help in the war—to which a reference has been made by more than one Honourable Member. Put in that way, it sounds an offer which it would be wrong to reject. But as I understand the matter, what the offer meant was that the Khaksars wished to be allowed to contribute contingents to the army to fight, no doubt, under the orders of the Commander-in-Chief, but still to retain their own identity, and not to serve under its own colours. That is a very different matter. An offer of that kind could hardly be accepted. If that were the case, it would mean, well, I suggest that it would mean a great deal. After all, the offer was made to those who wish to join the Army, or the Police forces, or to do other things, provided they are prepared to accept the rules governing the recruitment to those bodies. Therefore, strictly speaking, an offer of this kind is not necessary.

Now, Sir, I have said enough to give you a sufficient indication of Government's attitude to this Resolution. The results of our dealings with Allama Mashriqi have not been such as to inspire a very great deal of confidence and we do regard this, as I have said, as primarily a law and order matter and, therefore, we should find it impossible to accept the Resolution here and now without further consultation with Provincial Governments. On the other hand, Government do wish to keep an open mind on this matter as far as possible and they are fully prepared to take into consideration the views that may be expressed, or have already been expressed, by Honourable Members this morning, and to reconsider the whole matter in the light of those views and in consultation with Provincial Governments. I can promise that we shall proceed with this reconsideration as quickly as possible. If on that assurance, the Honourable Member is prepared to withdraw his Resolution, I personally think that that would probably be the best conclusion of this debate. If on the other hand, the Honourable the Mover wishes to press his Resolution to a division, then the Government will not vote for it and they will not vote against it. We shall remain neutral.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I have just heard one point in the Honourable the Home Secretary's speech, to which I must reply at once and that is he dragged the case of those Khaksars who have been convicted. This Resolution has specifically avoided any reference to those Khaksars who have been found guilty of any offence under the Indian Penal Code or any other law.

Sir Richard Tottenham (Home Secretary): I merely referred to that because the Mover of the Resolution himself asked whether the people who had been convicted would be released.

Sir Muhammad Yamin Khan: We do not interfere with that. The Resolution wants that the ban should be lifted from the Khaksars—not those persons who have been found guilty. About the other case, I would refer to my Honourable friend, the Law Member. He is very well aware of that. There are two very well-known cases in common law in England: *Beatty v. Beatty* and *Beatty v. Gillbanks*. These are the two cases which have been referred to several times in criminal law. In England, they have laid down one great principle and that principle is that if anybody is doing a lawful act and somebody else wants to do an unlawful act on account of that lawful act, this man cannot be held guilty. The question was that some lawful act was being done by the Khaksars and they took out some kind of procession without giving any annoyance to anybody else or to any other community and if it was considered that they were doing this as an unlawful act, because as a matter of protest they walked in the streets they should not on that account be taken so seriously as to condemn them for ever from becoming a lawful association. I happened to be in Lahore at the time when the Muslim League was held in 1940. We knew that the Khaksars at that time suffered a lot and the Allama was in Delhi at that time and it was pointed out by many responsible persons who had to deal with the situation that it was not the Allama who asked the Khaksars to take the law into their own hands but there were certain persons who in order to achieve their own ends.

Sir Richard Tottenham: He was the leader of the movement.

Sir Muhammad Yamin Khan: No. There were some other people who wanted to achieve their own ends and it was through their mischief that a conflict was brought about between the Khaksars and the Police. There are many Honourable Members here who will support me in this and no less a person than the Premier of the Punjab will support me in this statement. The Premier of the Punjab said before the Muslim League Party that it was not the Allama or any of his responsible people who were responsible but it was the action of certain members of his own Legislature who wanted to bring about a conflict between the Khaksars and the Police and they manoeuvred to that end. When the Muslim League heard the statement of the Premier of the Punjab, the Muslim League demanded that he should constitute an inquiry by two judges, consisting of the Chief Justice of the Lahore High Court and a judge from the United Provinces. They were nominated and their report was promised. This solemn promise was made before me, and I can bear testimony to that, and before many other Honourable Members. It was promised that when this report is ready it will be placed before the

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Qaid-i-Azam himself for his verdict but the report has never seen the light of day. We do not know who was really responsible for all the trouble and unless we know definitely whether the Khaksars were really at fault or not, we cannot take this incident seriously.

I would like here to mention that the Khaksars were repentant and are honest people. They are only protesting for calling them guilty persons when they have not taken the law into their own hands. If you want to kill them, you can do so. But if you want to kill them, they can defend themselves. They have not got a non-violent creed like Mr. Gandhi. They will not lie down in front of a motor car. That is not their creed. There is the Islamic law, which is that if anybody gives a slap on your face, you are also entitled to give a slap on his face. But you are not to take precedence in giving a slap. In the right of self-defence, however, you can do that. This was the basis of their creed. My Honourable friend said that up to August, 1940, they lived peacefully and the ban was removed from their movement, but in August, 1940, they began to march on the streets of Lahore and began to live in the mosque. May I ask him what demonstration they wanted to make? Let me explain what action they were taking and why they marched on the streets of Lahore. They simply said that they would march on the streets of Lahore simply to show that they were not guilty and if they had no other place to live in, they said they would live in the mosque, which is open to anybody. A mosque is open not only to every Musalman but it is also open to Hindus, Christians and others. A mosque is the House of God and not the house of men.

Sir Richard Tottenham: Why, Sir, did they wish to take their *Belchas* with them into the mosque?

Sir Muhammad Yamin Khan: They were marching with the *Belchas* not with the object of committing an offence but to show that it was such an innocent thing, and yet a ban was being placed on it. They wanted to demonstrate that they were peaceful people and were absolutely innocent. They wanted to prove that they were not offenders which the Government were trying to make them out. They were walking with the *Belchas* in order to show that they were meant to help the suffering people. Lot of prejudice has been created in the mind of the Government that these *Belchas* were the sign of Hitlerism. This point has been very well explained by my other Honourable friends and, therefore, I need not go into this matter in detail. But I would like to say this that long before Hitler's name was even heard of Allama Mashriqi had started the *Belcha* and the uniform. Allama Mashriqi started the drill because he found that the Musalmans were getting degenerated. They were not saying their prayers five times a day as they are required by the Islamic law. He said that he would take only those Musalmans who took a solemn promise that they would say their prayers five times daily and would also abide by the other rules and regulations of Islam. He was even prepared to take anybody else who was not even a Muslim but who believed in the unity of God and also observed daily what was enjoined by his religion. So, it is a very broad principle. In other words, all his efforts were directed to regenerate the Musalmans whom he considered to be very much degenerated. There was no other idea behind this movement. This

movement found favour in the minds of the villagers and it became very attractive to the mobs. Naturally, those organisations which had been thinking that the masses should be their monopoly and they should be their followers did not like this movement. How could they speak on behalf of the whole of India if another movement like this which consisted of the masses had come into being?

Raja T. Manavedan (Madras Landholders): May I ask how many Hindus are in that Party?

Sir Muhammad Yamin Khan: I do not know the list of members, but I will let my friend know after making the inquiry. But it is a fact that this party is open to Hindus, Muslims, Sikhs, Christians and everybody else.

Raja T. Manavedan: Could you give us the percentage of the Hindus? Will they be, say, ten per cent.?

Sir Muhammad Yamin Khan: I do not know the exact figure but there are some Hindus.

I am very glad that the Home Secretary in his speech today has cleared a great deal the position of the Khaksars because it had been given out by some people who had motives behind them that the Khaksars were the Fifth Columnists and they were receiving their inspiration from Germany. This has been denied by my Honourable friend, Sir Richard Tottenham. This has cleared their position and I am sure the Honourable Members of this House will not be persuaded now to believe what had been given out in the Press by certain Associations and certain persons who were interested to condemn the Khaksar movement.

Now, another thing which my Honourable friend, the Home Secretary, said, was that the offer of 50,000 Khaksars for the enlistment in the British Army could not be accepted because the Allama wanted that these should be raised as an army by itself. I am not contesting this, but my contention is that Allama Mashriqi showed clearly that he was not against the war effort irrespective of the fact whether his offer was practicable or not. It shows clearly that he was ready to give to the extent of 50,000 men to fight against Germany and against Japan. I think it has been admitted that they have been misrepresented for a long time and I hope all the Parties and all the other Members of this House—if the Government remain neutral—will vote for the Resolution so that the ban may be taken away from all those people who are found to be the real patriotic people.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Musalmans Rural): Mr. President, Sir, the Resolution before the House places us in a predicament. It asks for a recommendation of the House to remove the ban on the Khaksar movement and to remove all restrictions put on Allama Mashriqi's movements. I want to tell the House at once that I am one of those who always stand for civil liberty. I believe in civil liberty. I believe in fighting for civil liberty. I believe that liberty of speech, liberty of movement, liberty of association are valued rights which should be jealously guarded against invasion by anybody. Unless there is justification for it, unless it is demanded by special circumstances prevailing at a particular time, I will never support their curtailment in any shape or form.

[Pandit Lakshmi Kanta Maitra.]

Sir, this Resolution resolves itself into two main parts, but at the present moment, we are mainly concerned with one important part of it. My Honourable friend the Mover, clearly explained that after tabling the Resolution he came to know that there were no Khaksars detained under Regulation III of 1818 or under the rules made under the Defence of India Act. This has been corroborated by the Honourable the Home Secretary. Now, therefore, there remains only two points for consideration. The first is whether the ban at present resting on Allama Inayatullah Mashriqi the Leader of the Khaksars should be removed, that is, whether he should be allowed to have freedom of movement throughout India. The second and the more important point is whether the ban of this Khaksar movement should be removed now.

Sir, I did not take part in the debate earlier, because I wanted to know the exact position of the Government of India in this respect. I wanted to know the attitude of the Government of India. Because, today, after all, it is this Government that claims responsibility for law and order in this land. They are never tired of reminding us that this is their sole responsibility which they refuse to share with the representatives of the public. Sir, in such circumstances we have got to consider very carefully the statement which has just been made by the Honourable the Home Secretary and the speech which the Honourable the Home Member made about ten months back when a debate on the imposition of ban on Khaksar volunteers was held in October, 1941, in this House. The Home Secretary has given no promise in support of the removal of the ban, but has given every argument for its continuation.

Sir, from the printed pamphlet that has been handed to us today and from the speech of the Honourable the Mover of the Resolution, I have no doubt that the Khaksar movement is a great scholar, a learned man and I am a great admirer of him and say that he is fired with high idealism. I need not say that. But the point really is not the greatness or the profundity of scholarship of the man, but the potency for mischief of any organisation which would make to sponsor. That has also been the stand taken by the Government in this matter. Sir, long before imposing any ban on the Khaksar movement, the Government of India imposed a ban on all member or volunteer organisations of this country. Let this fact not be forgotten. The Congress wanted to start a volunteer organisation and the Congress had the record of non-violence: don't be carried away by the happenings of the last day—the 9th August last. Let that not be a nightmare to my friends opposite. Before that the Congress was co-operating with the Government. They had been running the administration of seven Provinces in this country and from every quarter in this country and from abroad there was all praise for the manner in which the Congress carried on the administration of these Provinces. Do not forget that. Now, Sir, Mahatma Gandhi is a world figure. The Congress in his confidence wanted to render service to the country in the event of civil cooperation. But who did Government ban that volunteer organisation which was proposed to be started by the Congress?

Sir Richard Tottenham: When was that organisation banned?

Pandit Lakshmi Kanta Maitra: Under the Defence of India Act, the Government banned all volunteer organisations which wanted to drill in uniform. An Ordinance was issued to that effect.

Sir Richard Tottenham: I deny that any such order or ordinance was issued against any volunteer organisation or against volunteers as such. Orders were issued against the activities of drilling and of wearing military uniforms; no association as such was banned.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Were not their activities banned?

Sir Richard Tottenham: The wearing of military uniforms, and drilling.

Mr. Jamnadas M. Mehta: Route march. Then what remains of volunteer organisation?

Pandit Lakshmi Kanta Maitra: The Honourable the Home Secretary is indulging in a bit of quibbling. However, I am not going to devote any more time to this. The country knows that all attempts to organise volunteers on the part of the Congress and the Hindu Mahasabha were nipped in the bud by issue of circulars which emanated from the Department which my Honourable friend, Sir Richard Tottenham, has come to fill now.

Then, Sir, I want the House to bear in mind that this ban was imposed by the Punjab Government in February, 1940, and, thereafter, the ban was withdrawn under certain assurances. The ban came to be finally imposed on this organisation by the Government of India on the 13th May, 1941. Sir, I have every sympathy with a movement or with an organisation which has for its professed aim spiritual uplift or social service or serving the country at this time of stress and strain when the police force of the land have got to be strengthened and supplemented. But when all other all-India political organisations are not given equal opportunities for rendering that service, I shall be very reluctant to make a discrimination in this respect. Now, Sir, the Khaksar organisation may be a perfectly good organisation as has been claimed by the sponsors of this Resolution, but I will ask the House to bear in mind what the Honourable the Home Member said ten months ago with regard to this. I will read a few extracts from the debate in this Assembly on 28th October, 1941:

"I need only remind the House very briefly of the history of this movement. It was started in 1931, and it was in 1939, that it first came into conflict with the authorities of the United Provinces then under a Congress Government. After considerable trouble there which necessitated firing on one occasion, we came to the well known Punjab disturbances of 1940, were again, it proceeded to attack a popularly elected Government. The offence of this Government was that it had prohibited military drill by non-official bodies and the carrying of arms in processions of certain descriptions and therefore Khaksars set themselves to intimidate their own Government in order to get this order withdrawn."

Proceeding further, the Honourable the Home Member said with reference to the deplorable incidents at Lahore resulting in considerable loss of life:

"Then the Khaksars took refuge in the mosques in Lahore and proceeded to make them bases for marching out in small parties armed with spades and attacking the police who came to arrest them. As a result of these proceedings, the Association

[Pandit Lakshmi Kanta Maitra:]

was declared unlawful in the Punjab and Delhi. After a while, the Government were prepared to give another chance to this Association on certain assurances which they had received and the ban was withdrawn. Agitation, however, continued for the release of their leader who remained under detention until Government were satisfied there was no further danger of such disturbances arising. In pursuance of this agitation on the 23rd May, 1941, the organ of the Khaksars, the *Al-Ishlah* issued an order directing that the Khaksars should proceed to the mosques in five different centres—Delhi, Lahore, Peshawar, Hyderabad (Sind) and Nagpur."

Proceeding further, the Honourable the Home Member told the House what the professed aims of Khaksars were at that time. There were four items given about the aims and objects of the Khaksar movement as published in their own organ, the *Al-Ishlah*:

"Khaksar soldiers consider it the religious duty of every Muslim to act in accordance with the teachings of the Holy Prophet and are prepared to make every sacrifice to prevent the Government of the time from exercising political or legal control in this respect. The goal of the Khaksar soldier is the Kingdom of the World and the collective and political domination of the community."

Then the Honourable the Home Member further said:

"Khaksars are deadly enemies of treacherous leaders, hostile editors and newspapers and communal mischief-mongers and desire to wreak vengeance on them even if this involves sacrifices."

The Honourable the Home Member also pointed out that from the press all over the country there was a demand that a ban should be immediately imposed on Khaksar movement. The ban was thus imposed on the Khaksar movement in response to the demand made by the public and the Press. The Home Member said:

"When the ban was placed on the Khaksar movement the public and the Press generally supported the action of the Government, including a number of Congress papers."

Now, I ask, has there been a real change in the policy and programme of the Khaksars today? I find that the pamphlet that has been recently circulated by them does not refer to "that domination" or all those methods of violence to which reference was made by the Home Member. But I ask the attention of the House to one or two things that appear in this little pamphlet. First, on page 5, I find that the Khaksars must always wear khaki dress or uniform.

Mr. N. M. Joshi (Nominated Non-Official): What is wrong in it?

Pandit Lakshmi Kanta Maitra: Nothing wrong. And the second is that "the Khaksars must always carry a shovel, or a *Belcha*. The Khaksars of the same locality should, under their commander, parade, march and exercise, for at least fifteen minutes every day to keep them fit, trained, and ready for service. He must develop within himself martial qualities and soldierly attributes."

Sir Muhammad Yamin Khan: What is the harm in it?

Pandit Lakshmi Kanta Maitra: I do not object if you give the same liberty to all the other volunteer organizations in the country. If that liberty is given to all others, I shall support this motion along with you. But if that right is denied to other volunteer organizations of my country, then do you expect that I will support a discrimination in this respect? If the Honourable the Home Secretary is faltering in his attitude at the

last moment, let me tell him that he has a great responsibility in this respect. If as a result of removal of this ban on Khaksars there is a recrudescence of trouble and there is bloodshed, the blood of the victims will be on the Government. We want the Government to hear that in mind. If they want to take responsibility for it, let them do it, but knowing, as we do, their activities in the past, contained in the official reports and documents published from time to time, it does not encourage us to hope that there would be a change for the better. As the Honourable the Home Secretary has told us, the great Khaksar leader is a difficult person to negotiate with and that approach so far made has not been very encouraging. If so, where is the case for the removal of the ban?

Sir Syed Raza Ali: Allama Mashriqi is not the only difficult leader to deal with in India.

Pandit Lakshmi Kanta Maitra: I did not say that.

Sir, my Honourable friend, the Mover of the Resolution, brought to the notice of this House that this was a social and spiritual organization. I do not agree with him in this description at all.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

Pandit Lakshmi Kanta Maitra: Are these people in khaki uniforms, carrying *Belchas* and parading about the country going to minister to the spiritual needs of the people? If the clergymen in this country were dressed in khaki kits, and with bayonets in their hands paraded about the country, it would be rather difficult to believe that they were really out for spiritual ministration of people.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Pandit Lakshmi Kanta Maitra: I would say, Sir, that if the Government want to take the responsibility, let them do so. If Government are prepared to remove the ban, by all means they may do so; but they should apply the same principle to other volunteer organisations. If Government are not prepared to do that, I would certainly protest against this discrimination. Sir, I have stated the views of my Party and I would ask the Mover to withdraw his Resolution; but if, however, he decides to press it to vote and the Government want to play the game by keeping neutral, let them do it. We wash our hands clean in the matter.

Maulvi Syed Murtuza Sahib Bahadur: Mr. President, before proceeding with the motion, I want to explain what the term 'Khaksar' connotes. 'Khaksar' is a compound Persian word: 'Khak' plus 'sar'. 'Khak' is dust and 'sar' is life; that is to say, one who is a Khaksar must be just like dust, meaning thereby that he must be as humble as dust itself. So the founder of this movement has named this movement after this word 'Khaksar'. From the creed of Khaksars we are led to believe that all Khaksars should regard themselves as dust. So you cannot expect any violent action from them.

[Maulana Zafar Ali Khan.]

have they done that this ban should not be removed from them at once? What have they done? They have not done any act of sabotage: they have not looted. No charge of arson can be levelled against them. They are not a purely communal body. I know them. I have every sympathy with them. They believe in Hindu-Muslim unity. A friend of mine was asking whether there were any Hindus among them. I know that an influential Hindu of Multan (whose name I can tell him afterwards) is one of the Khaksars. There are many other non-Muslims who are Khaksars.

The Khaksar movement and its activities are not limited to Mussalmans alone. It embraces all. It is dedicated to the service of mankind. It is dedicated to social service with just a touch of sublimity to give it force. So, having said all this, I only want to tell the Honourable the Home Member that he released Allama Mashriqi from the Vellore Jail, sent him to Madras and kept him there in internment for some time; later on, after thousands of resolutions were passed throughout the length and breadth of India and from the platform of the Muslim League, with a resolution sponsored by Mr. Jinnah himself, he condescended to give him greater liberty of movement throughout the length and breadth of Madras Presidency.

When I pointed out to the Honourable the Home Member that Madras was in danger and that the Japanese are abroad and they may bombard Madras and, therefore, it was not safe, he said that if Madras was not safe the Allama could go to the Nilgiris as Madras Presidency is such an extensive Presidency. So, when you do not put any restriction upon his movements in the Madras Presidency, why can you not allow him in Heaven's name to cross the Nerbudda and go to the Punjab and to Lahore? Will the Heavens fall down or will the British Government tumble down? Why cannot you do it? It is a simple question. Can't you answer it?

The Khaksars are a peaceful body; they even go to the length of offering you their assistance and co-operation in the successful prosecution of the war by placing the services of fifty thousand Khaksars at your disposal. You pooch-pooch the idea simply because you do not want them to have a certain dignity, a distinct martial self-respect, which you think is only for the British Government to enjoy; and simply because they want to maintain their self-respect you spurn their offer. I think, if you reconsider the whole question dispassionately and calmly, you will not find it difficult to accept the Resolution, a very simple one, placed before you by Sir Syed Raza Ali, as amended by Dr. Sir Ziauddin Ahmad.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Mahmoodabad Rural): Sir, when I heard the debate on this motion I felt in a strange predicament. Today the whole world is militarising; we are hearing country after country saying that every person must be prepared for warfare; in Russia there is the cry that every person capable of holding a rifle should go to the front and should fight for the safety of the country. But in India we are told that every one of us should be pacifists and that no one must have arms, that every one must avoid military uniform, there should be no drills and no parades and no military training. Is this the time for pacifists or a time when everybody should be militarised in India? Is it a time when any one can come and plead that militarisation of the country is a bad thing? Is it possible for the present government or for

any government to infuse a spirit of militarisation in any population without giving them sufficient voluntary organisations for that purpose? We know that they say they are getting recruits at the rate of 50,000 per month; but will that 50,000 per month be sufficient for the purposes of the defence of India? Have we not heard off and on that Indians must be prepared for guerilla warfare? Will this 50,000 who are being prepared for the defence of the country be sufficient for that purpose? Our position is that Indians cannot be able to defend themselves in that fashion unless they have got private military associations. Every nation is like that, but what about India? India is being governed by foreign masters; and every activity every military trend is being suspected by them as a revolution against the Government. Is this not the time for the Government to reconsider that policy? Is this not the time for the Government to consider that some of these forty crores, with the exception of this 50,000, that are being recruited by them on payment of money, are also in favour of the defence of this country, or, at least, if not for the retention of this Government, for fighting any invader whose slavery is no less contemptuous than the slavery of the British? Have you not imagination enough to understand that we are not prepared to have any invader from outside, either Japan or Germany, and that we must have military training as communities, as a nation, as inhabitants of India, to fight all those who come in? We cannot depend on the present administration and the present military forces to protect our hearths and homes. So, the first thing in this connection that I want to impress upon the Government is that really any organisation having military drill as its object should never be banned; whether it is a Congress organisation or a Muslim National Guards organisation or whether it is the Khaksars or anybody else, it should not be banned because it has got military drill and military training as its object. It is a thing which ought to be encouraged by the Government. The Government ought to take care that the organisations that do this thing are properly and sufficiently under their control. I have no hesitation in accepting that; but I say that this is a time when voluntary organisations should be allowed to give help in military warfare and should be allowed to train people in guerilla warfare and for defending their country; and they should be encouraged to organise, and they should be supported by the Government. This is not the time to say that because I have got khaki clothing on, I am bad. Why do you think that every Indian who is in khaki is an enemy of the Government? Do not have that policy of distrust. Alter that policy. You have by this time learnt what it is to suffer humiliation at the hands of your enemies. Do not humiliate Indians any further. Do not distrust them; do not consider them to be absolutely against your rule. They want reforms in that rule. You say you will give us Dominion Status; you will give independence; but is this the preparation for independence that every Indian should disarm himself?

I would appeal to my friends on my right not to consider this from a narrow point of view. They must not consider it from this point of view, that if the Muslim community succeeds in getting hold of a few persons who have got military spirit, these persons would crush Hindus. This is a vicious circle of the same old cry of Pakistan and Anti-Pakistan. If we cannot co-operate on general principles, if we cannot appreciate that every Indian, whether he be Muslim or Hindu, who has to receive military training, who is going to defend and protect our country, our hearth and home from the enemy, is a person to be respected and to be released and from

[Sir Syed Raza Ali]

I have already referred to this resolution of the All-India Muslim League. That is all I have got to say.

So far as Pandit Lakshmi Kanta Maitra is concerned, I am afraid there was more heat than light in his speech and I was rather disappointed. I do not want the Khaksar movement to be placed on a level which can not be attained by other voluntary organisations in India. My complaint is this that the rights which are enjoyed for instance, by the Congress volunteers, the Seva Samiti volunteers, the Hindu Mahasabha volunteers are denied to the Khaksar organization. I want to put the Khaksars on the same level as those other volunteers. Sir Richard Tottenham asked me to drop the Resolution. I do not see how I can possibly do it without betraying a trust. It is the duty of the Government to withdraw the ban. I must press this Resolution and I hope that the House will agree with me that it is time that this ban was removed.

Mr. President (The Honourable Sir Abdur Rahim): I will put the first amendment, that is, Dr. Sir Ziauddin Ahmad's amendment. The question is:

"That for the words 'lifted and Allama Inayatullah Mashriqi and' the following be substituted:

'lifted, the restrictions placed on the liberty of Allama Mashriqi be immediately withdrawn, and that'."

The motion was adopted.

Some Honourable Members: Maulvi Syed Murtaza Sahib Bahadur is not pressing his amendment.

Mr. President (The Honourable Sir Abdur Rahim): Then I will put the Resolution, as amended, to the House. The question is:

"That this Assembly recommends to the Governor General in Council that the ban on the Khaksar movement be lifted, the restrictions placed on the liberty of Allama Mashriqi be immediately withdrawn, and that all other Khaksars interned under Regulation III of 1918 or the rules made under the Defence of India Act be immediately released."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 24th September, 1942.

LEGISLATIVE ASSEMBLY.

Thursday, 24th September 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. Indra Singh Puri, M.L.A. (Government of India: Nominated Official).

TRANSFERRED STARRED QUESTIONS AND ANSWERS.†

(a) ORAL ANSWERS.

REPORT FROM THE INDIA'S AGENT IN BURMA ABOUT EVACUATION OF INDIANS.

92. *Mr. K. C. Neogy: Will the Honourable Member for Indians Overseas please state whether a complete report has been received from Mr. Hitchens in regard to his duties in Burma as India's Agent during the war, dealing particularly with the measures taken for the evacuation of Indians and allegations of racial discrimination in that connection?

The Honourable Mr. M. S. Aney: Yes. He has recently submitted a report which deals with the measures taken by the Governments of Burma and India in aid of and for the relief of those Indians who evacuated from Burma.

Pandit Lakshmi Kanta Maitra: Is this report going to be laid on the table of the House?

The Honourable Mr. M. S. Aney: No. This report and other reports will be all consolidated together and then one report will be published as soon as possible.

POSITION OF INDIAN REPRESENTATIVES AT THE BRITISH WAR CABINET.

93. *Mr. K. C. Neogy: (a) Will the Honourable the Leader of the House please state whether His Highness the Maharaja Jam Sahib of Nawanagar and the Honourable Sir A. Ramaswami Mudaliar will jointly represent India on the War Cabinet in Great Britain?

(b) On whose instructions will they represent the view-point of India in the War Cabinet? What are the limitations, if any, subject to which they are authorised to make commitments on behalf of India in matters coming up before the War Cabinet?

†The question hour of the 18th September, 1942, having been dispensed with, these questions were transferred till today. vide page 233 of these Debates.—Ed. of D.

[Qazi Muhammad Ahmad Kazim]

whom the ban must be removed, then it only means that we do not want to encourage any sort of military training. I disagree with the Government on that point. Of course, it is for the Government and for the Khaksars to come to an agreement; but, personally, I would again appeal to the Government that now is the time, when the enemy is at our gates, that they must take courage in both the hands and learn to trust Indians and help us to develop indigenous and voluntary military organisations, so that they may be prepared for the defence of India.

Honourable Members: The question may now be put.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the question be now put."
The motion was adopted.

Sir Syed Raza Ali: I must say that the speech of my Honourable friend, Sir Richard Tottenham, was, so far as I could see, meant to be conciliatory, but I wish he had analysed the position a little more carefully and endeavoured to come to a definite decision. The position really, Sir, is this. One of the points that I mentioned in my speech was that it was strange that the report of the two judicial officers, namely, the Chief Justice of the Punjab High Court and a retired Judge of the Allahabad High Court, was not allowed to see the light of day, and no reasonable justification has been given by the Government why it has been withheld.

Sir Richard Tottenham: I can say that I have not seen the document myself.

Sir Syed Raza Ali: May I offer my heartfelt sympathy to the Honourable Member? Things have come to such a pass that even the Hon. Secretary whose business it is to reply to a very important Resolution on behalf of the Government is not allowed to see the blessed document.

Sir Richard Tottenham: The document belongs to the Punjab Government and not to the Government of India.

Sir Syed Raza Ali: I say this is not a Punjab affair. If my Honourable friend is under the impression that this is solely a Punjab affair, let me disabuse his mind by saying that he is hopelessly mistaken. He himself admitted that this was an all-India problem, and it was not a question which only concerned the Punjab Government. I don't say anything more.

There is a saying that the best way of hanging a dog is to give it a bad name. The best way of hanging the Khaksars in the counsels of the Government was considered to be this, heap up two charges against them, one that they are Hitlerites or fifth columnists, and secondly, that they are a military organisation and you want to save the Government established by law in British India from them. I am quoting the phrase well-known among lawyers. I am very glad, and let me congratulate Sir Richard Tottenham that he has had the courage and fairness to say that there was nothing to show that the Khaksars had anything to do

with either Germany or the other Axis powers, or that they were fifth columnists. A great load has been taken off the minds of all just, honest and liberty loving people by that statement made by my Honourable friend. But the second charge yet remains, namely, that they are a military organisation. I was surprised that my Honourable friend, Sir Richard Tottenham, objected to this movement because it was designed to win temporal power. I believe my Honourable friend has been in the country for some time, I believe he has spent the whole of his life in this country. Is there any political movement which is not keen on acquiring temporal power in this country? The Honourable Member has made a discovery in this case! Is there any objection if any movement has that as its ideal and wants to organise itself? As a matter of fact, only the other day, when proposals were made by Sir Stafford Cripps to transfer temporal power into Indian hands provided we could accept it by agreement among ourselves it became evident that it was the duty of the Indian people to prepare themselves for holding supreme political power. The real crux of the matter is this. I won't be long, I want to finish as soon as possible. What is the use of making a bugbear of this organization and calling it a military or semi-military army and using expressions of that character? One of the definitions of man is that he is a social being. Man is a creature who can associate with his fellow beings, who can organise, who can put himself under discipline in order to achieve progress in this world. If men associate together, if they organise if they want to do anything which is likely to accustom them to discipline, can there be any objection? And now I want to say a few words to my Honourable friend, Pandit Lakshmi Kanta Maitra. So far as Sir Richard Tottenham is concerned, . . .

Mr. President (The Honourable Sir Abdur Rahim): I must tell the Honourable Member that I am not going to detain the House beyond 2 o'clock for him to conclude his speech.

Sir Syed Raza Ali: I will finish within six minutes. My Honourable friend took objection on the ground that it was not possible for the Government of India to agree to have the movement subjected to ban in some of the provinces and not in others. Is there a single Government outside the Punjab, other than the Punjab Government, that is opposed to the removal of this ban? I put this question categorically to the Honourable Member.

Sir Richard Tottenham: Yes.

Sir Syed Raza Ali: In addition to the Punjab Government?

Sir Richard Tottenham: Yes.

Sir Syed Raza Ali: I hope that that Government is not the Government of the United Provinces. So far as this is concerned, I have a quotation from the speech of the Premier of the Punjab Government. I do not want to read the whole of it because there is not enough time. What he said is this:

"But if I find later that that organisation is no longer violent and does not intend to defy law and order, and restricts its activities to social service, I shall certainly give sympathetic consideration to that particular part of the resolution also which was passed by the All India Muslim League."

(c) In what official relationship will they stand with the India Office and the Government of India, respectively?

(d) Are they to be supplied with a joint Secretariat to assist them in their work? If so, by whom is its personnel to be selected?

The Honourable Mr. M. S. Aney: (a), (b) and (c). I would refer the Honourable Member to the reply I gave to Sir Frederick James's question on September 15th.

(d) The Secretary of State has offered to afford the representatives such secretarial assistance as they may require.

PRICE CONTROL AND SUPPLY OF ESSENTIAL ARTICLES.

94. *Mr. K. O. Neogy: (a) With regard to the scheme of price control, will the Honourable the Commerce Member be pleased to state what articles have been selected by the Government of India for such control?

(b) What is the composition and procedure of working of the price control machinery of the Central Government as well as in the Provinces?

(c) To what extent is Central control exercised in the fixation of prices, and what are the limits within which Provinces exercise powers in that behalf?

(d) How long has the system of price control been in operation and what results generally have been achieved thereby in the Provinces as well as in the centrally administered areas?

(e) Have the questions of maintaining the requisite supply of certain essential articles, such as wheat, rice, sugar, salt, kerosene oil, and matches, as also of making them available at controlled prices through shops run by Government or Local Bodies, received full attention in respect of all important towns and centres of distribution? If so, what schemes are in operation in this behalf in the different Provinces and in the centrally controlled areas?

The Honourable Mr. N. R. Sarker: (a) The Government of India have fixed primary wholesale prices for wheat, sugar, paper, raw rubber, and shellac and retail prices for matches. The Provincial Governments have powers under the Defence of India Rules to control prices in their respective territories and have exercised them with the approval of the Central Government for a wider range of articles.

(b) I place on the Table a note describing the existing organisation of price control at the Centre and in the Provinces. It is proposed to strengthen this organisation, further, by the creation of a non-official advisory body called the Civil Supplies Advisory Council and an executive body called a Central Price and Supply Board.

(c) The broad division of functions between the Centre and the Provinces, which is modified to suit special circumstances, is that the Central Government is responsible for fixing prices, wherever necessary, in the primary wholesale markets, while the regulations of prices at the secondary wholesale and retail stages is left to the Provincial Governments.

(d) The system of price control has been in operation since the 7th September, 1939, when the first notification delegating the necessary powers to the Provincial Governments was issued. The working of price control in the special circumstances of this country is subject to many difficulties

and every effort is being made to overcome them; but, on the whole, Government are satisfied that the price situation in India would have been worse if no control had been exercised.

(e) The Government of India have instituted wheat and sugar controls on an All-India basis with the object of ensuring a reasonable supply of these commodities to consuming areas. The question of extending control to the distribution of other commodities was discussed at the last Price Control Conference of the representatives of the Provincial Governments and States and the conclusions arrived at that Conference are now before the Government of India. As regards cheap grain shops, such shops are already being run by several Provincial Governments and it was agreed at the last Price Control Conference that the system should be further extended, wherever possible. Detailed information about the cheap grain shops already in operation in different Provinces and the Centrally administered areas is being collected and will be placed on the Table in due course.

Price and Supplies Control.

This note gives a brief survey of (1) the practice of price and supply control hitherto followed in respect of foodgrains, and sugar and (2) the present organisation for applying such control.

Practice.

2. Immediately after the outbreak of war in September, 1939, there was an abrupt rise in retail prices and within the first week orders were issued delegating power under the Defence of India Rules to Provincial Governments to fix prices of certain necessities of life viz., foodstuffs, salt, kerosene oil and the cheaper qualities of cotton cloth. It was a condition that the maximum prices fixed should not be less than 10 per cent. above the corresponding prices on 1st September, 1939. This was modified later in the month by the addition of a provision that increased costs of production should be taken into account. The First Price Control Conference was convened on 18/19th October, 1939. It was attended by representatives of all Provinces, of the Chamber of Princes and of five larger States, and of 7 departments of the Government of India.

3. First Price Control Conference—Among other conclusions reached, it was agreed (1) that the list of essential commodities already notified was adequate, (2) that in the case of imported goods and those that were of all-India importance, the basic price at the first stage should be fixed Centrally, and in the case of other goods, by the Provinces, (3) that the normal basis should be "replacement cost", and (4) that it was desirable to develop a "prior intelligence service". From several Provinces opposition was expressed to measures that would prevent a rise in the price of agricultural products.

At the time when this meeting was held the weekly index number of primary commodities stood at 111.4 only (base : week ending 19.8.39 = 100).

4. Soon afterwards a boom period began, and in December 1939, the weekly index number had risen to 135.9. The Second Price Control Conference was held on 24/25th January, 1940. Opinions were divided as to the extent of the need for price control but the general tendency was still to favour non-interference with a rise in the basic prices of agricultural products. The necessity for co-ordination of activities was emphasised and it was generally agreed that the fixation of prices at the stage of production and at primary wholesale markets should be a Central responsibility; Provincial and State units to be responsible for determining the margins between the primary wholesale stage and the later stages, including the retail stage, of distribution, and to fix retail prices by superimposing such controlled margins on the current wholesale rates. It was understood that the Central Government would consult Provinces concerned before applying a control to prices in primary wholesale markets.

The question of giving Provinces power to impose a ban on inter provincial exports was raised : there was no demand for this power.

5. From the date of this Conference until late in 1940, a period of generally declining prices set in, the above quoted index number falling from 135.3 in January, 1940, to 109.7 in February, 1941. An increase then began, the index number rising to 138.3 in September, 1941. (In the same period, February, 1941, to September, 1941, the index number for wheat at Lyallpur rose from 150 to 200. In June 1941, the powers of price control already delegated to Provincial Governments were strengthened by delegation of power to prohibit withholding from sale of the articles scheduled for price control.

6. The Third Price Control Conference was held on 16-17th October, 1941. At this Conference, most attention was paid to the cases of cotton cloth and yarn, prices of which had soared as a result of the freezing order against Japan; this discussion may be said to have been the genesis of plans for the production of standard cloth and for the control of distribution of yarn, further reference to which would be outside the scope of this note. On the matter of foodgrains, the President summed up as follows: "On the whole there does not seem to be very grave apprehension at the moment regarding the rise in price of agricultural products, but the question of wheat price has to be very carefully watched. It may be possible, or it might even be necessary for the Central Government to intervene at any stage if there is a tendency for a rise in the price of wheat. So far as rice is concerned generally speaking, it is a localised problem for which solutions may have to be found by the local authorities subject of course to a satisfactory solution by imports of rice from Burma to various parts of India."

7. The Wheat problem continued to grow in seriousness. The reduction of the import duty to a nominal level on 30th September, 1941, had little effect; on 2nd November, a press note was issued warning traders that the Government considered Rs. 4-6-0 per maund at Lyallpur and Hapur to be a suitable maximum price and that they would trade at higher rates at their own risk; other press notes, conveying further warning, disabusing the public of exaggerated ideas about intended exports and announcing arrangements made for imports from Australia, followed, but without avail, and on 5th December, 1941, a definite order was issued fixing the maximum price for wheat at Rs. 4-6-0 per maund at Lyallpur and Hapur, and authorising Provincial Governments to determine the maximum price at any other place "having regard to the normal relation between prices at such place and at Lyallpur or Hapur".

On the 31st December, 1941, a Wheat Commissioner for India was appointed. He was first engaged on preparing the ground for the introduction of a control over distribution but before actual measures to this effect could be rendered operative, he was overtaken by a period of acute shortage of viable supplies, in March, 1942, and his energies were directed to *ad hoc* enquiries in search of supplies for deficit areas until the new crop should come in. In the hope of stimulating activity in the marketing of the new crop, the maximum prices were revised at the end of March, so as to stand at Rs. 5 per maund at Lyallpur and Hapur and Rs. 5-4-0 per maund at Sind centres.

The Wheat Control Order, 1942, was made on 30th April, 1942, and thereafter movements of wheat by rail from producing Provinces to consuming areas were regulated by permits issued by him. Movements within producing Provinces were left to be controlled by the Provincial Governments.

8. The Fourth Price Control Conference was held on the 5-7th February, 1942. At this Conference it was recognised that the accommodation of traffic to the most efficient use of the limited transport facilities available was a consideration of great importance and that control over distribution in coordination with transport arrangements might have to take precedence over control of prices. A distinction was drawn between commodities (like wheat) which were subjects of all India distribution and others (like rice and bajra) which, broadly speaking, had to move only within certain zones. To deal with the latter, the idea of Regional Price and Supply Boards (to work in close relation with Regional Transport Boards) was evolved. Each region was to cover several neighbouring units (Provinces and States), and the Boards would be responsible for seeing that surplus areas within each region would feed deficit areas in the same region.

9. Shortly afterwards Burma was lost by invasion. India had been a regular importer from Burma as had other countries, such as Ceylon, which now had no option but to turn to India for supplies. The effect of this blow was mitigated by a good crop in Bengal, but even statistically the result was to create shortage conditions for India as a whole in respect of commodities that had previously caused no anxiety in this respect.

10. The Fifth Price Control Conference was held on 7/8th April, 1942. The vital importance of linking control over distribution with price control was now fully recognised and the Conference recommended the introduction of the licensing of wholesale dealers (preferably established dealers) by Provincial and State Governments, which would enable those Governments to maintain information as to the course of distribution of the various foodgrains, and would minimize the civil of hoarding. It was left to the discretion of the Provincial Governments to decide whether retail dealers should also be licensed.

11. The Foodgrains Control Order was made on the 21st May, giving powers to Provincial Governments to license wholesale dealers in foodgrains, and to require returns of their transactions. By the Foodgrains (Futures and Options Prohibition) Order, 1942, made on 28th May, (so far only applied to wheat and gram) and attempt was made to check speculative dealings which were believed to be partly responsible for the pressure of prices against the prescribed maximum even so early in the season.

Organisation.

12. The existing organization in respect of control over prices and supplies of foodgrains and sugar is as follows:

1.—The Commerce Department.

The Economic Adviser, from whose office the Price and Supplies Branch of the Commerce Department has been taken, and whose staff is also largely engaged in work connected with the compilation of statistics of price-levels, etc.

The Wheat Commissioner for India (see above) with a staff consisting of a Deputy Wheat Commissioner and four Assistant Wheat Commissioners (two at headquarters, one at Lahore, one at Lucknow).

The Civil Supplies Commissioner (Rice and Miscellaneous), appointed on 2nd July 1942. His organization is intended primarily to provide for liaison on a high level between the Centre and Provinces (and especially the Regional Boards) in respect of commodities other than those taken under Central control (wheat and sugar), and to act generally as adviser to Government in respect of such commodities.

The Interdepartmental Committee, Commerce Department, and E., H. & L. Department, which meets weekly so as to maintain contact on subjects of common interest. The first meeting was held on the 6th May 1942.

The Sugar Controller for India, with a staff which includes a Deputy Sugar Controller and three Assistant Sugar Controllers.

Of the above, Wheat Commissioner and Sugar Controller have executive functions; the other authorities exercise general functions of co-ordination and supervision. The Civil Supplies Commissioner has visited Bengal, Madras, Mysore and Bombay and is engaged on working out a scheme for a co-ordinated control of the movements of foodgrains generally which he has discussed with Provincial and States representatives on his tour.

11. The control of prices of wheat at the primary wholesale stage and of inter-Provincial movements of wheat is in the hands of Central authorities; similar control at later wholesale stages and at the retail stage is the responsibility of Provincial and State Governments. All stages of control of prices and distribution of other foodgrains have been left to Provincial and State Governments to enforce, aided by the advice of the Regional Boards.

All the Provinces have set up control organizations, whether in the hands of officers designated as Price Controllers, Supply Commissioners etc., or forming a branch of the Provincial Secretariat. Generally speaking, these organizations work through District Magistrates and the District staff.

Plans.

13. The Commerce Department has the following measures under contemplation:—
(1) Improvements in the collection of prompt information as to stocks, movements and prices of foodgrains.

(2) Preparation of programmes of rail movements for the assistance of the War Transport Department and the immediate daily communication to the Railway concerned by permit-issuing officers of information regarding the quantity of foodgrains from each station for which permits are granted each day.

(3) Pressure on Provincial Governments to
(i) improve their own control organizations; and
(ii) enforce the licensing of wholesale dealers without further delay.

(4) Examination at the forthcoming Price Control Conference of a scheme for controlling according to a coordinated plan, with the assistance of Regional Boards and Provincial and State Governments, the movements of foodgrains generally according to a quota programme to be drawn up with a view to securing such distribution of the available foodgrains as is most suitable in the interests of the country as a whole, and consideration of the question whether such a control of movements should also be accompanied by a control of prices, and if so, the principles on which such prices should be fixed.

(5) The following items are also to be discussed at the forthcoming Price Control Conference:

(i) The stricter enforcement of price control measures by Provincial and State authorities.

(ii) Prohibition, as an anti-hoarding measure, of the holding of stocks above specified amounts except under a licence by any person, including producers and consumers.

(iii) The opening of Government grain shops.

(iv) The extension of licences to retail dealers.

(v) Purchases in surplus areas on Government account by selected trade agencies of foodgrains for export to consuming areas.

A. H. LLOYD, —19-8-42.

Dr. P. N. Banerjee: What will be the composition of the non-official Advisory Committee?

The Honourable Mr. N. R. Sarker: We have not yet decided that.

Pandit Lakshmi Kanta Maitra: Is there any Central Advisory Council?

The Honourable Mr. N. R. Sarker: Yes.

Pandit Lakshmi Kanta Maitra: Will this Central Advisory Council have any liaison with the Provincial Committees?

The Honourable Mr. N. R. Sarker: Yes.

Mr. Lalchand Navalrai: May I know if the Central Government have advised the Provincial Governments also to create Advisory Committees along with themselves with regard to this distribution?

The Honourable Mr. N. R. Sarker: There is a Regional Board in every region for the control of prices and supplies. I do not know whether there are any other Advisory or Executive Committees in the provinces.

Mr. Lalchand Navalrai: Are there any consultants on that Regional Board?

The Honourable Mr. N. R. Sarker: Yes.

Pandit Lakshmi Kanta Maitra: Do I take it that the commodities over which price control is going to be exercised as given in the list by the Honourable Member is only illustrative and not exhaustive?

The Honourable Mr. N. R. Sarker: The list is not exhaustive.

Mr. Muhammad Azhar Ali: Will the fixing of the prices remain in the hands of the officials alone or will it be in the hands of the non-officials also?

The Honourable Mr. N. R. Sarker: It will remain in the hands of the Government of India with the advice of those Advisory Boards whose names I have mentioned.

DUTIES OF MAJOR-GENERAL WOOD IN CONNECTION WITH EVACUATION OF PEOPLE FROM BURMA.

95. *Mr. K. C. Neogy: (a) Will the Honourable Member for Indians Overseas please state what were the duties of Major-General Wood in connection with evacuation of people from Burma, and what was his official designation and pay while he was so employed?

(b) Has any report been received from him regarding his work as yet? If so, when will it be published?

(c) Is it a fact that the thanks of the Government of India have been conveyed to him formally in recognition of his services in the aforesaid connection? If so, on what grounds?

(d) What are his present duties and pay? Is any further special job contemplated for him? If so, of what character and on what emoluments?

The Honourable Mr. M. S. Aney: (a) Major-General Wood was appointed Administrator General, Eastern Frontier Communications in March 1942 on a salary of Rs. 3,000 plus Overseas pay of £13-6-8 per mensem. He was invested with all the powers of the Government of India. He was paid from Defence Service Estimates and his primary task was to develop land communications between India and Burma. He was also placed in complete charge of the arrangements necessary for the evacuation of people from Burma to India across the Assam border. At a later stage he was relieved of his military duties and employed exclusively on refugee work.

(b) General Wood is expected shortly to submit his report. It is proposed to collate the reports submitted by him, by the late Agent of the Government of India in Burma and others and publish a self-contained story of the evacuation from Burma.

(c) Yes. The thanks of the Governor General in Council have been conveyed to General Wood for the valuable services rendered by him in successfully organising and directing the rescue of the vast stream of refugees from Burma to India via Assam.

(d) Major-General Wood is now Additional Director General, Munitions Production, on the pay already stated and employed on the preparation and execution of rationalisation schemes for the General Engineering Industry. Any new duties for Major-General Wood can be settled only when his present work is completed.

Pandit Lakshmi Kanta Maitra: With regard to part (b) of the question, the Honourable Member said that the report, when available, will be collated with the other reports and then it will be published. May I inquire if this House will be given an opportunity to discuss this report?

The Honourable Mr. M. S. Aney: After the report is prepared, I will consider the suggestion and see if something of that nature can be done.

Pandit Lakshmi Kanta Maitra: I want to emphasise that this matter is of very great importance to this country. I request the Honourable Member to consider the suggestions seriously and give this House an opportunity to discuss it.

The Honourable Mr. M. S. Aney: If it is the general desire of the House to discuss the question of evacuees in general in the next Session, well, I believe the Government will consider that suggestion.

Mr. Lalchand Navalrai: May I know from the Hon'ble Member if Major-General Wood has been appointed in connection with evacuees from Burma alone or also evacuees from Malaya and other places? Is there any other officer appointed for evacuees from Malaya, Singapore and other places?

The Honourable Mr. M. S. Aney: Major-General Wood was only in charge of the evacuees from Burma who passed through Assam. He could not be for those from Malaya.

Mr. Lalchand Navalrai: May I know whether the Honourable Member has been getting any information from Malaya and Singapore about these evacuees?

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

The Honourable Mr. M. S. Aney: That supplementary question does not arise on this question.

EXTRACTION OF QUININE FROM CINCHONA BUSHES IN THE NURSERY STAGE.

96. ***Sir F. E. James:** Will the Honourable Member for Education, Health and Lands be pleased to state:

- (a) whether the attention of the Government of India has been drawn to the method believed to have been investigated in Russia of extracting quinine from cinchona bushes in the nursery stage;
- (b) if so, whether similar experiments have been made in India, and with what results; and
- (c) whether, if the answer to part (b) above is in the affirmative, and the results of the investigations are favourable, Government propose to encourage the use of this method by guaranteeing those willing to adopt it on cinchona plantations against financial loss?

Mr. J. D. Tyson: (a) Yes.

(b) The experiments so far made indicate that to obtain a substantial yield it is necessary to leave plants in the ground for about three years from the time of sowing. After that period an average of about 35 pounds of total cinchona alkaloids is likely to be obtained from one acre.

(c) The Bengal and Madras Governments have been asked to investigate urgently the extent to which land can be brought under the Russian method of cinchona cultivation and to explore in consultation with Planters' Associations the possibility of cultivation on tea and coffee estates. They have also been asked to furnish an estimate of the cost of cultivation and the nature and extent of the guarantee which will be necessary to induce private landowners to undertake the cultivation. The Government of India will consider what guarantee can be given on receipt of the reports of the Provincial Governments.

Sir F. E. James: With regard to part (b) would my Honourable friend inform the House where the experiments have been tried in India?

Mr. J. D. Tyson: I think mainly, if not entirely, in North Bengal in Darjeeling district where the Principal Quinine Officer has his headquarters. He made very extensive experiments.

Sir F. E. James: Is he not therefore aware of the experiments which have been tried in South India which yield much better results than the experiments to which my Honourable friend refers?

Mr. J. D. Tyson: He has not mentioned them in his report. If he had been aware, I think, he would have mentioned them.

Sir F. E. James: With reference to part (c), is my Honourable friend aware that while the Government of India are waiting for information as to costs from the Provincial Governments concerned, the planting season for the year 1942-43 will be rapidly closing?

Mr. J. D. Tyson: No, Sir. We are advised that it would not be a suitable time to plant at this time of the year, the end of the monsoon. Rather, the planting should take place in February-March.

Sir F. E. James: I do not know from where my Honourable friend got the information. May I be allowed to ask whether he does not agree with me that in South India, at any rate, the planting season is in the next few weeks and if that season is not taken advantage of, the information which is being collected with regard to financial guarantees will be of no avail till the next season, namely 1943-44?

Mr. J. D. Tyson: I will look into that. It may be that our information is applicable to conditions in the Darjeeling district of Bengal.

Sir F. E. James: My Honourable friend is, I take it, aware of the Madras Presidency and that, in point of fact, more advance has been made there in regard to cinchona plantation than even in Bengal, and although it is my Honourable friend's late Province, I suggest that he takes a little more trouble to find out what has happened in the Province of Madras?

Pandit Lakshmi Kanta Maitra: Why is it that the Central Drugs Laboratory was not entrusted with the work of carrying on this research or experiment?

Mr. J. D. Tyson: Extraction of quinine is the duty of the Principal Quinine Officer and we consider him fully competent to do this particular work.

Pandit Lakshmi Kanta Maitra: In view of the fact that there are only two Provinces at the present moment in India, Bengal and Madras, which are carrying on cinchona plantation, will the Honourable Member consider the advisability of having such researches conducted in the Central Research laboratory.

Mr. J. D. Tyson: I do not think we shall make any further research. Our duty now is to get on with the growing.

Pandit Lakshmi Kanta Maitra: May I know what money has been sanctioned by the Government of India for carrying on this experiment?

Mr. J. D. Tyson: We must await the reply of the Provinces, as to what money will be necessary in their opinion?

Sir F. E. James: How long are you going to wait?

Pandit Lakshmi Kanta Maitra: Will not Government of India make any proposal to the Provincial Governments that they would advance money for carrying on this experiment or research?

Mr. J. D. Tyson: It is not now an experimental research. We have asked them to go on with planting now.

Babu Baijnath Bajoria: Are Government aware that even in hospitals the supply of quinine is very restricted on account of acute shortage of stocks.

Mr. J. D. Tyson: This question hardly arises. We have, however, asked that economy should be observed in the giving of quinine. We recognise that there will be acute shortage unless great economy is observed.

Babu Baijnath Bajoria: The price of quinine has gone up double, treble and even ten times during recent months.

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

Dr. T. X. DeSouza: Will the Honourable Member inform the House as to what period it takes for cinchona bark to mature from the time of its plantation?

Mr. J. D. Tyson: Ordinarily we do not start taking the bark till the seventh year after plantation. We take it from the seventh to the twelfth year.

MONOPOLY TO MESSRS. PARRY AND COMPANY, MADRAS, FOR DISTRIBUTION OF SUGAR IN THE MADRAS PRESIDENCY.

97. *Mr. K. C. Neogy: (a) Will the Honourable the Commerce Member state whether the attention of Government has been drawn to a representation made by the Federation of Indian Chambers of Commerce and Industry, regarding the appointment of Messrs. Parry and Company, Madras, as the sole distributors of 60,000 bags of sugar, from North India, in the Madras Presidency?

(b) Are Government aware of the existence of an organisation operating under the style of "Southern Province Sugar Marketing Board", composed of sugar manufacturers and dealers in the Madras Presidency? If so, why has a monopoly been granted to Messrs. Parry and Company, Madras, for the distribution of sugar in the Madras Presidency, instead of the distribution being entrusted to the Sugar Marketing Board?

The Honourable Mr. N. R. Sarker: (a) Yes.

(b) The answer to the first part of the question is in the affirmative. The answer to the second part of the question is that this appointment was made by the Provincial Government. That Government has now nominated their own Director of Civil Supplies as the authority for giving despatching instructions for sugar despatched from North India under the direction of the Sugar Controller for India.

Mr. H. A. Sathar H. Essak Sait: The question relates to the machinery for distribution of sugar?

The Honourable Mr. N. R. Sarker: The distribution of sugar is being done under the authority of Director of Civil Supplies.

Mr. H. A. Sathar H. Essak Sait: Under the direct authority?

The Honourable Mr. N. R. Sarker: Yes.

Mr. Muhammad Azhar Ali: Is it the policy of Government to give monopoly for sugar just as they are doing in the case of railways where they have given to Eswardas Ballabhdas? Is it to the advantage of the Government of India?

The Honourable Mr. N. R. Sarker: The Government of India have not given any monopoly in this respect to any one.

Mr. President (The Honourable Sir Abdur Rahim): The answers to the next two questions, Nos. 98 and 99 will be laid on the table.

MANUFACTURE OF MOTOR CARS IN INDIA.

98. *Mr. K. C. Neogy: (a) Will the Honourable the Commerce Member please state whether Government's attention has been drawn to a Reuter's press report, published in India, giving publicity to a statement made by the High Commissioner for India, Sir Aziz-ul-Haq, in which, among other things, he has referred to the fact that thirty types of motor vehicles were being manufactured in India?

(b) Will the Honourable Member be pleased to indicate these different types of vehicles and where they are being manufactured?

(c) Has there been any negotiation between the Government of India and the Government of the United States of America, or the authorities of the General Motors Limited, regarding the manufacture of motor cars in India? If so, will Government be pleased to lay on the table a copy of the communications exchanged between the Government of India and the Government of the United States of America or the General Motors Limited in this connection?

The Honourable Mr. N. R. Sarker: (a) and (b). The Government have seen the Press report but have ascertained from the High Commissioner that it is inaccurate. What the High Commissioner said was that army vehicles of various types, about 30 varieties, were being constructed in India. The words "motor vehicles" and "manufactured" were not used.

(c) Certain discussions are in progress regarding the erection of a further assembly plant but have not progressed sufficiently far to render it possible to make a statement.

†Answer to this question laid on the table, the questioner having exhausted his quota.

RATES OF ALLOWANCES AND ALLOTMENTS TO EVACUEES FROM THE FAR EAST AND BURMA.

99. *Mr. K. C. Neogy: (a) Will the Honourable Member for India Overseas please state what are the rates of allowances and allotments admissible to evacuees from the Far East and Burma in the case of persons of British nationality and of Indians and other non-European national respectively?

(b) On what principle have these rates been fixed?

(c) Is any part of the expenditure on this account debitable to His Majesty's Government?

The Honourable Mr. M. S. Aney: (a) I lay on the table of the House a statement indicating the scale of allowances prescribed by the Government of India. It is applicable to all evacuees irrespective of race, and to dependants and families in India of British subjects stranded in enemy-occupied countries.

(b) The rates admissible to the refugees are roughly graded according to an estimate of their pre-refugee economic status, and the allowances themselves are treated as recoverable advances and granted only against undertakings to repay.

(c) The expenditure in respect of European British subjects, Foreigners and Asiatic British subjects other than Indians and Burmans is debitable to His Majesty's Government.

Statement showing the Scale of Allowances

Estimated normal income or remittance per month.	Maximum allowances payable per month.		
	Single adult earner or person normally in receipt of a remittance.	With wife or adult dependant.	Child.
Rs.	Rs.	Rs.	Rs.
0—50	15	25	5
51—150	30	50	8
151—400	60	100	12
401—750	100	170	16
Over 750	150	250	20

The total allowance payable to a family group dependent on one earner or receiver of a remittance may not exceed 75 per cent. of the normal income or Rs. 350 whichever is less.

These scales will be in force for a period of six months in the first instance from the 1st July, 1942.

†Answer to this question laid on the table, the questioner having exhausted his quota.

HELP GIVEN BY GOVERNMENT OF INDIA TO EVACUEES FROM BURMA.

100. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Indians Overseas be pleased to state what the Government of India is doing to help the evacuees from Burma into India?

(b) What is the scale of allowances given to the evacuees and for what period and with what conditions?

(c) What steps have Government so far taken or propose to take in the near future, to help them to settle down in this country?

(d) Are these evacuees being taken in the Government of India services? If so, what is the principle on which such appointments are made?

The Honourable Mr. M. S. Aney: (a) and (b). I would invite the attention of the Honourable Member to the reply which I have just given to parts (a) and (b) of Mr. K. C. Neogy's starred question No. 99.

(c) I would invite attention to the reply given by me to part (c) of Mr. Amarendra Nath Chattopadhyaya's starred question No. 29 on the 15th September, 1942.

(d) Evacuees are eligible for Government employment, but will have no preferential claims over the local unemployed on the ground of their being evacuees.

Pandit Lakshmi Kanta Maitra: Sir, may I rise to a point of order? When I gave notice of this particular question for answer and when, for no fault of mine, the reply to a question to which reference is made is not orally given, but laid on the table, am I not entitled to have that answer read out in the House so as to enable me to put supplementary questions?

Mr. President (The Honourable Sir Abdur Rahim): If the reply has been given in the House and is in conformity with the rules there ends the matter.

Pandit Lakshmi Kanta Maitra: I am denied the opportunity to put supplementary questions.

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

Pandit Lakshmi Kanta Maitra: My Honourable friend, Mr. Neogy, exhausted his quota of questions and so the answer to his question was laid on the table only today. Therefore, it is not as if the answer was laid on the table sometime before to which I could have had access.

Mr. President (The Honourable Sir Abdur Rahim): It does not matter. The answer was laid on the table under the rules.

Pandit Lakshmi Kanta Maitra: I want to know whether, in view of the fact that I am not getting any opportunity to have information on that matter and today is the last day of the Session, I am entitled to ask supplementary questions.

Mr. President (The Honourable Sir Abdur Rahim): It does not matter whether it is the last day of the Session. The rules will have to be carried out. When the answer has been laid on the table, the Honourable Member cannot put any supplementary questions on that. He can put in a fresh question if he likes and if there is time.

[24TH SEPT. 1942]

ORGANISATION FOR PROVIDING EMPLOYMENT FOR EVACUEES FROM BURMA.

101. *Pandit Lakshmi Kanta Maitra: Will the Honourable Member for Indians Overseas be pleased to state whether or not any organisation has been set up by Government to provide employment for the evacuees from Burma? If the answer is in the affirmative, will he please make a detailed statement on it?

The Honourable Mr. M. S. Aney: I would invite the attention of the Honourable Member to my reply to part (c) of Mr. Amarendra Nath Chattopadhyaya's starred question No. 29 on the 15th September, 1942.

ALLOWANCES TO NON-INDIAN AND INDIAN EVACUEES FROM BURMA.

102. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Indians Overseas be pleased to state whether his Department is responsible for the payment of allowances to the following categories of evacuees from Burma:

- (i) European,
- (ii) Anglo-Indian,
- (iii) Anglo-Burman,
- (iv) Burman, and
- (v) Chinese?

(b) If the answer to the above be in the affirmative, will he be pleased to state the scale, conditions and duration of such allowances?

(c) If the scales are different, under what principle has such differentiation been made?

(d) Will he be pleased to state if the allowances to the above are made by the Government of India on behalf of His Majesty's Government in England?

(e) Is the payment of allowances to the Indian evacuees also made by the Government of India on behalf of His Majesty's Government in England? If not, on what principle is this differentiation made?

The Honourable Mr. M. S. Aney: (a) The Home Department is the administrative Department concerned with the grant of allowances to Europeans and Foreigners evacuated to India and the Department of Indians Overseas to evacuees of Indian origin and Asiatic British subjects evacuated to this country.

(b) to (d). The attention of the Honourable Member is invited to my reply to Mr. K. C. Neogy's starred question No. 99 earlier in the day. The Government of Burma have accepted responsibility for the expense incurred in giving relief to Burman and Anglo-Burman refugees.

(e) The answer to the first part is in the negative. As regards the second part, the differentiation is based on the principle that the Government of each country should assume responsibility for evacuees who are the nationals of that country. In the case of Colonial Governments like those of Malaya and Hongkong and Foreign Governments, His Majesty's Government in England will act as a clearing house.

Now, Sir, if you have no objection, I am prepared to read out the answer to question No. 99 which was laid on the table because Mr. Neogy had exhausted his quota of questions, so that my Honourable friend, Pandit

Maitra, should have no grievance on that point. Now, I am reading out the reply to question No. 99 by Mr. K. C. Neogy:

(The Honourable Member then read out the reply.)

Babu Baijnath Bajoria: What about Anglo-Burmans?

The Honourable Mr. M. S. Aney: It will be a charge on the Government of Burma.

Babu Baijnath Bajoria: How will they pay? Does the Burma Government exist?

The Honourable Mr. M. S. Aney: It does.

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

RESPONSIBILITY FOR PAYMENT OF ALLOWANCES TO INDIAN EVACUEES WHO ARE BURMESE NATIONALS.

103. *Pandit Lakshmi Kanta Maitra: Will the Honourable Member for Indians Overseas be pleased to state if any representation has been made by the Government of India to His Majesty's Government in England to undertake responsibility for payment to the Indian evacuees who are Burmese Nationals? If the answer is in the affirmative, will the Honourable Member please state the result?

The Honourable Mr. M. S. Aney: The reply to the first part is in the negative; the second part does not arise.

MACHINERY FOR CO-ORDINATION OF ACTIVITIES OF DIFFERENT GOVERNMENT DEPARTMENTS IN RELATION TO ALL EVACUEES COMING TO INDIA.

104. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable Member for Indians Overseas be pleased to state if there is any machinery of the Government for the correlation and co-ordination of the activities of the different departments of the Government in relation to all the evacuees coming to India?

(b) If the answer to the above be in the affirmative, will the Honourable Member please make a statement about its activities?

(c) If the answer to the above be in the negative, will the Honourable Member please state if Government will consider the advisability of having some such arrangements for co-ordination?

The Honourable Mr. M. S. Aney: (a) No. There is no special machinery to co-ordinate the activities of the different Departments of the Government of India.

(b) Does not arise.

(c) Government are satisfied that the present arrangements whereby important decisions are mostly taken after consultation among the Departments concerned or interested are adequate and that there is no need to set up any special machinery for the purpose.

+ Not reproduced here but see page 48 of D.

RESEARCH FOR FINDING SUBSTITUTE FOR CINCHONA AND QUININE UNDER
AYURVEDIC SYSTEM.

105. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Education, Health and Lands be pleased to state ways and means for discovering a substitute for cinchona and quinine through researches by the Ayurvedic system of treatment are being examined? If so, what arrangements and schemes for such researches have been made? If this has not been considered, is he prepared to take up the matter without delay?

(b) Has the attention of the Honourable Member been drawn to the article on quinine by Dr. MacGilchrist in the *Statesman* of August 31, page 4, column 4?

Mr. J. D. Tyson: (a) The indigenous drugs enquiry which was conducted by Brevet Colonel Sir Ram Nath Chopra under the Indian Research Fund Association over a number of years investigated a large number of indigenous drugs for their efficacy in the treatment of malaria but none of them has been found to have a specific effect on the malaria parasite similar to that of the cinchona alkaloids. A comprehensive survey of Ayurvedic medicines was also made by Dr. M. C. Kottan under the Madras Government some years ago but no new drug with properties similar to the cinchona alkaloids was discovered. Government do not propose to institute any further enquiries.

(b) Yes.

Babu Baljnath Bajoria: Will the Government take the help of eminent Kacirajas in finding out substitutes for cinchona alkaloids?

Mr. J. D. Tyson: I have answered that question already. Government do not propose to institute any further enquiries.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that the active principle of cinchona alkaloids was not found in the medicinal drugs research on which was carried out by Colonel Sir Ram Nath Chopra?

Mr. J. D. Tyson: I said that none of the drugs covered by Colonel Sir Ram Nath Chopra's enquiry was found to have a specific effect on the malaria parasite similar to that of the cinchona alkaloids. What I meant by that was that cinchona alkaloids attack and kill the parasite. So, I understand, does Atebrin, but I do not think that anything else has been found which kills the parasite. Certain drugs, like Aspirin, produce a reduction of the symptom—the fever—but they do not really go for the parasite itself.

Pandit Lakshmi Kanta Maitra: So I take it that the present position of the Government is that they are not going to encourage further research in this direction?

Mr. J. D. Tyson: No, Sir. We do not see that any useful purpose will be served.

Mr. Jamnadas M. Mehta: What steps are being taken to encourage the manufacture of Atebrin?

Mr. J. D. Tyson: We are trying to import Atebrin from the countries in which it is manufactured on a very large scale. We cannot manufacture it in India because quite a large proportion of the ingredients are themselves highly manufactured drugs not obtainable in this country.

Mr. Jamnadas M. Mehta: Are the Bombay Government not prepared to undertake this experiment at their own cost?

Mr. J. D. Tyson: Yes, but they have not got the drugs. A certain proportion of those drugs are not obtainable in India.

Mr. Jamnadas M. Mehta: But all that the Bombay Government wanted was some shipping space to import these.

Mr. J. D. Tyson: I understand the drugs in question are on the forbidden list for export from the only two countries from which we could get them.

Mr. Jamnadas M. Mehta: What is prohibited now should be permitted if it is beneficial. Why is it prohibited? It is only a question of issuing orders.

Mr. J. D. Tyson: We can ask for the ingredients but they may prefer to send us the completed product, and we are absolutely in their hands. Another aspect of the matter is economy of shipping space.

Mr. Jamnadas M. Mehta: But the manufactured product as it comes to India is several times more costly than it would cost here by the importing of material.

Mr. J. D. Tyson: That is a matter of opinion.

Mr. Jamnadas M. Mehta: Has it not been proved by the Bombay Government?

Pandit Lakshmi Kanta Maitra: Have Government made any organized effort to find Totuquina as a substitute for cinchona alkaloids?

Mr. J. D. Tyson: I must ask for notice.

SUBSISTENCE ALLOWANCE FOR ANGLO-INDIAN AND INDIAN EVACUEES FROM
BURMA AND MALAYA.

106. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Indians Overseas please state if it is a fact that the Government of India pays a monthly grant for subsistence for Anglo-Indian evacuees' families staying in India? If so, what is the amount granted? On what basis has this amount been fixed?

(b) Will the Honourable Member be pleased to state if the Government of India have fixed any such subsistence allowance for Indian evacuees from Burma and Malaya? If so, what amount has been fixed and on what basis? Is it a fact that Anglo-Indian evacuees are given preference to Indian evacuees in matters of employment?

The Honourable Mr. M. S. Aney: (a) and (b). The reply to the first part of part (a) is in the affirmative. As regards the second and third parts of part (a) and the first portion of part (b), I would invite the attention of the

Honourable Member to my reply to Mr. K. C. Neogy's starred question No. 99 earlier in the day. As regards the employment of Anglo-Indian and Indian evacuees mentioned in the second portion of part (b), Anglo-Indians being statutory Indians are treated in the same way as Indians.

STUDENT STRIKES, DURING RECENT DISTURBANCES, IN UNIVERSITIES AND INSTITUTIONS UNDER THE CENTRAL GOVERNMENT CONTROL.

107. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable Member for Education, Health and Lands please lay on the table a list of institutions in the Centrally Administered areas and such Universities and institutions, for which the Central Government is responsible, that were closed abnormally on account of the violent non-co-operation in recent disturbances?

(b) What is the total number of students who left these institutions?

(c) How far are the teachers responsible in the creation of strikes? What disciplinary action if any have the Departments of Instruction taken in such cases?

Mr. J. D. Tyson: (a) to (c). The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in present circumstances.

FINANCIAL CONTRIBUTIONS TO THE LEAGUE OF NATIONS.

108. *Dr. P. N. Banerjee: Will the Honourable the Law Member please state:

(a) the amounts of financial contribution made to the League of Nations during the financial years

(i) 1937-38; and

(ii) 1941-42; and

(b) the basic principle on which the contributions are made by India and other member-countries to the League of Nations?

The Honourable Sir Sultan Ahmed: (a) (i). Rs. 9,88,905.

(ii) Rs. 7,54,640.

(b) The aggregate amount of the League of Nations budget for any particular year is payable by the members of the League as a whole, each member-State contributing in the proportion of the number of units assigned to her in the scale of allocation for the time being in force. Thus India in 1941 paid 48/522 of the total expenditure, 48 being the number of units assigned to her in the scale of allocation adopted as the result of the Report of the Allocation Committee of 1939 and 522 representing the total number of units in 1941.

The basic principle followed by Allocation Committees has been that of capacity to pay and the principal data taken into account have comprised the population, production, trade and banks, transport and budget of States.

Maulana Zafar Ali Khan: May I know, Sir, whether the League of Nations is still alive?

Mr. President (The Honourable Sir Abdur Rahim): Dr. Banerjee.

Dr. P. N. Banerjee: Why should the progressive decrease not be applied to these contributions?

The Honourable Sir Sultan Ahmed: All the matters which could be considered in this connection were brought to the notice of the Allocation Committee. Our contribution would have been much less had not some of the members gone out on account of the war. The House will remember that provisions have been made from time to time in the contribution payable by India to the League. India originally had 65 units assigned to her; now it is 48. The position is that the Government of India have from time to time done their very best to bring to the notice of the Committee or the authorities the condition of this country, our own capacity to pay; and those considerations were present when the Committee considered the contribution. It is very difficult at the present moment to suggest any new method, and we will have to wait till the end of the war. The existence of the League is essential for the purposes of post-war reconstruction, and the contribution we are making is not too high. It could have been much less if some of the major countries had not gone out.

Dr. P. N. Banerjee: Will the Government of India take further steps in order that India may be made to pay its fair share of its contribution and not more?

The Honourable Sir Sultan Ahmed: Sir, we know that the contribution is there and we will do our best to reduce our liability if possible.

Babu Baijnath Bajoria: What benefit is India getting in making these big contributions?

The Honourable Sir Sultan Ahmed: That does not arise from the question.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member tell us in what manner is India's participation in the League of Nations secured at present?

The Honourable Sir Sultan Ahmed: That does not arise from the question.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member tell us if it is not a fact that a number of units of the League of Nations have been eliminated now and, if so, why is it that India is made to pay a larger amount than what she used to do before?

The Honourable Sir Sultan Ahmed: That should be obvious to everybody. If we are in the League of Nations we should make a contribution; besides, the expenditure of the League has gone down very much and that is the reason why we have to pay Rs. 7 lakhs instead of Rs. 14 lakhs, as was our contribution in the earlier part of the existence of the League of Nations.

Pandit Lakshmi Kanta Maitra: Has the Honourable Member satisfied himself that the remnant units of the League of Nations have been made to make proportionately increased payments?

The Honourable Sir Sultan Ahmed: Certainly.

Mr. President (The Honourable Sir Abdur Rahim): The answer to the next question of Mr. Neogy is laid on the table.

POLICY GOVERNING THE EMPLOYMENT OF EVACUEES FROM BURMA.

109. ***Mr. K. C. Neogy:** (a) Will the Honourable Member for Indians Overseas be pleased to explain the policy governing the employment of evacuees from Burma under the Government of India? Was the policy enunciated in any formal communication for the benefit of different departments and offices under the Government, or were they left free to pursue their own course in the matter? If any such communication was issued, will it be please laid on the table?

(b) How many British and other European evacuees from Burma have been employed under the Government of India and in what positions and what were the considerations for such employment?

(c) Was the Public Service Commission consulted at any stage on any relevant point in connection with the policy of such appointments or as regards the merits of any individual evacuee prior to his selection for his employment under the Government?

The Honourable Mr. M. S. Aney: (a) I lay on the table of the House a relevant extract from a communication addressed by the Department of Indians Overseas to all Departments of the Government of India suggesting that in the matter of employment of evacuees preference should as far as possible be given to Indian evacuees. In another communication to all the Departments the Defence Department has reiterated the policy that while every effort should be made to absorb evacuees in useful employment, evacuees qua evacuees should not be given any preference over other Indian candidates in the matter of Government employment.

(b) So far as can be ascertained 124 European evacuees have been appointed by the different Departments to various posts of a temporary nature under their control, but the further particulars asked for by the Honourable Member are not readily available.

(c) The reply to the first part is in the negative. As regards the second part, the Federal Public Service Commission was not consulted in the matter of appointment of evacuees to posts. Recruitment to which is under the rules made without consultation with the Commission.

Extract from a Communication dated the 14th May, 1942, addressed by the Department of Indians Overseas, to all Departments of the Government of India, regarding Employment of Evacuees.

2 The Department of Indians Overseas fully realise that when appointments are not made through the Public Service Commission, the appointing authorities have full discretion to select the most suitable incumbents and further that there is no bar to the employment of any British subject under the Governments in India. In view, however, of the situation created in India by the influx of a large number of Indian evacuees unemployed, who are likely to be a charge on Indian public revenue until they can become self-supporting, this Department ventures to express the hope that appointing authorities will endeavour to select Indians for Government employment rather than non-Indian persons. It is not suggested that the claims of Indian evacuees should be treated as being in any way stronger than those of other Indian unemployed but it will be recognised that anything done to relieve unemployment among Indians generally can not be without its effect on the problem of the Indian evacuee unemployed. "Indian" in this context should be taken to mean:

(a) British subjects domiciled in India (including Anglo-Indians and domiciled Europeans);

and (b) British subjects of Indian extraction.

*Answer to this question laid on the table, the questioner having exhausted his quota.

TRANSFERRED UNSTARRED QUESTIONS AND ANSWERS.*

APPLICATIONS UNDER PAYMENT OF WAGES ACT BY OR ON BEHALF OF EMPLOYEES OF FEDERAL RAILWAYS.

1. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Labour please lay on the Table a statement showing the applications presented to the authorities appointed under the Payment of Wages Act, 1936, by or on behalf of the employees of Federal Railways between the 1st April, 1937, and the 31st August, 1942, showing *inter alia*:

- (a) the application number;
- (b) the particulars of the parties, i.e., name and address;
- (c) allegations in the application;
- (d) amount of the relief claimed;
- (e) findings of the Authority, and qualifications of the Authority;
- (f) if appeal preferred, the result of the appeal together with the full description of the appellate court, and
- (g) if revision preferred, the result of the revision together with the particulars of the Revisional Court?

The Honourable Dr. B. E. Ambedkar: The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

SUMMONS FEES UNDER PAYMENT OF WAGES RULES FOR DELHI PROVINCE.

2. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Labour please refer to Rule 18 of the Payment of Wages (Federal Railways) Rules, 1938, and to Rule 21 of the United Provinces Payment of Wages Rules, 1936, and Rule 21 of Delhi Province Payment of Wages Rules, 1937, and state the amount of the process fee for summoning the opposite party by the Authority and by the court which is prescribed for the Delhi Province?

The Honourable Dr. B. E. Ambedkar: Government are advised that no process fee is leviable for issuing notices to the opposite party under the rules mentioned. This is, however, a matter of interpretation of the rules.

BURMA EVACUEES GIVEN APPOINTMENTS IN GOVERNMENT OF INDIA DEPARTMENTS AND THEIR ATTACHED AND SUBORDINATE OFFICES.

3. **Mr. K. C. Neogy:** Will the Honourable Member for Indians Overseas be pleased to lay on the table a statement on the following lines, in relation to all Departments of the Government of India including all offices and services under their control:

(a) Number of evacuees from Burma and the Far East who may have been given appointments in the Department or offices attached or subordinate to it?

*The question hour of the 18th September, 1942, having been dispensed with, these questions were transferred till today. vide page 233 of these Debates.—Ed. of D.

[24TH SEPT. 1942]

(b) How many of them are (1) Britishers, (2) other Europeans, (3) Anglo-Burmans, (4) Anglo-Indians, (5) Burmans, (6) Indians, and (7) other nationalities?

(c) Who, among persons of each of the above seven categories, held offices under the Government of Burma, or under any other Government, or were in private employ or engaged in private business or any profession in Burma, or elsewhere, respectively?

(d) In the case of salaried employees, in what capacity, on what scale of pay and for what length of time, was each such person engaged in Burma or elsewhere; and in what capacity and on what scale of pay has he or she been employed in India, and for what length of time is he or she expected to serve the Government of India?

(e) Has each such person been employed on account of any special qualification, or out of compassion?

(f) In the case of which such person or persons, corresponding qualifications or experience could not be obtained among officers already in the employ of the Government of India, or among non-official Indians?

(g) Has the appointment of any such person prejudiced the service prospects of any individual officer already in the employ of the Government of India, directly or indirectly?

(h) In which cases, if any, are such persons the first incumbents in the appointments concerned, and in which cases have they succeeded other officers? In regard to the first category, what considerations determined the terms fixed; and in regard to the second category of cases, have the previous terms of employment been revised in any way for the benefit, or to the prejudice, of any evacuee from Burma or the Far East?

The Honourable Mr. M. S. Aney: (a) and (b). So far as can be ascertained from returns which have been received from the various departments of the Government of India the total number is 1,058. A statement giving the composition of this number is annexed.

(c), (d) and (h). Most of these persons are employees of the Government of Burma evacuated to India. All the appointments have been made on a temporary basis. The salaries paid are those prescribed for the different posts. The other details asked for by the Honourable Member are not readily available. The task of collecting them will involve an expenditure of time and labour which would not be justifiable in present circumstances.

(e) It is not the Government's policy to find or create posts for evacuees out of compassion; evacuees were considered equally with other available Indian candidates and appointed to posts for which they were suitably qualified.

(f) Evacuees are considered eligible for Government posts equally with other candidates in India whether official or non-official. The other details asked for cannot be obtained without an unjustifiable expenditure of time and labour.

(g) Government have no reason to believe that the interests of any officers already in the employ of the Government of India have been adversely affected by these appointments.

TRANSFERRED UNSTARRED QUESTIONS AND ANSWERS

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Statement showing the classification of evacuees from Burma & the Far East employed by Departments of the Government of India and their attached and subordinate offices.

Serial No.	Department.	Indians.	Anglo-Indians and domiciled Europeans.	Anglo-Burmans.	European British subjects.	Others.	Total.	Remarks.
1.	Secretariats of the Governor General Personal, Public and Reform.	...	...	...	...	...	15	* For 3 months. † 1 for 1 month.
2.	Home Department	11	...	2*	2†	...	14	
3.	Department of Civil Defence.	7	1	2	4	...	14	
4.	Department of Information and Broadcasting.	3	...	1	...	4 (a)	8	(a) Burmans.
5.	External Affairs Department.	...	1	...	1	1 (b)	3	(b) In China; domiciled Burman.
6.	Political Department	4	1	...	2	...	7	
7.	Finance Department	16 51 (c)	1	2	1	...	71	(c) In office of Controller of Supply Accounts.
8.	Legislative Department	...	...	...	...	...	10	
9.	Department of Commerce	6	...	1	3	...	10	
10.	Department of Labour	67	106	...	9	20†	204	† "Other nationalities".
11.	Department of Education, Health and Lands.	13	4	1	2	...	20	
12.	Department of Indian Overseas.	6	1	...	...	...	7	Persons employed in the Refugee Organisation, Assam, not included.
13.	Legislative Assembly Department.	...	...	...	...	...	7	
14.	Department of War Transport.	5	...	...	2	...	66	
15.	Department of Posts and Afr.	56	8	...	2	...	129	(d) 1 Burman and 10 "Other nationalities".
16.	Department of Supply	96	4	5	13	11(d)	129	
17.	War Department	139	126	87	74	* 57‡	483(e)	(e) Includes Women's Auxiliary Corps formations. ‡Of this 2 are Burmans, the rest are "Other than British Subjects".
18.	Defence Department	...	1	2	3	...	6	
19.	Railway Board	...	2	...	6	...	8	Does not include non-gazetted staff for whom information is not available.
Total		480	258	103	124	93	1,058	

SHORT NOTICE QUESTIONS AND ANSWERS.

GRIEVANCES OF THE ORDNANCE FACTORIES DIRECTORATE STAFF TRANSFERRED TO CALCUTTA.

Babu Baijnath Bajoria: (a) Will the War Secretary please state whether it is a fact that a portion of the M. G. O. Branch Staff which was serving in the Ordnance Factories Directorate was compelled to accept transfer to Calcutta in 1940 contrary to the conditions of their service in Army Headquarters?

(b) Is it a fact that the non-gazetted staff of that establishment was then assured by Government that their prospects of promotion and other interests would be adequately safeguarded and that their temporary detachment from their parent office would not in any way adversely affect their prospects?

(c) Are Government aware that during the last two years the Indian element of the transferred staff has suffered considerable financial losses both in respect of promotions and otherwise? If not, what steps have Government taken to make themselves acquainted with their grievances?

(d) Is it a fact that European clerks of the M. G. O. Roll have been promoted Officer Supervisors in supersession of the Senior Indian clerks. If so, why?

(e) Is it a fact that promotion is based on confidential reports which give preference to European clerks and are responsible for the supersession of Indians?

(f) Are Government prepared to end the present system of confidential reports on clerks and refer all cases to the Federal Public Service Commission with a view to their selecting the best men for promotion after holding a competitive test? If not, why not?

Mr. C. M. Trivedi: (a) In 1940 the staff of the Ordnance Factories Directorate was transferred to Calcutta, but there is nothing in such a transfer which is contrary to their conditions of service.

(b) Yes.

(c) The reply to the first part is in the negative. As regards the latter part, the normal channel of submission of individual representation is open to all clerks.

(d) Yes. Senior European clerks have been similarly superseded, and in one case by an Indian who has been promoted Officer Supervisor. The appointment of Officer Supervisor is a selection appointment and the individual, whether Indian or European, best fitted for a particular post, is selected.

(e) No.

(f) No. The appointments are made from the ministerial establishments and are the responsibility of the head of the Branch who is the best judge of the capabilities of the individual selected.

Babu Baijnath Bajoria: With reference to part (c) of the question, if I have understood it, the Honourable the War Secretary has said that there have been no financial losses for the staff who have been transferred to Calcutta.

Mr. C. M. Trivedi: I was asked whether the Government were aware that the staff had suffered any loss, and I have given the answer that the Government are not aware of such a loss.

Babu Baijnath Bajoria: Are not Government aware that the cost of living in Calcutta is much higher than at Delhi?

Mr. C. M. Trivedi: Yes; I am aware of that; but the staff in Calcutta get a compensatory allowance.

COMPENSATORY ALLOWANCE OF THE MASTER GENERAL OF ORDNANCE BRANCH STAFF TRANSFERRED TO CALCUTTA.

Babu Baijnath Bajoria: (a) Will the War Secretary please indicate the authority responsible for watching the interests of the transferred staff of the Master General of the Ordnance Branch? Is it M. G. O., or D. G. M. P. or the War Department in which the Master General of the Ordnance Branch Establishment Section has been amalgamated?

(b) Is it a fact that although the transferred staff at Calcutta have submitted repeated appeals to the authorities for an enhancement of their Calcutta Cost of Compensatory Allowance in view of the higher cost of living in Calcutta these days, Government have thought fit to take no action in the matter so far? If so, why?

Mr. C. M. Trivedi: (a) As regards the first part, the Master General of the Ordnance in India is responsible where ministerial establishment are concerned, and War Department in the case of officers. As regards the latter part, the Establishment Section of the Master General of the Ordnance Branch has been amalgamated with the War Department.

(b) Government are not aware of any such representations.

Maulvi Muhammad Abdul Ghani: May I know whether the cost of living in any part of India is at present enhanced?

Mr. C. M. Trivedi: Yes; the cost of living has arisen everywhere in India.

NEGLECT OF DOMICILED INDIAN EVACUEES FROM BURMA REACHING BENGAL.

Mr. Lalchand Navalrai: (a) Will the Honourable Member for Indians overs as be pleased to state if it is a fact that the Indians domiciled in Burma who are now evacuees in Bengal are not provided with food or living arrangement by Government and are therefore wandering about in Chittagong with their children, begging from door to door?

(b) Is it a fact that Provincial authorities have made sufficient arrangements for the support of the Burman evacuees in Dinapur District in Bengal and have been given lands? If so, why a different treatment is being given to Indians domiciled in Burma now evacuees?

(c) Do Government propose to make all suitable arrangements for these Indians who have come for shelter and livelihood in India? If not, why not?

The Honourable Mr. M. S. Aney: (a) and (c). The Government of Bengal recently reported that in the Chittagong district several thousand applicants claiming to be evacuees had approached the District Magistrate.

for financial assistance under the scheme sanctioned by the Government of India and that due to lack of adequate staff the work of sanctioning relief had fallen into arrears. The staff asked for has been sanctioned by the Government of India and Government expect that requests for relief from the Indian evacuees in Chittagong will now be dealt with expeditiously.

(b) The Honourable Member presumably has in mind the case of some 8,000 Arakanese Mughls who had sought refuge in Chittagong and were moved into the interior of Bengal. These refugees have no relations or homes in India to go to and had to be housed in special camps. These are being maintained at the expense of the Government of Burma. They have not been given any land. Indian refugees are not similarly placed and it has been found sufficient to give them maintenance allowances to enable them to find housing, food, etc.

Mr. Lalchand Navalrai: May I know whether it is a fact that these Indians who were domiciled Burmans have not been given any food or other arrangement up to this time and whether any arrangements made are only for the future?

The Honourable Mr. M. S. Aney: It is not so. The arrangements there were inadequate to cope with the number that had come in there, and on account of that the work had fallen into arrears. To clear off those arrears additional staff is being given and the work is going on; it is not true that all of them were moving about and none was getting any allowance.

Mr. Lalchand Navalrai: What was the number that was wandering about?

The Honourable Mr. M. S. Aney: It is difficult to count the number of persons who were moving about. The number that had been given relief already before was a few thousand, and the remaining cases are being decided now.

Mr. Hooseinbhoj A. Lalljee: May we know how many beggars were roaming about in the streets of Chittagong before and how many more have been roaming during the period this administration is in force?

The Honourable Mr. M. S. Aney: No census of beggars was made and it is difficult to distinguish between the beggars and the destitute evacuees. I cannot, therefore, say how many persons were there before or were not there before.

Mr. Lalchand Navalrai: May I know up to this time how many of them have been housed and if there are persons who have not been housed?

The Honourable Mr. M. S. Aney: I am afraid my Honourable friend did not listen to my reply properly. All that is being done under the scheme which we have promulgated is to give them a certain allowance on a certain basis, and it is for them to find their own house and food arrangements out of the money given to them as allowance. That is the scheme. As regards housing, the Government of India have not taken any responsibility for the Indian evacuees; nowhere have they taken that responsibility.

Maulvi Syed Murtuza Sahib Bahadur: Is it a fact that subsistence allowance is given only for the duration of one month, so that it is sufficient for the upkeep of the individual or family for only one month?

The Honourable Mr. M. S. Aney: That is not correct. The scheme will continue at least for six months and they will get this allowance for six months. It is expected that during that period the evacuees will be able to find a job or get some employment and will no longer need relief from the public treasury.

Maulvi Syed Murtuza Sahib Bahadur: Will the Honourable Member see about a particular report from Trichinopoly where an evacuee from Burma got subsistence allowance only for one month and will he be prepared to extend the period by five months more?

The Honourable Mr. M. S. Aney: I heard some cases while I was in Madras on tour and the mistake was brought to the notice of the local officers that it was a wrong interpretation.

ACTIVITIES OF THE UNITED KINGDOM COMMERCIAL CORPORATION.

Mr. Jamnadas M. Mehta: (a) Will the Honourable the Commerce Member be pleased to state if it is a fact that the United Kingdom Commercial Corporation has been given a monopoly of exports of certain commodities from India in regard to trade with certain countries?

(b) Is it a fact that the United Kingdom Commercial Corporation are participating in the export trade of India, even in regard to commodities for which they have not been granted a monopoly? If so, will Government furnish information regarding the total value of exports of such commodities so far effected by the Corporation and also of all commodities?

(c) Do the Corporation enjoy any exclusive privileges or concessions granted by the Government of India, e.g., in regard to priority of transport and export licences?

(d) Is it a fact that the United Kingdom Commercial Corporation will be utilised as the agency for export of tea from India when private exports are stopped under the Block Purchase Scheme?

(e) Do the Government of India recognise that the activities of the Corporation should not be allowed to supplant existing channels of trade? If so, will they state what steps are they taking to prevent such a development?

(f) Will Government be pleased to give an official date before the presentation of the next Budget for the discussion of the activities of the United Kingdom Commercial Corporation?

The Honourable Mr. N. R. Sarker: (a) The United Kingdom Commercial Corporation is at present the sole organisation which has been entrusted with the task of purchasing and supplying essential commodities to Russia. Apart from this, they have been given the privilege of trading with Persia in a limited number of commodities. For fuller particulars the attention of the Honourable Member is invited to the Press Note issued on the 6th August, 1942, a copy of which is available in the Library of the House.

(b) Yes. The United Kingdom Commercial Corporation have exported a few consignments of jute goods, rice, spices, tea and yarn to the Middle East countries. The circumstances in which most of these exports were undertaken by the Corporation have been explained in the Press Note referred to in the answer to (a) above. Information regarding the total value of exports made by the Corporation is not available but the percentage of such exports to the total trade with the respective countries is known to be small, except in regard to Russia.

(c) No exclusive concessions have been given to the Corporation as such. Priority of transport and special facilities in obtaining export licences are accorded to the Corporation only for the movement of war supplies.

(d) The entire Indian exportable surplus of tea will, under the Block Purchase Scheme, be sold to His Majesty's Ministry of Food. The machinery by which they will arrange the distribution of the tea to consuming countries other than the United Kingdom is still under discussion.

(e) Yes, except where there are certain conditions arising out of the war which make it impracticable to leave particular transactions to normal commercial channels. The Government of India are keeping themselves fully in touch with the activities of the Corporation in India and are satisfied that their activities have not so far been conducted in a manner from which a displacement of existing trade channels may be seriously apprehended.

(f) This is a matter which can be adequately dealt with under the ordinary procedure governing non-official Resolutions.

Mr. Jamnadas M. Mehta: Are Government aware that this Corporation has been financed and controlled by His Majesty's Government in England?

The Honourable Mr. N. R. Sarker: Yes.

Mr. Jamnadas M. Mehta: Is it not a fact that the Russian trade was being effectively dealt with by private channels before this Corporation came on the scene?

The Honourable Mr. N. R. Sarker: No. I am not aware of it.

Mr. Jamnadas M. Mehta: What is the Honourable Member's information?

The Honourable Mr. N. R. Sarker: My information is that there were no recognised trade channels to Russia.

Mr. Jamnadas M. Mehta: Is it not a fact that there have been innumerable transactions by private traders with Russia in the matter of many articles to which reference has been made by the Honourable Member?

The Honourable Mr. N. R. Sarker: I have no information.

Mr. Hooseinbhoj A. Lalljee: Specially tea.

Mr. Jamnadas M. Mehta: And when the Government made an examination and entrusted all this work to the Corporation, they found that no ordinary trade channels were in existence?

The Honourable Mr. N. R. Sarker: Yes.

Mr. Jamnadas M. Mehta: Government are prepared to say that?

The Honourable Mr. N. R. Sarker: Yes.

Mr. Jamnadas M. Mehta: Are Government aware that the representation made to them by the Federation of Indian Chambers was quite to the contrary? Are the Federation wrong?

The Honourable Mr. N. R. Sarker: I think they are wrong.

Mr. Jamnadas M. Mehta: You think. You do not know. The Honourable Member simply promises that the ordinary method of Resolution may be resorted to. Does he not recognise that this is a matter in which vast interests are concerned, and people are afraid that a second East India Company is coming into operation. Why cannot he give some fixed date on which this matter may be effectively disposed of and fears laid low?

The Honourable Mr. N. R. Sarker: The next Session will be a long Session and I am absolutely sure that my Honourable Member will get an opportunity for moving his Resolution on a non-official day.

Mr. Jamnadas M. Mehta: But failing that, Government are prepared to give time?

The Honourable Mr. N. R. Sarker: I will consider that.

Sir Cowasji Jehangir: Will the Honourable Member say whether this Corporation is limited with regard to profits?

The Honourable Mr. N. R. Sarker: It is a Government corporation, it does not work for profit.

Sir Cowasji Jehangir: Who pays for the cost of administration of this Corporation?

The Honourable Mr. N. R. Sarker: The Corporation itself pays it.

Sir Cowasji Jehangir: Then they must make a profit in order to be able to pay their costs.

The Honourable Mr. N. R. Sarker: His Majesty's Government finances it, but so far as my information goes, they do not make profit in the sense that they declare dividends or pay profits.

Sir Cowasji Jehangir: Who is the authority in the Government of India who goes through the accounts to see that these profits are not made over and above the costs? I understand that costs are not met from the Corporation. Who is the authority in the Government of India that sees that there are no profits?

The Honourable Mr. N. R. Sarker: We have called for the accounts and we shall ourselves examine.

Mr. Hooseinbhoy A. Lalljee: Will they come under the Income-tax Act and pay income-tax to the Government?

The Honourable Mr. N. R. Sarker: They will be liable to income-tax.

Mr. Hooseinbhoy A. Lalljee: Does any department of the Government of India act as their agent in purchasing or despatching goods?

The Honourable Mr. N. R. Sarker: No.

Mr. Jamnadas M. Mehta: Are the profits of this Corporation 25 per cent.?

The Honourable Mr. N. R. Sarker: I do not know.

Mr. Jamnadas M. Mehta: The profits allowed to them are 25 per cent.

The Honourable Mr. N. R. Sarker: I am not aware of it.

Mr. Jamnadas M. Mehta: Will the Honourable Member enquire?

The Honourable Mr. N. R. Sarker: Yes, I will enquire.

Sir Cowasji Jehangir: Will the Honourable Member see that this Corporation does not make any profit except legitimate costs of administration?

The Honourable Mr. N. R. Sarker: From the Indian side we can insist on it, but if they make profits in the case of other countries, how can we control it?

Sir Cowasji Jehangir: The Honourable Member confesses that such profits are obtained and the ordinary trades in India are deprived of such profits. I can understand an ally being given commodities, specially war commodities, at cost prices, but I cannot understand a corporation being allowed to do so and to make a profit and prevent the people of this country from making that legitimate profit.

The Honourable Mr. N. R. Sarker: So far as I am aware, it does not; but I say I will examine it.

Mr. Hooseinbhoy A. Lalljee: The Honourable Member gave a reply that no Government Department works as the purchasing agents or otherwise for the Corporation. Is it correct, because my information is definite that some of the Departments of Government do act as purchasing agents and despatching agents?

The Honourable Mr. N. R. Sarker: I do not know. I must have notice.

Mr. Jamnadas M. Mehta: Was it not possible to organise an Indian corporation of this kind for Indian export trade?

Sir Cowasji Jehangir: May I ask which is the authority which fixes the price that the Corporation pays for the commodities that it buys?

The Honourable Mr. N. R. Sarker: It buys in the open market generally.

Babu Baijnath Bajoria: Is the Honourable Member satisfied that the activities of this Corporation do not affect prejudicially the interests of the Indian mercantile community?

The Honourable Mr. N. R. Sarker: So far I am satisfied that it is not working prejudicially, but we are keeping a watch over their operations.

Babu Baijnath Bajoria: As Commerce Member or as a business man?

The Honourable Mr. N. R. Sarker: As Commerce Member representing business men.

Maulvi Syed Murtuza Sahib Bahadur: Do they make profit when they trade with . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is too late.

STATEMENT LAID ON THE TABLE.

Information promised in reply to part (b) (ii) of starred question No. 93 asked by Babu Baijnath Bajoria on the 24th February, 1942.

DESIRABILITY OF SPEEDY DISPOSAL OF CASES BY THE RAILWAY RATES ADVISORY COMMITTEE.

Statement showing the cost to the Railways in respect of the legal and other charges in connection with cases before the Railway Rates Advisory Committee.

1938-39	Rs. 32,460· 7
1939-40	Rs. 29,837· 9
1940-41	Rs. 19,619· 4

REPORT OF THE COMMITTEE ON TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF THE INDIAN LEGISLATURE.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, with your permission, I would lay on the table the Report of the Committee appointed by this House for the purpose of considering the amendment of the rules governing the grant of travelling and other allowances to Members of the Indian Legislature. I regret that, although the instructions were to report to this House not later than the 19th September, 1942, it did not prove possible to get the Committee to meet together at any earlier date, and, with your permission, therefore, I would present this Report* now.

Mr. President (The Honourable Sir Abdur Rahim): Very well. The Honourable Member can present the Report.

[The Report* was then presented.]

*Printed as an Appendix to these Debates, vide page 545.

RESOLUTION RE COMMITTEE FOR ENQUIRY INTO THE ALLEGED MILITARY AND POLICE EXCESSES.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): Sir, I move:

"That this Assembly recommends to the Governor General in Council that a committee composed of nine Members of this House, with a majority of non-officials selected in consultation with the Leaders of the Parties be set up immediately to enquire into the allegations of excesses committed by the military and the police in dealing with the recent disturbances in the country, and to report thereon to the Governor General in Council."

I should like, at the very outset, to make it quite clear that I do not in the least contest the right of the executive Government to use force in repelling force and in upholding law and order. Circumstances may arise where the executive Government may be justified even in taking the law into its own hands, suspend the normal rule of law and make over the control of the internal situation of the country to the military under martial law. In circumstances of lesser gravity the executive Government is perfectly entitled to utilise the assistance of the military in enforcing law and order. At the present moment, although the entire country has been convulsed with acts of unheard of sabotage and violence martial law has not been proclaimed and the civil authorities are, at least in theory, functioning in the affected areas, although to my mind the spirit of martial law determines their actions. Now, Sir, whether it is martial law or whether it is not, when the executive Government takes recourse to force, its actions are expected to be regulated by certain rules which are either contained in our laws or are laid down in the departmental instructions relating to the police or the military. These rules require the minimum of force to be used in quelling any disturbances. They also require a minimum of injury to person and property to be done as a result of such use of force. Nowhere in the civilised world can we find a parallel, however, to the situation that at the present moment obtains in this country arising out of the Government's action in upholding law and order. My time is very limited and instead of going more into these preliminaries, I should like at once to come to the facts, as I take it that the House must be eager to know from me the reasons which have impelled me to occupy its attention with such a Resolution. I have tried to summarise the various charges that are brought against the administration in this connection, under six categories.

The first and foremost is: general pillage and arson and wanton damage to property by the police and the military in places, whether directly affected or not by any hooliganism. This has particularly happened in many villages in Bihar and the United Provinces.

2. Shooting at random in places not affected by any hooliganism, just for the purpose of creating an impression. I am borrowing a very well-known expression used by certain martial law authorities in the Punjab. I may say that so far as this practice is concerned, this has particularly happened in Calcutta.

3. Random shooting of innocent people found in any locality affected by hooliganism, after the hooligans had already left the place, the object being to chastise the locality rather than the criminal mob which cannot be traced at the moment. This has happened in Delhi and in Calcutta as well as elsewhere.

4. Assault or shooting of non-violent crowds or individuals without proper warning. Technical violation of the curfew order by ignorant and innocent people is believed to have been promptly met with shooting at sight, leading to death in many cases. This is supposed to have occurred particularly in Delhi.

5. Excessive amount of force used in dispersing non-violent crowds.

6. Merciless assaults, particularly whipping, insults and indignities on all and sundry on the same principles that actuate the collective fine. In some cases, whipping and other kinds of assaults are reported to have led to death.

It will not be possible for me during the time at my disposal to give typical instances in support of all these various categories of excesses which I have tried to summarise under these heads, and I very much hope that it will be possible for some of my friends who will speak after me to supplement my observations. I am particularly anxious that my Honourable friend, Mr. Joshi, who, as the President of the Civil Liberties Union in Bombay, had occasion to conduct an inquiry into some of these allegations, will have an opportunity of speaking. I am also very anxious that my Honourable friend, Mr. Deshmukh, will have an opportunity of dealing with the situation that has prevailed in the Central Provinces for some time. I am also anxious that my friend, Mr. Chattopadhyaya, will have the opportunity of dealing with many specific instances that have been reported to us from Calcutta, instances supported by signed and verified statements of the people who have suffered.

Sir, I do not think I can do better than begin with the province of my Honourable friend, the Law Member, who, I understand, is going to reply to the debate on behalf of Government. I was particularly touched the other day when he referred to the distress from which Bihar was suffering; and may I tell him in all sincerity that my heart goes out to him in sympathy for all that Bihar is suffering, not merely at the hands of hooligans but also at the hands of the military and the police.

Sir, in dealing with this part of my subject I have the high testimony of a very respected citizen of Bihar, a man who is held in high esteem and who is an Honourable Member of the Council of State, and I have the advantage of having a copy of the speech which this Honourable gentleman delivered yesterday in the Council of State, and I will with your permission extract just a few sentences from his speech to describe what the position now is in Bihar.

Mr. President (The Honourable Sir Abdur Rahim): It is not Parliamentary etiquette for an Honourable Member to reproduce speeches made in another place.

Mr. K. C. Neogy: This is a very serious matter. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can incorporate that as part of his own speech.

Mr. K. C. Neogy: This gentleman, in his capacity as the district leader of the National War Front Movement, had occasion to visit some of the affected villages in the district of Muzaffarpur to which he belongs, and in the course of his tours, in the company of the Chairman of the

[Mr. K. C. Neogy.]

District Board of Muzaffarpur and the Secretary of the National War Front Movement, he saw sights which he says "would haunt him to his dying day,— sights not due to the action of hooligans but sights resulting from the wanton acts of damage, loot and arson which were indulged in by the police and the military. He says:

"Troops and police were let loose on the country side, and in the course of my tours in the villages as a leader of the National War Front for my native district, I had reports made to me of the oppression of the police and of the troops, of vandalism, of wanton destruction and loot of private property, of whole villages burnt, of extortion of money on threat of arrest and in some cases of actual physical torture . . . what these eyes of mine have seen in the villages: all wealthy shops in the bazaar looted, entire villages burnt not by the mob but by the soldiers and by the police; and I must confess that these sights would haunt me to my dying day."

"Sir, I should not like to dwell any further on this particular picture. It will be for the Honourable Members to read his speech in the proceedings of the Council of State. May I appeal to my Honourable friend, the Law Member, to inquire from his friends in Bihar as to whether these accounts are in any way exaggerated. I have cited as high an authority as was possible for me in the circumstances in which we are placed today. There is a complete black out of news and we have to depend upon what glimpses we get from here and there in support of our contention before this House.

Now, Sir, the next document to which I will refer is a notice under section 80 of the Civil Procedure Code, which a zamindar in the district of Ghazipur has served on the Government of India and on the Government of the United Provinces, claiming damages for wanton destruction of property committed by the military and the police in his village. I have got a complete copy of the notice in my hand. He first of all gives his own pedigree of loyalty. He mentions what his grandfather did and how his services were rewarded, what is the amount of income-tax that he pays, and finally, this is not without some amount of grim humour, he reproduces a certificate that was awarded to him only in the year 1933 in recognition of his meritorious services in connection with the putting down of the civil disobedience movement. Now, the House will soon realise what has happened to him, in spite of all his faithful and highly appreciated services. He adds that he is an Honorary Magistrate. Now, Sir, I come to the most important portion of this notice. He says:

"On the 26th August, 1942, at about 3 p.m. my Manager sent a man to me and through the message of my Manager I came to know that four European soldiers, accompanied by about 150 military men armed with rifles and along with the Sub-Inspector, Nandganj Police Station, came to my village in the afternoon of the 24th August and asked all the male members of my village including my Manager and servants to leave the village and file on *kutchra* road, which passed through the village, on pain of being shot at. The male members including children came out of the village and sat on the *kutchra* road. Thereafter, the four European soldiers along with the military men entered the village leaving a few military men to guard the villagers sitting on the road. In the village the women were asked to come out of the house on threat of being shot at should they refuse to do so. When the women came out the soldiers deprived them of all their ornaments which they were putting on their person and after that they raided in the houses and looted cash, jewellery, ornaments, clock, etc. They also raided my house. The Sub-Inspector warned the European soldiers that the house belongs to an Honorary Magistrate who was a loyal British subject but the European soldiers asked the Sub-Inspector to shut up. They then looted my house and broke some of the valuable furniture and articles. That I have been put to a loss of Rs. 20,405.73 approximately as detailed hereunder on account of the acts of vandalism committed by the said soldiers."

I do not want to mention the details. Now comes something which, I think, would not rouse the House into any hilarity:

"That the soldiers removed the clothings from the houses of the villages outside the houses and set them on fire and further set fire to 20 houses of my tenants in addition to several straw thatched houses in the village.

That after having looted my house and the houses of my tenants the soldiers came back on the road and asked all children below the age of 12 and to go out of the line of the people sitting on the road. After this order was complied with the adult persons sitting on the road were asked to sit like frogs after undressing themselves including my Manager. They had to obey the order on point of rifles.

That, thereafter, a bamboo stick was split up into few parts and five stripes were severely inflicted on the naked back of each of the villagers so sitting including my poor Manager who was throughout protesting that he was a servant of a loyal Zamindar and of an Honorary Magistrate. The condition of all these persons have become very serious and they will make their separate representation in due course if they so desire.

That one of my peons who was protesting was tied to a tree and mercilessly beaten with 30 stripes and was later on taken under arrest along with three other villagers.

That no public property is situate near my village and that none was injured by the residents of my village."

As the ornaments belonged to his wife and daughter they too have joined in the service of notice on the Government, and perhaps they will join him in the subsequent suit. This is a typical case, and I hold in my hand a bundle of papers giving very great details regarding some outrages perpetrated by the soldiers and the police in the districts of Ballia, Gorakhpur, Azamgarh and Jaunpur. These papers give a summary of the various acts of tyranny and torture which the police and the military practised on the villagers. In one paper they give, village by village, the names. . . .

Mr. C. C. Miller (Bengal: European): Are they all signed?

Mr. K. C. Neogy: They are not signed but they have been sent to me by a party in whose integrity I have every confidence. They give in very great detail the names and the nature of the damages caused, articles looted, and the houses that were burnt down. If the Government are at all anxious to find out the truth about these matters, I would be very happy to hand over these papers to the Honourable the Law Member.

Before I leave the United Provinces, I should like to dwell for a few minutes on the situation in Cawnpore. Cawnpore, the House will realise, was one of the districts which were not affected by these disturbances to the same extent as the eastern districts of the United Provinces. What I am referring to is the correspondence which passed between the Merchants' Chamber of the United Provinces and the District authorities.

Now, Sir, this is a letter addressed to the District Magistrate from the Merchants' Chamber dated the 17th August, in which they refer to indiscriminate beating, assaults and arrest of merchants made at Cawnpore, particularly in the Naraingunj market. I am afraid I have no time to go into these details, but again, I make an offer to the Government that I will be prepared to place these papers in their hands if they would be so pleased as to order an inquiry into the very grave allegations made by no less a body than the Merchants' Chamber of the United Provinces.

[Mr. K. C. Neogy.]

I particularly draw the attention of the Honourable the Law Member to the following:

"This morning, Babu Nawal Kishore Prasad No. 1, one of the senior members of the Patna Bar, who is the President of the District Hindu Sabha and the Vice-President of the Provincial Hindu Sabha and who is one of the very prominent and respectable citizens of the town, while out for his morning walk on the Kadankus road was suddenly caught hold of and ordered to 'clean the road'. Then,—"Dr. Damodar Prasad, M.B.B.S., a well known medical practitioner of the town is reported to have been dragged out of his sick bed on the upper storey of the Central Medical Hall and taken up to the Patna Collegiate school probably for the same purpose of doing the work of cleaning and was given a severe blow on his head which caused a deep wound in his skull from which blood oozed out profusely. Again—"Maulvi Shakarullah, a prominent Mokhtar, also it is reported was dragged out of his house and given a severe blow."

Now, Sir, in close juxtaposition to this column appears an interesting, but speculative, item of news under rather a mischievous headline "Mr. Aney to resign". No, Mr. Editor, Mr. Aney is engaged in the most important work of saving the prestige of Mahratta Knights. I do not think I have any more time to go into more details of this character.

The Honourable Sir Sultan Ahmed (Law Member): Will the Honourable Member please repeat his last remarks.

Mr. K. C. Neogy: I was saying that in the Searchlight of August 16, 1942, an item of news appeared under the rather mischievous headline "Mr. Aney to resign" and this item of news appears in close juxtaposition to the other item of news to the effect that people were forced to do work of road clearing. And I observed that the Honourable Mr. Aney is now engaged in the most responsible and grateful task of safeguarding the honour of Mahratta Knights.

Sir, I have asked for a Committee of enquiry and I understand that the Government are in no mood to concede this demand. I must say that I was not quite unprepared for this attitude because already we have communiqués issued by the Governments of the Central Provinces and of the United Provinces firmly taking their stand on this point and stating that, in the case of the Central Provinces Government they have no intention of holding a judicial or any other enquiry into the measures which have so far been taken to restore order and that any such measure would only tend to affect the morale of the forces employed to counter the disturbances. I have already given to the House an idea of the technique which they adopt to counter these disturbances. The Central Provinces Government have gone one better. They have refused permission to the High Court Bar Association to hold a non-official enquiry in regard to the police excesses which they wanted to hold.

In the case of the United Provinces Government, they say that "The morale of the police is high,"—of course, it is high as you have already seen from the various instances to which I have drawn attention of the House—"the Inspector General of Police has given them the watchword 'Guard the people'." We know how they have been guarding the people, incidentally enriching themselves and burning down the property belonging to people. In order to avoid any possibility of misunderstanding, the United Provinces communiqué says that the United Provinces Government wishes to make it quite clear that no public enquiry will be held into the incidents arising from the disturbances.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Mr. K. C. Neogy: Now, Sir, the only conclusion to which one can come to from these communiqués is that the acts to which I have drawn attention have been deliberately done, and the same policy has been pursued everywhere with the full knowledge and concurrence of these provincial administrations. If anything, these declarations made by the two Provincial Governments are a direct encouragement to the police and the military to continue these outrages, these acts of vandalism which the police and the military have been perpetrating on innocent people. If anything, this is likely to aggravate the situation beyond measure. I have no desire at all to say anything, or ask the Government to do anything, which will in any way weaken their hands in regard to any legitimate use of force which may be required for the purpose of meeting the situation. But I should like to get out of their hands, and it is high time that they sought to control their unruly hordes which were let loose on innocent people.

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

"That this Assembly recommends to the Governor General in Council that a committee composed of nine Members of this House, with a majority of non-officials selected in consultation with the Leaders of the Parties be set up immediately to enquire into the allegations of excesses committed by the military and the police in dealing with the recent disturbances in the country, and to report thereon to the Governor General in Council".

There are five amendments to be moved. The first is in the name of Babu Baijnath Bajoria.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, I move.

"That for the original Resolution the following be substituted:

"That this Assembly, while strongly condemning acts of murder, sabotage, arson, loot and other forms of violence committed by unruly mobs and hooligans in the country which have caused serious destruction and loss of life and property and while supporting Government in all legitimate measures taken or to be taken to suppress such more violence and restore law and order,"

Mr. N. M. Joshi (Nominated Non-Official): Sir, I rise to a point of order. The original Resolution is that the allegations of excesses committed by the military and the police in dealing with the recent disturbances be enquired into, but the amendment which Babu Baijnath Bajoria is moving condemns the violent acts of the people

Mr. President (The Honourable Sir Abdur Rahim): This is only a preface, I understand.

Mr. N. M. Joshi: Well, Sir. I understand in the preface he is committing the Legislature to condemn

Mr. President (The Honourable Sir Abdur Rahim): The substance is the same. It is perfectly in order.

[Mr. K. C. Neogy.]

I particularly draw the attention of the Honourable the Law Member to the following:

"This morning, Babu Nawal Kishore Prasad No. 1, one of the senior members of the Patna Bar, who is the President of the District Hindu Sabha and the Vice-President of the Provincial Hindu Sabha and who is one of the very prominent and respectable citizens of the town, while out for his morning walk on the Kadambari road was suddenly caught hold of and ordered to 'clean the road'. Then,—"Damodar Prasad, M.B.B.S., a well known medical practitioner of the town is reported to have been dragged out of his sick bed on the upper storey of the Central Medical Hall and taken up to the Patna Collegiate school probably for the same purpose of doing the work of cleaning and was given a severe blow on his head which caused a deep wound in his skull from which blood oozed out profusely.—"Masit Shakarullah, a prominent Mohhtar, also it is reported was dragged out of his house and given a severe blow."

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Sir, I have asked for a Committee of enquiry and I understand that the Government are in no mood to concede this demand. I must say that I was not quite unprepared for this attitude because already we have communicated by the Governments of the Central Provinces and of the United Provinces firmly taking their stand on this point and stating that, in the case of the Central Provinces Government they have no intention of holding a judicial or any other enquiry into the measures which have so far been taken to restore order and that any such measure would only tend to affect the morale of the forces employed to counter the disturbances. I have already given to the House an idea of the technique which they adopt to counter these disturbances. The Central Provinces Government have gone one better. They have refused permission to the High Court Bar Association to hold a non-official enquiry in regard to the police excesses which they wanted to hold.

In the case of the United Provinces Government, they say that "The morale of the police is high"—of course, it is high as you have already seen from the various instances to which I have drawn attention of the House—"the Inspector General of Police has given them the watchword 'Guard the people'." We know how they have been guarding the people, incidentally enriching themselves and burning down the property belonging to people. In order to avoid any possibility of misunderstanding, the United Provinces communiqué says that the United Provinces Government wishes to make it quite clear that no public enquiry will be held into the incidents arising from the disturbances.

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

"That this Assembly recommends to the Governor General in Council that a committee composed of nine Members of this House, with a majority of non-officials selected in consultation with the Leaders of the Parties be set up immediately to enquire into the allegations of excesses committed by the military and the police in dealing with the recent disturbances in the country, and to report thereon to the Governor General in Council".

There are five amendments to be moved. The first is in the name of Babu Baijnath Bajoria.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, I move.

"That for the original Resolution the following be substituted:

"That this Assembly, while strongly condemning acts of murder, sabotage, arson, loot and other forms of violence committed by unruly mobs and hooligans in the country which have caused serious destruction and loss of life and property and while supporting Government in all legitimate measures taken or to be taken to suppress such more violence and restore law and order,"

Mr. N. M. Joshi (Nominated Non-Official): Sir, I rise to a point of order. The original Resolution is that the allegations of excesses committed by the military and the police in dealing with the recent disturbances be enquired into, but the amendment which Babu Baijnath Bajoria is moving condemns the violent acts of the people

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Mr. N. M. Joshi: Well, Sir. I understand in the preface he is committing the Legislature to condemn

Mr. President (The Honourable Sir Abdur Rahim): The substance is the same. It is perfectly in order.

[Mr. K. C. Neogy.]

There is another letter dated the 24th August in which they say:

"It has further come to the notice of the Chamber that people without any consideration for their respectability have been arrested, insulted and beaten in their own houses and in the absence of male members of the house, the ladies have been insulted and subjected to misbehaviour by the police."

Then, again, take the letter from the Secretary, Hindu Sangh, Cawnpore, dated the 14th August. He says:

"Apart from the frequent and indiscriminate arrests, the police has resorted to breaking open the doors of houses, in the absence of male members, terrorising the women-folk and smashing and throwing all the belongings and removing the valuables of the houses."

Sir, there are certain true copies of statements made by the people who have been affected by this sort of behaviour of the police, but I have no time. I should, however, like only to refer to the statement made by Mr. Onkar Prasad Saxena, who is a Government employee, being employed in the Laboratory Office of the Ordnance Laboratories. He says:

"They ran amok in the whole house, smashed the gramophone, damaged our Radio, and hurled our utensils down on the road. Crockery, glassware, photos and E. P. N. S. calendars met the same fate, and as if it was not enough they further proceeded to abuse and kick the ladies who stood aghast, trembling with fear. They also relieved us of our cash amounting to Rs. 210 and jewellery worth about Rs. 1,500, a loss of roughly Rs. 5,000. . . . When I had gone to lodge a report in the Collectorganj Thana the policeman there declined to write anything about it."

Sir, my time is passing. I have now to content myself by giving very briefly the facts regarding a few other Provinces. When I come to Madras, I should like to read out the published resolution of the Majura Municipal Council which was adopted on the 19th of August. In this resolution, which was passed without any dissentient voice, the Municipal Council strongly condemned the shooting of innocent persons without warning on the pretext of the curfew order. This is one typical sample which I can give regarding the atrocities committed by the police.

Now, Sir, I should like very briefly to deal with the situation that prevailed in Calcutta. The House is aware that many of the Calcutta newspapers suspended their publication as a protest against the interference by the censoring authorities with the publication of news depicting the true situation in that city. And in an article which appeared in the *Statesman*, dated Delhi, Friday, the 21st August, headed "Newspapers in suspense", we find the following rather significant observations:

"Government in Bengal should also attend without loss of time to statements made and repeated in certain quarters about events in Calcutta. Whether true or false they cannot safely be ignored. For want of a reply from Government the public is believing the worst."

No reply came to this from the Government, and the public has all along believed the worst and the public are convinced that the worst is really what actually happened. My Honourable friend, Sir Abdul Halim Ghuznavi, whose absence today I very much deplore, gave his personal testimony as regards the indiscriminate shooting that took place in Calcutta to which he was a personal witness. I am now speaking in the presence of my Honourable Leader, Dr. P. N. Banerjee, who has also some personal experience of shooting which was indulged in in a locality, twenty-four hours after the act of hooliganism was committed there. After twenty-four hours of the happening, the police came on the scene and shot down people at random creating panic in the locality and then the police went away. This

matter was debated in the Calcutta Corporation itself and they adopted a resolution condemning all these outrages. The House should remember that the Calcutta Corporation does not enjoy any privilege which the Legislature enjoys, and any statement which any member of the Corporation makes there must have been uttered with the utmost caution. I am going to quote just a few words from the speech delivered by a very prominent Barrister, who may not be unknown to some of my Honourable friends of the European Group, especially my Honourable friend, Sir F. E. James. I am referring to Mr. N. C. Chatterjee. He said:

"I openly declare from my place in this House that if this policy of frightfulness which has been pursued in Calcutta had been pursued in the City of London, the Head of the Metropolitan Police would have been lynched."

Then he gave several instances about which he had satisfied himself, particularly one in which a boy of seven was killed. He was standing on the ledge of his house in a lane. A sergeant entered the lane and shot him. That lane was not the scene of any hooliganism or disturbance and yet the sergeant rushed into that lane and shot dead that little boy, and got away after committing this act of great bravery.

I would make a passing reference to Bombay. I find that as many as 34 Commercial Associations led by the Indian Merchants' Chamber passed certain resolutions on Monday the 17th August "condemning the repressive measures taking the form of the police and the military compelling the householders and merchants who were at their places of business, and also passers-by to clean the streets of obstacles and debris littered there, and effecting arrests from residential houses, shops and *padhis* even of business people who were not implicated in the disturbances and who were entirely innocent". The resolution continues: "This meeting regrets that several businessmen and their employees while engaged in their usual vocations have been beaten and arrested. . . ."

I should particularly like to refer in this connection to an observation which was made in the *Bombay Chronicle* under the heading "Stop such Humiliation":

"We welcome the assurance that law and order will be maintained. We presume, however, that this does not mean that the police and troops have been given a *carte blanche* to adopt methods which are intended to humiliate innocent and respectable citizens. Most of the Bombay papers have carried the story of residents, . . . (This is not the only paper in which this story appeared) 'Most of the Bombay papers have carried the story of residents of and passers-by in certain localities being compelled to sweep the streets! Some Members of our staff have personally witnessed such incidents, when even ladies were asked to sweep the street at the point of the gun.'"

This sweeping of streets appears to be a sort of special technique in putting down lawlessness because, we find this headline in the *Searchlight*, dated the 16th August, 1942:

"People forced to do work of road clearing".—This relates to Patna and this is what it says—"People in different *mohallas*—even respectable people of high position and status—are being dragged out of their houses and forced to do the work of cleaning the obstructions on the roads. And on refusing or hesitating to obey the orders they are severely dealt with and even given good thrashing. This morning"

Babu Baijnath Bajoria:

"... emphatically condemns the use of excessive force and frequent firing which have resulted in the deaths of and injury to innumerable innocent persons including women and children and recommends to the Governor General in Council that all complaints about excesses committed by the police and the military in quelling these disturbances should be investigated by judicial tribunals to be established in all the Provinces for the purpose and those found guilty be suitably and condignly punished."

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

"That for the original Resolution the following be substituted:

"That this Assembly, while strongly condemning acts of murder, sabotage, arson, loot and other forms of violence committed by unruly mobs and hooligans in the country which have caused serious destruction and loss of life and property and while supporting Government in all legitimate measures taken or to be taken to suppress such mob violence and restore law and order, emphatically condemns the use of excessive force and frequent firing which have resulted in the deaths of and injury to innumerable innocent persons including women and children and recommends to the Governor General in Council that all complaints about excesses committed by the police and the military in quelling these disturbances should be investigated by judicial tribunals to be established in all the Provinces for the purpose and those found guilty be suitably and condignly punished."

The next one is in the name of Pandit Nilakantha Das. This amendment is exactly the same.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadian): It is No. 4, overleaf, which I want to move.

Mr. President (The Honourable Sir Abdur Rahim): I am talking about amendment No. 2; it is the same as No. 1, and, therefore, it cannot be moved.

Pandit Nilakantha Das: Sir, I am not moving No. 2.

Mr. President (The Honourable Sir Abdur Rahim): The next one, No. 3, is apparently outside the scope of this Resolution; it is not relevant to the Resolution. The Honourable Member wants that the Government should not put any more ban on any unofficial enquiries that might be made. Is that not the object of this amendment?

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): The object of the original Resolution is that an enquiry should be made into the excesses

Mr. President (The Honourable Sir Abdur Rahim): The Resolution wants an enquiry to be instituted by the Government. The Honourable Member's amendment is that the Government should place no ban on any enquiries that may be made by anybody. It is not relevant to the resolution moved. But if the House agrees, and if the Government have no objection, that can be moved as a substantive Resolution after Mr. Neogy's Resolution and the amendments have been disposed of. But it is not relevant to this Resolution.

Then there is another amendment in the name of Pandit Nilakantha Das. Is it not substantially the same as Babu Baijnath Bajoria's amendment?

Pandit Nilakantha Das: It is not exactly the same.

Mr. President (The Honourable Sir Abdur Rahim): But it is substantially the same.

Pandit Nilakantha Das: Sir, this amendment asks for tribunals consisting of high judicial officers for investigating into the well supported allegations of the use of excessive force

Mr. President (The Honourable Sir Abdur Rahim): Very well, the Honourable Member can move his amendment.

Pandit Nilakantha Das: Sir, I move:

"That for the original Resolution the following be substituted:

"That while severely condemning all acts of violence and sabotage resulting in serious loss of life and destruction of property, and while recognizing that it is the duty of the Government to restore law and order and prevent the breach of public peace and to use legitimate force for that purpose, this Assembly recommends to the Governor General in Council that with a view to ensure public confidence in the Government measures, immediate and effective steps be taken for the investigation of well supported allegations of the use of excessive force by tribunals consisting of high judicial officers, and that those found guilty thereof be suitably and condignly punished."

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

"That for the original Resolution the following be substituted:

"That while severely condemning all acts of violence and sabotage resulting in serious loss of life and destruction of property, and while recognizing that it is the duty of the Government to restore law and order and prevent the breach of public peace and to use legitimate force for that purpose, this Assembly recommends to the Governor General in Council that with a view to ensure public confidence in the Government measures, immediate and effective steps be taken for the investigation of well supported allegations of the use of excessive force by tribunals consisting of high judicial officers, and that those found guilty thereof be suitably and condignly punished."

The next amendment is in the name of Dr. Ziauddin. Are you moving?

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Yes, Sir. My object is to widen the scope of enquiry. Sir, I move:

"(1) That after the words 'enquire into' the following be inserted:

'the nature of organization leading to dislocation of communication, murder, loot and forcible extortion of money under the threat of murder, the allegation that some factory owners helped hooligans by deliberately turning out their labourers after paying their full wages and',

(2) that after the word 'country' the words 'in a manner that may not benefit the enemies' be inserted."

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member read out the Resolution as amended?

Dr. Sir Ziauddin Ahmad: It will read thus:

"That this Assembly recommends to the Governor General in Council that a committee composed of nine Members of this House, with a majority of non-officials selected in consultation with the Leaders of the Parties be set up immediately to enquire into the nature of organization leading to dislocation of communication, murder, loot and forcible extortion of money under the threat of murder, the allegation that some factory owners helped hooligans by deliberately turning out their labourers after paying their full wages and"

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): It is entirely out of order.

Dr. Sir Ziauddin Ahmad:

" the allegations of excesses committed by the military and the police in dealing with the recent disturbances in the country in a manner that may not benefit the enemies, and to report thereon to the Governor General in Council."

Mr. President (The Honourable Sir Abdur Rahim): I will simply read out the amendment now. Amendment moved:

"(1) That after the words 'enquire into' the following be inserted:

'the nature of organization leading to dislocation of communication, murder, loot and forcible extortion of money under the threat of murder, the allegation that some factory owners helped hooligans by deliberately turning out their labourers after paying their full wages and'.

"(2) that after the word 'country' the words 'in a manner that may not benefit the enemies' be inserted."

Mr. N. M. Joshi: Mr. President, my Honourable friend, Mr. Neogy, has rendered great public service by bringing forward this Resolution before this House. Sir, before I deal with the subject matter of this Resolution, I would like to say a few words on the amendment moved by my Honourable friend, Mr. Bajoria.

Babu Baijnath Bajoria: Sir, I think it would not be fair for him to comment on my amendment until I have had an opportunity

Mr. President (The Honourable Sir Abdur Rahim): Why not? Not only the Resolution but the amendments also are under discussion.

Mr. N. M. Joshi: When I spoke on the motion of the Leader of the House regarding the present situation, I said that I would not deal with this aspect of the situation at that time as I would get another opportunity to deal with it. I simply contented myself by saying at that time that the policy of the Government of India in arresting a large number of leaders of the Congress resulted in great disasters. The disasters which I referred to at that time were the spontaneous violent as well as non-violent protests on behalf of the public and the Government's action regarding them. I have no desire to say, Sir, that there was no premeditated violence at all. There may have been some attempts at tampering with communications and other methods of sabotage. But, Sir, I have no doubt in my mind that the large bulk of the protests, though violent in some cases, from the people against the action of Government, was spontaneous. Sir, let me make it quite clear that I do not approve violence either by Government or by the people, and, personally, I also feel that violent methods are not even effective when used against a well-established and well-armed Government. But, Sir, I cannot absolve the Government of

India from their responsibility for the violence that has taken place in the country on account of the wrong policy which they followed in arresting the leaders of the Congress. It has appeared from the speeches of the representatives of Government that nothing has happened between the resolution passed by the All-India Congress Committee at Bombay and the violence that has taken place. The Government should have known that the arrest of the leaders of the Congress had intervened between the resolution of the All-India Congress Committee and the violence. I thought that the Members of the Government of India are honest. They would themselves admit that the arrest of the Congress leaders, at least to some extent, led to the violent protests by the people. Sir, I do not wish to deal with this aspect of the question which was introduced in today's discussion by the amendment of my friend, Mr. Bajoria.

Now, I shall deal with the question dealt with in the main Resolution introduced by my friend, Mr. Neogy. Sir, Mr. Neogy has placed before the House a number of particular instances of the excesses committed by the police and the military in various parts of the country. He referred to certain investigations made in Bombay, by the Bombay Civil Liberties Union of which I happen to be the Chairman. Sir, the Bombay Civil Liberties Union sometime ago, after the Government had initiated their policy of arresting the leaders of the Congress and after the violent protests by the people, requested the Vice-President of the Bombay Civil Liberties Union, a gentleman who is an experienced solicitor in Bombay, to make an enquiry into some of the cases; and from the enquiries made by the Vice-President of the Bombay Civil Liberties Union I have no doubt in my mind that in Bombay, too, cases of different kinds of excesses described by my Honourable friend, Mr. Neogy, have taken place. He has already mentioned that people were forced at the point of the bayonet to sweep the roads of the debris. We have also found out instances of unjustifiable firing: firing not only on the crowd, but shooting at persons who were not in the crowd. Dr. Jewaraj Mehta, who is a very distinguished doctor in Bombay, and the head of a big hospital and medical college in Bombay, had published that a boy, who was not in the midst of a crowd, and whose only fault was that he said "*Gandhi Maharaj ki Jai*", was shot at in cold blood. Sir, people were dragged out of their rooms—people who had not gone out of their houses at all in the crowd—and lathi-charged and very severely handled by the police.

Sir, besides this result of the enquiry made by the Bombay Civil Liberties Union, I have also got information regarding some cases. One of these cases has happened in the district of Kaira. Some students were going about villages preaching what they call 'satyagraha'. After finishing preaching 'satyagraha' they were going to take a train at some railway station in the Kaira district. The police party which was hunting these boys, alighted from the train which these people were going to catch, and marched towards them. The leader of the boys told the officer in charge of the police party that they were satyagrahis and if the police wanted to arrest them they were ready to be arrested; there would be no opposition to the arrest. In spite of this willingness of being arrested peacefully, the police fired on these students. Three of them were killed and a large number of them were wounded. Not only that, after firing on these boys the police prevented help being given to the wounded by way of water. The wounded felt thirsty. People in the village wanted to give them water; they were prevented from giving water to the wounded.

[Mr. N. M. Joshi.]

The railway staff out of pity wanted to give water to the wounded; they were prevented from doing so. I do not think I shall find time to describe the whole incident.

Then there was another incident which has come to my notice, that had taken place in the district of Meerut. The manager of the Gandhi Ashram in Meerut went to a village called Bhanwori and some fifty or sixty people gathered round him. A police party came to the village and started bayoneting this crowd of people who were absolutely peaceful. When some people in the crowd began to retaliate against this bayonet attack, the police fired; and again three or four people were killed. This is not the whole story. The police found that this manager of the Gandhi Ashram, whose name is Ram Sarup Sarma, was not among the killed nor even among the wounded. Therefore, one policeman said that the chief culprit has escaped and we must shoot him. He was thrice shot and ultimately killed.

I shall give only one more instance and stop this narration of stories of excesses by the police and military. There is a small town called Nandurbar in the Dhulia district of the Bombay Presidency. On the 9th, when the students heard about the arrests of the leaders they took out a procession. These students can only be very small children because in Nandurbar there is no college and there could therefore be no grown up students. While the procession was marching, the police sub-inspector was hit either by some stone or by something else by a person whom the people in Nandurbar knew as being an enemy of this police sub-inspector. The police sub-inspector, who was hit, got angry and instead of catching hold of his assailant and punishing him, he fired on these school children: three or four of them were again killed.

I do not wish to add to the lists which either my friend, Mr. Neogy, has given or the small list which I have given. The point to be considered is this: that we want an inquiry into these excesses. I am quite sure that even the Government of India will not say that in attempting to put down these disturbances.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got one minute more to conclude his speech.

Mr. N. M. Joshi: The Government of India themselves will not say that there was no likelihood of excesses. The Honourable the Home Member said in his speech the other day that if there were any cases of excesses or injustice, they should be brought to the notice of the Provincial Governments or of the military authorities who, in the opinion of the Government of India, would do justice. We do not think that either the Provincial Governments or the military authorities or even the Government of India would do justice. The Provincial Governments themselves announced beforehand that there would be no public inquiry, and by making that announcement they gave direct encouragement to some of the excesses committed by the police and the military. I would also say this, that the Government of India by giving full freedom to Provincial Governments and to local authorities themselves encouraged the commission of some of the excesses which have been described and which have taken place in all parts of the country on many occasions.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. N. M. Joshi: I feel, therefore, that the Government of India should accept this challenge by the Assembly for the finding out of the truth. If the officers of the Government of India had done nothing wrong, the committee will declare them not guilty; but if they have done wrong, the committee will find them guilty. I do not know whether the police or military officers will be punished or not; but I am afraid that the highest authorities responsible for the commission of these excesses by the police and military, namely, the Provincial Governments and the Government of India may escape the consequences of even the decision of these Committees against them. Sir, I support the Resolution moved by Mr. Neogy.

Sir F. E. James (Madras: European): Sir, my Honourable friend, Mr. Joshi, spoke of the movement which has led to the present disturbances as a spontaneous protest. I take leave to differ from his interpretation of the position and would suggest to him that the evidence is overwhelming that this movement is not a spontaneous movement but is a well-directed attempt at revolution by force. In any case, if the movement grew out of some spontaneous desire to express a political wish, how is it that that spontaneity has continued for over six weeks? My Honourable friend further spoke as President of the Civil Liberties Union of Bombay. He spoke on behalf of civil liberties; may I ask him, whose civil liberties?

Mr. N. M. Joshi: The people's.

Sir F. E. James: He says the civil liberties of the people; and what about the civil liberties of those people for whom he stands, which were interfered with by the very movement which he has refrained from condemning? What about the civil liberties of those who cannot get food because of the interruption of communications? . . .

Dr. P. N. Banerjee: Mr. Neogy condemned those things.

Sir F. E. James: My Honourable friend is not aware that I am referring to Mr. Joshi's speech. What about the civil liberties of those inoffensive persons, not in any way connected with any political organisation, using no violence whatever, who have been fired upon by the mob, who have been beaten to death, who have been burnt alive, what about their civil liberties? If my Honourable friend is President of a movement to protect the civil liberties of all the people in this country; and not only the civil liberties of one particular section. My Honourable friend, Mr. Neogy, said that he was dealing with a large number of allegations. May I here say that during this Session he has proved himself to be a past master in the art of making or repeating allegations, most of which have not been founded on any tangible fact. He said he would refer to certain broad classifications—general pillage and arson, shooting at random, assault on non-violent crowds, excessive use of force. All those classifications apply to those who have begun this movement and upon whom falls the responsibility for the disturbances that have taken place. Sir, it is not easy to take an objective view of the situation under present circumstances. There are reasons for that. One reason is that the movement which has been started under the auspices of the Congress Party has indirectly—I say indirectly—the sanction of the Leader of the Congress Party, who is Mahatma Gandhi, who, let it be admitted, is the idol of practically every Hindu home. . . .

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural). No; that is not true; the Hindu Mahasabha does not recognise him.

Sir F. E. James: May I say that in most Hindu homes, whether the head of the home belongs to the Congress Party or not, you will find a portrait of Mahatma Gandhi and you will find also that portrait garlanded on all suitable occasions. . . .

Mr. Jamnadas M. Mehta: You are quite wrong. How many houses have you seen?

Sir F. E. James: Many friends of mine, who are by no means Congress-minded, among the Hindu community, have shown me in their own houses these photographs. I make no complaint about that. . . . (Interruptions). But that is one reason why, at such a time as this, it will be very difficult for many people to apply their minds objectively to the situation. I

1 P.M. remember that Lord Balfour once said of Mr. George Lansbury, who was a most attractive but sentimental pacifist, that "the great trouble about him was that his bleeding heart always ran away with his bloody head". And there is a danger that in critical times like these, emotion may crowd out reason and passion may become the enemy of realism. However, my Honourable friends may describe the movement which has been commenced under the auspices of the Congress, it is, in fact, a revolution by violence, which has invoked the law of the jungle, the law of force, and which must be dealt with by force.

What is its object? Its object is to hit the face of Great Britain; and yet this movement has also hit in severe measure every community in this country, the Allied Nations who are helping us, and the very people whom it is supposed to free.

What stands in the way of the complete success of this attempt at revolution by violence? I suggest that the only thing that stands in the way of utter chaos and civil war and continued bloodshed is the police in the various provinces behind whom stand the military prepared to intervene when needed. And here may I say a word about the police? They have always been blamed when any excessive force is used. Who are the police? People of this country, mostly underpaid, many under-educated. If there is one service in the administration of India which has never been treated fairly, it is the police service in the employ of the various Provincial Governments. I suggest that it is the duty of this Government, or any Government which might be in power at the moment, even if it were a Muslim-Congress Government, or a Congress Government or a Government of the Muslim League,—it would be the duty of that Government to strengthen and not to weaken the forces which keep in check the great floods of revolution and violence which threaten to sweep away every civilised bulwark in this country.

Sir, the Resolution before this House asks for an enquiry, an enquiry, be it remembered, by non-official Members. I suggest that that is not the way in which those who are now standing to defend authority should be supported. Is it right to weaken their hands just now? Is it right to make them doubt their stern duty? Is it right to cause them to hesitate in the efficient execution of their duty, however unpleasant it may be? Is it

right that the fear of enquiry, the fear of blame should be cast upon them, —and the fear of the absence of support? These men who have suffered heavy casualties, who will suffer undoubtedly grave social and economic pressure of a very virulent kind,—is it right that they should feel that this House does not stand behind them? As far as we are concerned, we are of the opinion that any attitude on the part of this House which gives the police and the authorities that impression would be short-sighted folly and calculated to weaken the authority of any Government both now and in the days to come when India gains independence.

Sir, there are some things that should be remembered. First of all, I would place the responsibility which is upon the shoulders of every citizen in this country to do what he can to strengthen the hands of authority at this time, for upon that sense of responsibility depends the civil liberty of which my Honourable friend, Mr. Joshi, has spoken. I noticed a complete absence of that point in the speech of my Honourable friend, Mr. Neogy. Secondly, it is true, and it should be emphasised, that it is the responsibility of the Provincial Governments to see that, so far as it lies in their power, the weapons which they have to use in dealing with this attempt at revolution by force should be used only to the extent to which it is necessary, and with a modicum of force. Thirdly, all Parties in this House —and I can speak of my own Party—should make it a point not in any way to be influenced in its attitude towards the political questions which loom large in the future, by the brutal and horrible crimes which are now being perpetrated in the name of the Congress upon the police and upon the people of this country.

Mr. K. C. Neogy: And in the name of the Government, upon the people.

Sir F. E. James: Finally, may I appeal to my Honourable friends, however much they may feel that Provincial Governments should exercise the power which is in their hands at present, with as much care and justice as is possible,—may I appeal to them that one thing which is need today is for all Parties to stand solid and four-square behind authority as constituted by law in this country. (Interruption by Mr. Neogy). There is as yet no alternative to that Government and until that comes, I would ask my Honourable friend, Mr. Neogy, to stand four-square behind those who, after all, are not only defending civilisation in this country, but are trying to remove the obstacles which have been deliberately placed by ill-disposed persons in the way of the final and complete victory of the Allied Powers.

Mr. President (The Honourable Sir Abdur Rahim): Sir Sultan Ahmed.

Mr. Jamnadas M. Mehta: I rise to a point of order. Proper Government reply cannot be given unless those Honourable Members who want to speak have spoken.

Mr. President (The Honourable Sir Abdur Rahim): This is not a point of order. It is entirely in the discretion of the Chair. I may say that I have often heard complaints in this House that the Government Member does not state his case to the House early enough.

Mr. Jamnadas M. Mehta: But he must hear the other cases also.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may hold that opinion, but what the Chair has stated is the general feeling in the House.

Mr. Jamnadas M. Mehta: It is a question of right, not merely a question of feeling. Those who have moved amendments must have their say before Government reply.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows the practice of this House that there will be a debate not only on the main motion but on the amendments also. Simply because a certain Member has given notice of an amendment, he does not get any right of priority over other Members.

Pandit Nilakantha Das: Then what is the meaning of amendments?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Sir Sultan Ahmed.

The Honourable Sir Sultan Ahmed: My Honourable friend, Mr. Neogy, has moved his Resolution with the speech of a skilled advocate. He has placed certain cases which have been brought to his notice in support of his claim for a non-official inquiry. Amendments have been tabled and moved which in my opinion do not widen the scope of that inquiry, because I respectfully submit that without going into the earlier history of the revolution which is taking place and is not yet over, it will be impossible to consider these stories in their true perspective.

After the speech which had been made by the Honourable the Home Member last week, I had hoped that no such motion will be pursued in this House but my learned friend, Mr. Neogy, however, has thought fit to move the Resolution and at this stage I should like to read a passage from the Home Member's speech which represents the considered policy of the Government of India, to which a reference was also made by my learned friend, Mr. Neogy. The Home Member said:

"If . . . any such act has occurred anywhere, it is a breach of discipline with which the Provincial Governments and the officers in command of their forces, are as much concerned as any member of the public . . . The proper course in such cases will be to bring the allegations, if they are well authenticated (*this is very important*) to the notice of the authorities immediately responsible for the discipline of their forces, and it can be assumed that, if satisfied, they will do what is proper."

I submit that this is the considered policy of the Government of India and I, on behalf of Government, reaffirm it today. The Resolution, however, has to be dealt with now. It asks for a Committee of the House to inquire into the allegations of excesses committed by the military and the police in dealing with the recent disturbances. It is obvious that we will have to find out all these allegations if the inquiry is ordered, as is asked for in the Resolution but I do hope that the House realises, as I submitted before, that even if these amendments had not been tabled, it will be impossible to understand the situation without closely examining the other side of the picture in a manner which will not be prejudicial to the public safety of our country, as has been mentioned in the amendment of my Honourable friend, Dr. Sir Ziauddin Ahmad.

Leaving aside the machinery by which this inquiry is to take place—and the Government is absolutely indifferent to it—the main question is whether such an inquiry is possible or even desirable. Whether it is possible or not must depend upon various factors—Firstly, the character of the rebellion and whether normal condition has been restored, secondly, the number of occasions on which fire had to be opened and thirdly the territorial area over which this rebellion operated. Whether it is desirable or not will depend on what effect it is likely to create on those in charge of law and order throughout the country.

As regards the character of the movement, one can safely say that every possible method of sabotage, every known method of attack on public property, every method of defiance of law and order, as was fully stated to the House by the Honourable the Home Member and some other speakers on the last occasion, was resorted to. So far as the attack on person was concerned, no officer of Government who tried to save human life or property was not the object of the attack by the mobs. As regards the ferocity of the crimes, nothing was considered too brutal, and atrocities were committed, some of which would shock the conscience of the world.

I will now deal with these points *seriatim*. The number of occasions on which firing was resorted to was 239 by the police only. This number does not include the firing in Bihar and Assam, as the reports have not been received from these provinces and the reports from the United Provinces and Bengal are also very incomplete, and indeed it was bound to be incomplete, as disturbances are still occurring in some parts of the country. Honourable Members must have read in the papers, only the other day, about the use of muzzle loading guns in an attack on a police station in Bihar and other serious incidents are still reported from that province. The area which was covered by these disturbances may be roughly stated to be the whole of India minus the North-West Frontier Province and Sind, and practically the Punjab. Honourable Members will, I hope, agree with me that on this statement alone an inquiry of the character which is asked for is absolutely ruled out. If an inquiry is to be held, the inquiry itself will take quite a year before any satisfactory result can be achieved by it and I, therefore, submit that on this statement alone the House will turn down the motion.

I will now deal with the question of excesses. In order to find out the excesses, it will be necessary to find out what was done by the mobs in different parts of the country. My Honourable friend, Sir P. E. James, has very rightly pointed out that it is not enough to say a few words that the Members are very sorry for all that has happened but what is it for which this sorrow is expressed. We must know that first before we find out whether any excesses have been committed. To begin with, I feel certain that this House is fully satisfied that the military or the police were not the aggressors, anywhere in India. Once that is conceded, it is necessary to find out in detail, even from the incomplete information that we have got, the activities of the mob. Further, it is also perfectly clear that in every case in which firing had to be resorted to, it was something extraordinarily serious was being done by the mobs and it was mainly to prevent any serious sabotage or attack or to prevent extension of it that firing was opened. The House last week heard from the Honourable the Home Member the figures of the loss to person and property.

[Sir Sultan Ahmed.]

To complete the picture which I am going to give you this afternoon, I will give the figures very quickly. 250 railway stations were damaged or destroyed. 550 Post Offices attacked, 50 completely burnt and 200 seriously damaged. Over 3,500 instances of wire cutting have been reported. 70 police stations and outposts and 85 other Government buildings were attacked. As regards the casualties so far reported, the police lost 31 killed and a very large number were injured. The details have not yet been reported to us. The military casualties were eleven killed and 7 wounded. Amongst the mob, the number killed was 658 and the total number of wounded was 1,000. As some killed and wounded are reported to have been carried away by the mobs, we may roughly take this figure to be well below 2,000.

Now, all these statements were made by the Honourable the Home Member on the last occasion.

I should like to supplement this by a reference to some of the gross cases of murder of public officers and men. So far as these figures are concerned and so far as this devastation is concerned, no inquiry is necessary. All these are facts. One has only to go and see what has happened. But I must again premise by saying that the information so far received by us is not quite complete and I am not in a position, as I said before, to give the large number of injured persons.

Now, I will give you a few cases and try to put them in their proper places as against the stories which have been placed before you by my Honourable friend, Mr. Neogy. In Bihar, on the 16th of August, at Minapur, the police station was attacked by a mob of five thousand, headed by Congressmen with Congress flags and armed with deadly weapons, and the Sub-Inspector who resisted the attack was chased, bound to a pillar, and then burnt alive. This was done by a Congress mob who had the emblem of the Congress with them. A number of policemen also were injured. The police station was destroyed, and two constables who were left for dead by the mob, were later taken to a hospital. At Sitamarhi, the Sub-Divisional Officer, a most devoted public servant, a police Inspector, one head constable and an orderly were held up in a car and murdered brutally. Every bit of his body was separated. At Rupauli in the district of Purnea a mob of about ten thousand surrounded the police station and hoisted the Congress flag. This was objected to by the Senior Inspector and the other staff. They were, however, overcome and had to fly to their quarters and they were attacked there. They managed to resist the attack from their quarters, but the Junior Sub-Inspector and the two constables with him were overcome and the insurgents poured kerosene oil over them and burnt them alive.

In the Central Provinces, at Ashti, a Sub-Inspector of Police and four constables were murdered, the Sub-Inspector having been beaten to death with stones and lathis and three of the constables having been soaked in kerosene oil and burnt alive on the spot and the fourth who had been rescued by his friends was later on caught and killed. At Chimur, a Circle Inspector and a constable were burnt, and two Magistrates were beaten severely and the Rest House in which they were still alive, was set on fire. In the United Provinces, in Bihar and the Central Provinces and also in other parts of the country there were murders of Magistrates and police officers and men.

I now want to refer to three other cases which are, in my submission, absolutely ghastly. Unfortunately, these cases come from my province of Bihar. At Narayanpur, a plane crashed west of Narayanpur on the 18th of August. The pilot was killed in the crash, and the remainder of the crew were killed brutally by the mob. At Marhowra, one British officer and four British other ranks, part of a detachment on protective duty, were ambushed as they alighted from a car in a field and speared or beaten to death. The last case is the murder of two Canadian Air Force officers, officers who had come here to defend India and to protect the lives and property of Indians. I should like to give a few details of this crime, as the brutality and the ferocity with which they were murdered display the colossal callousness of the mob. These two young officers were travelling as ordinary passengers in a train and were not on duty in connection with the disturbances. Their train was attacked by an angry mob and stones were hurled at the windows of the carriage in which the two officers were travelling. Attempts were made by them to pacify the mob, but absolutely in vain. Finally, the officers were forced to come down from the carriage and stepped out on to the platform. One of them was dressed only in a pair of shorts and the upper part of his body was bare. They were both set upon immediately and hacked to death in a most brutal way. Their bodies were then paraded through the town on an *ekka* and were finally thrown into a rivet. The train in which they had travelled was afterwards burnt. I do not know in what language one can describe the brutality.

I have given these details only for the purpose of showing the enormity of the crimes and the large area that it covered and the number of occasions when it became necessary to open fire. It is obvious from this that those who were out to prevent damage to life and property by the mobs had to be mainly on the defensive and were suffering from tremendous handicap, it is the superiority of number against them. As I submitted before, it is in this perspective that the question of inquiry into excesses can be considered. Knowing these facts and knowing the area where the devastation took place, is it possible to have an inquiry? Is there any *prima facie* case for an inquiry of this character? I respectfully submit, none whatsoever.

I will now take up the question of the propriety of inquiry against the troops and the police separately. As regards the allegation of excesses by the troops, it must be pointed out that the troops are always averse to be engaged in the suppression of riots. It is not their legitimate function and they only come in because they are called upon to operate in aid of the civil power. The army is a highly disciplined organisation which can be trusted to do the best possible in an emergency and their confidence should never be undermined. If their conduct is called in question on any and every occasion when they have to carry out a duty which they do not like and which is perhaps the most unpleasant and difficult duty any citizen can have thrust upon him, it will be perfectly clear that their morale will be sapped and, when called upon to act, there will be a great and natural disinclination to do so. And there is a very strong feeling in the army that they shall not undertake such duties with the ever present fear before them that they will have to defend themselves and answer questions inspired by hostility, or even worse, by the desire to find a scapegoat. They are bound by very strict rules and they are taught that they will be trusted

[Sir Sultan Ahmed.]

in an emergency to do the best they can. In an emergency a soldier may be trusted to do his duty as best as he can. In the conditions already described, these arguments apply with almost equal force to an inquiry into the conduct of the police. If an officer is always to have to justify his action before a Committee of Inquiry, there is bound to be a tendency to take the line of least resistance and not to take drastic but effective measures. From the reports which have been received, the Government are fully satisfied that the troops and the police have done their duty remarkably well under most trying and perilous conditions.

Government do not suggest that there may not have been cases where in a serious disturbance as this, there may not have been some excesses of force or that innocent persons may not have suffered. To begin with the primary responsibility for this must fall upon those who actually start this movement of sabotage and destruction. But if there have been cases of excesses which are authenticated and not stories from newspapers, then the attention of the Army Department and the Provincial Governments will be drawn to them so that they may try to see that those who have been guilty of them do not escape punishment. The military authorities are exceedingly jealous of their reputation and the reputation of their soldiers, and I have no doubt that once a case of unjustifiable shooting is brought to their notice, they are sure to take action themselves.

As regards the police, there may be a question whether the Government General in Council would have any power to appoint a Committee of Members of the Central Legislature to enquire into the operation of the police forces which are entirely a Provincial subject. But leaving this aside, here again we feel sure that gross and callous cases of police excesses, if any, will most certainly be examined by the Provincial Governors. The communications which have been referred to by my Honourable friend, Mr. Neogy, and also by my Honourable friend, Mr. Joshi, all tend to show that such cases will be enquired into. But what they object to is the holding of a general enquiry. But if there are cases which are well authenticated and which are brought to their notice, then enquiries will be held.

The main objection to the proposal, as I have submitted before and I am glad my Honourable friend, Sir F. E. James, has supported it, is the disastrous effect it would have on the morale of the services concerned. If an enquiry such as has been suggested was ordered. It is interesting to note that the Sind Government which had agreed to hold an official enquiry into certain allegations against the police in Karachi, which incidentally turned out to be completely unfounded, has reported that it had immediately an adverse effect on the morale of the police forces in that area. The cases that have been mentioned in this House will no doubt be noted, and the attention of the proper authorities drawn to them, but I respectfully submit that simply because some people come and start stories before some of us, it does not necessarily follow that they are true. Most of them may turn out to be without foundation and may be on a par with Sir Madhava Rao Deshpande's story, or the story of machine gunning in Bombay and Calcutta. Lots of stories had been brought to me from Patna which, on enquiry from the persons concerned, have been found to be absolutely untrue; one of these concerned an Honourable Member of this House. I hope, if there is time, he will say something about it. It

was exactly the same story that he was dragged out of his house and asked by the Police or the military to clean the roads and remove the boulders. Well, Sir, at present, I have only to say that this is unfounded and the Honourable Member will no doubt say what he has to say about this. Any attempt, I submit to bring discredit on the forces who have so courageously and loyally performed their onerous duties in the face of tremendous odds would be most unfortunate. We are in the midst of a life and death struggle; the enemy is knocking at our doors and surely on such an occasion, it is better to look forward rather than look backward, and to see whether the orgy of destruction cannot be put behind us and all endeavours concentrated to bring peace and tranquillity in the country and defeat our external enemies.

May I, in conclusion, Sir, respectfully submit to the House that this chapter should now be closed and we must now go ahead. Enough damage has been done by this senseless anarchy. Let us not let down those who have stood by us and who deserve our gratitude, because if we do, that will not only be the end of any discipline, but we must also be prepared for disasters of the worst kind in the country.

Babu Baljnath Bajoria: Sir, as a non-violent man, non-violent in thought, word and deed (interruption)—I am not a congressman, you know—I detest and abhor all violence of all sorts, either committed by the unruly mob or by the hooligans or by the agents of Government in the name of law and order. Sir, that is why I have tabled this amendment, which in my opinion is a balanced one. I have stated therein that I strongly condemn all acts of murder, sabotage, arson, loot and other forms of violence committed either by the unruly mobs or hooligans or by the police and the military. The police and the military have, I am sorry to say, had recourse to unnecessary firing, they have also burnt numerous houses, they have also pillaged villages and they have also done all sorts of mischief which could be imagined in the name of law and order.

Sir I do not want to go into great details and give stories which, the Government may say, are all stories which will not be denied. On behalf of the trading community, which consist of all castes and creeds, Hindus and Muslims and even Europeans, I say we have all suffered tremendously both at the hands of these unruly mobs and also at the hands of Government agents. It is common knowledge that hundreds of loaded wagons containing goods worth crores of rupees have been burnt down and destroyed by hooligans. I am not here to say whether this movement owes its origin to the Congress resolution or not. But the fact is that Congressmen, in the name of the Congress itself, and the Congress sympathisers have not uttered one word against these hooligans and according to the well known Sanskrit proverb:

"Amanava sammati lakshanam",

I think the Congress sympathisers cannot get away without getting some blame for the crimes which have been perpetrated by these hooligans and unruly mobs. Now, Sir, who is going to pay for these losses incurred by the trading community by the burning of these wagons? Are the railways liable to pay for these? I doubt very much. I should like to know from the Honourable the Law Member or from any Member of the Government what is the position. Shall I pause for an answer?

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[Babu Baijnath Bajoria.]

in general will be justified in thinking that this irresponsible Government, who think they are responsible only to themselves, and to none else, are giving shelter to those who have committed murders, loot and arson in the sacred name of law. This Government and its agents who have perpetrated these crimes may not be responsible to this House and to the people of India, but they will be responsible to God and they will have to stand their trial before Him.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): I am glad to have an opportunity to say a few words on the floor of this House. I have listened very patiently to the speech which has been delivered by the Honourable the Law Member today and I would say first of all that the amendment which has been put in by Dr. Sir Ziauddin Ahmad gives only a wider scope to the enquiry which is to be made. It is not the one-sided enquiry as required by Mr. Neogy but it is an amendment to have an equal enquiry for both sides. Since it was the Government and not the public or the Opposition that brought that Resolution moved by the Honourable the Home Member. If in that Resolution the Honourable the Home Member put instance after instance of the perpetrations of the hooligans in the country, and today if Mr. Neogy has also put in instances, where is the harm? They are put before the House to judge on the merits of the cases presented by the Honourable the Home Member, by Mr. Neogy and by people from the Opposition side. I ask the Government to be honest, to be equal to the occasion and to consider the propositions which have been put from this side too. It is a matter that should not be shelved in this way and we be told that we ought not to quote instances in the House. Where is the forum or place where the public and the representatives of the people are to put in instances, if not before this House? I ask my Honourable friend and those Members of the Government on the Treasury Bench to consider it. Which is the forum? Where are the local Councils where the people's representatives can put in these cases? To say we ought to go to the Local Government, I submit that it is not an easy job for an individual Member to approach the Local Government in that way, just as we can put in cases in this forum. At least Government ought to know that this is the only forum where people can represent cases, individual cases, or cases where the public is interested.

Sir, I must remind Members that the present Session is terminating today. This has been a very short Session in spite of the fact that the conditions of the country are serious. You have come here and told us that the conditions of the country are very serious. I know the conditions are serious. But remember that the conditions are not serious only for us; they are very serious for you and even for the United Nations. I ask you and the Members of the Government (I warn them that they may be the representatives of the Government but they are not the elected Members of the country) to remember as well the words which Mr. Churchill spoke in the mother of Parliaments. He said:

"After all, we are passing through a period of very rapid, daily change in Europe. (I would also say in India) of the most disturbing character, and it does not seem quite right that Parliament should go away for 25 days (here we are going away for more than four months) . . ."

Several Honourable Members: Call another Session!

Mr. Muhammad Azhar Ali:

" . . . as if nothing was going on, and as if it had lost interest in matters which affect the whole future of this country. It is derogatory to Parliament, it seems to me, that it should be thought unfit, as it were, to be attending to these grave matters, that it should be sent away upon a holiday. I know that there is a certain undercurrent of derision of Parliament among Ministers, what relief it will be."

Mr. President (The Honourable Sir Abdur Rahim): What has that to do with this? I do not think Parliament discussed it?

Mr. Muhammad Azhar Ali: It is necessary because I am referring to our going away also and then who is to represent. . . .

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member cannot go on reading all that.

Mr. Muhammad Azhar Ali: If these fifteen Members of the Government are here for the contempt of public opinion, I tell you it is a menace to Government and to your democracy. Sir, they ought to remember that we, the Mussalmans, never said that we would not go with the Government, and would not fight for the Government. We said that we would. But it is really very strange that yet no solution has been found by the British Government; and to say it is our responsibility; however, I would not expatiate on that point today. But I must tell the Government that we were always ready to work with the Government and to take up these matters in our hand, but it is a pity that our friend, the Honourable Dr. Ambedkar, the other day said in words of derision that we are all irresponsible people or so.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member must confine himself to the Resolution.

Mr. Muhammad Azhar Ali: It is not only to the public but to the representatives of the people that they give offence. I am prepared to relate to the House that in my own town a police Sub-Inspector came to two of the big zamindars and told them to give their 12 bore shot guns with 50 cartridges in the *thana*. When they protested the Sub-Inspector of Police said it was the order of the Superintendent of Police, but the latter denied it, when questioned about it. Is this the way to ask for help? How are we to defend ourselves? These are the things under which we suffer in this country. I do not say that the Congress is not to blame, or this party or that. But the blame is also on the Government. You are to take courage in both hands and if the enquiry is asked for what is the harm? Just as you say it is not an occasion to go and enquire about the doings of the police or the doings of the court or the doings of the army, so also it is not an occasion where people should go and lodge complaints and carry on the prosecution for days and days. We have told you sincerely and honestly, and with deliberate intention, that you are the guardians of peace of this country and so must look after these matters and do what you can help. But, I say that in these difficult times, these dilatory methods of Government will not help. I find what Mr. Churchill has said. . . .

[24TH SEPT 1942]

Mr. President (The Honourable Sir Abdur Rahim): That has nothing to do with this Resolution.

Mr. Muhammad Azhar Ali: It is he, the greatest Tory, who is today driving the destiny of this country. It is Mr. Churchill again who is sending troops from outside to guard India but he is not retaining the Indian troops in this country. Why should he send our children on the side and get outsiders from abroad to defend us? This shows the distrust of the Government of the people of this country. I lay stress on this point, that Government distrusts the people of this country. We are prepared to help them in every way, but they will not accept our help. These are matters which I want to lay stress upon. Dr. Sir Ziauddin Ahmad's motion says that there are some millowners who are paying the labourers and then turning them out. It is common knowledge that millowners in this country are helping their own labourers to go on strike. If that is a fact then I ask the Honourable the Law Member to look into it very carefully; these things are done under your own eyes and you ought to look into them.

These are the representations which the representatives of the people want to make to you and if you are not prepared to listen, it is your own fault. We have come here for a few days and we want to represent these matters. The people were given to understand that the Expanded Council of the Viceroy would handle the affairs in India as if it was all peace and calm and quiet everywhere. Is that a fact today? Ever since the day you had this Expanded Council, these eleven heaven-sent people, you have found these hooligans and others disturbing the country's peace. (Interruptions.) I do not know who are the real leaders of the hooligans but it is well-known that this hooliganism started only afterwards. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has half a minute more.

Mr. Muhammad Azhar Ali: So my last word is

Mr. President (The Honourable Sir Abdur Rahim): The Honourable 2 p.m. Member must conclude his speech now.

Mr. Muhammad Azhar Ali: I want the Government only, not to expand their Council at all.

ELECTION OF MEMBERS TO THE ADVISORY COMMITTEE FOR THE UTILIZATION BRANCH OF THE GEOLOGICAL SURVEY OF INDIA.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that Mr. H. A. Sathar H. Essak Sait, Raja T. Manavadan and Mr. K. C. Nongy have been elected to serve on the Advisory Committee for the Utilization Branch of the Geological Survey of India.

The Assembly then adjourned sine die.

APPENDIX.

Report of the Committee appointed in pursuance of the Resolution adopted by the Assembly on the 14th September, 1942, to consider the question of travelling and other allowances admissible to Members of the Indian Legislature.

We, the undersigned Members of the Committee appointed in pursuance of the Resolution* adopted by the Legislative Assembly on the 14th September have the honour to present our report. We regret that the pre-occupations of many of us with other urgent business precluded us from meeting in time to present our report by the date specified in the Resolution.

2. The Resolution in pursuance of which we were appointed was adopted as an amendment to a Resolution recommending the suspension for the duration of the emergency of the right to free haulage of a motor car to and from Delhi and we have confined our deliberations to the question whether this right should be so suspended and, if so, what alternative facilities should be provided.

3. We recommend—

- (1) that the right to free haulage be suspended for the period of the emergency;
- (2) that with effect from the next Session of the Assembly and for so long as the right to free haulage is under suspension, the conveyance allowances now admissible to a Member who does not avail himself of the right to free haulage—Rs. 5 a day in case of a Member residing outside New Delhi and Rs. 50 per mensem in the case of a Member residing in New Delhi—be enhanced to Rs. 10 a day for all Members irrespective of their place of residence.

4. The question was raised of the position of a Member who having had a motor car hauled to Delhi in pursuance of the right to free haulage has since retained the car in Delhi. We recommend that a Member in this position should be free at his option either—

- (1) to retain his right to free haulage of the car to his home whenever transport can be made available and in the meantime (if he resides elsewhere than in New Delhi) to draw the existing petrol allowance of Rs. 75 per mensem, but not (wherever he resides) the proposed new conveyance allowance, or
- (2) to draw the proposed conveyance allowance of Rs. 10 a day but not the existing petrol allowance and to relinquish his right to free haulage of the motor car to his home.

A. J. RAISMAN,
P. N. BANERJEA,
MOHD. YAMIN KHAN,
LESLIE GWILT,
HOSEINBHAY A. LALLJEE,
E. C. BENTHALL,
GOWASJI JEhangir.

NEW DELHI.
The 24th September, 1942.

* That this Assembly recommends to the Governor-General in Council to appoint a Committee of the following, namely, the Honourable Sir Jeremy Raisman, the Honourable Sir E. C. Benthall, Mr. Muhammad Yamin Khan, Dr. P. N. Banerjee, Mr. Hoseinbhoy A. Lalljee, Mr. E. C. Gwilt and Sir Gowasji Jehangir, for the purpose of considering the amendment of the rules governing the grant of travelling and other allowances to Members of the Indian Legislature with instructions to report not later than the 19th September, 1942.

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