

COUNCIL OF STATE

President:

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

Panel of Chairmen:

THE HON. SIR DAVID DEVADOSS.

THE HON. MR. M. N. DALAL.

THE HON. MR. V. V. KALIKAR.

THE HON. SAIYAD MOHAMED PADSHAH SAHIB BAHADUR.

Secretary:

THE HON. MR. L. J. D. WAKELY.

Committee on Petitions

THE HON. RAJA CHARANJIT SINGH, *Chairman.*

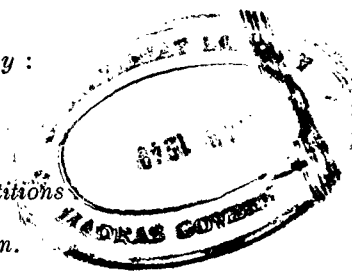
THE HON. PANDIT HIRDAY NATH KUNZRU.

THE HON. SIR RAMUNNI MENON.

THE HON. HAJI SYED MUHAMMAD HUSAIN.

THE HON. MR. CHIDAMBARAM CHETTIYAR.

Members.



CONTENTS

Pages	Pages
THURSDAY, 7TH NOVEMBER, 1946—	FRIDAY, 15TH NOVEMBER, 1946—
Members Sworn 1	Questions and Answers 133—151
Questions and Answers 1—35	Short Notice Question and Answer 151
Statements, etc., laid on the table 35—58	Bills passed by the Legislative Assembly
Information promised in reply to questions	laid on the table 152
laid on the table 58, 59, 67	Statements, etc., laid on the table 152
Message from His Excellency the Governor	Reserve Bank of India (Amendment) Bill—
General 68	Considered and passed 152
Committee on Petitions 68	Essential Supplies (Temporary Powers)
Governor General's Assent to Bills 68—69	Bill—Considered and passed 152—167
Death of Sir A. P. Patro and Haji Abdul	Announcement in the Papers of the Defence
Razak Abdool Suttar 69—73	Policy of the Country 167—168
Congratulations to recipients of Honours 69—73	Delhi Special Police Establishment Bill—
Resolution re Promotion of legislation to bring	Considered and passed 168—176
the textile industry under federal control—	Statement of Business 176—178
Adopted 73—93	Standing Committee for the Commerce De-
Resolution re Amendment of the Indian Legis-	partment 178
lative Rules—Withdrawn 93—96	Standing Committee on Pilgrimage to the
Resolution re Appointment of a Central Indus-	Hejaz 178
trial Planning Committee—Introduced 96	Defence Consultative Committee 178
TUESDAY, 12TH NOVEMBER, 1946—	TUESDAY, 19TH NOVEMBER, 1946—
Member Sworn 97	Questions and Answers 179—200
Questions and Answers 97—112	Bills passed by the Legislative Assembly laid
Bills passed by the Legislative Assembly	on the table 200
laid on the table 112	Information promised in reply to questions
Statements, etc., laid on the table 112—114	laid on the table 200—201
Defence Consultative Committee 114	Statements, etc., laid on the table 201—214
Standing Committee on Pilgrimage to the	Defence Consultative Committee 215
Hejaz 115	Foreigners Bill—Considered and passed 215—216
Standing Committee for the Commerce De-	Special Tribunals (Supplementary Provisions)
partment 115	Bill—Considered and passed 216
Resolution re Continuation of India's	Banking Companies (Reconstruction of
membership of the International Mone-	Branches) Bill—Considered and passed 217—222
tary Fund and the International Bank	Hindu Marriage Disabilities Removal Bill—
for Reconstruction and Development—	Considered and passed 222—227
Adopted 115—126	WEDNESDAY, 20TH NOVEMBER, 1946—
WEDNESDAY, 13TH NOVEMBER, 1946—	Member Sworn 229
Member Sworn 127	Questions and Answers 229—237
Bills passed by the Legislative Assembly laid	Short Notice Questions and Answers 237—247
on the table 127	Indian Tea Control (Amendment) Bill—
Death of Pandit Madan Mohan Malaviya 127—132	Considered and passed 248
	Registration of Transferred Companies
	(Amendment) Bill—Considered and
	passed 248—249
	Farewell Address by the President 249—251

INDEX

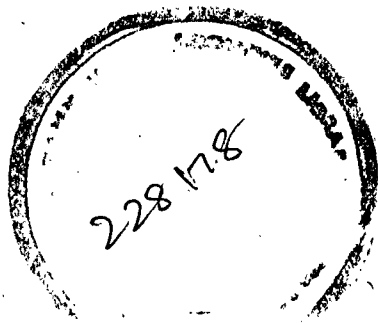
TO THE

COUNCIL OF STATE DEBATES

VOL. II, 1946

A	ASSAYS—
ABDOOL SUTTAR, HAJEE ABDOOL RAZAK—	Question re distribution of the — of the
Expressions of regret on the death of —	League of Nations. 3-4.
69-73.	ASSOCIATED PRESS OF INDIA—
ACADEMY—	Question re —. 199-200.
See "INDIAN MILITARY —".	ASSOCIATIONS—
See "NATIONAL WAR —".	See "INDIAN —".
ACQUISITION—	ATOMIC RESEARCH COMMITTEE—
Question re — of villages in Benares.	Question re —. 232-33.
6-7.	ATTA—
ACT—	Information (laid on the table) re deterio-
Central Excise and Salt —	ration of —. 200-01.
Statement (laid on the table) re notifica-	ATTYANGAR, HON. SIR N. GOPALASWAMI—
tions issued under section 37 of the	Delhi Special Police Establishment Bill—
— 201-14.	Motion to consider. 169, 173.
Registration of Foreigners —, 1939—	Essential Supplies (Temporary Powers)
Statement (laid on the table) re Declara-	Bill—
tion of Exemption under section 6 of the	Motion to consider. 161-63.
— 112-14.	Point of Order. Admissibility of a non-
ADDRESS—	official member being permitted to make
Farewell — by the Hon. the President.	a statement on a matter of public con-
249-51.	cern which is officially within his cogni-
ADVANCES—	zance. 237-38.
Question (Short Notice) re — for house	Question re—
building. 151.	Expansion of the textile industry. 105,
AFGHANISTAN—	105-06, 106-07, 107.
See "CONSUMER GOODS".	Expansion of textile mills. 102-03.
AGREEMENT—	Import of productive machinery. 104.
Question re — with the U. S. A. arising	Reservation of spindles for the handloom
out of lend-lease. 195-96.	industry. 104-05.
AIRCRAFT MISSION—	Question (supplementary) re—
Question re recommendations of the —	Indian Civil Service and Indian Police.
191.	199.
AIRCRAFT RULES, 1937—	Imports of machinery. 2-3.
See "INDIAN —".	Resolution re promotion of legislation to
AMERICAN SURPLUS FOOD—	bring the textile industry under control.
Question re —. 187-88.	73-81, 82, 86, 91-93.
ARMS LICENCES—	B
Question re — withdrawn in Calcutta.	BALDEV SINGH, HON. SARDAR—
229.	Motion for election of four non-official
ARMY—	members to the Defence Consultative
See "INDIAN —".	Committee. 114.
	Oath of Office. 1.

D
V2, 32, N46
N46, 2



BANKING COMPANIES (RECONSTRUCTION OF BRANCHES) BILL— See "—" under "RAILWAY(S)".	Indian Tea Control (Amendment) — Assent of the Governor General. 200. Considered and passed. 243.
BENARES— See "VILLAGE".	Industrial Employment (Standing Orders) — Assent of the Governor General. 69.
BENGAL ASSAM RAILWAY— See "—" under "RAILWAY(S)".	Insurance (Amendment) — Assent of the Governor General. 68.
BENGAL NAGPUR RAILWAY— See "—" under "RAILWAY(S)".	Provisions Tax Limitation (Amendment) — Assent of the Governor General. 68.
BHABHA, HON. MR. C. — Oath of Office. 1.	Protective Duties — Assent of the Governor General. 69.
BILL— Banking Companies (Reconstruction of Branches) — Passed by the Legislative Assembly. 151-52. Considered and passed. 217-22.	Protective Duties Continuation — Assent of the Governor General. 68.
Code of Criminal Procedure (Amendment) — Assent of the Governor General. 68.	Provident Funds (Amendment) — Assent of the Governor General. 68.
Code of Criminal Procedure (Second Amendment) — Assent of the Governor General. 68.	Merchant Seamen (Litigation) — Assent of the Governor General. 69.
Delhi Special Police Establishment— Passed by the Legislative Assembly. 127.	Mica Mines Labour Welfare Fund — Assent of the Governor General. 69.
Considered and passed. 168-76.	Railway Companies (Substitution of Parties in Civil Proceedings) — Assent of the Governor General. 68.
Essential Supplies (Temporary Powers) — Passed by the Legislative Assembly. 127.	Registration of Transferred Companies (Amendment) — Passed by the Legislative Assembly. 200.
Considered and passed. 152-67.	Considered and passed. 248-49.
Factories (Amendment) — Assent of the Governor General. 68.	Reserve Bank of India (Amendment) — Passed by the Legislative Assembly. 112.
Foreigners — Passed by the Legislative Assembly. 151-52.	Considered and passed. 152.
Considered and passed. 215-16.	Special Tribunals (Supplementary Provisions) — Passed by the Legislative Assembly. 151-52.
Hindu Marriage Disabilities Removal — Passed by the Legislative Assembly. 112.	Considered and passed. 216.
Considered and passed. 223-26.	Trade Marks (Amendment) — Assent of the Governor General. 68.
Hindu Married Women's Right to Separate Residence and Maintenance — Assent of the Governor General. 69.	Workmen's Compensation (Amendment) — Assent of the Governor General. 68.
Indian Coconut Committee (Amendment)— Assent of the Governor General. 68.	BLACK MARKET— Question re food rationing and the — 148-49.
Indian Companies (Amendment) — Assent of the Governor General. 68.	Question re sale of yarn and cloth in the — 235-36.
Indian Finance — 1946— Assent of the Governor General. 68.	BOBBINS— Question re manufacture of — 136-37.
Indian Income-tax (Amendment) — Assent of the Governor General. 68.	BOMBAY— See "TELEPHONE SERVICE".
Indian Mines (Amendment) — Assent of the Governor General. 68.	GOSE, MR. SUBHAS CHANDRA— Question re — 9, 21, 188.
Indian Oilseeds Committee — Assent of the Governor General. 68.	BOXES— See "PLYWOOD —".
Indian Soldiers (Litigation) Amendment — Assent of the Governor General. 69.	BRITAIN— See "INDIAN ASSOCIATIONS".
	BRITISH COLUMBIA— See "INDIANS".

BRITISH OFFICERS— Question re provision of safeguards for — in the Indian Army. 191.	CHETTIYAR, HON. MR. CHIDAMBARAM— Nomination of the — to the Committee on Petitions. 63.
BUSINESS, STATEMENT OF— — by the Hon. the Leader of the House. 176-78.	CHILD WELFARE CENTRES— Question re maternity and — in collieries. 181-82.
BUTA SINGH, LT.-COL. THE HON. SIR— Election of the — to the Defence Consultative Committee. 215.	CHITTAGONG— See "Muslims".
Motion for election of four non-official members to the Defence Consultative Committee. 114.	CHITTAGONG ARMOURY RAID— Question re —. 182-83.
	CIRCULAR LETTERS— Question re suppression of — issued by Indian Associations in Britain. 1-2.
	CIVIL SERVICE— See "INDIAN —". See "PROVINCIAL —".
	CLOTH— Question re — prices. 141.
	Disappearance of — at Karwi. 102.
	Production of certain varieties of —. 234.
	Sale of yarn and — in the black market. 235-36.
	COAL— Question re output of —. 188.
	COALFIELDS— See "JHARIA —".
	COCONUT COMMITTEE (AMENDMENT) BILL— See "Indian —" under "BILL".
	CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL— See "—" under "BILL".
	CODE OF CRIMINAL PROCEDURE (SECOND AMENDMENT) BILL— See "—" under "BILL".
	COLLIERIES— Question re maternity and child welfare centres in —. 181-82.
	COMMANDER-IN-CHIEF, HIS EXCELLENCY THE— Congratulations to — on his promotion to Field-Marshal. 70.
	COMMERCE DEPARTMENT, STANDING COMMITTEE FOR THE— Motion for election of member. 115.
	Election of member. 178.
	COMMISSIONS— See "PERMANENT —". See "SHORT-TERM —". See "SPECIAL —".
	COMMITTEE ON PETITIONS— Constitution of the —. 63.
CABINET DELEGATION— Question re alleged memorandum to the — by His Excellency Sir Olaf Caroe on the Tribal Areas. 230.	
CADETS— Question re intake of — at Indian Military Academy. 186.	
CALCUTTA— See "ARMS LICENCES". See "CENTRAL TELEGRAPH OFFICE, —".	
'CAMERONIA' INCIDENT— Question re — in Malaya. 17.	
CAROE, HIS EXCELLENCY SIR OLAF— Question re alleged memorandum to the Cabinet Delegation by — on the Tribal Areas. 230.	
CENTRAL INDUSTRIAL PLANNING COMMITTEE— Resolution re appointment of a —. 96.	
CENTRAL TELEGRAPH OFFICE, CALCUTTA— Question re incident at the —. 137.	
CENTRAL WATERWAYS, IRRIGATION AND NAVIGATION RESEARCH STATION— Question re establishment of a — at Delhi. 32.	
CENTRE— Question re superintendence by the — over Provinces. 135-36.	
CHAIRMAN, PANEL OF— Message from His Excellency the Governor General nominating the —. 68.	
CHARANJIT SINGH, HON. RAJA— Expressions of regret on the death of Pandit Madan Mohan Malaviya. 131.	
Nomination of the — as Chairman of the Committee on Petitions. 63.	
CHEMISTRY— See "PRISONERS OF WAR".	

COMPANIES (AMENDMENT) BILL—
See "Indian —" under "BILL".

COMPENSATION—
Information (laid on the table) re. — to owners of requisitioned houses. 58.

CONGRATULATIONS—
— to recipients of Honours. 70-71.

CONGRESS—
Question re statement by — on Regulations, Ordinances, etc. 135.

CONGRESS LEADERS—
Question re documents relating to —, etc. 5.

CONSULS—
Question re ministers and — serving abroad. 193-94.

CONSUMER GOODS—
Question re supply of — to Afghanistan. 102.

COORG MOTOR VEHICLES RULES, 1940—
Statement (laid on the table) re amendments to the —. 59, 67.

CURRENCY—
See "JAPANESE —".

D

DAIRY FARMS—
See "MILITARY —".

DALAL, HON. MR. M. N.—
Expressions of regret on the death of Pandit Madan Mohan Malaviya. 131.
Nomination of the — to the Panel of Chairmen. 68.
Resolution re continuation of India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development. 118-19.

DANUBE QUESTION—
Question re participation by the Indian Delegation in the discussion on the —. 230-31.

DAS, HON. MR. N. K.—
Question re—
Directorate General, Industries and Supplies. 107-08, 108-09, 109, 109-10, 110, 110-11, 111, 111-12.
Retrenchment in the Supply Department. 108.

DAS, HON. RAI BAHADUR SATYENDRA KUMAR—
Essential Supplies (Temporary Powers) Bill—
Motion to consider. 153-54.
Hindu Marriage Disabilities Removal Bill—
Motion to consider. 224.
Question (short notice), (supplementary) re—
Statement on the situation in Bihar. 244.
Statement on the situation in Bihar and Bengal. 247.

DEATH—
Expression of regret on the death of Hajee Abdool Razak Abdool Suttar. 69-73.
Expressions of regret on the — of Pandit Madan Mohan Malaviya. 127-32.
Expressions of regret on the — of Sir A. P. Patro. 69-73.

DECLARATION OF EXEMPTION—
Statement (laid on the table) re — under section 6 of the Registration of Foreigners Act, 1939. 112-14.

DEFENCE CONSULTATIVE COMMITTEE—
Motion for election of members. 114.
Nomination of members. 178.
Election of members. 215.

DEFENCE POLICY—
Announcement in the papers of the defence policy of the country. 167-68.

DELEGATION—
See "CABINET —".
See "INDIAN —".

DELHI SPECIAL POLICE ESTABLISHMENT BILL—
See "—" under "BILL".

DEVADOSS, HON. SIR DAVID—
Delhi Special Police Establishment Bill—
Motion to consider. 172, 173.
Essential Supplies (Temporary Powers) Bill—
Motion to consider. 157.
Expressions of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 71-72.
Nomination of the — to the Panel of Chairmen. 68.
Question (short notice), (supplementary) re statement on the situation in Bihar and Bengal. 246.
Question (supplementary) re telephone service in Bombay. 149-51.

DEVELOPMENT—
Question re plans for — of the North-West Frontier. 194-95.

DIRECT ACTION DAY—
Question re. transmission of radio messages by the military on —. 136.

DIRECTORATE GENERAL, INDUSTRIES AND SUPPLIES—
Question re. —. 107-08, 108-09, 109, 109-10, 110, 110-11, 111, 111-12.

DIRECTORATE GENERAL OF DISPOSALS—
Question re Resettlement and Employment Organisation, — and Industries and Supplies Department. 22-31.

DISCOURTEOUS TREATMENT—
Question re — shown to Indian students on board the "Marine Lynx". 16.

DISPOSALS COTTON CLOTH—
Question re —. 141.

DOCUMENTS—
Question re — relating to Congress leaders, etc. 5.

DRINKING WATER—
Question re supply of — on the B.N.R. 179-80.

E

EAST INDIAN RAILWAY—
See "—" under "RAILWAY(S)".

ESSENTIAL SUPPLIES (TEMPORARY POWERS) BILL—
See "—" under "BILL".

ETOBON—
See "PRISONERS OF WAR".

EXECUTION—
Question re — of nine I.N.A. personnel. 17-20.

EXTERNAL AFFAIRS DEPARTMENT—
Question re —. 186.

F

FACTORIES (AMENDMENT) BILL—
See "—" under "BILL".

FARES—
Question re overcharging of — of third class passengers. 8-9.

FARMS—
See "MILITARY DAIRY —".

FILM "GANGA DIN"—
Question re —. 5-6.

FINANCE BILL, 1946—
See "Indian —" under "BILL".

FOOD—
Question re food situation. 32-34.
See "AMERICAN SURPLUS —".

FOODGRAINS—
Information (laid on the table) re deterioration of —. 58.
Question re—
Deficiency of —. 197-99.
Imports of —. 141-46.

FOOD RATIONING—
Question re—
— and the black market. 148-49.

FOOD SITUATION—
Question re circulation of memorandum on the —. 196-97.

FOREIGNERS BILL—
See "—" under "BILL".

FOUNTAIN PENS—
Question re manufacture of —. 133-34.

FRANCE—
See "INDIANS".

G

"GANGA DIN"—
See "FILM —".

GANGES—
Question re River —. 100.

GENERAL ASSEMBLY OF THE UNITED NATIONS—
Statement (laid on the table) re Reports on the work of the Indian Delegation to the Preparatory Commission and the First Part of the First Session of the —, 1945-46. 59.

GENERAL POST OFFICE, CALCUTTA—
Question re working of the —. 138.

GERMAN MERCHANT SHIPPING—
Question re allocation of — as reparations. 4-5.

GERMAN REPARATIONS—
Question re —. 12-14.

GERMANY—
See "INDIANS".
See "REPARATIONS".

GHAZANFAR ALI KHAN, HON. MR.—
Expression of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 73.
Oath of Office. 1.
Question re statement by —. 229-30.
Resolution re—
Amendment of the Indian Legislative Rules. 95-96.
Promotion of legislation to bring the textile industry under control. 88.

GHEE—
See "VEGETABLE —".

GIBBONS, HON. MR. J. M. B.—
 Resessional Supplies (Temporary Powers) Bill—
 Motion to consider. 158.
 Expressions of regret on the death of Pandit Madan Mohan Malaviya. 131.

GOA—
 Question re re-union of —, etc., with the mother country. 231.

GOVERNOR GENERAL, HIS EXCELLENCY THE—
 Message from — nominating the Panel of Chairmen. 68.

GOVERNOR OF THE NORTH WEST FRONTIER PROVINCE—
 Question re —. 192.

GREENFIELD, MR. H. H.—
 Congratulations to — on his C.S.I. 71.

GRIFFIN, SIR ARTHUR—
 Congratulations to — on his K.C.I.E. 71.

H

HANDBLOOM INDUSTRY—
 Question re reservation of spindles for the —. 104-05.

HINDU ASSESSEES—
 Question re income-tax payable by — holding joint property. 151.

HINDU MARRIAGE DISABILITIES REMOVAL BILL—
 See "—" under "BILL".

HINDU MARRIED WOMEN'S RIGHT TO SEPARATE RESIDENCE AND MAINTENANCE BILL—
 See "—" under "BILL".

HISSAM-UD-DIN BAHADUR, BRIG. THE HON. SIR—
 Election of the — to the Defence Consultative Committee. 215.
 Question (short notice) (supplementary) re statement on the situation in Bihar and Bengal. 247.

HONG KONG—
 See "INDIANS".

HONOURS—
 Congratulations to recipients of —. 70-71.

HOSSAIN IMAM, HON. MR.—
 Banking Companies (Restriction of Branches) Bill—
 Motion to consider. 219-20.
 Election of the — to the Defence Consultative Committee. 215.
 Question (short notice) (supplementary) re statement on the situation in Bihar and Bengal. 246, 247.

HOSSAIN IMAM, HON. MR.—*contd.*
 Question (supplementary) re—
 Agreement with the U. S. A. arising out of lend-lease. 195-96.
 Associated Press of India. 199-200.
 Atomic Research Committee. 232-33.
 Deficiency of foodgrains. 197-99.
 Governor of the North West Frontier Province. 192.
 Plans for development of the North West Frontier. 194-95.
 Recommendations of the Aircraft Mission. 191.
 Release of railway rolling stock. 233-34.
 Riots in Noakhali and Tippera districts in Bengal. 192-93.
 Sale of yarn and cloth in the black market. 235-36.
 Shortage of sugar. 190-91.
 Statement on the situation in Bihar. 240, 241, 242, 243.
 Textile machinery. 232.
 Visit of the Hon. Pandit Jawahar Lal Nehru to the Tribal Areas. 192.

HOUSES—
 Information (laid on the table) re compensation to owners of requisitioned —. 53.
 Question re release of requisitioned —. 188-90.

HOUSE BUILDING—
 Question (short notice) re advances for —. 151.

I

INCIDENT—
 Question re — at the Central Telegraph Office, Calcutta. 137.

INCOME-TAX—
 Question re — payable by Hindu assesses holding joint property. 151.

INCOME-TAX (AMENDMENT) BILL—
 See "Indian —" under "BILL".

INDIAN AIRCRAFT RULES, 1937—
 Statement (laid on the table) re amendments to the —. 54-58.

INDIAN ARMY—
 Question re provision of safeguards for British officers in the —. 191.

INDIAN ASSOCIATIONS—
 Question re suppression of circular letters issued by — in Britain. 1-2.

INDIAN CIVIL SERVICE—
 Question re—
 — and Indian Police. 199.
 — and P. C. S. 101.

INDIAN COCONUT COMMITTEE (AMENDMENT) BILL—
 See "—" under "BILL".

INDIAN COMPANIES (AMENDMENT) BILL—
 See "—" under "BILL".

INDIAN DELEGATION—
 Question re participation by the — in the discussion on the Danube question. 230-31.

Statement (laid on the table) re Reports on the work of the — to the Preparatory Commission and the First Part of the First Session of the General Assembly of the United Nations, 1945-46. 59.

INDIAN FINANCE BILL, 1946—
 See "—" under "BILL".

INDIAN INCOME-TAX (AMENDMENT) BILL—
 See "—" under "BILL".

INDIAN LEGISLATIVE RULES—
 Resolution re amendment of the —. 93-96.

INDIAN MILITARY ACADEMY—
 Question re intake of cadets at —. 18.

INDIAN MINES (AMENDMENT) BILL—
 See "—" under "BILL".

INDIAN NATIONAL ARMY—
 Question re execution of nine — personnel. 17-20.

INDIAN NAVY—
 See "ROYAL —".

INDIAN OILSEEDS COMMITTEE BILL—
 See "—" under "BILL".

INDIAN POLICE—
 Question re Indian Civil Service and —. 199.

INDIAN SOLDIERS (LITIGATION) AMENDMENT BILL—
 See "—" under "BILL".

INDIAN STUDENTS—
 Question re discourteous treatment shown to — on board the "Marine Lynx". 16.

INDIAN TEA CONTROL (AMENDMENT) BILL—
 See "—" under "BILL".

INDIAN TROOPS—
 Question re—
 — in Indonesia. 141.
 — stationed abroad. 21-22.

INDIANS—
 Information (laid on the table) re prosecution of — in Hong Kong, etc. 59.
 Information (laid on the table) re whereabouts of — sent by the Japanese to the Pacific Islands. 59.

INDIANS—*contd.*

Question re—
 — in British Columbia. 10.
 — in France. 133.
 — in Germany. 15-16, 21.
 — in Hong Kong. 14-15.
 — in Malaya. 11, 34-35, 236-37.
 — in Mauritius. 15.
 — in Southern Rhodesia. 16-17.

INDO-CHINESE TRADE—

Question re —, etc. 134.

INDUSTRIAL EMPLOYMENT (STANDING ORDERS) BILL—

See "—" under "BILL".

INDUSTRIES AND SUPPLIES—

See "DIRECTORATE GENERAL, —".

INDUSTRIES AND SUPPLIES DEPARTMENT—

Question re resettlement and Employment Organisation, Directorate General of Disposals and —. 22-31.

INFORMATION (LAID ON THE TABLE) re—

Compensation to owners of requisitioned houses. 53.
 Deterioration of atta. 200-01.
 Deterioration of foodgrains. 58.
 Deterioration of rice. 200-01.
 Invalidation of Japanese currency. 59.
 Number of Muslims employed in the higher division and in officers' rank of the Port Commissioners' Service at Chittagong, etc. 67.
 Prosecution of Indians in Hong Kong, etc. 59.
 Whereabouts of Indians sent by the Japanese to the Pacific Islands. 59.

INSURANCE (AMENDMENT) BILL—

See "—" under "BILL".

ITALIAN NAVY—

Question re allocation of ships of the —. 5.

INTELLIGENCE BUREAU—

Question re —. 133.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT—

Resolution re continuation of India's membership of the International Monetary Fund and the —. 115-26.

INTERNATIONAL MONETARY FUND—

Resolution re continuation of India's membership of the — and the International Bank for Reconstruction and Development. 115-26.

J

JAPAN—

See "TRADE".

JAPANESE—

Information (laid on the table) *re* whereabouts of Indians sent by the — to the Pacific Islands. 59.

JAPANESE CURRENCY—

Information (laid on the table) *re* invalidation of —. 59.

JHARIA COALFIELDS—

Question *re* medical requirements on —. 181.

JOGENDRA SINGH, SIR—

Congratulations to — on his K.C.S.I. 70.

JOINT PROPERTY—

Question *re* income-tax payable by Hindu assesses holding —. 151.

JONES, HON. SIR CYRIL—

Banking Companies (Restriction of Branches) Bill—

Motion to consider. 217-18, 219, 221-22.

Motion to pass. 222.

Oath of Office. 1.

Reserve Bank of India (Amendment) Bill—

Motion to consider. 152.

Motion to pass. 152.

Resolution *re* continuation of India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development. 115-18, 125-26.

JUTE—

Question *re* re-export of — from the U. S. A. to South Africa. 99.

K

KALIKAR, HON. MR. V. V.—

Delhi Special Police Establishment Bill—

Motion to consider. 172-73, 174.

Election of the — to the Defence Consultative Committee. 215.

Nomination of the — to the Panel of Chairmen. 68.

Question (supplementary) *re*—

Manufacture of fountain pens. 133-34.

Short-term commissions and special commissions. 185.

Visit of the Hon. Pandit Jawaharlal Nehru to the Tribal Areas. 192.

KARAMAT ALI, HON. MR.—

Election of the — to the Standing Committee on Pilgrimage to the Hejaz. 178.

KARWI—

See "CLOTH".

KATRAGARH, MANBHUM DISTRICT—

See "POST OFFICE".

KHAREGAT, HON. SIR PHEROZE—

Oath of Office. 127.

KHURSHID ALI KHAN, HON. MR.—

Expressions of regret on the death of Pandit Madan Mohan Malaviya. 131.

KUNZRU, HON. PANDIT H. N.—

Delhi Special Police Establishment Bill—

Motion to consider. 169, 170, 171, 172.

Election of the — to the Defence Consultative Committee. 215.

Essential Supplies (Temporary Powers) Bill—

Motion to consider. 154-55, 164, 165.

Expressions of regret on the death of Pandit Madan Mohan Malaviya. 129-30.

Expressions of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 71.

Motion for election of four non-official members to the Defence Consultative Committee. 114.

Nomination of the — to the Committee on Petitions. 68.

Question *re*—

Circulation of memorandum on the food situation. 196-97.

Deficiency of foodgrains. 197-99.

External Affairs Department. 186.

Indian Civil Service and Indian Police. 199.

Indians in Malaya. 236-37.

Intake of cadets at Indian Military Academy. 186.

Maximum periods prescribed for promotion in the Royal Navy, etc. 184.

Ministers and Consuls serving abroad. 193-94.

Participation by the Indian Delegation in the discussion on the Danube question. 230-31.

Permanent commissions. 184-85.

Production of certain varieties of cloth. 234.

Sale of yarn and cloth in the black market. 235-36.

Short-term commissions and special commissions. 185, 186.

Question (short notice) *re* statement on the situation in Bihar and Bengal. 245, 246, 247.

Question (short notice) (supplementary) *re* statement on the situation in Bihar. 242, 244, 245.

Question (supplementary) *re*—

Agreement with the U. S. A. arising out of lend-lease. 195-96.

Allocation of German merchant shipping as reparations. 4-5.

Distribution of the assets of the League of Nations. 3-4.

Establishment of the National War Academy. 9.

Execution of nine I. N. A. personnel. 17-20.

Food rationing and the black market. 148-49.

KUNZRU, HON. PANDIT H. N.—*contd.*

Question (supplementary) *re*—*contd.*

German reparations. 12-14.

Indians in Germany. 15-16.

Potato prices. 98.

Smuggling of yarn consignments in the Lucknow Division, E. I. R. 7-8.

Suppression of circular letters issued by Indian Association in Britain. 1-2.

Telephone service in Bombay. 149-51.

Resolution *re*—

Continuation of India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development. 119-22.

Promotion of legislation to bring the textile industry under control. 84-86, 87, 88.

KUREBHAR—

See "THIRD CLASS PASSENGERS".

L

LABOUR INVESTIGATION COMMITTEE—

Statement (laid on the table) *re* thirteen *ad hoc* Reports prepared by the —. 152.

LAWLESSNESS—

Question *re* — on certain sections of the B. A. R. 179.

LEAGUE OF NATIONS—

Question *re* distribution of the assets of the —. 3-4.

LEGISLATION—

Resolution *re* promotion of — to bring the textile industry under control. 73-83.

LEND-LEASE—

Question *re* agreement with the U. S. A. arising out of —. 195-96.

LEND-LEASE AGREEMENT—

Question *re* — with U. S. A. 7.

LETTERS—

Question *re* irregular delivery of —, etc., in Calcutta. 139.

See "CIRCULAR —".

LICENCES—

See "ARMS —".

LIGHTING—

Question *re* — arrangements at Muttra Junction, etc. 3.

LUCKNOW DIVISION—

See "SMUGGLING".

M

MACHINERY—

Question *re* —. 2-3.

Imports of —. 2-3.

Import of productive —. 104.

See "TEXTILE —".

MAHATHA, HON. RAI BAHADUR SRI NARAIN—

Hindu Marriage Disabilities Removal Bill—

Motion to consider. 224.

Question (short notice) (supplementary) *re* statement on the situation in Bihar. 242, 243.

Question (supplementary) *re*—

Lend-Lease Agreement with U. S. A. 7.

Shortage of sugar. 181.

Resolution *re* promotion of legislation to bring the textile industry under control. 89-90.

MALAVIYA, PANDIT MADAN MOHAN—

Expressions of regret on the death of —. 127-32.

MALAYA—

See "'CAMERONIA' INCIDENT".

See "INDIANS".

MALKERA STATION—

Question *re* —, B. N. R. 184.

"MARINE LYNX"—

Question *re* discourteous treatment shown to Indian students on board the —. 16.

MATERNITY—

Question *re* — and child welfare centres in collieries. 181-82.

MAURITIUS—

See "INDIANS".

MEDICAL REQUIREMENTS—

Question *re* — on Jharia Coalfields. 181.

MEMORANDUM—

Question *re*—

Alleged — to the Cabinet Delegation by His Excellency Sir Olaf Caroe on the Tribal Areas. 230.

Circulation of — on the food situation. 196-97.

MENON, HON. SIR RAMENNI—

Expression of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 72.

Nomination of the — to the Committee on Petitions. 68.

Resolution *re* continuation of India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development. 122-23.

MERCHANT SEAMEN (LITIGATION) BILL—

See "—" under "BILL".

MERCHANT SHIPPING—
See "GERMAN —".

MESSAGE—
— from His Excellency the Governor General nominating the Panel of Chairmen. 68.

MICA MINES LABOUR WELFARE FUND BILL—
See "—" under "BILL".

MILITARY ACADEMY—
See "INDIAN —".

MILITARY DAIRY FARMS—
Question re —. 183-84.

MILLS—
See "TEXTILE —".

MINES (AMENDMENT) BILL—
See "Indian —" under "BILL".

MINISTERS—
Question re — and Consuls serving abroad. 193-94.

MOTILAL, HON. MR. G. S.—
Essential Supplies (Temporary Powers) Bill—
Motion to consider. 160.
Expressions of regret on the death of Pandit Madan Mohan Malaviya. 130.
Expressions of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 72.
Hindu Marriage Disabilities Removal Bill—
Motion to consider. 223.
Question re—
Arms licences withdrawn in Calcutta. 229.
Associated Press of India. 199-200.
Cloth prices. 141.
Disposals of cotton cloth. 141.
Food rationing and the black market. 148-49.
Imports of foodgrains. 141-46.
Income-tax payable by Hindu assesses holding joint property. 151.
Indian troops in Indonesia. 141.
Military dairy farms. 183.
Production and import of petrol. 146-47.
Production of vegetable ghee. 140.
Statement by the Hon. Mr. Ghazanfar Ali Khan. 229-30.
Telephone exchanges allocated to the military. 148.
Telephone service in Bombay. 149-51.
Question (short notice) (Supplementary) re statement on the situation in Bihar. 241.
Question (supplementary) re—
"Cameronia" incident in Malava. 17.
Chittagong armoury raid. 182-83.
Circulation of Memorandum on the food situation. 196-97.
Indian Civil Service and Indian Police. 199.

MOTILAL, HON. MR. G. S.—*contd.*
Question (supplementary) re—
Indians in British Columbia. 10.
Production of certain varieties of cloth. 234.
Release of railway rolling stock. 233-34.
River Ganges. 100.
Sale of yarn and cloth in the black market. 235-36.
Smuggling of yarn consignments in the Lucknow Division, E. I. R. 7-8.
Resolution re—
Amendment of the Indian Legislative Rules. 94-95.
Promotion of legislation to bring the textile industry under control. 90-91, 93.

MOTOR VEHICLES (THIRD PARTY INSURANCE) RULES, 1946—
Statement (laid on the table) re —. 59-67.

MUHAMMAD HUSAIN, HON. HAJI SYED—
Election of the — to the Standing Committee for the Commerce Department. 178.
Essential Supplies (Temporary Powers) Bill—
Motion to consider. 163, 166.
Motion for election of four non-official members to the Defence Consultative Committee. 114.
Nomination of the — to the Committee on Petitions. 68.
Question (short notice), (supplementary) re statement on the situation in Bihar and Bengal. 246, 247.

MUSLIMS—
Information (laid on the table) re number of — employed in the higher division and in officers' rank of the Port Commissioners' Service at Chittagong, etc. 67.

MUSTARD OIL—

Question re —. 180, 180-81.

MUTTRA—

Question re correct pronunciation and spelling of —. 32.

MUTTRA JUNCTION—

Question re lighting arrangements at —. etc. 3.

N

NATIONAL WAR ACADEMY—

Question re establishment of the —. 9.

NAVY—

See "ITALIAN —".

See "ROYAL —".

See "ROYAL INDIAN —".

NHEBU, HON. PANDIT JAWAHARLAL—
Question re visit of the — to the Tribal Areas. 192.

NISHTAR, HON. MR. A. R.—

Announcement in the papers of the defence policy of the country. 168.

Expressions of regret on the death of Pandit Madan Mohan Malaviya. 128-29.

Hindu Marriage Disabilities Removal Bill—
Motion to consider. 223, 225.

Oath of Office. 97.

Statement by the — on the situation in Bihar. 240-45.

NOAKHALI DISTRICT—

See "RIOTS".

NORTH WEST FRONTIER—

Question re plans for development of the —. 194-95.

NORTH WEST FRONTIER PROVINCE—

See "GOVERNOR OF THE —".

O

OATH OF OFFICE—

Baldev Singh, Hon. Sardar. 1.

Bhabha, Hon. Mr. C. H. 1.

Ghazanfar Ali Khan, Hon. Mr. 1.

Jones, Hon. Sir Cyril. 1.

Kharegat, Hon. Sir Pheroze. 127.

Nishtar, Hon. Mr. A. R. 97.

Pai, Hon. Mr. A. V. 1.

Rajendra Prasad, Hon. Shri. 229.

Sen, Hon. Dr D. M. 1.

Subbarayan, Hon. Mrs. Radha Bai. 1.

Wakely, Hon. Mr. L. J. D. 1.

Warren, Hon. Mr. D. D. 1.

Yeatts, Hon. Mr. M. W. M. 1.

OFFICERS—

See "BRITISH —".

OIL—

See "MUSTARD —".

OILSEEDS COMMITTEE BILL—

See "INDIAN —" under "BILL".

ORDINANCES—

Question re statement by Congress on Regulations, —, etc. 135.

ODDH TIRHOOT RAILWAY—

See "—" under "RAILWAY(S)".

PACIFIC ISLANDS—

See "INDIANS".

PADSHAH SAHIB BAHADUR, HON. SAYED MOHAMED—

Essential Supplies (Temporary Powers) Bill—

Motion to consider. 153.

Expressions of regret on the death of Pandit Madan Mohan Malaviya. 130-31.

Expressions of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 72.

Nomination of the — to the Panel of Chairmen. 68.

Question (supplementary) re Indians in Malaya. 34-35.

Resolution re promotion of legislation to bring the textile industry under control. 83.

PAI, HON. MR. A. V.—

Congratulations to the — on his C. J. E. 71.

Motion for election of one Muslim member to the Standing Committee on Pilgrimage to the Hejaz. 115.

Oath of Office. 1.

PANEL OF CHAIRMEN—

Message from His Excellency the Governor General nominating the —. 68.

PATRO, SIR A. P.—

Expressions of regret on the death of —. 69-73.

PENS—

See "FOUNTAIN —".

PERMANENT COMMISSIONS—

Question re —. 184-85.

PETITIONS, COMMITTEE ON—
Constitution of the —. 68.

PETROL—

Question re production and import of —. 146-47.

PETROL TAX FUND—

Statement (laid on the table) re objects on which the aviation share of the — was expended in 1945-46. 53.

PILGRIMAGE TO THE HEJAZ, STANDING COMMITTEE ON—

Motion for election of member. 115.

Election of member. 178.

PILLAI, MR. N. R.—

Congratulations to — on his K.C.I.E. 71.

PLANS—

Question re — for development of the North West Frontier. 194-95.

PLYWOOD BOXES—

Question re manufacture of —. 137.

POLICE—

See "INDIAN —".

PORTER, HON. MR. A. E.—

Delhi Special Police Establishment Bill—
Motion to consider. 168-70, 174-76.
Motion to pass. 176.

Foreigners Bill—

Motion to consider. 215-16.

Motion to pass. 216.

POST OFFICE—

Question re — at Katrasgarh Manbhum District. 139-40.

POTATO—

Question re — prices. 97-98, 98.

PRESIDENT, HON. THE—

Announcement in the papers of the defence policy of the country. 167, 168.

Delhi Special Police Establishment Bill—
Motion to consider. 169, 170, 173.

Essential Supplies (Temporary Powers) Bill—

Congratulation to the Hon. Mrs. Radha-Bai Subbarayan on her maiden speech. 161.

Expressions of regret on the death of Pandit Madan Mohan Malaviya. 127-28, 132.

Expressions of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 69, 71, 73.

Farewell address by the —. 249-51.

Hindu Marriage Disabilities Removal Bill—
Motion to consider. 225.

Members having questions in the names should have the courtesy to give notice if they are not able to be present in the House. 140.

PRIOR, MR. H. C.—

Congratulations to — on his K.C.I.E. 71.

PRISONERS OF WAR—

Question re help given to escaped — by the inhabitants of Etobon and Chenebier in France. 187.

PROFESSIONS TAX LIMITATION (AMENDMENT) BILL—

See "—" under "BILL".

PROMOTION—

Question re Maximum periods prescribed for — in the Royal Navy, etc. 184.

PROTECTIVE DUTIES BILL—

See "—" under "BILL".

PROTECTIVE DUTIES CONTINUATION BILL—

See "—" under "BILL".

PROVIDENT FUNDS (AMENDMENT) BILL—

See "—" under "BILL".

PROVINCES—

Question re superintendence by the Centre over —. 135-36.

PROVINCIAL CIVIL SERVICE—

Question re I.C.S. and —. 101.

PUBLIC DEPT (CENTRAL GOVERNMENT) RULES, 1946—

Statement (laid on the table) re —. 35-53.

R

RADIO MESSAGES—

Question re transmission of — by the military on Direct Action Day. 136.

RAID—

See "CHITTAGONG ARMOURY —".

RAILWAY COMPANIES (SUBSTITUTION OF PARTIES IN CIVIL PROCEEDINGS) BILL—

See "—" under "BILL".

RAILWAY ROLLING STOCK—

Question re release of —. 233-34.

RAILWAY(S)—

Bengal Assam—

Question re lawlessness on certain sections of the —. 179.

Bengal Nagpur—

Question re—

Malkera Station, —. 184.

Supply of drinking water on the —. 179-80.

East Indian—

Question re—

Issue of tickets to third class passengers at Kurebhar, —. 98-99.

Smuggling of yarn consignments in the Lucknow Division, —. 7-8.

Oudh Tirhoot—

Question re—

Theft of sugar, —. 99.

Waiting rooms, —. 101-02.

RAJENDRA PRASAD, HON. SHRI—

Oath of Office. 229.

Statement by the — on the situation in Bihar and Bengal. 245-47.

RAMAPADASAGAR RESERVOIR PROJECT—

Question re —. 4.

RAO, MR. NARAHARI—

Congratulations to — on his C.S.I. 71.

RATIONING—

See "FOOD —".

REGISTRATION OF TRANSFERRED COMPANIES (AMENDMENT) BILL—

See "—" under "BILL".

REGULATIONS—

Question re statement by Congress on —, Ordinances, etc. 135.

REPARATIONS—

Question re—

Allocation of German merchant shipping as —. 4-5.

— from Germany. 231.

See "GERMAN —".

RESERVE BANK OF INDIA (AMENDMENT) BILL—

See "—" under "BILL".

RESETTLEMENT AND EMPLOYMENT ORGANISATION—

Question re —, Directorate General of Disposals and Industries and Supplies Department. 22-31.

RESOLUTION re—

Central Industrial Planning Committee. Appointment of a —. 96.

Indian Legislative Rules. Amendment of the —. 93-96.

International Bank for Reconstruction and Development. Continuation of India's membership of the International Monetary Fund and the —. 115-26.

International Monetary Fund. Continuation of India's membership of the — and the International Bank for Reconstruction and Development. 115-26.

Legislation. Promotion of — to bring the textile industry under control. 79-93.

Textile industry. Promotion of legislation to bring the — under control. 79-93.

RETRENCHMENT—

Question re — in the Supply Department. 103.

RICE—

Statement (laid on the table) re deterioration of —. 200-01.

RIOTS—

Question re — in Noakhali and Tippera districts in Bengal. 192-93.

ROW, HON. MR. THIRUMALA—

Announcement in the papers of the defence policy of the country. 167, 168.

Banking Companies (Restriction of Branches) Bill—

Motion to consider. 218-19.

Delhi Special Police Establishment Bill—
Motion to consider. 169, 173.

Essential Supplies (Temporary Powers) Bill—

Motion to consider. 155-57.

Expression of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 73.

Hindu Marriage Disabilities Removal Bill—
Motion to consider. 224-25.

Question (short notice) re advances for house building. 151.

ROW, HON. MR. THIRUMALA—*contd.*

Question (short notice) (supplementary) re statement on the situation in Bihar. 244.

Question (supplementary) re—

Associated Press of India. 199-200.

Atomic Research Committee. 232-33.

"Cameronia" incident in Malaya. 17.

Chittagong armoury raid. 182-83.

Discourteous treatment shown to Indian students on board the "Marine Lynx". 16.

Establishment of a Central Waterways, Irrigation and Navigation Research Station at Delhi. 32.

Food rationing and the black market. 148-49.

I.C.S. and P.C.S. 101.

Indians in British Columbia. 10.

Indian troops in Indonesia. 141.

Indian troops stationed abroad. 21-22.

Maternity and child welfare centres in collieries. 181-82.

Medical requirements on Jharia Coalfields. 181.

Mr. Subhas Chandra Bose. 9.

Omission of the word "Royal" from Royal Indian Navy, etc. 100.

Release of railway rolling stock. 233-34.

Reservation of spindles for the handloom industry. 104-05.

Resettlement and Employment Organisation, Directorate General of Disposals and Industries and Supplies Department. 22-31.

Resumption of trade with Japan. 10-11.

Sale of yarn and cloth in the black market. 235-36.

Supply of drinking water on the B. N. R. 179-80.

Suppression of circular letters issued by Indian Association in Britain. 1-2.

Telephone service in Bombay. 149. 51.

Resolution re—

Continuation of India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development. 123-24.

Promotion of legislation to bring the textile industry under control. 79, 83, 86-89.

ROYAL NAVY—

Question re maximum periods prescribed for promotion in the —, etc. 184.

ROYAL INDIAN NAVY—

Question re omission of the word "Royal" from —, etc. 100.

ROY CROWDHURY, HON. MR. S. K.—

Banking Companies (Restriction of Branches) Bill—

Motion to consider. 218.

Delhi Special Police Establishment Bill—

Motion to consider. 172.

Question (short notice) (supplementary) re statement on the situation in Bihar. 241. 245.

POLICE—

See "INDIAN —".

PORTER, HON. MR. A. E.—

Delhi Special Police Establishment Bill—

Motion to consider. 168-70, 174-76.

Motion to pass. 176.

Foreigners Bill—

Motion to consider. 215-16.

Motion to pass. 216.

POST OFFICE—

Question re — at Katrasgarh Manbhum District. 139-40.

POTATO—

Question re — prices. 97-98, 98.

PRESIDENT, HON. THE—

Announcement in the papers of the defence policy of the country. 167, 168.

Delhi Special Police Establishment Bill—

Motion to consider. 169, 170, 173.

Essential Supplies (Temporary Powers) Bill—

Congratulation to the Hon. Mrs. Radha-Bai Subbarayan on her maiden speech. 161.

Expressions of regret on the death of Pandit Madan Mohan Malaviya. 127-28, 132.

Expressions of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 69, 71, 73.

Farewell address by the —. 249-51.

Hindu Marriage Disabilities Removal Bill—

Motion to consider. 225.

Members having questions in the names should have the courtesy to give notice if they are not able to be present in the House. 140.

PRIOR, MR. H. C.—

Congratulations to — on his K.C.I.E. 71.

PRISONERS OF WAR—

Question re help given to escaped — by the inhabitants of Etobon and Chenebier in France. 187.

PROFESSIONS TAX LIMITATION (AMENDMENT) Bill—

See "—" under "BILL".

PROMOTION—

Question re Maximum periods prescribed for — in the Royal Navy, etc. 184.

PROTECTIVE DUTIES BILL—

See "—" under "BILL".

PROTECTIVE DUTIES CONTINUATION BILL—

See "—" under "BILL".

PROVIDENT FUNDS (AMENDMENT) BILL—

See "—" under "BILL".

PROVINCES—

Question re superintendence by the Centre over —. 135-36.

PROVINCIAL CIVIL SERVICE—

Question re I.C.S. and —. 101.

PUBLIC DEBT (CENTRAL GOVERNMENT) RULES, 1946—

Statement (laid on the table) re —. 35-53.

R

RADIO MESSAGES—

Question re transmission of — by the military on Direct Action Day. 136.

RAID—

See "CHITTAGONG ARMOURY —".

RAILWAY COMPANIES (SUBSTITUTION OF PARTIES IN CIVIL PROCEEDINGS) BILL—

See "—" under "BILL".

RAILWAY ROLLING STOCK—

Question re release of —. 233-34.

RAILWAY(S)—

Bengal Assam—

Question re lawlessness on certain sections of the —. 179.

Bengal Nagpur—

Question re—

Malkera Station. —. 184.

Supply of drinking water on the —. 179-80.

East Indian—

Question re—

Issue of tickets to third class passengers at Kurebhar. —. 98-99.

Smuggling of yarn consignments in the Lucknow Division. —. 7-8.

Oudh Tirhoot—

Question re—

Theft of sugar. —. 99.

Waiting rooms. —. 101-02.

RAJENDRA PRASAD, HON. SHRI—

Oath of Office. 229.

Statement by the — on the situation in Bihar and Bengal. 245-47.

RAMAPADASAGAR RESERVOIR PROJECT—

Question re —. 4.

RAO, MR. NARAHARI—

Congratulations to — on his C.S.I. 71.

RATIONING—

See "FOOD —".

REGISTRATION OF TRANSFERRED COMPANIES (AMENDMENT) BILL—

See "—" under "BILL".

REGULATIONS—

Question re statement by Congress on —, Ordinances, etc. 135.

REPARATIONS—

Question re—

Allocation of German merchant shipping as —. 4-5.

— from Germany. 231.

See "GERMAN —".

RESERVE BANK OF INDIA (AMENDMENT) BILL—

See "—" under "BILL".

RESETTLEMENT AND EMPLOYMENT ORGANISATION—

Question re —, Directorate General of Disposals and Industries and Supplies Department. 22-31.

RESOLUTION re—

Central Industrial Planning Committee. Appointment of a —. 96.

Indian Legislative Rules. Amendment of the —. 93-96.

International Bank for Reconstruction and Development. Continuation of India's membership of the International Monetary Fund and the —. 115-26.

International Monetary Fund. Continuation of India's membership of the — and the International Bank for Reconstruction and Development. 115-26.

Legislation. Promotion of — to bring the textile industry under control. 79-93.

Textile industry. Promotion of legislation to bring the — under control. 79-93.

RETRENCHMENT—

Question re — in the Supply Department. 103.

RICE—

Statement (laid on the table) re deterioration of —. 200-01.

RIOTS—

Question re — in Noakhali and Tippera districts in Bengal. 192-93.

ROW, HON. MR. THIRUMALA—

Announcement in the papers of the defence policy of the country. 167, 168.

Banking Companies (Restriction of Branches) Bill—

Motion to consider. 218-19.

Delhi Special Police Establishment Bill—

Motion to consider. 169, 173.

Essential Supplies (Temporary Powers) Bill—

Motion to consider. 155-57.

Expression of regret on the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar. 73.

Hindu Marriage Disabilities Removal Bill—

Motion to consider. 224-25.

Question (short notice) re advances for house building. 151.

ROW, HON. MR. THIRUMALA—contd.

Question (short notice) (supplementary) re statement on the situation in Bihar. 244.

Question (supplementary) re—

Associated Press of India. 199-200.

Atomic Research Committee. 232-33.

"Cameronia" incident in Malaya. 17.

Chittagong armoury raid. 182-83.

Discourteous treatment shown to Indian students on board the "Marine Lynx". 16.

Establishment of a Central Waterways, Irrigation and Navigation Research Station at Delhi. 32.

Food rationing and the black market. 148-49.

I.C.S. and P.C.S. 101.

Indians in British Columbia. 10.

Indian troops in Indonesia. 141.

Indian troops stationed abroad. 21-22.

Maternity and child welfare centres in collieries. 181-82.

Medical requirements on Jharia Coalfields. 181.

Mr. Subhas Chandra Bose. 9.

Omission of the word "Royal" from Royal Indian Navy, etc. 100.

Release of railway rolling stock. 233-34.

Reservation of spindles for the handloom industry. 104-05.

Resettlement and Employment Organisation, Directorate General of Disposals and Industries and Supplies Department. 22-31.

Resumption of trade with Japan. 10-11.

Sale of yarn and cloth in the black market. 235-36.

Supply of drinking water on the B. N. R. 179-80.

Suppression of circular letters issued by Indian Association in Britain. 1-2.

Telephone service in Bombay. 149, 51.

Resolution re—

Continuation of India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development. 123-24.

Promotion of legislation to bring the textile industry under control. 79, 83, 86-89.

ROYAL NAVY—

Question re maximum periods prescribed for promotion in the —, etc. 184.

ROYAL INDIAN NAVY—

Question re omission of the word "Royal" from —, etc. 100.

ROY CHOWDHURY, HON. MR. S. K.—

Banking Companies (Restriction of Branches) Bill—

Motion to consider. 218.

Delhi Special Police Establishment Bill—

Motion to consider. 172.

Question (short notice) (supplementary) re statement on the situation in Bihar. 241, 243.

TIPPERA DISTRICT—
See "RIOTS".

TOTTENHAM, SIR RICHARD—
Congratulations to — on his K.C.I.E. 71.

TRADE—
Question *re* resumption of — with Japan. 10-11.
See "INDO-CHINESE —".

TRADE MARKS (AMENDMENT) BILL—
See "—" under "BILL".

TRIBAL AREAS—

Question *re*—
Alleged memorandum to the Cabinet Delegation by His Excellency Sir Olaf Caroe on the —. 230.
Visit of the Hon. Pandit Jawaharlal Nehru to the —. 192.

TROOPS—
See "INDIAN —".

U

U. S. A.—
See "AGREEMENT".
See "JUTE".
See "LEND-LEASE".
See "LEND-LEASE AGREEMENT".

V

VANASPATI—
Question *re* manufacture of —. 112.

VEGETABLE GHEE—
Question *re* production of —. 140.

VILLAGES—
Question *re* acquisition of — in Benares. 6-7.

VISIT—
Question *re* — of the Hon. Pandit Jawaharlal Nehru to the Tribal Areas. 192.

W

WAITING ROOMS—
Question *re* —, O. T. R. 101-02.

WAKELY, HON. MR. L. J. D.—
Oath of Office. 1.
Special Tribunals (Supplementary Provisions) Bill—
Motion to consider. 216.
Motion to pass. 216.

WAR ACADEMY—
See "NATIONAL —".

WARREN, HON. MR. D. D.—
Oath of Office. 1.

WATER—
See "DRINKING —".

WORKMEN'S COMPENSATION (AMENDMENT) BILL—
See "—" under "BILL".

Y

YARN—
Question *re*—
Sale of — and cloth in the black market. 235-36.
Smuggling of — consignments in the Lucknow Division, E. I. R. 7-8.

YEATTS, HON. MR. M. W. M.—
Congratulations to the — on his C. S. I. 71.
Essential Supplies (Temporary Powers) Bill—
Motion to consider. 152-53, 163-67.
Motion to pass. 167.
Oath of Office. 1.
Resolution *re* promotion of legislation to bring the textile industry under control. 81-83.

YUVERAJ DUTTA SINGH, HON. RAJA—
Question *re*—

Acquisition of villages in Benares. 6-7.
Alleged memorandum to the Cabinet Delegation by His Excellency Sir Olaf Caroe on the Tribal Areas. 230.
Allocation of German merchant shipping as reparations. 4-5.
Allocation of ships of the Italian Navy. 5.
American surplus food. 187.
"Cameronia" incident in Malaya. 17.
Correct pronunciation and spelling of "Muttra". 32.
Disappearance of cloth at Karwi. 102.
Discourteous treatment shown to Indian students on board the "Marine Lynx". 16.
Distribution of the assets of the League of Nations. 3-4.
Documents relating to Congress leaders, etc. 5.
Establishment of a Central Waterways, Irrigation and Navigation Research Station at Delhi. 32.
Establishment of the National War Academy. 9.
Execution of nine I.N.A. personnel. 17-20.

YUVERAJ DUTTA SINGH, HON. RAJA—*concl'd.*
Question *re*—*concl'd.*

Expansion of textile mills. 99-100.
Film "Ganga Din". 5-6.
Food situation. 32-34.
German reparations. 12-14.
Governor of the North West Frontier Province. 192.
Help given to escaped prisoners of war by the inhabitants of Etobon and Chenebier in France. 187.
I.C.S. and P.C.S. 101.
Imports of machinery. 2-3.
Indians in British Columbia. 10.
Indians in Germany. 15-16, 21.
Indians in Hong Kong. 14-15.
Indians in Malaya. 11, 34-35.
Indians in France. 133.
Indians in Mauritius. 15.
Indians in Southern Rhodesia. 16-17.
Indian troops stationed abroad. 21-22.
Indo-Chinese Trade, etc. 134.
Issue of tickets to third class passengers at Kurebhar, E. I. R. 98-99.
Lend-Lease Agreement with U. S. A. 7.
Lighting arrangements at Muttra Junction, etc. 3.
Manufacture of fountain pens. 133-34.
Manufacture of *vanaspati*. 112.
Mr. Subhas Chandra Bose. 9, 21, 188.

YUVERAJ DUTTA SINGH, HON. RAJA—*concl'd.*
Question *re*—*concl'd.*

Omission of the word "Royal" from Royal Indian Navy, etc. 107.
Overcharging of fares of third class passengers. 8-9.
Plans for development of the North West Frontier. 194-95.
Potato prices. 97-98, 98.
Ramapadasagar Reservoir Project. 4.
Re-export of jute from the U. S. A. to South Africa. 99.
Resumption of trade with Japan. 10-11.
Re-union of Goa, etc., with the mother country. 231.
River Ganges. 100.
Resettlement and Employment Organisation, Directorate General of Disposals and Industries and Supplies Department. 22-31.
Smuggling of yarn consignments in the Lucknow Division, E. I. R. 7-8.
Statement by Congress on Regulations, Ordinances, etc. 135.
Supply of consumer goods to Afghanistan. 102.
Suppression of circular letters issued by Indian Association in Britain. 1-2.
Theft of sugar, O. T. R. 99.
Visit of the Hon. Pandit Jawaharlal Nehru to the Tribal Areas. 192.
Waiting rooms, O. T. R. 101-02.

THE
COUNCIL OF STATE DEBATES

OFFICIAL REPORT OF THE TWENTIETH SESSION OF THE FOURTH
COUNCIL OF STATE

VOLUME II—1946

COUNCIL OF STATE

Thursday, 7th November, 1946

The Council met in the Council Chamber of the Council House at New Delhi at Eleven of the Clock, being the First Day of the Twentieth Session of the Fourth Council of State, pursuant to section 63D(2) of the Government of India Act, 1935. The Honourable the President (the Honourable Sir Maneckji Byram Dadabhoy, K.C.S.I., K.C.I.E., LL.D., Bar.-at-Law), was in the Chair.

MEMBERS SWORN :

The Honourable Mr. Ghazanfar Ali Khan (Health Member).

The Honourable Sardar Baldev Singh (Defence Member).

The Honourable Mr. Cooverji Hormisji Bhabha (Works, Mines and Power Member).

The Honourable Mrs. Radha Bai Subbarayan (Madras : Non-Muhammadan).

The Honourable Sir Cyril Edgar Jones (Finance Secretary).

The Honourable Mr. Maurice William Murray Yeatts (Industries and Supplies Secretary).

The Honourable Mr. Douglas Daintry Warren (Transport and Railways Secretary).

The Honourable Mr. Ammembal Vittal Pai (Commonwealth Relations Secretary).

The Honourable Dr. Dharendra Mohan Sen (Education Secretary).

The Honourable Mr. Leonard John Dhan Wakely (Nominated Official).

QUESTIONS AND ANSWERS

SUPPRESSION OF CIRCULAR LETTERS ISSUED BY INDIAN ASSOCIATIONS IN BRITAIN

1. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Have Government taken steps to enquire as to why circular letters issued by Indian Associations in Great Britain from Swaraj House, and elsewhere, at the time of the San Francisco Conference, were suppressed and not allowed to be delivered to the addressees? Will Government, after inquiry, state the reasons for this?

THE HONOURABLE MR. A. E. PORTER: The Government of India was in no way responsible for or concerned with any action referred to.

THE HONOURABLE MR. M. THIRUMALA ROW: Is there any rule preventing the Government of India from making inquiries about it?

(No answer.)

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: With reference to (b), what are the principles on which the shares are being worked out?

THE HONOURABLE MR. A. V. PAI: The shares are worked out in proportion to the total amount of contributions paid by each State Member during the whole period of the League's life.

RAMAPADASAGAR RESERVOIR PROJECT

5. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government make a statement giving the main details of the proposed Ramapadasagar reservoir project on the Godavari, at an estimated cost of about Rs. 60 crores?

(b) What assistance is Government willing to give towards the realisation of the scheme, what is the approximate area of land which is likely to benefit and the additional quantity of rice or other crops which are likely to be produced?

THE HONOURABLE MR. C. H. BHABHA: (a) The Ramapadasagar reservoir project on the Godavari is in charge of the Government of Madras. From information available to the Government of India, it appears that the project involves construction of a dam over a mile long and 393 ft. high with a total waterspread of 483 square miles and effective storage capacity of 5,20,000 million cubic feet of water. It is estimated to cost about Rs. 66 crores and may take 12 years for completion. The area likely to benefit is 23½ lakhs of acres which will yield approximately one million tons of rice extra. The net additional revenue is estimated to be Rs. 2.35 crores per annum which will accrue to the Provincial Government. The amount of electrical energy produced will be of the order of 75,000 E.V.A., or so.

(b) The Government of India informed the Government of Madras on 28th February, 1946 that, provided the scheme is duly approved with the concurrence of all interested, they will advance all such loans as may be required by the Government of Madras for this scheme. If it is found that the scheme will not be fully self-financing, the Government of India will also be prepared to provide a substantial contribution towards the portion of the capital cost which is not met from loan money. Any such contribution will, however, be taken into account when the aggregate share of Madras in Central grants for post-war development in general is settled.

The scheme has not yet been finalised and the question of assistance which the Government of India may be willing to give towards the realisation of the scheme is still under consideration.

ALLOCATION OF GERMAN MERCHANT SHIPPING AS REPARATIONS

6. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) With reference to my question in the last session are Government aware that the Inter Allied Reparation Agency announced about the 23rd April last that India will receive 24 per cent. of the German merchant tonnage, which was being handed over to Britain and the United States for distribution among 15 allied countries?

(b) Will Government make a definite statement now, explaining the main details of the tonnage and ships and their aggregate value which India has received, or is likely to receive?

THE HONOURABLE MR. Y. N. SUKTHANKAR: (a) Yes. The share of German shipping allotted to India is however 0.24 per cent and not 24 per cent. as stated by the Honourable Member.

(b) On the basis of the share of 0.4 per cent of German shipping allotted to her India was held to be entitled to 1,845 tons of shipping only, and the "Marie Leonhardt", a cargo vessel built in 1922 of 2594 G.R.T. was ultimately allocated to India. In view of the inadequacy of the tonnage allotted to India and the unsuitability for Indian waters of the ship actually offered, the Government of India rejected the offer. The Honourable Member's attention is invited to a press communique issued on the 27th July last in which the position has been explained more fully. A copy of the communique has been laid on the table of the House.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: How will India receive her share of the tonnage?

THE HONOURABLE MR. Y. N. SUKTHANKAR: We propose to take it in the shape of ship building machinery but the matter is still under consideration.

Press Communique, dated 27th July 1946

INDIA'S SHARE OF GERMAN MERCHANT SHIPPING CLAIM FOR ALTERNATIVE CAPITAL GOODS EXPLAINED

There seems to be a good deal of misunderstanding about the actual position of India regarding the allocation of German merchant shipping to Allied countries by way of reparations. In terms of the Paris Agreement on German Reparations each Government is entitled to receive a share of German merchant shipping in proportion to its over-all losses of merchant shipping on a gross tonnage basis. After taking into account the shipping losses of claimant countries, the Assembly of the Inter-Allied Reparations Agency decided that India's share should be 0.24% of the total available German shipping of 769,125 gross registered tonnage. The Government of India instructed their representative to emphasise that the proportion which the total shipping loss suffered by any country bore to its total tonnage should also be taken into account and to press for a minimum allocation of 15,000 tons G.R.T. or 25% of its losses, whichever is higher to each country with a share of less than 3%. India's representative on the Agency also made a bid for some of the ships available which were considered suitable for Indian waters.

The Inter Allied Reparations Agency however could not see its way to accept India's proposal and the "Marie Leonhardt", a cargo vessel built in 1922 of 2594 G.R.T., was ultimately allocated to India. In view of the inadequacy of tonnage allotted to India and also of the unsuitability of the ship actually offered for Indian waters, the Government of India decided to reject the offer and did not choose to avail themselves either of the offer made by H.M.G. to exchange the "Marie Leonhardt" with one of the ships allotted to them, or to resort to arbitration which was not likely to secure any of the ships which India had asked for. The Government of India therefore have decided to claim alternative capital goods, preferably ship building machinery instead.

DOCUMENTS RELATING TO CONGRESS LEADERS, ETC.

7. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that under instructions from the Central Government the Provincial Governments, before the advent of Provincial Ministries, collected all secret and confidential documents, relating to congress leaders and political prisoners, and sent them up to the Government of India's Intelligence Branch for safe custody, in charge of a liaison officer of the Defence Department which will be outside the reach of the National Government?

(b) If, so, will Government make these documents available to the Members of the Central Legislature or some other suitable authority in order to verify the authenticity and correctness of the materials? If not, why not?

THE HONOURABLE MR. A. E. PORTER: (a) No.

(b) Does not arise.

ALLOCATION OF SHIPS OF THE ITALIAN NAVY

8. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state if any portion of the Italian Naval forces has been allotted to India in lieu of the splendid help which she gave to the Allied armies in the defeat of Italy? Did Government press for the recognition of India's claim in this respect? If not, why not?

THE HONOURABLE SARDAR BALDEV SINGH: No, Sir. No Italian ships were claimed because the ships of the Italian Navy are not suitable for India.

FILM GANGA DIN

9. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Have Government made any enquiry into the report that a film called *Ganga Din* in which Indians were depicted as treacherous was to be released in a show room in Greece: and that the Greeks as soon as they came to know of it, declared a boycott of the picture, but the picture was shown to British fighting men in Greece, under Military guard?

(b) Is it a fact that at this show ten Indian soldiers who made a violent protest, were hauled up and court martialled and sentenced to death, but later on the sentences of death were commuted to transportation for life?

(c) Will Government make a statement relating to (a) and (b) above giving an account of the incident and the names and addresses of the Indian soldiers and their present whereabouts? If they are still in prison, what steps have Government taken or propose to take for their release?

THE HONOURABLE SARDAR BELDEV SINGH: (a) Government are aware that the film *Ganga Din*, which is an American film produced some years before the war, was advertised for future exhibition at the Attikon Cinema in Greece, where it was booked commercially by the Greek proprietor. The British military authorities had nothing to do with booking it, nor any power to prevent its being booked and there is no evidence that it was ever shown to British troops either there or elsewhere. Government have no knowledge of any boycott by the Greek public but it is presumed that it was withdrawn by the Greek proprietor after the incident on June 1st 1945. Government are not aware whether this was as a result of representations by the British military authorities.

(b) & (c). The following is a statement of the incident to which the Honourable Member presumably refers:

Sepoy Jogindar Singh and five other sepoys of the 7th Ind. Inf. Bde. Tpt. Coy., RIASC had taken exception to the fact that the Attikon Cinema, Kavalla, in Greece had advertised the film *Ganga Din*, which they considered a 'bad' film.

On the evening of 1st June, 1945 they proceeded from their lines to the Cinema where Marie Walewska, a film about Napoleon, which had nothing to do with the war or with India, was being shown. These men, armed with Tommy guns and rifles entered the hall where approximately 50 people were present and opened fire indiscriminately. As a result of the firing L/Cpl. Curtis, C.M.P., who was on duty in the hall, was fatally wounded by two bullets in the back of the thigh. There was no dispute between L/Cpl. Curtis and the sepoys and he neither fired at them nor had he any opportunity to fire.

The usual military police posted at all cinemas were present but no additional guards had been mounted.

The six prisoners were convicted on a joint charge of murder and were each sentenced to transportation for life.

The case was recently reviewed by the G.H.Q. Review Board but no remission of sentences was recommended. The case will in due course be reviewed again after the 1st January, 1947. Meanwhile I have called for the papers and will examine the case.

The names of the six prisoners are:—

- (1) No. Mtn 895782 sepoy (L/Nk) Abdul Latif Khan.
- (2) 764627 „ Abdul Razak.
- (3) 919440 „ Arjan Singh.
- (4) 993200 „ Gurdial Singh.
- (5) 115431 „ (electrician) Jogindar Singh.
- (6) 962559 „ Hari Singh.

All the six prisoners disembarked at Karachi on the 6th January, 1946, and were committed to the Karachi Civil Jail. Nos. (1), (3), (4) and (5) have been transferred to Lahore Central Jail. No. (2) has been transferred to Rawalpindi Civil Jail and No. (6) to Multan Civil Jail.

ACQUISITION OF VILLAGES IN BENARES

10. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that the War Department of the Government of India have decided to acquire permanently 22 villages in Benares? If so, for what purpose?

QUESTIONS AND ANSWERS

(b) Have Government received any representation against this proposal? If so, do they propose to abandon the scheme?

THE HONOURABLE SARDAR BALDEV SINGH: (a) No, Sir.

(b) Government have received representations but as they have no intention of acquiring the 22 villages in Benares, the question of taking any steps does not arise.

LEND-LEASE AGREEMENT WITH U.S.A.

11. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government make a statement relating to the main details of the Lend Lease settlement arrived at between India and the U. S. representatives recently, indicating the ways and means for implementing this settlement?

(b) Will the question of settlement be placed before the Central Legislature for ratification? If not, why not?

THE HONOURABLE SIR CYRIL JONES: (a) I would refer the Honourable Member to the Press Communique issued by the Industries and Supplies Department on the subject on the 31st May, 1946. Necessary instructions have been issued by the Departments concerned in regard to the implementation of the provisions of the Agreement.

(b) The Agreement constitutes a final settlement and the question of ratification does not, therefore, arise.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: What is the date of the Communique?

THE HONOURABLE SIR CYRIL JONES: The date of the Communique is the 31st of May, 1946.

SMUGGLING OF YARN CONSIGNMENTS IN THE LUCKNOW DIVISION, E.I.R.

12. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that the Divisional Superintendent, Lucknow Division, East Indian Railway, issued a confidential circular, on or about the 28th August, 1946, to the Station authorities virtually admitting that yarn consignments are smuggled and booked under false descriptions, against inter-provincial embargo, but indirectly asking the Railway employees not to be interested in the detection of such cases of smuggling?

(b) Is it also a fact that the following directions have been given by the Divisional Superintendent to the Station Staff:—

“Will you therefore note that you and your staff are not to take undue interest in detecting such cases, and creating an uproar about it. I shall take a very serious view of the conduct of the railway staff if they create complications by calling upon inspectors to arrange open delivery in suspected cases of yarn consignment”: and that “no consignment should be detained on mere suspicion, unless the request comes from the Civil authorities”: and that “the instructions are secret, and are not to be communicated to any outsider”?

(c) Will Government lay on the table a copy of this circular, and state whether it has been withdrawn; and has any action been taken against the Divisional Superintendent?

THE HONOURABLE MR. D. D. WARREN: (a) & (b). Yes.

(c) Government do not propose to lay on the table a copy of this circular. It was issued in good faith by the Divisional Superintendent, Lucknow, with the object of stopping corrupt practices amongst the railway staff which had sprung up due to the smuggling of yarn consignments. The smuggling had before the issue of this circular, been brought to the notice of the Provincial Government, but they had not, up to that time, succeeded in stopping it. Since the issue of the circular, the Provincial Government have taken steps to combat the evil, and the smuggling has now practically ceased. Orders for the withdrawal of the circular will shortly issue. No action has been taken against the Divisional Superintendent, who Government consider, acted in good faith.

THE HONOURABLE MR. G. S. MOTILAL: What is the objection to the circular being placed on the table?

THE HONOURABLE MR. D. D. WARREN: This matter has been carefully considered with reference to this question and the question which will presently be answered and it is considered that it would not be desirable to place on the table confidential instructions issued to the subordinate staff. One very good reason for not doing this is that it is thought that the publication of these instructions might defeat the object for which they were issued.

THE HONOURABLE MR. G. S. MOTILAL: Has any action been taken against the person who issued the instructions which are to be withdrawn?

THE HONOURABLE MR. D. D. WARREN: As I said, Sir, in answer to the question, these instructions were issued in good faith by the Divisional Superintendent but I consider that the circular referred to in this question was certainly not happily worded. As, however, it was issued in good faith it is not proposed to take any action against him.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: How has the Government come to the conclusion that the circular asking the railway staff not to take interest in the detection of smuggled yarn could have been issued in good faith?

THE HONOURABLE MR. D. D. WARREN: The reason is that the view taken was that it was not the duty of the railway staff to stop the smuggling, but the duty of the Provincial Government officers and the police.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Are the railways a Government department or not? And is the Government of India as a whole interested in the detection and prevention of smuggling or not?

THE HONOURABLE MR. D. D. WARREN: Certainly, Government are interested in the detection and prevention of smuggling; but the railway authorities have limited powers in regard to the examination of packages of this nature, and for that reason the Divisional Superintendent issued the instructions.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Does the Honourable Member realise that the Divisional Superintendent asked that the staff should take no interest in these cases? Had the Superintendent asked that the staff should not exceed their powers in cases where smuggling was suspected, he might have been right. But does the Honourable Member realise that the Divisional Superintendent asked the staff to take no notice of such cases?

THE HONOURABLE MR. D. D. WARREN: As I said before, I admit that the circular was not happily worded. But after reading the whole circular, I have certainly come to the conclusion that the sole motive in issuing the circular was to stop corrupt practices.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: How would the circular have led to the prevention of corrupt practices?

THE HONOURABLE MR. D. D. WARREN: The Divisional Superintendent thought the instructions that he issued to his subordinate staff would have the effect of stopping corrupt practices, and in fact it appears that he was justified in thinking that it would be better if the railway staff did not take an interest in stopping smuggling, as it was the duty of the Provincial Government authorities and the police.

OVERCHARGING OF FARES OF THIRD CLASS PASSENGERS

13. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government lay on the table a copy of a "confidential" circular issued on or about 26th August, 1946 by the Divisional Superintendent, E. I. R., Lucknow, with regard to the general complaint in the press that Third class passengers are made to pay more than the specified fares at the Booking Offices and that the men of the Government Railway Police are conniving with the Booking Offices staff in this matter?

THE HONOURABLE MR. D. D. WARREN: Two confidential circulars were issued by the Divisional Superintendent, E. I. R., Lucknow, on 26th August, 1946 in regard to the general complaint in the press that third class passengers are made to pay more than the specified fares at the booking offices and that men of the Government Railway Police are conniving with the booking office staff in this matter. These circulars are "confidential" instructions to the staff and the Government do not consider it desirable to place copies of the circulars on the table of the House.

MR. SUBHAS CHANDRA BOSE

14. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that under instructions from the Home Department of the Government of India, a batch of experts belonging to 'the Scotland Yard Intelligence Service' aided by a large number of Indian C.I.D., is, or was keeping a day and night watch along the Indo-Burmese frontier to capture Netaji Subhas Chandra Bose; and wireless sets and searchlights were being used in these operations?

(b) Is it also a fact that as announced by the "National Herald", dated the 18th June, 1946 (page 2, city edition) this account was sent by telegram by its Shillong correspondent on 1st June, but the telegram never reached the office of the paper in Lucknow?

(c) Will Government make a statement in regard to (a) and (b) above: and also state how much money has been spent out of Indian Exchequer on this?

THE HONOURABLE MR. A. E. PORTER: (a) No.

(b) Yes. The telegram was withheld under an order of the Government of Assam under section 5(I) (b) of the Telegraph Act.

(c) Does not arise.

THE HONOURABLE MR. M. THIRUMALA ROW: Can the Honourable Member give the contents of the telegram?

THE HONOURABLE MR. A. E. PORTER: No, Sir, I am afraid I cannot.

ESTABLISHMENT OF THE NATIONAL WAR ACADEMY

15. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government make a statement giving the main features of the scheme for the establishment of the Indian National War Memorial Academy at Khadakvasla about 11 miles from Poona, indicating the financial, administrative, military and other aspects of the proposed institution and the time when it is expected to start functioning, according to present indications?

THE HONOURABLE SARDAR BALDEV SINGH: No, Sir, Government are not in a position to make such a statement, as they have not yet received the final report of the N. W. A. Working Committee.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: When will the final report be received?

THE HONOURABLE SARDAR BALDEV SINGH: As soon as it is received, it will be placed before the House.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: When will it be received?

THE HONOURABLE SARDAR BALDEV SINGH: It is very difficult for me to give a reply to that question.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: When will the Committee meet to pass the report?

THE HONOURABLE SARDAR BALDEV SINGH: I am afraid I have not got that information either.

INDIANS IN BRITISH COLUMBIA

16. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state the disabilities of the Indians in British Columbia, and the steps taken to redress them?

THE HONOURABLE MR. A. V. PAI: Indians in British Columbia are denied the Municipal, provincial and federal franchise as a result of which they are debarred from certain public offices and occupations. They cannot serve as trustees in and municipal, district or rural school, hold any municipal office or serve as jurors; they are debarred from employment by contractors for the Public Works Department; and for the sale of Government timber. They cannot be registered as pharmaceutical chemists; it is also understood that they are debarred from holding foreshore leases or from holding Engineer's certificates under the Boiler Inspection Act.

Representations have been made from time to time but without any success so far and the Government continue to pursue the matter.

THE HONOURABLE MR. G. S. MOTILAL: What action has Government taken in this matter?

THE HONOURABLE MR. A. V. PAI: Government has made representations through the Canadian Government from time to time.

THE HONOURABLE MR. G. S. MOTILAL: When was that done?

THE HONOURABLE MR. A. V. PAI: Officially, in December, 1941. Thereafter, we have made unofficial approaches quite often.

THE HONOURABLE MR. G. S. MOTILAL: To the Canadian Government, or to the Government of British Columbia?

THE HONOURABLE MR. A. V. PAI: Federal Government.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: Will the Honourable Member state whether the Government of India are thinking of using retaliatory measures against British Columbia?

THE HONOURABLE MR. A. V. PAI: Government do not believe that there is any need for retaliatory measures; they still believe that they will be able to solve the problem by negotiation.

THE HONOURABLE MR. M. THIRUMALA ROW: Can the Honourable Member give the number of Indians settled in British Columbia who are affected?

THE HONOURABLE MR. A. V. PAI: About 1,300.

THE HONOURABLE MR. G. S. MOTILAL: As it is long since any official action was taken—1941—will they now take any further action in this matter?

THE HONOURABLE MR. A. V. PAI: In fact we are now engaged in taking action.

RESUMPTION OF TRADE WITH JAPAN

17. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government make a statement relating to the rehabilitation of Indian trade with Japan, the steps so far taken by them in this connection in the Far Eastern Commission, with the United States Government, as well as with the occupation authorities in Japan?

(b) What steps have been taken to facilitate the early return of Indian evacuees to Japan as well as the return to that country of private Indian merchants and traders to inspect their properties and to protect their interests in Japan? How many of such Indians have been repatriated to Japan?

(c) What action has been taken with regard to registration and liquidation of claims for compensation on account of damage, etc., done to Indian properties; and what is the total value of claims registered so far?

THE HONOURABLE MR. Y. N. SUKTHANKAR: (a) The disruption of Japanese economy as the result of the war, the complete destruction of vital centres of industry and trade in the country, the time taken in the setting up of the various controls by the Allied Powers, the scarcity of goods, the non-availability of Japanese assets for

payments for commercial purposes, have rendered it impossible for trade to be resumed through normal commercial channels. Trade with Japan will therefore have to be conducted on a Government to Government basis till such time as the resumption of normal trade channels becomes possible.

As the result of the deliberations of the Far Eastern Commission, an Inter-Allied Trade Board has been set up in Washington with the object of determining the sources of supply for meeting Japanese requirements as also the destinations to which Japanese surpluses should be exported. Although an export and import plan is still to be drawn up, the view that India should supply a substantial part of Japanese demand for cotton has, as the result of representations made to the Government of the United States, been accepted, India being promised silk and other goods in exchange. Our political representative in Tokyo is also at present conducting negotiations with the Occupation authorities regarding the resumption of trade between the two countries on a Government to Government basis. He has been specially instructed in this connection to explore the possibility of securing capital goods, particularly textile machinery and mill stores in exchange for Indian exports.

(b) Having regard to the present economic situation in Japan, more particularly the scarcity of food and housing accommodation, it would be unwise to arrange for the return of Indian evacuees to that country. It is understood also that pending the return of conditions to some degree of normalcy, permission is not being accorded to businessmen from any country to visit Japan for business purposes. Our political representative in Tokyo, however, has been instructed to continue to press the occupation authorities for the grant of facilities to a representative group of Indian evacuee businessmen to visit Japan with a view to the inspection of Indian property and to take such action as may be considered necessary for safeguarding Indian interests.

(c) Claims for loss of, or damage to, Indian-owned properties are registered with the Director of Commercial Intelligence, Calcutta. The value of the claims so far registered with him amounts to Rs. 76,10,000. Settlement of these claims awaits the conclusion of the Peace Treaty and a Reparation Agreement with Japan.

THE HONOURABLE MR. THIRUMALA ROW: Which is the Government with which the Government of India is now negotiating for establishing direct trade relations with Japan?

THE HONOURABLE MR. Y. N. SUKTHANKAR: In matters of detail we deal with the authority called SCAP—Special Commander, Allied Powers through our political representation in Tokyo.

INDIANS IN MALAYA

18. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government make a statement relating to the settlement or re-settlement of Indians in Malaya, the facilities for land cultivation open to them, the political and industrial rehabilitation and other advantages afforded to them?

THE HONOURABLE MR. A. V. PAI: The question of settlement or re-settlement of Indians in Malaya is part of the question of the general economic and industrial rehabilitation of the country which is now engaging the attention of the Malayan Government. The Government of India's concern mainly is to see that in facilities that are being provided for the rehabilitation of the population the Indians in Malaya are not discriminated against. Indian evacuees who came to India on the occupation of Malaya by the Japanese have been provided with facilities to return to that country. Deserving cases have been given free passages. There is no scheme at present for granting capital advances to individuals or allotting plots of land for cultivation to Indians who desire to settle in Malaya or any others. The Malayan Government's first task has been to provide relief for destitutes including Indians and in this matter the Government of India have supplemented the work being done by the Malayan Government.

On the political side the question of framing a revised constitutional plan for Malaya is at present engaging the attention of His Majesty's Government. The question of citizenship in which the Indians are interested is also linked with this plan.

GERMAN REPARATIONS

19. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government state what is the basis for allotment to India of industrial and other capital equipments and plants from the three Western Zones of Germany under the agreement reached at the Paris conference on German reparation?

(b) Will Government lay on the table, or place in the library a list of such goods and equipments, which may have been allotted to India or are proposed to be allotted to India, separately specifying the description, value and other necessary particulars of the equipments and plants?

THE HONOURABLE MR. Y. N. SUKTHANKAR: (a) India has been allotted 2 per cent of general reparation and 2.9 per cent of capital and industrial equipment under the Paris Agreement on German reparations on the basis of—

- (1) Budgetary cost,
- (2) cost of direct damage,
- (3) man years allocable to the war effort in respect of the armed forces and those spent in munitions industries; and
- (4) losses of life both of armed forces and of civilians.

(b) Against her reparation share of capital and industrial equipment India has so far been allotted only one German plant, viz., Wagner plant at Dortmund for the manufacture of machine tools, subject to arbitration claimed by the United Kingdom in respect of five machines out of this plant under Article 7 of Part II of the Paris Agreement. The arbitrator's award has been given in favour of the United Kingdom. The Government of India have decided to accept the plant despite the allotment of five of its machines to the United Kingdom as they understand that the removal of these machines will not affect the capacity of the plant for the manufacture of machine tools in any of the normal ranges. Information regarding value and other particulars of the Wagner plant is given in the I.A.R.A./SG/Doc. 2(a), a copy of which is laid on the table of the House.

THE HONOURABLE PANDIT HIRDAY NARH KUNZRU: What are the five machines allotted now to the United Kingdom designed to produce?

THE HONOURABLE MR. Y. N. SUKTHANKAR: They produce machine tools of a very heavy type.

CONFIDENTIAL

Copy No. 29.

I.A.R.A./SG/Doc. 2 (a)

Capital Industrial Equipment available for allocation as reparation among member Governments of the Inter Allied Reparation Agency

Note by the Secretariat.

Attached is a summary statement and detailed inventory concerning WAGNER & Company, DORTMUND (A.C.A. Plant No. 1003) which is one of the twenty plants included in I.A.R.A. List No. 1.

Bids for this plant to be considered valid must be filed with the Secretary General before May 30, 1946, at 6-00 p.m.

April 15, 1946.

BRUSSELS.

CONFIDENTIAL.

I.A.R.A./SG/Doc. 2 (a)

Capital Industrial Equipment to be allocated

ACC Plant No. 1003

IARA List No. 1

Name.—WAGNER & Co.

Location.—DORTMUND (BRITISH ZONE).

Type of Plant.—Machine-tools factory.

Principal Products.—Lathes, planing machines, presses.

Summary Inventory

The plant consists of a boiler and heating plant, a foundry, a forge, a turning shop, a planing shop, a boring shop, a milling shop, a grinding shop, a locksmith shop, a tool manufacturing shop and different auxiliary shops.

The equipment of each shop comprises apparatus and machine-tools of various types as indicated below. There are also 21 cranes of various capacities.

Shop or Plant	Type of machines or apparatus	Number	Estimated residual value in RM.
1	2	3	4
Boiler and heating Plant	Gas heated circulation tubular boiler 255 sq. m. heating surface	1	10,000
	Gas heated boiler 40 sq. m., heating surface	1	800
	Auxiliary equipment (air heaters, water tanks, etc.)		3,960
			14,760
Turning shop	Lathes	48	192,400
	Drilling machine	1	7,800
	Grinding machines	3	4,700
	Centering machines	2	1,100
	Boring and turning machine	1	24,700
	Saws	4	14,900
		59	245,600
Planing shop	Planing machines	14	369,100
	Slotting machines	3	19,900
	Shaping machines	3	8,700
		20	397,700
Boring shop	Boring and milling machines	17	372,600
	Radial drilling machines	4	13,400
		21	386,000
Milling shop	Universal, horizontal or vertical milling machines	9	61,100
	Thread milling machines	3	19,600
	Key-way milling machines	7	31,700
	Gear-wheel milling, planing or slotting machines	12	193,800
		31	306,200
Grinding shop	Circular grinding machines	4	25,200
			25,200
Locksmith shop	Surface grinding machines	2	7,300
	Drilling machines	6	15,900
	Saws	2	3,100
	Miscellaneous machines	6	4,640
		16	30,940
Auxiliary machines	Lever Presses	3	300
			300
Tool manufacturing shop.	Lathes	2	10,500
	Grinding machines	21	55,400
	Drilling machines	2	600
	Milling machines	2	1,800
	Presses	3	8,900
	Furnaces (gas heating)	6	5,000
	Hardening installation	1	7,000
	Miscellaneous machines	8	13,800
		45	103,000

1	2	3	4
Carpenters shop	Various wood working machines	9	9,500
	Wood saws	7	4,700
	Chip suction installation	1	2,100
	Miscellaneous machines	4	700
		21	17,000
Foundary	Cupola furnaces:		
	hourly melting capacity		
	7500 Kg.	1	2,700
	5000 Kg.	1	1,800
	High pressure blowers and auxiliary equipment	..	6,900
	Pressure air plant (suction capacity 9 cm.)	1	7,400
	Movable dry-Sand riddling and mixing machines	2	1,100
	Sand preparation machines	2	2,400
	Core moulding machine	1	200
	Miscellaneous apparatus	2	1,700
		10	24,200
Forge	Conveyer belt	1	1,700
	Air hammer 200 kg.	1	4,200
	Gas-heated forging furnace	1	2,400
	Miscellaneous apparatus	..	900
		3	9,200
Yard and Store-House	Crane 5000 Kg.	1	12,700
	Weighing machines	3	8,000
	Saws	2	1,600
	Capstan	1	3,800
	Hook grab	1	2,950
	Miscellaneous apparatus	2	300
		10	29,350
Electric Plants	High voltage plant	1	15,400
	Transformers	9	14,300
	Converters	2	6,700
	Accumulator loading station	1	1,400
	Spare motors	9	850
	Low voltage plant	1	15,700
	Miscellaneous apparatus	..	3,000
		23	60,350
Cranes	Cranes of various types, capacity from 1 ton till 60 tons	21	204,100
			204,100
	Total		

Most of these machines were manufactured before 1936: many of them are very old and a few are war damaged.

Details concerning each machine in the plant are to be found in the inventory attached.

INDIANS IN HONG KONG

20. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government state approximately how many Indians are in Hong Kong? Are they aware that in Hong Kong the colour bar is so strong that its famous "peak" is reserved exclusively for wealthy white residents and no one else is allowed to occupy houses above a certain altitude?

(b) Will they make an enquiry into the above, and state the facts and the steps taken in order to remove the racial discrimination in so far as it affects Indian residents in Hong Kong?

THE HONOURABLE MR. A. V. PAI: (a) The Indian population in Hong Kong before the war was estimated at 4,745. No information is available about the number of Indians now living in Hong Kong. An inquiry is being made.

From unofficial information available it appears that the "peak" is reserved for Europeans.

(b) An inquiry is being made.

INDIANS IN MAURITIUS

21. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state the approximate number of Indians in Mauritius, and are they aware of the racial and other disabilities from which they are suffering? If so, will they make a statement on the subject, indicating the nature of their disabilities, and the steps taken to redress them, and the results so far obtained?

THE HONOURABLE MR. A. V. PAI: (1) Indians in Mauritius number about 270,000 that is, 64 per cent of the total population.

(2) Indians in Mauritius do not suffer from any disabilities based on racial grounds. There is no statutory discrimination against them. They have exactly the same rights and privileges as any other section of the population. Such disabilities as they have arisen from their economic position. The bulk of the Indian population consists of labourers and the real problem is about the wages and the price of sugar cane. The Commission of Enquiry which was set up to inquire into the disturbances in Mauritius in 1943 were of the view that the wages were unduly low and that this was the primary cause of the disturbances. In communicating their views on this report to the Secretary of State for India the Government of India drew particular attention to the fact that the economics of the sugar industry should be inquired into as on this depended the question of wages and other problems affecting the bulk of the Indian community. Final conclusions on the economic of the sugar industry have not been reached, but the Government of India understand that the Government of Mauritius have taken action to raise the standard of life of the labourers.

A Minimum Wage Ordinance is in force in Mauritius since 1934, and minimum wages for labourers on sugar estates have been fixed from time to time under that Ordinance. The Government of India have been informed recently that minimum wages boards for various industries have been set up and that action has been taken to improve the trade union movement and to strengthen the workers' position.

INDIANS IN GERMANY

22. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that the followers of Sriji Subhas Chandra Bose in Germany are still in the custody of the British Military authorities there? How many Indians are still in detention in Germany; and what steps have Government taken for their relief from privations and their liberation?

THE HONOURABLE MR. A. V. PAI: There are no Indians in military detention or in custody in Germany. The last part of the question does not therefore arise.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Are there no Indians in detention in Germany?

THE HONOURABLE MR. A. V. PAI: No, Sir. Our information is that no Indians are under detention at present.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Are there no Indians who, though they are now free, have not been able to return to India?

THE HONOURABLE MR. A. V. PAI: The position is that those Indians who wish to be repatriated are assisted by the Indian Mission in Berlin.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Are there no Indians who, in spite of the assistance given by this Mission have not been able to leave Germany ?

THE HONOURABLE MR. A. V. PAI : I cannot say. Those who desire repatriation are being given facilities to leave Germany.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I draw the attention of the Honourable Member to the fact that a few days ago it was stated in the papers that there were some Indians who had still not been able to leave Germany ?

THE HONOURABLE MR. A. V. PAI : So far as my information goes, they are unable, owing to transport problems, to leave Germany.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Whatever the reason might be, what is the number of Indians who are still in Germany and who are unable to leave it though they would very much like to do so as early as possible ?

THE HONOURABLE MR. A. V. PAI : I am afraid I cannot give exact information on that point without notice. But so far as I remember, about 15 have asked for repatriation and a few of them have been repatriated.

THE HONOURABLE THE PRESIDENT : If you have got no information please do not venture into unknown fields.

DISCOURTEOUS TREATMENT SHOWN TO INDIAN STUDENTS ON BOARD THE "MARINE LYNX"

23. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Has the attention of Government been drawn to a press report that about 320 post-graduate students from Indian Universities, who arrived in San Francisco from Calcutta aboard the "Marine Lynx" which is controlled by the United States War Shipping administration, declared in San Francisco, on or about the 25th August last that they had been treated discourteously by the crew, and that they had suffered petty but consistent annoyance ? Have they made an enquiry into this ? Will they state the facts of the case, and the steps taken in this connection ?

THE HONOURABLE DR. D. M. SEN : The Government of India have received no complaint of the kind from any of the students concerned or from any other source in regard to the treatment on board the "Marine Lynx". It is possible however annoyance of the kind mentioned may have been caused, but in the absence of any definite or serious complaint Government think that it is not worthwhile pursuing the matter.

THE HONOURABLE MR. M. THIRUMALA ROW : Do the Government of India take notice of reports appearing in the Press about this ?

THE HONOURABLE DR. D. M. SEN : I have called for a report from our local officer in the U.S.A. Our officers received these students on disembarkation and we have received no complaint from them and that is why it is not worth our while pursuing the matter. We would get a report from the Educational Liaison officer who is already there, in the usual course.

THE HONOURABLE MR. M. THIRUMALA ROW : Does not the Government of India think it worthwhile to attach some importance to reports appearing in the press and pursue the matter ? Won't they take any action unless the complaint comes directly from them in the official way ?

(No answer)

INDIANS IN SOUTHERN RHODESIA

24. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Are Government aware that a move to restrict further trading licenses to Indians in Gatooma (S. Rhodesia) is afoot and that the applications by two Indians for trading licenses have been recently rejected ?

(b) Have they made any enquiry into the disabilities under which the Indians labour in that territory and what steps have they taken to remove them ?

THE HONOURABLE MR. A. V. PAI : (a) Government have no information on the point. Inquiries are being made and the information will be furnished when received.

(b) Indians in Southern Rhodesia are under no disability as regards political and municipal franchise or holding of land outside "native areas". They have, however, a grievance in the matter of grant of trading rights in Native areas, and the sale or lease of Crown lands in proximity to Native areas. The attention of the Government of Southern Rhodesia was drawn to these and they explained that this policy was governed by considerations of the well-being of the Natives. The Government of India did not consider it necessary to pursue the matter.

"CAMERONIA" INCIDENT IN MALAYA

25. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Have Government made any enquiry into the serious allegations made in the press that about 300 First class passengers on the steamer "Cameronia" were subjected to rude treatment by an officer of the principal sea transport office at Singapore, sometimes ago, and will they make a statement on this subject and state what steps have been taken in this connection ?

THE HONOURABLE MR. A. V. PAI : Yes Sir. A Naval Officer—(a Lieut.-Commander)—on the staff of the Principal Sea-Transport Officer, Singapore, was reported to have been rude to Indian passengers at the time of their embarkation on the SS. "Cameronia" at Singapore on the 9th September, 1946. It is reported that the Lieut.-Commander was rude to an Indian lady passenger and when Dr. R. K. Banerjee of the Congress Medical Mission intervened, the Lieut.-Commander assaulted him.

On receipt of the news, the Government of India arranged to have the statements of Dr. Banerjee of the Congress Medical Mission and other eye witnesses recorded on their arrival in Madras. The Representative of the Government of India in Malaya was immediately instructed to take the matter up with the authorities in Malaya and convey to them the Government of India's firm request for an immediate inquiry and for officers concerned making suitable grounds by offering an apology from the officers concerned. The Representative of the Government of India referred the matter to the Governor of Singapore and the latter has expressed regret for the incident and also given an assurance that disciplinary action will be taken by the Naval authorities against the Lieut.-Commander in question.

THE HONOURABLE MR. G. S. MOTILAL : Has any action been taken by the Government ?

THE HONOURABLE MR. A. V. PAI : They are making inquiries.

THE HONOURABLE MR. M. THIRUMALA ROW : Will Government see that some reparation for the assault received by Mr. Banerjee by way of compensation is made ?

THE HONOURABLE MR. A. V. PAI : We have not considered the question. We are awaiting the result of the inquiries we have made.

EXECUTION OF NINE I.N.A. PERSONNEL

26. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Is it a fact that about 14 officers of I. N. A. were executed in the Multan, Delhi, Calcutta and Lahore Jails, before the commencement of the Red Fort trial in Delhi ? If so, will Government state the proceedings of their trial, the names of the officers constituting the Court, the law under which they were tried, and the opportunity given to the accused for their defence ?

(b) Is it a fact that the names of the officers of the I. N. A. who were executed as mentioned in (a) above are :—

1. Capt. Durga Mal (Nepal),
2. Capt. Bachan Singh (Ludhiana),
3. Havaldar Narendra Singh (Ludhiana),
4. „ Shanker Singh (Kangra),
5. „ Gurdayal Singh (Patiala),
6. „ Amar Singh (Ambala),
7. „ Zahoor Ahmad (Rawalpindi),
8. „ Tara Singh (Amritsar),
9. „ Teja Singh (Gurudaspur),
10. „ S. L. Majumdar (Bengal),
11. „ Gurcharan Singh (Ludhiana),
12. „ L. N. Nagr Singh (Patiala),
13. „ Chatur Singh (Gurdaspur),
14. „ Sardara Singh (Hoshiarpur),

THE HONOURABLE SARDAR BALDEV SINGH: (a) & (b). Altogether nine persons were executed after trial by court martial before the beginning of the I. N. A. trials for waging war against the King or desertion. In all cases the accused were given full opportunity for their defence. Information is not readily available with regard to the names of the officers constituting the courts martial nor will any useful purpose be served by publishing this information.

I lay a statement on the table of the House giving particulars of these nine persons.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Were these men allowed to choose any lawyers they liked to defend them or did the Government of India appoint the lawyers?

THE HONOURABLE SARDAR BALDEV SINGH: I cannot give an off-hand reply to this question, but I will find out. All I can say is that they were given full opportunity to defend themselves.

Statement in reply to Question No. 26 asked on 7th November 1946, by the Hon. Raja Yuveraj Dutta Singh

Sr. No.	No., Rank, Name and Unit of accused, and Act to which subject	Form of Tribunal, Place and dates of trial	Charges on which arraigned	Charges on which convicted	Sentence as confirmed	Defending Officer	Place and date of execution
1	18662 Sepoy Chatter Singh, 5/8 Punjab Regt. (Subject to the IAA)	Summary General Court Martial Delhi 14th June 1944	Waging against the King	Waging against the King	Death by being hanged	Lt. L. C. Green SEAFIC (Solicitor)	Delhi 29th July 1944
2	9896 Sepoy Nazir Singh, 8 Burma Rifles (Subject to the IAA)	Summary General Court Martial Delhi 15th June 1944	Do.	Do.	Do.	Do.	Do.
3	6775 Hav. Durga Mal, 2/1 Gurkha Rifles (Subject to the IAA)	Summary General Court Martial Delhi 5th July 1944	Do.	Do.	Do.	Capt. E. W. Seir, RIASC (Solicitor)	Delhi 25th August 1944
4	10648 Sepoy (P/L/NK) Hazara Singh, 5/2 Punjab Regt. (Subject to the IAA)	Summary General Court Martial Delhi 25th August 1944	Do.	Do.	Do.	Lt. S. A. Hosain, B. I. A. S. C., B. M. T. Trg. Group.	Delhi 25th October 1944
5	MT 503961 Fitter (Class II) Sardar Singh IAOC, att 4/7 Gurkha Rifles (Subject to the IAA)	Summary General Court Martial Calcutta 6th October 1944	Waging against the King (2 counts)	Waging against the King (2 counts)	Do.	Capt. M. S. Haqqani, IAOC 220 I. A. O. D. Pleader with right of audience in Sessions Court.	Calcutta 23rd March 1945

Sr. No.	No. rank, Name and Unit of accused, and Act, to which subject	Form of Tribunal, Place and dates of trial	Charges on which arraigned	Charges on which convicted	Sentence as confirmed	Defending Officer	Place and date of execution
6	23396 I. O. Jem. Keshri Chand Sharma, RIASC (Subject to the IAA)	General Court Martial Delhi 12 & 13th December 1944	Waging against the King	Waging against the King	Death by being hanged	Capt. H. B. C. Horrell, Barrister-at-Law.	Delhi 3rd May 1945
7	6120 Jem. Dalbahadur Thapa, 2/1st Gurkha Rifles (Subject to the IAA)	General Court Martial Delhi 12th February 1945	Do.	Do.	Do.	Lt. Idris Ahmad, I. A. O. C. Pleader.	Delhi 3rd May 1945
8	8771 Naik Nagindar Singh, 8th (P. F.) Bn. Burma Rifles att. Details Indian Military Prison (Subject to the BAA)	Summary General Court Martial Multan 3rd July 1943	1. Desertion. 2. Desertion. 3. Waging War against the King	1. Desertion. 2. Desertion.	Do.	Major P. H. M. Galbraith, 1st Burma Regt.	Multan 28th August 1943
9	10376 L/Nk. Charan Singh, 8 Burma Rifles (Subject to the BAA)	Summary General Court Martial Multan 6th July 1943	1. Desertion. 2. Waging War against the King	1. Desertion. 2. Waging War against the King	Do.	Do.	Multan 28th August 1943

INDIANS IN GERMANY.

27. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state how many Indians are still detained in the British Zone in Germany; and what steps have Government taken to secure their release? And with what result?

THE HONOURABLE MR. A. V. PAI: There are no Indians in detention in the British Zone in Germany. The question of release therefore does not arise.

MR. SUBHAS CHANDRA BOSE.

28. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Are Government in possession of reliable information relating to the whereabouts of Srijut Netaji Subhas Chandra Bose, about whom conflicting reports are current?

THE HONOURABLE MR. A. E. PORTER: Government are not in a position to make an authoritative statement on the question.

MR. SUBHAS CHANDRA BOSE.

29. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Has the attention of Government been drawn to the following statement of Srijut Sheelbhadrayajee, Vice-President of the All-India Forward Bloc (*vide* the "*Pioneer*" dated the 14th October, 1946, late City edition) "I must ask the public to remember that recently a responsible body like the Working Committee of the All India Forward Bloc passed a resolution to the effect that they are in a position to state that Netaji is alive, and he would appear in India at the opportune moment. I can only say that this is an authoritative statement based on reliable material. I would not like to say anything more just at present except reassuring the masses that their liberator Netaji Bose is still in flesh and blood"? (b) In view of the above, do Government propose to take any action to find out the real facts of the matter?

THE HONOURABLE MR. A. E. PORTER: I have seen the statement. Government do not propose to make any inquiries in the matter.

INDIAN TROOPS STATIONED ABROAD.

30. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state separately the number of Indian troops still stationed outside India, the places where they are stationed, the number of troops stationed in each place and the purpose for which they are stationed in those places?

THE HONOURABLE SARDAR BALDEV SINGH: There are at present Indian troops overseas in Japan, Hong Kong, Malaya, Siam, Netherlands East Indies, Burma, Borneo, Middle East (including Iraq) and Italy. As regards the number of these troops, it is not advisable to disclose the number of Indian troops in overseas theatres, unless other countries decide to do so.

The Indian troops in Japan form the Indian contingent of the British Commonwealth Occupation Force. As regards other places, I would state in general terms that the existing Indian troops represent a much reduced proportion of the very large forces originally sent to these countries either to destroy the enemy who had occupied them or to prevent the enemy from occupying them. In all cases, except in Japan the Indian troops are being steadily and systematically reduced in numbers and brought back to India.

THE HONOURABLE MR. M. THIRUMALA ROW: What is the purpose of the troops now being stationed in Indonesia?

THE HONOURABLE SARDAR BALDEV SINGH: The troops will be withdrawn by the end of November.

THE HONOURABLE MR. M. THIRUMALA ROW: Is the Honourable Member aware that his predecessor had made a promise as early as March, 1946 that all the troops will be withdrawn by the 1st November? Has that promise been carried out?

THE HONOURABLE SARDAR BALDEV SINGH: Most probably the delay is due to the shipping difficulties. But the information available at present is that the troops will be withdrawn by the end of this month.

THE HONOURABLE MR. M. THIRUMALAROW: Is the Honourable Member aware that according to an answer given in the other House and published in the papers a number of officers were killed in Indonesia in order to prop up another Empire?

THE HONOURABLE SARDAR BALDEV SINGH: I am not sure about that.

THE HONOURABLE MR. M. THIRUMALAROW: Will the Honourable Member see to it that Indian troops will no longer be used to oppress other nations?

THE HONOURABLE SARDAR BALDEV SINGH: That has been made perfectly clear.

RESETTLEMENT AND EMPLOYMENT ORGANISATION, DIRECTORATE GENERAL OF DISPOSALS AND INDUSTRIES AND SUPPLIES DEPARTMENT

31. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government place on the table a comprehensive statement of the Resettlement Directorate, giving the qualifications, the present scale of salaries of its gazetted officers, the salaries on which the officers were appointed for the first time in the Government of India and the salaries these officers earned before entering the service of the Central Government, indicating the years in each case?

(b) Will they place on the table a comprehensive statement of the Supply Department and its Disposal Directorate, giving the details of the information noted in (a) above?

THE HONOURABLE MR. S. LALL: (a) It is presumed that the Honourable Member is referring to the Resettlement and Employment Organisation under the Department of Labour. If so, a statement giving the information asked for, so far as it is available, is placed on the table.

(b) A similar statement in respect of the Directorate General of Disposals furnishing the information required as far as is available is also laid on the table.

Information in regard to the Secretariat of the Industries and Supplies Department is being collected and will be laid on the table when ready.

THE HONOURABLE MR. M. THIRUMALAROW: With regard to (b), has the Honourable Member's attention been drawn to an advertisement that has recently appeared in the Calcutta papers that acids and weapons are offered for sale in the Disposals Directorate? This is an important question and I want an answer from the Government.

THE HONOURABLE THE PRESIDENT: Government is not responsible for everything that appears in the papers.

THE HONOURABLE MR. M. THIRUMALAROW: It is an advertisement of the Disposals Department for which Government is responsible.

THE HONOURABLE THE PRESIDENT: I disallow the question.

S. No.	Name	Post Held	Qualifications	Date of first appointment under Central Government	Date of appointment in Dte. Genl. of Resettlement and Employment	Pay before entering Central Government	Pay on first appointment under Central Government	Present scale of Pay	Remarks
1	Nawab Mushtaq Ahmad Gurmiani.	Director General of Resettlement and Employment.	Educated at the M. A. O. Collegiate School Aligarh, and privately at home.	25-7-42	18-7-45	Rs. per month Not in service.	Rs. per month 1,500	3,000 (fixed)	10
..	Mr. R. H. Saloway, O.B.E., I.C.S.	Offg. Director General of Resettlement and Employment.	I. C. S.	4-8-45	28-8-44 Afternoon	Senior time scale in I.C.S.	Senior time scale in I.C.S. plus special pay Rs. 300.	3,000	..
2	Mr. N. C. Shrivastava, I.C.S.	Deputy Secretary to the Government of India, Department of Labour (Dte. Genl. of Resettlement and Employment).	I. C. S.	6-2-42	1-12-45	1,100	1,100 plus Rs. 150.	1,275 in senior time scale of I.C.S. plus special pay Rs. 400.	..
3	Mr. M. A. Latif, B.A. (Cantab.), M. A. (Punjab), P.E.S.	Ditto	B. A. (Cantab.), M.A. (Punjab), P.E.S.	17-3-44	1-12-45	500	1,000	1,250-50-1,450.	..

S. No.	Name	Post Held	Qualifications	Date of first appointment under Central Government	Date of appointment in Dte. Genl. of Resettlement and Employment	Pay before entering Central Government	Pay on first appointment under Central Government	Present scale of Pay	Remarks
1	2	3	4	5	6	7	8	9	10
4	Mr. Bishambar Nath.	Assistant Secretary to the Government of India, Department of Labour (Dte. Genl. of Resettlement and Employment).	B. A. . . .	8-9-14	20-9-45	..	Rs. per month 140	Rs. per month 1,000-50-1,250.	
5	Mr. Mathra Dass.	Ditto . . .	Matriculate . .	3-9-17	20-9-45	..	75	Do.	
6	Mr. M. Fahim .	Ditto . . .	Senior Cambridge .	15-6-27	20-9-45	..	75	Do.	Belongs to the Imperial Security Service
7	Mr. P. V. Kupsuwamy.	Attache to the Dte. Genl. of Resettlement and Employment.	B. A. . . .	3-9-46	3-9-46	Basic pay Rs. 400 plus war allowance D.A. and other allowances.	600 (fixed).	600 (fixed)	
8	Mr. Har Gopal Puri.	Superintendent, Department of Labour (Dte. Genl. of Resettlement and Employment).	B. A. . . .	25-11-18	20-9-45	..	75	600-40 800	

9	Mr. M. V. N. Ayyar.	Ditto . . .	B. A. . . .	20-5-36	20-9-45	..	100	500-20-600	
10	Mr. P. N. Sharma.	Ditto . . .	Matriculate . .	10-12-28	20-9-45	..	75	600-40-800	
11	Mr. J. N. Mathur.	Ditto . . .	B.Sc. . . .	23-4-27	20-9-45	..	75	600-40-800	
12	Mr. M. S. Qureshi.	Ditto . . .	B. A. . . .	24-11-24	20-9-45	..	75	600-40-800	
13	Mr. O. K. Sherwani.	Ditto . . .	B. A.* . . .	15-7-31	20-9-45	..	75	600-40-800	
14	Mr. Gopal Das Seth.	Ditto . . .	B. A. . . .	16-8-41	20-9-45	170	200	600-40-800	
15	Mr. S. N. Basu	Ditto . . .	B. A. . . .	1-6-29	20-9-45	..	40	600-40-800	
16	Mr. Maharaj Kishan.	Ditto . . .	M.A., LL.B. . .	19-11-41	20-9-45	..	100	250-20-350	
17	Mr. S. Rangaswami	Ditto . . .	B. A. . . .	21-11-41	20-9-45	120	200	600-40-800	
18	Mr. K. D. Jones	Director of Employment Exchanges.	On loan to Government of India from Ministry of Labour and National Service U. K.	1-3-45	2-7-45	Director of Employment Exchange. £ 671 plus war bonus £ 190.	1,400	1,750	
19	Mr. A. G. Read	Deputy Director of Employment Exchanges (Inspection).	On loan to Govt. of India from Ministry of Labour and National Service, U. K.	26-1-46	26-1-46	£ 571 p. a. plus £ 90 as war bonus.	1,200 plus £ 25 S. O. P. p. m.	1,200-1,250 plus £ 25 p.m.	

S. No.	Name	Post Held	Qualifications	Date of first appointment under Central Government	Date of appointment in Dte. Genl. settlement and Employment	Pay before entering Central Government	Pay on first appointment under Central Government	Present scale of pay	Remarks
1	2	3	4	5	6	7	8	9	10
31	Mr. K. Ramachandran.	Publicity Officer (Production).	B. A. . . .	July, 1942	28-9-45	Rs. per month 200 Editor and Reporter in <i>The Mail</i> , Madras.	Rs. per month 320 Editor in A.I.R., Delhi.	700—25—1,000	
32	Mr. A. N. Mahaldar.	Assistant Statistical Officer.	M. A. (Maths.), I Class, Research experience as Fellow of the University of Lucknow.	26-1-46	26-1-46	200	350	350—25—750	
33	Mr. P. N. Segal	Ditto . . .	M. A. (Economics) 1st Class. Received Statistical Training at the All India Statistical Laboratory, Calcutta, for 1½ years.	18-3-43	8-2-46	250	350	350—25—750	
34	Mr. A. N. K. Nair.	Ditto . . .	M.A., M.Sc., C.A.I. I.B. Dip Ger.	23-11-43	October 1946	150	350	350—25—750	

35	Mr. S. P. Agarwala.		B. A. Hons., M. A. (Maths.) and M. A. (Economics), L.L.B. Prof. tests in French and German. 14 months post-graduate course in Statistics at the Indian Statistical Institute, Calcutta.	22-3-44	7-2-46	180	350	350—25—750	
36	Dr. H. R. Chaturvedi.	Research Officer .	Ph. D. (Wales). Training in Agriculture (I Class). Attended advance courses in the University of Wales (Aberystwyth) in Economics, Political Science and Agricultural Economics. Training in <i>England</i> and <i>Ireland</i> in Agricultural, Economics and Research. Training in <i>Canada</i> and U.S.A. in Economic Problems.	19-2-46	19-2-46	345	400	350—25—750	
37	Lt. Col. S. Hamidullah.	Chief Resettlement Advice Officer.	Resettlement Advice Service Scheme M.A., F.R.G.S., M.E.F.A.						
38	Mr. C. T. Dibdin	Senior Deputy Director of Employment	..	1941	19-2-45	1,450 excluding allowances (in civil employ).	1,642 (including allowances)	1,500—50—1,750	
39	Mr. H. Davenport.	Deputy Director of Employment.	..	1941	20-11-45	Not available.	1,000	1,000—50—1,250	

ESTABLISHMENT OF A CENTRAL WATERWAYS, IRRIGATION AND NAVIGATION RESEARCH STATION AT DELHI.

32. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is there any proposal of constructing a huge experimental tank in Delhi or New Delhi, into which the waters of the Jumna River will be pumped ? If so, for what purpose and approximately at what cost ?

THE HONOURABLE MR. C. H. BHABHA : The Honourable Member presumably refers to a report which appeared recently in one of the newspapers. There is a proposal under consideration to start a Central Waterways, Irrigation and Navigation Research Station at Delhi to carry on research in various problems relating to river characteristics, behaviour and training, design of canals and canal works, navigation channels and navigation works. The proposal is to construct a small tank close to the electric power house on the right bank of the Jumna at Delhi. The waste water coming out of the power house will flow into this tank and will then be utilised on various experiments through a number of channels running out of the tank. The water will finally discharge lower down into the Jumna. A certain amount of pumping will probably be necessary to give sufficient head of water for various experiments. The approximate cost of the research station has been estimated at Rs. 15 lakhs non-recurring and Rs. 6½ lakhs recurring. The proposal is, however, still under consideration and has not yet been finalised.

THE HONOURABLE MR. M. THIRUMALA ROW : Have Government got a similar experimental station at Poona ?

THE HONOURABLE MR. C. H. BHABHA : Yes, Sir. There is a similar smaller station at Khadakvasla near Poona.

CORRECT PRONUNCIATION AND SPELLING OF MUTTRA.

33. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Are Government aware that the sacred city of the Hindus in U.P. correctly pronounced as "Mathura" is officially, and in railway time tables wrongly spelt as "Muttra" ? Will they issue directions that the name of the city should be correctly spelt as "Mathura" in official records ?

THE HONOURABLE MR. D. D. WARREN : Government are aware that in the Muttra District Volume of the United Provinces' Gazetteers it is mentioned that the more correct spelling of "Muttra" is "Mathura". In the Imperial Gazetteer, however, the capital of the ancient Kingdom of Suresena is referred to as "Muttra".

Representations on this subject having been received in recent months from the Brij Sahitya Mandal, the matter has been referred by the G. I. P. R. to the United Provinces Government, and a decision will be taken in the light of their reply when received.

FOOD SITUATION.

34. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Will Government state separately the quantity and varieties of foodgrains that have been imported into India since the National Interim Government took office, indicating the countries from which the imports have come ?

(b) Will they place a similar statement on the table with respect to the imports of foodgrains which are expected to come from different countries and also state how far such imports are likely to fall short of the actual requirements of India to tide over the threatened scarcity of food and the impending famine in this country ?

(c) Will they make a general statement of the food position in India and the steps taken to cope with the situation ?

THE HONOURABLE MR. C. H. BHABHA : With your permission Sir, I would like to answer all three parts of the question together.

In the first place, I would draw the attention of the Honourable Member to the Memorandum on the Food Situation, a copy of which is laid on the table of the House.

With regard to parts (a) and (b) of the question, I have laid statements on the table showing the actual arrivals of foodgrains in September and October, and the expected arrivals during November. We have received no firm figures for shipments other than those contained in the statements, and it would be misleading for me to attempt an estimate as to how far future imports will meet or fall short of the actual requirements of India. I can say this much, that those of which we have been notified are inadequate, and that I am endeavouring by every means in my power to secure additional shipments.

STATEMENT I

Statement showing foodgrains received in India from abroad during September and October, 1946 (Actuals up to 24th October 1946 and expected during the remaining 7 days of October.) September—

Australia	43,836	Wheat
Do.	35,764	Wheat equivalent of 26,108 tons of flour.
Do.	200	Millets.
U.S.A.	67,581	Wheat
Do.	5,100	Maize.
Do.	7,625	Milo.
Burma	2,300	Maize.
Argentine	26,182	Maize.
Egypt	4,709	Barley.
Do.	14,644	Millets.
Abbyssinia	1,421	Millets.
Burma	54,248	Rice.
Java	4,000	Rice equivalent of 6,019 tons of paddy.

Total . . . 267,610

October—

Australia	17,079	Wheat
Do.	900	Millets.
U.S.A.	34,373	Wheat.
Do.	6,852	Wheat equivalent of 5,002 tons of flour.
Do.	7,475	Milo.
Argentine	97,737	Maize.
Do.	1,684	Millets.
Egypt	2,283	Millets.
Do.	2,157	Barley.
Iraq	1,000	Millets.
Do.	16,700	Barley.
Turkey	1,000	Millets.
Do.	25,499	Barley.
Brazil	19,484	Rice.
Siam	9,000	Rice.
Java	16,000	Rice equivalent of paddy.

Total . . . 259,223

STATEMENT II

Statement showing foodgrains expected from abroad during November, 1946

Exporting Country	Quantity	Commodity
U.S.A.	102,122	Wheat
Do.	3,949	Wheat equivalent of 2,883 tons of flour.
Do.	14,375	Milo.
Canada	53,229	Wheat.
Australia	11,780	Wheat equivalent of 8,600 tons of flour.
Argentina	55,618	Maize.
Do.	7,000	Millet.
Iraq	32,000	Barley.
Turkey	20,000	Barley.
Burma and Siam	20,000	Rice.
Brazil	10,239	Rice.
Java	16,000	Rice equivalent of 24,000 tons of paddy.
Total	346,312	

INDIANS IN MALAYA

35. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that the condition of Indian labourers in Malaya is far from satisfactory ; and that an Indian labourer is paid there approximately one-half to one-third of what Chinese labourer is paid ? What steps have been taken by Government to redress the grievances of the Indians in Malaya in general and of the Indian labourers in particular ?

THE HONOURABLE MR. A. V. PAI: The condition of Indian labourers in Malaya soon after the re-occupation of that country was reported to be unsatisfactory. This was due to the conditions arising out of the war in general and hardships caused during the period of Japanese occupation in particular. The chief needs of Indians including Indian labourers immediately after re-occupation were medical relief, provision of food and clothing, cash relief and provision of passages to India. These were the main concern of the military administration and of the civil government that later took over the administration of the country. The Government of India have supplemented the efforts of these administrations as far as possible. They sent a Medical Mission consisting of nine doctors with assistants, equipment and medical supplies. This Mission treated about 36,000 Indians, mostly labourers. The Government of India also assisted the Congress Medical Mission to proceed to Malaya and provide medical relief in that country. Exports were arranged of about 120 bales of cloth, old and new, for free distribution among labourers. Unfortunately in view of the internal position in India, we could not arrange to export any foodstuffs. It is understood, however, that the military administration arranged for the provision of food as far as possible. The Government of India also distributed cash relief through their Representative and Welfare Officers to deserving Indian families both of the middle class and the labour class. As regards passages, the acute scarcity of shipping space has been the limiting factor. Passages were arranged for a large number of Indians in returning military transports. About 8,000 Indians have so far been provided with passages. It is reported that there are still about 20,000 Indians waiting to return to India. The Government of India now propose to direct a ship on the Indian register immediately to ply between Madras and Malayan ports to bring them back. Deserving cases selected by the Representative have been provided with free passages at the expense of the Government of India.

As regards the disparity between Indian and Chinese wages referred to by the Honourable Member it is true that while an Indian labourer earns about 1 dollar 10 cents. a day, a Chinese worker manages to secure 2 to 2½ dollars a day. It is

explained that this is due to the fact that whereas Indian labourers are employed on a daily wage basis the Chinese accept work only on a contract basis and are able to secure higher rates of payment of results.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: Was any offer made to the Indian labourers there to work under contract ?

THE HONOURABLE MR. A. V. PAI: They got some work on contract wages.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: In that case did they get the same wages as the Chinese.

THE HONOURABLE MR. A. V. PAI: They did manage to get a little more but I cannot say exactly what they were paid.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: Will Government try to get this information ?

THE HONOURABLE THE PRESIDENT: The question time has expired. We will now proceed with the further business on the list.

STATEMENTS, ETC., LAID ON THE TABLE

THE HONOURABLE SIR CYRIL JONES (Finance Secretary): Sir, I lay on the table a copy of the Public Debt (Central Government) Rules, 1946, published with the Notification of the Government of India in the Finance Department No. F. 9 (1) B/46, dated the 20th April, 1946, under sub-section (3) of section 28 of the Public Debt (Central Government) Act, 1944.*

FINANCE DEPARTMENT
NOTIFICATION

New Delhi, the 20th April, 1946

No. F. 9 (1) B /46.—In pursuance of sub-section (3) of section 1 of the Public Debt (Central Government) Act, 1944 (XVIII of 1944), the Central Government is pleased to appoint the 1st day of May, 1946, as the date on which the said Act shall come into force.

FINANCE DEPARTMENT
NOTIFICATION

New Delhi, the 20th April 1946

No. F. 9 (1) B 146.—Introduction.—In exercise of the powers conferred by section 28 of the Public Debt (Central Government) Act, 1944 (XVIII of 1944), the Central Government is pleased to make the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:—

1. *Short-title and application.*—(1) These rules may be called the Public Debt (Central Government) Rules, 1946.

(2) These rules shall apply to the whole of British India including British Baluchistan and those excluded and partially excluded areas to which the Public Debt (Central Government) Act, 1944 (XVIII of 1944) has been or may hereafter be applied by notification under sub-section 1) of section 92 of the Government of India Act, 1935 and shall come into force on the 1st May 1946.

(3) They shall apply only in the case of those securities issued by the Central Government to which the Public Debt (Central Government) Act, 1944 (XVIII of 1944) applies.

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

(1) "the Act" means the Public Debt (Central Government) Act, 1944 (XVIII of 1944);

(2) "the Bank" means the Reserve Bank of India;

(3) "District Magistrate" means every person exercising all or any of the powers of a District Magistrate as defined under the Code of Criminal Procedure for the time being in force;

(4) "Officer of the Bank" means the officer appointed by the Reserve Bank of India to perform the duties under the Act;

(5) "Form" means a form as set out in the Schedule to these rules;

(6) "Public Debt Office" means the office of the Reserve Bank of India on the books of which a Government security is registered or may be registered;

(7) "Mutilated Security" means a security which has been destroyed, torn or damaged in material parts thereof and the material parts of a security are those where—

*Not printed in these debates.

36

COUNCIL OF STATE

[7TH NOV. 1946]

(i) the number, loan to which it belongs and the face value of the security or payments of interest are recorded, or

(ii) the endorsement or the name of the payee is written or the transfer is executed, or

(iii) the renewal receipt is supplied;

(8) "Lost Security" means a security which has actually been lost and shall not mean a security which is in possession of some person adversely to the claimant.

(9) "Defaced Security" means a security which has been made illegible or rendered undecipherable in material parts.

3. *Forms of Government securities.*—A Government security may be held or issued in the form of—

(1) a Government promissory note payable to or to the order of a certain person;

(2) a bearer bond payable to bearer provided the issue in this form is permitted in respect of the loan to which the security appertains by a notification in the *Gazette of India*;

(3) stock in the manner laid down in Rule 5 hereunder;

(4) a treasury bill payable to or to the order of a certain person;

(5) a promissory note in Form I issuable to a Ruler of an Indian State.

4. *Form of Government Security issuable under sub-section (2) (a) (iv) of Section 2 of the Act.*—The Central Government may prescribe by notification in the official Gazette any other form of Government security issued under sub-section (2) (a) (iv) of Section 2 of the Act.

5. *Stock.*—Stock may be—

(1) registered in the books of the Public Debt Office, for which stock certificates are issued, or

(2) held, subject to such conditions and restrictions as the Bank may prescribe, at credit of the holder in the Subsidiary General Ledger Account maintained by the Public Debt Office.

6. *Security in special form issuable to a ruler or a state.*—(1) Government securities may be issued to the Ruler of a State in India, at his request in Form I, provided that—

(a) the Ruler has been admitted to this privilege by order of the Central Government, and

(b) the total amount in this form including the amount applied for is not less than Rs. 50,000.

(2) Notes issued in accordance with sub-rule (1) shall be in the name of the Ruler by which he is designated and his successors, and property in them, save as otherwise provided, shall devolve by succession.

(3) The provisions prescribed for payment of interest on, and payment of principal of a Government promissory note shall apply to a security issued under this rule.

7. *Transfer of different forms of securities.*—The different forms of Government securities shall be transferable only in the manner hereunder—

(1) A Government promissory note or a treasury bill:—

(a) It shall be transferable by endorsement and delivery like a promissory note payable to order.

(b) No endorsement of a Government promissory note or a treasury bill shall be valid unless made by the signature of the holder or his duly constituted attorney or representative inscribed on the back of the security itself.

(c) No writing on a Government promissory note or a treasury bill is valid for the purpose of negotiation if such writing purports to transfer only a part of the amount denominated by the security.

(d) The treasury or sub-treasury or any office or the Bank of the Public Debt Office may decline to accept a Government promissory note or a treasury bill endorsed in blank for any purpose unless the endorsement in blank is converted into that in full before presentation.

(2) Bearer bonds shall be transferable by delivery. The person in possession of the bond shall be deemed to be a holder of the bond.

(3) *Stock:—*

(a) Stock for which a stock certificate is issued or which is held in the Subsidiary General Ledger Account shall be transferable either wholly or in part by execution of an instrument of transfer in Form II or III as the case may be.

(b) The transferor shall be deemed to be the holder of the stock to which the transfer relates until the name of the transferee is registered as a holder of the stock by the Public Debt Office.

(4) Promissory notes in Form I issued to a Ruler of an Indian State are transferable by an endorsement by the Ruler of the State for the time being. The transferee of any such note shall not be capable of negotiating or drawing interest on the same when so transferred, but shall be entitled on surrender to the Public Debt Office of the note so transferred duly receipted in Form XVI and on payment of the prescribed fee to obtain therefrom Government promissory note or notes for the nominal value of the note so transferred.

8. *Provision for holding stock by trustees and office holders.*—(1) Government securities in the form of stock may be held by a holder of an office other than a public office—

(a) in his personal name, described in the books of the Public Debt Office and in the stock certificate as a trustee, whether as a trustee of the trust specified in his application or as a trustee without any such qualification, or

(b) by the name of his office.

(2) On an application made in writing to the Public Debt Office in the Form required by that office, by the person in whose name a Government security stands and on surrender of the security the Public Debt Office may—

(a) make an entry in their books describing him as a trustee of a specified trust or as a trustee without specification of any trust and issue a stock certificate in his name described as trustee with or without the specification of the trust as the case may be, or

(b) issue a stock certificate to him by the name of his office and make entry in its books describing him as the holder of the stock by the name of his office.

according to the applicant's request provided—

(i) the request is in conformity with the provisions of sub-rule (1) hereof.

(ii) the necessary evidence required by the Public Debt Office in terms of sub-rule 7 has been furnished, and

(iii) the Government security in the form of a Government promissory note has been endorsed in favour of the Governor General of India in Council.

(3) The stock certificate under sub-rule (1) may be held by the holder of the office either alone or jointly with a person or persons holding an office, other than a public office, or another person or an official authorised to hold securities by the name of his office.

(4) When stock is held by a person in the name of his office, any document relating to the stock concerned may be executed by the person for the time being holding the office by the name in which the stock is held as if his personal name were so stated.

(5) Where any transfer-deed, power-of-attorney or other document purporting to be executed by a stock holder described in the books of the Public Debt Office as a trustee or as a holder of an office is produced to the Public Debt Office, the Public Debt Office shall not be concerned to inquire whether the stock holder is entitled under the terms of any trust or document or rules to give any such power or to execute such deed or other document, and may act on the transfer-deed, power-of-attorney or document in the same manner as though the executant is a stock holder and whether the stock holder is or is not described in the transfer-deed, power-of-attorney or document as a trustee or as a holder of an office and whether he does or does not purport to execute the transfer-deed, power-of-attorney or document in his capacity as a trustee or as a holder of the office.

(6) Nothing in these rules shall, as between any trustees or office holders, or as between and trustees or office-holders and the beneficiaries, under a trust or any document or rules, be deemed to authorise the trustees or office-holders to act otherwise than in accordance with the rules of law applying to trust, the terms of the instrument constituting the trust, or the rules governing the association, of which the stock holder is a holder of an office; and neither the Government nor any person holding or acquiring any interest in any Government stock shall, by reason only of any entry in any register maintained by or on behalf of the Government in relation to any Government stock or any stock holder, or of anything in any document relating to Government stock, be affected with notice of any trust or of the fiduciary character of any stock holder or of any fiduciary obligation attaching to the holding of any Government stock.

(7) Before acting on any application made, or on any document purporting to be executed in pursuance of this rule by a person as being the holder of any office, the Public Debt Office may require the production of evidence that such person is the holder for the time being of that office.

9. *Payment of interest.*—Payment of interest on a Government security shall be made and acknowledged in the following manner:—

(1) *Government Promissory Note.*—Interest on a Government promissory note may be made payable at any treasury or sub-treasury in British India subject to compliance by the holder with such formalities as the Public Debt Office may require and interest shall accordingly be paid at such treasury or sub-treasury on presentation of the note itself. The payee shall give a receipt in Form IV. Where, however, interest on a Government promissory note is payable at a place where a Public Debt Office is located, the note shall be presented at the Public Debt Office which shall issue an interest warrant in favour of the holder payable at the local office of the Bank. Notwithstanding anything contained herein, the Public Debt Office may pay interest on a Government promissory note, the interest on which is payable at a treasury or sub-treasury by an interest warrant payable at such treasury or sub-treasury.

(2) *Stock.*—Interest on stock shall be paid by warrants issued by the Public Debt Office and payable at the local office of the Bank. Such warrants may, at the request of the holder of the stock preferred in writing to the Public Debt Office, be made payable subject to compliance by the holder with such formalities as the Public Debt Office may require at any other Indian office of the Reserve Bank of India or any agency thereof conducting Government treasury business or at any treasury or sub-treasury in British India, or, in a state in India, at the Head Post Office, if there is no British Indian treasury, or, if there is no Head Post Office, at any Post Office designated by the Central Government by order in writing in this behalf. The presentation of the stock certificate shall not be required at the time of payment of interest, but the payee shall acknowledge receipt on the back of the warrant.

(3) *Bearer Bond*.—Interest on a bearer bond shall be paid to any person who presents the coupon entitling him to such interest at the Public Debt Office or the treasury in India at which the bond is registered for payment of interest.

(4) Interest on security transferred to London shall be paid by interest drafts issued by the London Office of the Bank payable in rupees at Bombay, Calcutta, Delhi or Madras.

(5) Notwithstanding anything contained in the sub-rules of this rule, the Bank may arrange for payment of interest on a Government security at any place not provided herein.

10. *Payment of prize money*.—The amount of any prize drawn in respect of a Prize bond shall, after his claim has been admitted by the Bank, be paid in cash or in the form of Government securities according to the terms of the Bond, to the person who presents such prize bond at any office authorised by Government as an office of issue at the time when the loan to which the prize bond belongs was open to subscription.

11. *Procedure when a Government security is lost, etc.*—(1) When a Government security is lost, stolen, destroyed, mutilated or defaced, the person entitled thereto shall apply for the issue of a duplicate security in the manner laid down in Rules 12, 13, 14, 15, 16 or 17, as the case may be, to the Public Debt Office at which the security is domiciled or registered with a statement showing particulars, such as number, amount and loan of the security.

(2) The Bank may by its order suspend payment of interest on or the maturity value of the security or postpone the making of any order under Section 11 of the Act or the registration of any transfer of the security until the vesting order has been made.

12. Government Promissory Note :—

(1) *Procedure when a Government Promissory Note is lost, etc.*—The application for the issue of a duplicate note in place of a Government promissory note which is alleged to have been lost, stolen, destroyed, mutilated or defaced either wholly or in part shall be accompanied by

(a) a Statement of the following particulars, namely:—

(i) the last half-year for which interest has been paid;

(ii) the person to whom such interest was paid;

(iii) the person in whose name the note was issued (if known);

(iv) particulars of coupons attached (if any);

(v) the place for payment of interest at which the note was for the time being encased;

(vi) the circumstances attending the loss, theft, destruction, mutilation or defacement; and

(vii) whether the loss or theft was reported to the police;

(b) the Post Office registration receipt for the letter containing the note, if the same was lost in transmission by registered post;

(c) a copy of the police report, if the loss or theft was reported to the police;

(d) where the last payment of interest was not made by a warrant issued by the Public Debt Office, a letter signed by the officer of the treasury where interest was last paid, certifying the last payment of interest on the note and stating the name of the party to whom such payment was made;

(e) if the applicant is not the holder in whose name the note was originally issued, an affidavit sworn before a Magistrate testifying that the applicant was the last legal holder of the promissory note and all documentary evidence necessary to trace back the title to the original holder; and

(f) any portion or fragments which may remain of the lost, stolen, destroyed, mutilated or defaced note.

(2) A duplicate of the letter to the Public Debt Office, but not of its enclosures, shall also be sent to the treasury where interest is payable.

(3) The loss, theft, destruction, mutilation or defacement of a Government promissory note or portion of a Government promissory note shall be further notified by the applicant in three successive issues of the *Gazette of India* and of the local official Gazette if any, of the place where the loss, theft, destruction, mutilation or defacement occurred. Such notification shall be in the form following, or as nearly in such form as circumstances permit:—

"Lost" ("stolen", "destroyed", "mutilated" or "defaced" as the case may be).

"The Government promissory note No. _____ of the _____ per cent. loan of _____ for Rs. _____, originally standing in the name of _____, and last endorsed to _____ the proprietor by whom it was never endorsed to any other person having been lost (stolen, destroyed, mutilated or defaced) notice is hereby given that payment of the above note and the interest thereupon has been stopped at the Public Debt Office, and that application is about to be made for the issue of a duplicate in favour of the proprietor. The public are cautioned against purchasing or otherwise dealing with the abovementioned security.

Name of person notifying.
Residence".

(4) After the publication of the last notification prescribed in sub-rule (3) of this rule, the Bank shall, if it is satisfied of the loss, theft, destruction, mutilation or defacement of the note and

of the justice of the claim of the applicant, cause the particulars of the note to be included in a list such as is referred to in Rule 18 hereunder, and shall order the Public Debt Office—

(a) if only a portion of the note has been lost, stolen, destroyed, mutilated or defaced and if a portion of the note sufficient for its identification has been produced, to pay interest and to issue to the applicant, on the execution of an indemnity bond such as is hereinafter mentioned, a duplicate note in place of that of which a portion has been so lost, stolen, destroyed, mutilated or defaced, and on the expiry of such period as the Bank may consider necessary from or immediately after the date of the publication of the said list,

(b) if no portion of the note so lost, stolen, destroyed, mutilated or defaced, sufficient for its identification has been produced—

(I) to pay to the applicant, two years after the publication of the said list, and on the execution of an indemnity bond in the manner hereinafter prescribed, the interest in respect of the note so lost, stolen, destroyed, mutilated or defaced till the expiry of the period of six years as hereunder, and

(II) to issue to the applicant a duplicate note in place of the note so lost, stolen, destroyed, mutilated or defaced six years after the date of publication of the said list; provided that—

(i) if the date on which the note is due for repayment falls earlier than the date on which the said period of six years expires, the Bank shall, within six weeks of the former date, invest the principal amount due on the note in the Post Office Savings Bank unless before the expiry of such period, the applicant has made a specific request for the investment of the amount in securities of any of the current rupee loans of the Central Government maturing not earlier than the date on which the duplicate is due for issue, and in that case, shall invest the amount in such securities, and deposit the balance if any, left after such investment in the Post Office Savings Bank. It shall repay the amount invested in the Post Office Savings Bank, together with any interest which may have accrued thereon and, if any investment has been made in Government securities, shall deliver such securities, together with the interest accrued thereon, to the applicant at the time when a duplicate note would otherwise have been issued, and

(ii) if at any time before the issue of duplicate note the original note is discovered or it appears to the Public Debt Office for other reasons that the order should be rescinded, the matter shall be referred to the Bank for further consideration and in the meantime all action on the order shall be suspended. An order passed under this sub-rule shall on expiry of the six years referred to therein, become final unless it is in the meantime rescinded or otherwise modified.

(c) if the note has been lost by enemy action, to pay interest and to issue to the applicant, on the execution of an indemnity bond as is hereinafter mentioned, a duplicate note immediately after the date of the publication of the said list.

(5) The Bank may, at any time prior to the issue of a duplicate note, if it finds sufficient reason, alter or cancel any order made by the Bank under this rule and may also direct that the interval before the issue of a duplicate note shall be extended by such period not exceeding six years as it may think fit.

(6) Indemnity Bonds—

(i) (a) when executed under sub-rule (4) (b) (I) and not under Rule 22 (8) shall be for twice the amount of the interest involved, that is to say, twice the amount of all back interest accrued due on the note plus twice the amount of all interest to accrue due thereon during the period which will have to elapse before the issue of a duplicate note can be made, and

(b) in all other cases shall be for twice the face value of the note plus twice the amount of interest calculated in accordance with clause (a).

(ii) The Bank may direct that such indemnity bond shall be executed by the applicant alone or by the applicant and one or two sureties as it may think fit, or that in lieu of furnishing personal sureties the applicant shall furnish collateral security in the shape of Government securities to be deposited with it for such amount and period as it may think fit.

13. Treasury Bills :—

Procedure when a treasury bill is lost, etc.—(1) Every application regarding a treasury bill alleged to have been lost, stolen, destroyed, mutilated or defaced, either wholly or in part, shall be addressed to the Office or agency of the Bank which issued it, and shall be accompanied by a registration fee of Re. 1 per treasury bill and a statement of the following particulars, namely:—

(i) the circumstances attending the loss, theft, destruction, mutilation or defacement; and

(ii) whether the loss or theft was reported to the police.

(2) The application shall also be accompanied by—

(i) the Post Office registration receipt for the letter containing the treasury bill if lost in transmission by post;

(ii) a copy of the police report, if the loss or theft was reported to the police;

(iii) an affidavit sworn before a magistrate testifying that the claimant was the last legal holder of the treasury bill; and

(iv) any portions or fragments which may remain of the lost, stolen, destroyed, mutilated or defaced treasury bill.

(3) The loss, theft, destruction, mutilation or defacement of a treasury bill shall be further notified by the applicant in one issue each of the *Gazette of India* and of the local official Gazette, if any, of the place where the loss, theft, destruction, mutilation or defacement occurred. Such notification should be in the form following, or as nearly in such form as circumstances permit:—

"Lost" ("stolen", "destroyed", "mutilated" or "defaced" as the case may be).

"The Treasury Bill No. _____ for Rs. _____ issued on _____ and maturing after a period of _____ months, having been lost (stolen, destroyed, mutilated or defaced) notice is hereby given that application is about to be made for payment of the value of the said Treasury Bill in favour of the undersigned.

Name of person notifying.

Residence."

(4) After the publication of the notifications prescribed in sub-rule (3) hereof, the Bank shall if it is satisfied of the loss, theft, destruction, mutilation or defacement of the treasury bill, and of the justice of the claim of the applicant, cause the particulars of the treasury bill to be included in a list such as is referred to in Rule 18 hereunder and may authorise the office of issue to pay immediately, or if the bill has not matured in the meanwhile, on the date of its maturity, the value of the bill to the applicant on the execution of an indemnity bond such as is hereinafter mentioned, provided that if for any reason the Bank holds that payment of the value of the treasury bill as above would involve risk of loss to Government, it may withhold payment thereof, and in that case, shall within six weeks of the date of its decision to withhold payment or of the date of maturity of the treasury bill alleged to have been lost, stolen, destroyed, mutilated, or defaced, whichever date is later, invest the amount of the treasury bill in the Post Office Savings Bank unless, before the expiry of such period, the applicant has made a specific request for the investment of the amount in securities of any of the current rupee loans of the Central Government maturing not earlier than the date on which the amount is due for payment, and in that case the Bank shall invest the amount in such securities and deposit the balance, if any, left after such investment in the Post Office Savings Bank. The Bank shall repay the amount invested in the Post Office Savings Bank, together with any interest which may have accrued thereon and if any investment has been made in Government securities, shall deliver such securities, together with the interest accrued thereon, to the applicant on the expiry of six years from the date of publication in the list mentioned above.

(5) The indemnity bond referred to in sub-rule (4) hereof if an indemnity bond has not been executed under Rule 22 (8) shall be for twice the value of the treasury bill. The Bank may direct that such indemnity bond shall be executed by the applicant alone or by the applicant and one or two sureties or that in lieu of furnishing sureties the applicant shall deposit with it collateral security in the shape of Government securities for such amount and period as it may think fit.

14. Bearer Bonds :—

Procedure when a bearer bond is lost, etc.—(1) Every application for the issue of a duplicate bond in place of a bearer bond which is alleged to have been lost, stolen, destroyed, mutilated, or defaced together with its coupons or the coupons of which are alleged to have been lost, stolen, destroyed, mutilated or defaced shall be accompanied by a registration fee of Re. 1 per bond and a statement of the following particulars, namely :—

(i) particulars of coupons alleged to have been lost or in the possession of the claimant, as the case may be ;

(ii) the name of the Public Debt Office or treasury at which the bond has been registered for payment of interest ;

(iii) the circumstances attending the loss, theft, destruction, mutilation or defacement and

(iv) whether the loss or theft was reported to the police.

(2) The application shall be accompanied by—

(i) the Post Office registration receipt for the letter containing the bearer bond or coupons or both, if lost in transmission by registered post ;

(ii) a copy of the police report, if the loss or theft was reported to the police ;

(iii) where the last payment of a coupon with regard to the bond was not made by the Public Debt Office, a letter signed by the officer of the treasury at which interest was last paid, certifying the last payment of such coupon ;

(iv) an affidavit sworn before a Magistrate testifying that the applicant was the last legal holder of the bearer bond ;

(v) any portion or fragments which may remain of the loss, stolen, destroyed, mutilated or defaced bearer bond or coupons, or both ; and

(vi) all coupons which are in possession of the person claiming to be the owner of the bond and coupons.

(3) A duplicate of the letter to the Public Debt Office but not of its enclosures shall also be sent to the treasury at which the bond is registered for payment of coupons.

(4) The loss, theft, destruction, mutilation or defacement of a bearer bond or coupons, or both, shall be further notified by the applicant in three successive issues of the *Gazette of India* and of the local official Gazette, if any, of the place where the loss, theft, destruction, mutilation or defacement occurred. Such notification shall be in the form following or as nearly in such form as circumstances permit :—

"Lost" ("stolen", "destroyed", "mutilated" or "defaced" as the case may be).

[bearer bond No.]

"The _____ of the per cent.

[coupons relating to bearer bond No.]

(together with coupons or without coupons) for Rs. _____

loan _____ having _____ for Rs. _____

been lost (stolen, destroyed, mutilated or defaced), notice is hereby given that application is about to be made to the Public Debt Office for the issue of a duplicate in favour of the undersigned.

Name of person notifying.

Residence".

(5) Where a bearer bond is reported to be lost, stolen, destroyed, mutilated or defaced, and the coupons are in the possession of the person claiming to be the owner of the bond and coupons, the Bank shall, on the expiry of such period as the bank may consider proper from or immediately after the date of the last notification prescribed in sub-rule (4), if satisfied that the bond has been lost, stolen, destroyed, mutilated or defaced and that the claim of the applicant is just, cause the particulars of the bond so lost, stolen, destroyed, mutilated or defaced to be included in a list such as is referred to in Rule 18 hereof and shall order the Public Debt Office to issue to the applicant a duplicate bond with coupons and to pay the amount of any coupons which may be due on the execution of an indemnity bond taken for twice the value of the bond lost, stolen, destroyed, mutilated or defaced if an indemnity bond has not been executed under Rule 22 (8) and on the surrender of the unpaid coupons of the original bond.

(6) Where both a bearer bond and its coupons are reported to be lost, stolen, destroyed, mutilated or defaced, the Bank shall on the expiry of two years from the date of the last notification prescribed in sub-rule (4) if *prima facie*, grounds exist for believing that the bond and coupons have been lost, stolen, destroyed, mutilated or defaced, and that the claim of the applicant is just, cause the particulars of the bond and coupons so lost, stolen, destroyed, mutilated or defaced to be included in a list such as is referred to in Rule 18 hereof and shall pass a provisional order requiring the Public Debt Office, on the expiry of six years from the date of publication, as hereinafter provided, of the list in which the lost, stolen, destroyed, mutilated or defaced bond and coupons are first included and on the execution of an indemnity bond taken for twice the value of the bond and twice the value of the coupons due for payment if an indemnity bond has not been executed under Rule 22 (8) and unless reasons to the contrary appear (in which case the matter shall be referred back to the Bank)—

(a) to issue to the applicant a duplicate bond with coupons, and

(b) to pay the amount of any coupon which may be due:

Provided that, if the date on which the bearer bond is due for repayment falls earlier than the date on which the period of six years prescribed in this rule expires, the Bank shall, within six weeks of the former date, invest the amount of the bond in the Post Office Savings Bank and shall repay this amount, together with any interest which may have accrued thereon in such Bank, to the applicant at the time when a duplicate bond would otherwise have been issued.

(7) Where the coupons only of a Bearer Bond are reported to be lost, stolen, destroyed, mutilated or defaced and the Bond with any coupons attached to it is in the possession of the person claiming to be the owner thereof, the Bank, on the expiry of such period as it may consider proper from or immediately after the date of the last notification prescribed in sub-rule (4) and on being satisfied that the coupons have been lost, stolen, destroyed, mutilated or defaced and that the claim of the applicant is just, shall cause the particulars of the coupons so lost, stolen, destroyed, mutilated or defaced to be included in a list such as is referred to in Rule 18 hereof and shall order the Public Debt Office to issue to the applicant a duplicate bond with coupons which are not due for payment and to pay the amount of any coupons which may be due on the execution of an indemnity bond taken for twice the value of coupons due for payment and on the surrender of the Bearer Bond and the coupons in his possession provided an indemnity bond has not been executed under Rule 22 (8).

(8) In making any order under this rule the Bank may direct that the indemnity bond be executed by the applicant alone or by the applicant and two sureties as the Bank may think fit.

(9) A provisional order passed under sub-rule (6) shall, on the expiry of the six years referred to therein become final unless it is in the meantime rescinded or otherwise altered.

(10) The Bank may at any time prior to the issue of a duplicate bond, if it finds sufficient reasons, alter or cancel any order made by the Bank under sub-rule (5), (6) or (7) and may also direct that the interval before the issue of a duplicate bond shall be extended by such period not exceeding six years, as it thinks fit.

15. Prize Bonds :—

Procedure when a prize bond is lost etc.—[(1) (a)] Every application for the issue of a duplicate bond in place of a prize bond which is alleged to have been lost, stolen, destroyed, mutilated or defaced shall be addressed to the Public Debt Office and shall be accompanied by a registration fee of Re. 1 per bond and a statement of the following particulars, namely :—

(i) particulars of the number and value of the prize bond and the loan to which it belongs ;

(ii) the name of the office at which the bond was purchased ;

(iii) the circumstances attending the loss, theft, destruction, mutilation or defacement ;

and

- (iv) whether the loss or theft was reported to the police.
- (b) Such application shall be accompanied by :—
- (i) Post Office registration receipt for the letter containing the prize bond, if lost in transmission by registered post ;
- (ii) a copy of the police report if the loss or theft was reported to the police ;
- (iii) an affidavit sworn before a Magistrate testifying that the applicant was the last legal holder of the bond; and
- (iv) any portions or fragments which may remain of the lost, stolen, destroyed, mutilated or defaced prize bond.

(2) The loss, theft, destruction, mutilation or defacement of a prize bond shall be further notified by the applicant in the *Gazette of India* and the local official Gazette, if any, of the place where the loss, theft, destruction, mutilation or defacement occurred. Such notification shall be published in such issues of each Gazette, not exceeding three in the case of each, as may be directed by the Bank and shall be in the form following or as nearly in such form as circumstances permit :—

"Lost" ("stolen", "destroyed", "mutilated" or "defaced" as the case may be).
 "The Prize Bond No. _____ of the _____ loan
 for the face value of Rs. _____ having been lost (stolen, destroyed, mutilated or
 defaced), notice is hereby given that application is about to be made to the Public Debt Office
 for the issue of a duplicate in favour of the undersigned.
 Name of the person notifying.
 Residence."

(3) Where a prize bond is reported to be lost, stolen, destroyed, mutilated or defaced, the Bank shall, on the expiry of two years from the date of the last notification prescribed in sub-rule (2), if *prima facie* grounds exist for believing that the bond has been lost, stolen, destroyed, mutilated or defaced and that the claim of the applicant is just, cause the particulars of the bond so lost, stolen, destroyed, mutilated or defaced to be included in a list such as is referred to in Rule 18 and shall pass a provisional order requiring the Public Debt Office, on the expiry of six years from the date of the publication, as hereinafter provided, of the list in which the lost, stolen, destroyed, mutilated or defaced bond is first included and on the execution of an indemnity bond taken for twice the value of the bond, [if an indemnity bond has not been executed under Rule 22 (8)] and unless reasons to the contrary appear (in which case the matter shall be referred back to the Bank to issue to the applicant a duplicate bond :

Provided that, if any prize is drawn but not paid in respect of a prize bond which is alleged to be lost, stolen, destroyed, mutilated or defaced, the amount of such prize shall be invested in such Government securities as the Bank may deem fit and such securities shall be transferred to the applicant, at the time when the duplicate bond is issued, on the execution of an indemnity bond taken for twice the amount of the prize money.

(4) A provisional order passed under sub-rule (3) shall on the expiry of the six years referred to in that rule become final:

Provided that the Bank may at any time prior to the issue of a duplicate bond, if it finds sufficient reasons, alter or cancel any such order, and may also direct that the interval before the issue of a duplicate bond shall be extended by such period, not exceeding six years, as it think fit.

(5) In making any order under sub-rule (3), the Bank may direct that the indemnity bond be executed by the applicant alone or by the applicant and two sureties as the Bank may think fit.

16. Stock certificate :—

Procedure when a stock certificate is lost etc.—[(1)] Every application for the issue of a duplicate stock certificate in place of a stock certificate which is alleged to have been lost, stolen, destroyed, mutilated or defaced, either wholly or in part shall be addressed to the Public Debt Office and shall be accompanied by :—

- (a) the Post Office registration receipt for the letter containing the stock certificate, if the same was lost in transmission by registered post ;
- (b) a copy of the police report, if the loss or theft was reported to the police ;
- (c) an affidavit sworn before a Magistrate testifying that the applicant is the legal holder of the stock certificate and that the stock certificate is neither in his possession nor has it been transferred, pledged or otherwise dealt with by him ; and
- (d) any portions or fragments which may remain of the lost, stolen, destroyed, mutilated, or defaced stock certificate.

(2) The circumstances attending the loss shall be stated in the application.

(3) The Bank shall, if it is satisfied of the loss, theft, destruction, mutilation or defacement of the stock certificate, order the Public Debt Office to issue a duplicate stock certificate in lieu of the original certificate.

17. *Procedure when a Government promissory note in special form is lost etc.* The procedure prescribed in Rule 12 shall apply to a promissory note issued in Form I, when such note is lost, stolen, destroyed, mutilated or defaced.

18. *Publication of list.*—(1) The lists referred to in Rules 12 to 15 shall be published half-yearly in the *Gazette of India* in the months of January and July or as soon afterwards as may be convenient.

(2) All Government promissory notes, treasury bills, bearer bonds, coupons, prize bonds and notes in Form I in respect of which an order has been passed under Rules 12 to 15, as the case may be, shall be included in the first list published next after the passing of such order and thereafter such notes, treasury bills, bearer bonds, coupons, prize bonds and notes in Form I shall continue to be included in every succeeding list until the expiration of six years from the date of first publication.

(3) The list shall contain as far as possible the following particulars regarding each note, treasury bill, bearer bond, coupon, prize bond, and note in Form I included therein, namely, the name of the loan, the number of the Government security, its value, the person to whom it was issued, the date from which it bears interest, the dividend number and date of coupon, the name of the applicant for a duplicate, the number and the date of the order passed by the Bank for payment of interest or issue of a duplicate and the date of publication of the list in which the Government security or the coupon was first included.

19. *Determination of title by vesting order.*—Notwithstanding anything contained in Rules 12 to 17, the title to a lost, stolen, destroyed, mutilated or defaced security may be determined by the Bank by its order vesting title to the security or to the payment of interest only or to both.

20. *Determination of a mutilated security as a security requiring renewal.*—It shall be at the option of the Bank to treat a security which has been mutilated or defaced as a security requiring issue of a duplicate under any of the Rules from 12 to 17 or mere renewal under Rule 24.

21. *When a Government promissory note is required to be renewed.*—(1) A holder of a Government promissory note may be required by the Public Debt Office to receipt the same for renewal in any of the following cases, namely :—

(a) if only sufficient room remains on the back of the note for one further endorsement or if any word is written upon the note across any existing endorsement or endorsements ;

(b) if the note is torn or in any way damaged or crowded with writing or unfit, in the opinion of the Public Debt Office ;

(c) if any endorsement is not clear and distinct or does not indicate the payee or payees as the case may be, by name or in the case of office-holders, by office, or is made otherwise than in one of the endorsement cages on the back of the note ;

(d) if the interest on the note has remained undrawn ten years or more ;

(e) if the interest cages on the reverse of the note have been completely filled or if the vacant printed cages on the reverse of the note do not correspond with the half-years for which interest has become due on the date when the note is presented for drawal of interest ;

(f) if the note having been encased three times for payment of interest is presented for re-encasement ; and

(g) if, in the opinion of the Public Debt Office, the title of the person presenting the note for payment of interest is irregular or not fully proved.

(2) When requisition for renewal of a Government Promissory note has been made under sub-rule (1) payment of any further interest thereon may be refused until it is receipted for renewal and actually renewed.

22. *Procedure for making vesting order.*—(1) In cases to which Section 9, 10, or 12 of the Act, as the case may be, applies, the Bank may determine the person in the manner hereunder as being entitled in its opinion.

(i) to the security, or

(ii) only to payment of all accrued interest and accruing interest, or

(iii) to the security and payment of all accrued and accruing interest,

and may by its order vest title in such person accordingly.

(2) The person claiming to be entitled to a security or to payment of accrued and accruing interest thereon shall apply to the Bank and adduce documentary evidence in support of his claim.

(3) On receipt of the application by the Bank, the Bank if it contemplates making a vesting order under the Act—

(i) may suspend payment of interest on or the maturity value of the security or postpone the making of any order under Section 11 or the registration of any transfer of the security until the vesting order has been made ;

(ii) may, if it considers proper, request a District Magistrate, or in the case of an Indian State, the Political Agent to record or to have recorded the whole or any part of such evidence as any person whose evidence the Bank requires may produce or direct one of its officers to record such evidence or may receive evidence upon affidavit. Nothing herein shall preclude the Bank from determining title without enquiry in the manner laid down in this sub-rule except in cases coming under Section 12 of the Act.

(4) The Bank shall thereafter give notice in writing to each claimant of whom it has knowledge, stating the names of all other claimants and the time when and the officer of the Bank by whom the determination of title will be made.

(5) On the date and at the time fixed in the notice, the officer shall—

(i) examine the evidence adduced by the parties ;

(ii) hear the parties affected and record such evidence as they adduce. No further evidence shall be recorded or entertained in cases where—

(a) the District Magistrate or the Political Agent, as the case may be, has been requested to record or to have the evidence recorded, or

(b) the Bank has directed one of its officers to record the evidence ; and

(iii) determine the issue as to who is entitled to the security or to payment of interest or to both.

(6) After determination of the issue by the officer, the Bank shall give notice in writing to each claimant of the determination so made.

(7) The notices prescribed in sub-rules (4) and (6) above shall be published in three successive issues of the *Gazette of India* and the local official Gazette as soon as possible after the date on which they are respectively issued.

(8) The Bank may require the person considered by the Bank as being entitled to the security or to payment of interest or to both to execute a bond in Form V, with one or more sureties or to furnish security not exceeding twice the value of the subject matter of the order, to be held at the disposal of the Bank to pay to the Bank or to any person to whom the Bank may assign the bond or security in furtherance of sub-section (2) of Section 16 of the Act, the amount thereof.

(9) On the expiry of six months from the issue of the notices referred to in sub-rule (7), the Bank may make an order vesting in the person found by the Bank to be entitled thereto—

- (a) the security, or
- (b) the payment of accrued and accruing interest on the security, or
- (c) both the security and the payment of accrued and accruing interest on the security.

(10) When title to the accrued and accruing interest is vested in a person under sub-rule (9)(b), such person shall be deemed as having been granted powers to realise accrued interest and to draw interest that may from time to time become due on the security pending a further order vesting full title.

(11) In the case of a security maturing for payment of principal the Bank may vest title limited to drawal of interest and simultaneously full title to take effect on the maturity of the security.

(12) The person in whom title to the accrued and accruing interest has been vested by the Bank may apply to the Bank for issue of an order vesting full title in him when the security becomes due for payment of the discharge value and the Bank may vest full title in him in the manner laid down in the sub-rules of this rule.

(13) Notwithstanding anything contained in the sub-rules of this rule, the Bank may vest—

(a) title limited to drawal of interest in guardian of a minor or a manager of the property of an insane person, and

(b) full title in the minor or the insane person to take effect on the minor attaining the age of majority or on the insane person becoming sane.

(14) When full title to a Government security is vested under sub-rule (9)(a), (9)(c), (11) or (12) of this rule in a person, such person shall be regarded as having been granted full and unequalled powers, so far as Government and the Bank are concerned, in relation to that security.

23. *Proviso for recognition of title to Govt. securities held by managing member of Hindu joint family subject to Mitakshara Law.*—The certificate required under the proviso to Section 7 of the Act shall be a certificate signed by the District Magistrate after such inquiry (if any) as may in his opinion be necessary to determine the matters in question referred to therein.

24. *Receipt for renewal etc.*—(1) Subject to any general or special instructions of the Bank, the Public Debt Office may, by its order, on the application of the holder,

(a) renew, sub-divide or consolidate a Government promissory note or notes provided that the note or notes has or have been receipted in Form VI, VII or VIII as the case may be, or

(b) convert the note or notes into a stock certificate or stock certificates, provided that the note or notes has or have been indorsed, "Pay to the Governor General of India in Council," or

(c) convert the note or notes into a bearer bond or bearer bonds provided that the note or notes has or have been indorsed in Form IX, or

(d) renew, sub-divide or consolidate a stock certificate or stock certificates provided the stock certificate or stock certificates has or have been receipted in Form X, XI or XII, as the case may be, or

(e) convert the stock certificate or stock certificates into a Government promissory note or notes provided the stock certificate or stock certificates has or have been receipted in Form XIII, or

(f) convert the stock certificate or stock certificates into bearer bond or bonds provided the stock certificate or certificates has or have been receipted in Form XIV and provided the loan to which the stock certificate or stock certificates appertain, admits of issue of bearer bonds, or

(g) renew, sub-divide or consolidate a bearer bond or bonds, or

(h) convert the bearer bond or bonds into a stock certificate or certificates, or

(i) convert the bearer bond or bonds into Government promissory note or notes, or

(j) renew a prize bond, or

(k) renew, sub-divide or consolidate a Government promissory note or notes in Form I provided the promissory note or notes has or have been receipted in Form XVII, XVIII, or XIX, as the case may be, or

(l) convert Government securities of one loan into those of another loan provided—

(i) the inter-loan conversion is permissible, and

(ii) the conditions governing such conversion are complied with, or

STATEMENTS, ETC., LAID ON THE TABLE

(m) convert the note or notes (stock certificate or stock certificates, bearer bond or bearer bonds, as the case may be) into stock to be held at the credit of the account of the holder in the Subsidiary General Ledger, provided the holder is admitted by the Public Debt Office to the facility of holding stock at credit to his account in the Subsidiary General Ledger and the note or notes (stock certificate or stock certificates) is or are receipted in the form as under—

"Tendered for cancellation and credit to.....(name of the holder)
Subsidiary General Ledger Account. Signature of the holder....."

(n) convert stock held at the credit of the holder's account in the Subsidiary General Ledger into Government promissory note or notes, stock certificate or stock certificates or bearer bond or bearer bonds subject to compliance with such formalities as the Public Debt Office may require..

(2) Subject to any general or special instructions of the Bank, the office or the agency which issued a treasury bill may, on the application of the holder thereof renew it provided that the treasury bill has been receipted in Form XV.

(3) The Public Debt Office may, under any of the sub-rules of this rule, require the applicant to execute a bond in Form V with one or more sureties approved by the Public Debt Office or to furnish security not exceeding twice the value of the subject matter of the order, to be held at the disposal of the Bank, to pay to the Bank or to any person to whom the Bank may assign the bond or security in furtherance of sub-section (2) of Section 16 of the Act, the amount thereof.

25. *Discharge of a security.*—(1) When a Government security, except in the form of a treasury bill or a prize bond, becomes due for payment of principal, the security in the form of—

- (a) a Government promissory note,
- (b) stock for which stock certificates are issued,
- (c) a promissory note issued in Form I, and
- (d) bearer bond,

shall be presented at the office at which the interest on the security is payable or at the Public Debt Office of domicile and signed except in the case of a bearer bond by the holder on its reverse. In the case of bearer bonds, coupon or coupons, if any, for the half year succeeding the date of payment of the principal shall be surrendered with the bond or bonds. In the case of stock held in the Subsidiary General Ledger Account, payment of the discharge value shall be made by a pay order issued by the Public Debt Office at which the stock is registered on receipt of a prior demand by the account holder and the acquittance form duly completed by him

(2) A treasury bill shall be duly discharged by the holder on maturity and presented at the office of issue.

(3) A prize bond shall be presented for payment on maturity at the Public Debt Office or at any office referred to in Rule 10.

26. *Receipt not required on discharge etc., of a bearer bond or a prize bond.*—(1) When a bearer bond is presented for discharge, renewal, conversion, sub-division or consolidation, no receipt shall be required.

(2) When a prize bond is presented for discharge or renewal no receipt shall be required.

27. *When executant of document or maker of an endorsement is unable to write.*—(1) If any person by whom any document relating to a Government security is to be executed or by whom an endorsement is to be made on a Government promissory note, satisfies a Magistrate that he is for any reason unable to write, and that the effect of the document or endorsement is fully understood by him, and that he is the person whom he represents himself to be, such Magistrate may, at the request of that person and subject to the provisions of this rule, execute the document or sign the endorsement on his behalf.

(2) Where any such document is to be executed or an endorsement signed by a Magistrate under this rule on behalf of any person, the Magistrate shall execute the document or sign the endorsement in the presence of that person, and shall enter below his own signature a certificate to the effect that the document was executed, or the endorsement signed, as the case may be at the request of that person, after having been previously read over to the latter, and that he is satisfied that the effect of the document or the endorsement is fully understood by such person.

(3) Nothing in the above sub-rules shall preclude the Bank from acting upon the execution of a document relating to a Government security, or on an endorsement thereon in a manner otherwise than referred to above, provided the Bank is satisfied as to the genuineness and validity of the execution of the document or endorsement on the Government security.

28. *Application for grant of information.*—(1) Any person requiring information regarding a Government security in the custody of the Public Debt Office may apply to that office in writing stating the form in which the information is required.

(2) Every such application shall state with precision the particulars (namely, the number, rate of interest, loan to which it belongs and the face value) of the security and shall contain a statement of the purpose for which the information is required and of the interest of the applicant in the security. If any of the above particulars are not known to the applicant, the Bank may on application in writing being made to it, direct the Public Debt Office, at its discretion, to supply the required particular or particulars, if available, to the applicant subject to such conditions and on payment of such fees, if any, as it may prescribe.

29. *Disposal of application for grant of information or inspection.*—The following provisions shall be observed in dealing with applications under Rule 28.

(1) If the application asks for any information in respect of a security which has been renewed, converted, consolidated, sub-divided otherwise than in the name of the person who has renewed, converted, consolidated or sub-divided the security or asks for inspection of such security, or any register or book kept or maintained in the Public Debt Office in respect thereof or of any entry of such security in such register or book, the application shall be refused. The register or the book shall mean the register or the book in which the security is entered, registered or referred to.

(2) If the applicant asks for inspection or information in respect of a security which has been cancelled on payment of the amount due in respect thereof, it shall be referred to, and disposed of under the orders of the Bank.

(3) In any other case the Public Debt Office may subject to the provisions hereinafter contained, grant a certified copy of any endorsement on a security or of an entry in any register or book maintained or kept by that office relating to any security, on being satisfied that the security in question has stood in the name of the applicant, or of a person in whom the applicant has a representative interest, and further that the applicant has a *bona fide* interest in the security in respect of which the application is made :

Provided that if the security has been cancelled on payment of the amount due in respect thereof, no copy of any endorsement thereon shall be granted which purports to give a title subsequent to the termination of the applicant's interest in the security.

(4) The Public Debt Office may, under a special order of the Bank, supply any information regarding a security referred to in sub-rules (2) and (3) which is directed to be supplied by such an order.

(5) If an applicant asks for—

(a) any information from the record of the Public Debt Office or the Bank in connection with a Government security or any loan,

(b) a copy of any document from the record, and

(c) inspection of any record generally or any document or documents specifically, the application shall be referred to and disposed of subject to the provisions of sub-rule (1) of this rule under the order of the Bank.

(6) If the application relates to the grant of permission for inspection of an interest warrant or of information relating to payment of interest for a specific half year or half years the application may be granted by the Bank provided the applicant was the person to whom interest was paid.

(7) No information from any document or record in respect of the proceedings instituted by the Bank under Section 12 of the Act shall be granted by the Bank.

30. *Indemnity bond and fees in connection with grant of information or inspection.*—(1) Every applicant shall before any information is supplied or permission for inspection granted to him execute a bond of indemnity as nearly as may be in Form XX for the amount as hereinafter mentioned—

(a) the bond of indemnity for grant of information or inspection under any of the sub-rules (1) to (4) of Rule 29 shall be for twice the face value of the security or securities involved and the interest paid thereon from the date of issue, and

(b) the bond of indemnity for grant of information or of permission for inspection under sub-rules (5) and (6) of Rule 29 shall be for such amount as may be determined by the Bank.

(2) Every applicant shall before any information is supplied to him under Rule 28 or 29 pay a fee of Re. 1 for each security in respect of which any information is supplied and a fee of Re. 1 shall be paid for each certified copy granted under Rule 29.

(3) The Bank may waive the execution of a bond of indemnity or may forego the fees either wholly or partly payable to the Bank under sub-rule (2) above, or may do both.

31. *Fees.*—The following fees shall be paid in respect of applications under Section 11 of the Act, namely :—

For each renewed, converted, consolidated, sub-divided or duplicate security, 4 annas per cent. if the new security does not exceed in amount Rs. 400, and Re. 1 if the new security exceeds that sum :

Provided that no fee shall be payable—

(a) in respect of the conversion of a Government promissory note or a bearer bond into stock certificate, and

(b) in respect of the renewal of a note which bears no indorsement other than an indorsement by the Reserve Bank of India, the Imperial Bank of India (or one of the banks constituted by the Presidency Banks Act, 1876), the Controller of the Currency, his Deputy or Assistant, or an Accountant General, his Deputy or Assistant, or an Assistant Accounts Officer, Posts and Telegraphs, and the renewal indorsement, when such renewal is required only on account of there being no further space on the note in which to record payment or enfacement for payment of interest.

32. The Indian Securities Rules, 1935, shall cease to apply to those Central Government securities to which the Act and these rules apply.

THE SCHEDULE

[See Rule 2 (5)]

FORM I

(See Rule 6)

Form of Special Notes Issued to Rulers of States in India

Government per cent loan of Rs.
at per cent. of (name of Loan) Public Debt Office

The Governor General of India in Council hereby promises to pay to*
, or his successor the of , for the
time being, at the General Treasury at Fort William on (here state the date of discharge of the
loan) Rupees and to pay to
the said and his successors of
for the time being, at the General Treasury above mentioned
interest on such sum from the to the date on which the same shall become
payable as aforesaid at the rate of per cent. per annum such interest to be paid
by equal half-yearly payments on the and on the in every year
Provided always that the said principal sum of Rupees or any part thereof and
the right to receive the same and the interest thereon as aforesaid may at any time be transferred
absolutely by the for the time being entitled to receive the interest thereon and
the Governor General of India in Council hereby agrees on surrender of this special note to issue
to the said or any of His Successors of , for the time being and
holder of this note, promissory notes of the per cent. Loan of in the
usual form for the whole or part of the said principal sum according to the request of the
making the surrender and to any transferee or transferees, under the power
aforesaid, promissory notes of the same loan in the usual form for the amount transferred
and to the said a special note in this form for any balance thereof not represented
by the notes so issued. Rs. dated the
day of No. 19

Manager,
Reserve Bank of India
Public Debt Office.

Governor,
Reserve Bank of India.

*Here mention the exact designation of the Ruler.

FORM II

(See Rule 7)

Form of Transfer

I/We
do hereby assign and transfer my/our interest or share in the Inscribed stock of the
per cent. Government Loan of amounting to Rs. being the
amount/a portion of the stock for Rs. as specified on the face of this ins-
trument together with the accrued interest thereon unto
his/her/their executors, administrators or assigns, and I/we
do freely accept the above stock transferred to me/us.
As witness our hand the day of One thousand nine hundred
and

Signed by the above-named Transferor in the presence of*

Signed by the above-named Transferee in the presence of*

Seller]

(Buyer).

Address

*Signature, occupation and address of witness.

FORM III

(See Rule 7)

Form of Transfer for Operating on S. G. L. Account

I/We do hereby assign and transfer my/our interest or share in the Subsidiary Ledger Account No. of the per cent. Government Loan of amounting to Rs. being the entire balance/portion outstanding at the credit of the aforesaid Account for Rs. as registered in the books of the Reserve Bank of India, Public Debt Office at together with accrued interest thereon unto his/their administrators or assigns and I/We do freely accept the above amount transferred to me/us.

As witness our hand the
One thousand nine hundred and
Signed by the above-
named Transferor in the presence of*

Signed by the above named Transferee.
the presence of*

day of

(Seller)

in the

(Buyer.)

* Signature, occupation and address of witnesses.

FORM IV

(See Rule 9)

Receipt for interest on Government Promissory Notes

Per cent. Loan of--

Received from the Government Treasury at _____ interest due on Promissory Notes as follows :—

STATEMENTS, ETC., LAID ON THE TABLE									
No. of Note. N. B.— If the number is in a fractional form, the upper No. only need be quoted	Amount of each Note	Amount of half-yearly interest		For how many half-years interest is due	Total Amount due	Date up to which interest is due	Name of holder of Notes		
		Rs.	A. P.					Rs.	A. P.
					Total				
					Deduct—Income-tax at pies .				
					Net amount payable . . .				

Total received (in words).....Signature..

(State whether holder or holder's attorney or administrator).....

FORM V
(See Rule 22)
Security Bond

This Agreement is made on the _____ day of _____ Between _____ son of _____ resident of _____ of the one part and the Reserve Bank of India of the other part.

Whereas I/we am/are the true and lawful owner/s of the Government securities specified in the Schedule "A" hereto annexed.

And whereas I/we have applied to the Reserve Bank of India, Public Debt Office, _____ for _____ of the said Government securities and the said Bank have consented so to do upon my/our giving security of Rs. _____ to meet a claim by a rightful owner to the said securities in case there shall be such a claim.

Now these Presents witness that in pursuance of the aforesaid agreement I/we hereby oblige myself/ourselves to make good the claim of the rightful owner in respect of the said securities and I/we hereby further agree that this bond may be held by the said Bank and the said Bank may assign the Bond to the rightful owner of the said securities.

In witness whereof I/we have subscribed my/our name/names _____ day of _____ Signed by the within _____ mentioned in the _____ presence of _____

Principal

I/we _____ son of _____ hereby undertake to make good any claim to the rightful owner of the Government securities mentioned in the schedule hereto in case the principal/principals makes/make default in payment of the claim by virtue of the above agreement.

Signed by the within _____ mentioned in the _____ presence of _____

Surety.

Schedule "A" Referred to in the Bond.

Nature and description of the security	Number	Date of issue	Amount

FORM VI
(See Rule 24)

Form of Indorsement for renewal of a Promissory Note.

Received in lieu hereof a renewed note payable to (name of holder), with interest payable at _____ Treasury.

Signature of the holder/duly authorised representative of (name of holder).....

FORM VII
(See Rule 24)

Form of indorsement for Sub-division of a Promissory Note

Received in lieu hereof _____ notes for _____ Rs. _____ [respectively, payable to (name of holder), with interest payable at _____ Treasury.

Signature of the holder/duly authorised representative of (name of holder)

FORM VIII
(See Rule 24)

Form of Indorsement for Consolidation of Promissory Notes

Received in lieu hereof a new note payable to (name of holder) for Rs. _____ (mentioning the numbers and amounts of the other notes desired to be consolidated with it and specify ing the loan) with interest payable at _____ Treasury.

Signature of the holder/duly authorised representative of (name of holder).....

FORM IX
(See Rule 24)

Form of Indorsement for Conversion of Promissory Notes into Bearer Bonds.

Received in lieu hereof and of notes numbers _____ in the loan of _____ of the value of _____ Rs. a bearer bond (or bonds) of Rs. _____ each amounting to Rs. _____ with interest payable at _____ Treasury.

Signature of the holder/duly authorised representative of (name of holder).....

FORM X
(See Rule 24)

Form of Indorsement of the renewal of a Stock Certificate

Received in lieu hereof a renewed stock certificate of the _____ per cent. loan of _____ for Rs. _____ in the name of _____ with interest payable at _____ Treasury.

Signature of the registered holder/duly authorised representative of (name of registered holder).....

FORM XI
(See Rule 24)

Form of Indorsement for Sub-Division of a Stock Certificate

Received in lieu of this stock certificate, _____ stock certificates for Rs. _____ respectively of the _____ per cent. loan of _____ with interest payable at _____ Treasury.

Signature of the registered holder/duly authorised representative of (name of registered holder).....

FORM XII
(See Rule 24)

Form of Indorsement for Consolidation of Stock Certificates.

Received in lieu of stock certificates Nos. _____ for Rs. _____ respectively of the _____ per cent. loan of _____ of the _____ per cent. Loans of _____ with interest payable at _____ Treasury.

Signature of the registered holder/duly authorised representative of (name of registered holder).....

FORM XIII
(See Rule 24)

Form of Indorsement for Conversion of Stock Certificates into Promissory Notes

Received in lieu of this certificate _____ promissory notes of _____ Rs. _____ each (together with a new stock certificate for the balance amounting to Rs. _____) with interest payable at _____ Treasury.

Signature of the registered holder/duly authorised representative of (name of registered holder).....

FORM XIV

(See Rule 24)

Form of Indorsement for Conversion of Stock Certificates into Bearer Bonds
 Received in lieu of this stock certificate, bearer bonds of Rs. each (together with a new stock certificate for the balance amounting to Rs.) with interest payable at Treasury.

Signature of the registered holder/duly authorised representative of (name of registered older)

FORM XV

(See Rule 24)

Form of Indorsement of the Renewal of a Treasury Bill.

Received in lieu hereof a renewed Treasury Bill for Rs. payable to

Signature of the holder/duly authorised representative of (name of holder)

FORM XVI

(See Rule 7)

Form of Indorsement for conversion of a Note in the Special Form into a Promissory Note in the Ordinary Form by a transferee.

Received in lieu hereof a Promissory Note/s in the ordinary form of the per cent. loan of for Rs. in the name of (name of transferee) with interest payable at Treasury.

Signature of the transferee/duly authorised representative of (name of transferee)

FORM XVII

(See Rule 24)

Form of Indorsement for Renewal of a Special Note.

Received in lieu hereof a renewed note in the special form of the per cent. loan of for Rs. payable to (here mention the correct designation of the Ruler without mention of his personal name) or his successors for the time being with interest payable at Treasury.

Signature of the holder/duly authorised representative of (name of holder)

FORM XVIII

(See Rule 24)

Form of Indorsement for Sub-Division of a Special Note

Received in lieu of this special note, notes in the special form for Rs. respectively of the per cent. loan of payable to (here mention the correct designation of the Ruler without mention of his personal name) or his successors for the time being with interest payable at Treasury.

Signature of the holder/duly authorised representative of (name of holder)

FORM XIX

(See Rule 24)

Form of Indorsement for Consolidation of Special Notes

Received in lieu hereof a new note in the special form for Rs. of the per cent. loan of payable to (here mention the correct designation of the Ruler without mention of his personal name) or his successors for the time being by consolidation with note or notes in the special form Nos. (mentioning the numbers and amounts of the other notes, desired to be consolidated with it and specifying the loan) with interest payable at Treasury.

Signature of the holder/duly authorised representative of (name of holder)

STATEMENTS ETC., LUID ON THE TABLE

53

FORM XX

(See Rule 30)

Form of Indemnity Bond.

Whereas I/we son of resident at (and son of resident at

claim to be entitled (Here state in what capacity claim to the notes is made.) to the G. P. Note (s) and/or security (ies) specified in the schedule hereunder written and have represented to the Reserve Bank of India, Public Debt Office, that the said G. P. Note (s) and/or security (ies) has/have been

and have applied to the Reserve Bank of India, Public Debt Office, for an inspection of the said note (s) and/or security (ies) and also for all other information and particulars respecting the said note(s) and/or security(ies) and whereas the Reserve Bank of India, Public Debt Office, has agreed to give inspection and to afford to me/us all information and particulars affecting the said note(s) and/or security(ies), I/we oblige myself/ourselves my/our heirs and assigns whatsoever

(To be omitted if bond taken from one person only.)

(jointly and severally) to guarantee and defend and relieve the Reserve Bank of India, Public Debt Office, and the Central Government to the extent of Rs. * from all and any claim, question and expenses which may be raised against or incurred by the Reserve Bank of India, Public Debt Office, or the Central Government in reference to the said note(s) and/or security (ies).

In witness hereof I/we have subscribed my/our name (s) this day of

Signed by the within mentioned in the presence of

Applicant's Signature.

The Schedule referred to in the foregoing Bond.

M. V. RANGACHARI, Dy. Secy.

*Double the amount of the notes and interest paid thereon since the respective dates of issue.

THE HONOURABLE MR. GHAZANFAR ALI KHAN (for the Honourable Mr Abdur Rab Nishtar): Sir, I lay on the table a statement showing the objects on which the aviation share of the Petrol Tax Fund was expended during the year 1945-46.

Statement showing the objects on which expenditure was incurred during the year 1945-46 from the Aviation Share of Petrol Tax Fund.

Objects	Expenditure
	Rs.
<i>Clubs—</i>	
Grants-in-aid to Flying Clubs in India	57,250
Financial assistance to the Indian Gliding Association	3,000
<i>Training—</i>	
Operations and maintenance of wind Tunnel, etc. at the Indian Institute of Science, Bangalore, for carrying out certain tests on aircraft	13,738
Training of Pilots in Transport flying	16,984
<i>Miscellaneous—</i>	
Emergency equipment for removing disabled aircraft of heavy type—carry forward of expenditure from last year.	3,910
Total.	94,882

THE HONOURABLE MR. GHAZANFAR ALI KHAN (Health Member): Sir, I lay on the table a copy of the following Notifications making certain further amendments to the Indian Aircraft rules, 1937, under sub-section (3) of section 5 of the Indian Aircraft Act, 1934 :—

(i) Posts and Air Department Notification No. 10-M (A)/7-46, dated the 16th April, 1946.

(ii) Posts and Air Department Notification No. 11-M (A)/1-46-III, dated the 17th August, 1946.

(iii) Communications Department Notification No. 10-M (A)/26-46-I, dated the 18th September, 1946.

(iv) Communications Department Notification No. 10-M (A)/26-46-IV, dated the 18th September, 1946.

(v) Communications Department Notification No. 10 M-(A)/27-46, dated the 23rd September, 1946.

(vi) Communications Department Notification No. 10-M (A)/17-46, dated the 26th September, 1946.

Copy of the Notification No. 10-M(A)/7-46, dated the 16th April, 1946.

No. 10 M(A)/7-46—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that, with effect from the 15th May, 1946, the following further amendment shall be made in the Indian Aircraft Rules, 1937, namely :—

For Section B of Schedule V to the said Rules, the following Section shall be substituted namely :—

"Section B. Tariff of landing and housing charges at Government Aerodromes.

(See rule 82)

1. The charges for landing and housing of aircraft, other than airships, at Government aerodromes shall be as follows :—

Type of Aircraft Class	Total Weight	Landing Charges for single landing Rs.	Housing Charges (excluding landing charges)		
			Up to 24 hrs. Rs.	Monthly rate Rs.	Quarterly rate Rs.
A	Up to 2500 lbs.	1	2	40	80
B	2501—7500 lbs.	5	10	200	400
C	7501—15000 lbs.	10	25	500	1,000
D	15001—25000 lbs.	25	40	800	1,600
E	25001—50000 lbs.	50	60	1,200	2,400
F	50001—100000 lbs.	150	100	2,000	4,000
G	100001—200000 lbs.	300	200	4,000	8,000
H	Above 200000 lbs.	750	300	6,000	12,000

2. For purposes of assessing landing and/or housing charges, the total weight of an aircraft shall be the maximum permissible weight as specified under the regulations of the State in which the aircraft is registered.

3. The payment of the landing charge shall entitle aircraft to (i) the use of the aerodrome for alighting and departure, (ii) the use of radio and night lighting installations at the aerodrome, (iii) the supply of all available information as to routes and weather conditions, and, (iv) the services of the aerodrome personnel, if available, for manual assistance in guiding, housing or picketting the aircraft.

4. Any flight during the hours of daylight of which prior notice is given to the Aerodrome Officer and which is undertaken solely for the purpose of ascertaining the serviceability in the air of the aircraft and its equipment, shall be deemed to be a test flight and shall be exempt from the levy of a landing charge.

5. When an aerodrome is used during the hours of daylight for repeated landings, a daily charge equivalent to five times the charge for a single landing for the class of aircraft concerned shall be levied in respect of each aircraft.

6. 50 per cent. of the standard housing charges at daily, monthly or quarterly rates shall be charged for aircraft parked in the open. The daily parking charge will be levied for any period exceeding 12 hours, upto 24 hours and thereafter per completed periods of 24 hours.

7. The charges will be due for payment at the times stated below :—

(i) Landing charges At the time of using the aerodrome, or, in the case of approved regular user, on demand at the end of each calendar month in respect of charges accruing in the month

(ii) Charges for housing or parking at daily rates Ditto

(iii) Charges for housing or parking at monthly or quarterly rates. In advance, at the beginning of the month or quarter. If not so paid, charges will be recovered at daily rates.

8. When housing space which has been paid for in advance is not used, the space may be used for the housing of other aircraft and no refund shall be made to the lessee unless he is prevented by the housing of other aircraft from obtaining accommodation for his aircraft.

9. No housing charge shall be levied in respect of an aircraft housed in a Government hanger for the purpose of inspection by a Government Aircraft Inspector during the period certified as necessary for the inspection by the Aircraft Inspector, including such period not exceeding 3 days after the conclusion of the actual inspection as may be necessary for re-assembly consequent on the inspection."

DEPARTMENT OF POSTS AND AIR

NOTIFICATION

New Delhi, the 17th August 1946

No. 11-M(A)/1-46III.—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Aircraft Rules, 1937, namely :—

I. In the said Rules,—

(A) sub-rule (5) of rule 135 shall be renumbered as sub-rule (6), and before sub-rule (6), as so renumbered, the following sub-rule shall be inserted, namely :—

"(5) The Central Government may by general or special order appoint—

(i) an officer of the Civil Aviation Directorate to perform the duties of the Deputy Chairman and

(ii) a deputy to each Member to perform the duties of that Member,

at any meeting of the Board which the Deputy Chairman or that Member is unable to attend."

(b) after rule 135 the following rules shall be inserted, namely :—

135A. *Officers of the Board.*—(1) The Central Government may appoint a Secretary and so many and such other officers as shall be found necessary for the due discharge of all powers and authorities conferred on the Board.

(2) During the temporary absence of the Secretary, the Board may require any officer of the Board or of the Civil Aviation Directorate to act as Secretary for the time being and perform all such functions as are assigned to him.

135B. *Seat of the Board.*—The Board shall sit at New Delhi or at such other places as the Chairman may, with the approval of the Central Government, appoint.

135C. *Procedure of the Board.*—(1) The Board may meet for the dispatch of business, sit in public or in private, adjourn, direct generally or from time to time the manner in which any notice required to be issued under these rules shall be served, and otherwise regulate its proceedings and business as it may think fit.

(2) In particular and without prejudice to the generality of the powers conferred by sub-rule (1), the Board may—

(a) make standing orders for the regulation of its business and vary or revoke any such order

(b) delegate to the Chairman, Deputy Chairman, Member, Secretary, or other officer of the Board or any special examiner appointed by the Board any of its functions other than those under rules 136, 139, 141, 144, 145, 146, 148 and 151 and such of its functions as are in the opinion of the Board in the nature of preliminary investigation or action, including the taking down of evidence, inspection of documents and local inspection ;

(c) admit in evidence any report made by the person to whom powers are delegated as aforesaid and generally admit or reject in its discretion any evidence, oral or documentary, which may be tendered before it.

135D. *Quorum*.—The quorum for any meeting of the Board shall be three of whom one shall be the Chairman or the Deputy Chairman.

135E. *Decision by majority and casting vote*.—Questions arising at any meeting of the Board shall be decided by a majority of votes, and in case of an equality of votes the Chairman or if he be absent the Deputy Chairman shall have a second or casting vote.

135F. *Seal of the Board*.—(1) The Board shall have and use as required a seal and the seal shall be delivered to and kept in the custody of the Secretary.

(2) All licences and final orders of the Board shall be expressed to be made by the Air Transport Licensing Board, shall be sealed with the seal of the Board, signed by the Secretary and countersigned by the Chairman or the Deputy Chairman, and, when so sealed and signed, shall be conclusive evidence that the licence was duly granted or the order duly made.

(3) All notices, advertisements and other documents may be signed by the Secretary."

In sub-rule (2) of rule 136, after the words "cause to be inspected" insert "by the Chairman, the Deputy Chairman or any one or more members of the Board or any other person authorized by the Board in that behalf."

II. In Schedule VI to the said Rules :—

(a) after entry 18, the following entry shall be inserted in the first and second column and included within the third bracket in the third column, namely :—

"18A. *Air Transport Service*.—Contravention of the rule relating to licensing of an air transport service 134".

(b) in entry 22, for the words "in the foregoing items" the words "elsewhere in this Schedule" shall be substituted.

(c) after entry 22 the following entries shall be inserted and bracketed together in the third column :—

"23. Contravention of the rules relating to the custody, production and surrender of licences	152	} Fine not exceeding Rs. 1,000"
24. Contravention of the rules relating to submission of periodical returns and particulars of information.	155	

DEPARTMENT OF COMMUNICATIONS

NOTIFICATION

Dated New Delhi, the 18th September, 1946

No. 10-M(A)/26-46-I.—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendment shall be made in the Indian Aircraft Rules, 1937, namely :—

In the said Rules, for rule 33 the following rule shall be substituted, namely :—

"33. *Change in ownership*.—In the event of any change in the ownership of a registered aircraft, or if a registered aircraft ceases to be owned wholly either by persons or by a company or corporation fulfilling the conditions set out in rule 30, then—

(1) the registered owner of the aircraft shall forthwith notify the Director General of Civil Aviation in India of such change of ownership or, as the case may be, that the aircraft has ceased to be so owned as aforesaid ; and

(2) the registration and the certificate thereof shall lapse as from the date of such change of ownership, or the date on which the aircraft ceased to be so owned."

DEPARTMENT OF COMMUNICATIONS

NOTIFICATION

Dated New Delhi, the 18th September, 1946

No. 10-M(A)/26-46IV.—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendment shall be made in the Indian Aircraft Rules, 1937, namely :—

In the said Rules, rule 12A shall be omitted.

STATEMENTS ETC., LIAD ON THE TABLE DEPARTMENT OF COMMUNICATIONS

NOTIFICATION

New Delhi, the 23rd September, 1946

No. 10-M(A)/27-46.—In exercise of the powers conferred by section 5 and sub-section (2) of section 8 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendment shall be made in the Indian Aircraft Rules, 1937 namely :—

For rule 133A of the said Rules, the following rule shall be substituted, namely :—

"133A.—The Flying Control Regulations and Communications Procedure, as may from time to time be prescribed by Air Headquarters, India, or the Director General of Civil Aviation in India, and promulgated by the Said Director General in Notices to Airmen, shall, with effect from the 1st October 1946, apply to all civil aircraft being in or over British India, and shall have effect notwithstanding anything inconsistent therewith contained in the preceding parts of these rules".

DEPARTMENT OF COMMUNICATIONS

NOTIFICATION

New Delhi, the 26th September, 1946

No. 11-M(A)/17-46.—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Aircraft Rules, 1937, namely :—

In the said Rules,—

(1) In rule 135—

(a) For Sub-rule (2), the following sub-rule shall be substituted, namely :—

"(2) The Board shall consist of a Chairman and not less than two, and not more than four other Members all of whom shall be appointed by the Central Government. The Chairman shall be a person who is, or has been, a judge of a High Court in British India. One of the other members shall be appointed in consultation with the Crown Representative and the other member or members shall be persons with high judicial, legal or administrative experience."

(b) For sub-rule (4) and sub-rule (5) the following sub-rules shall be substituted respectively namely :—

"(4) During the temporary absence of the Chairman or other Member of the Board, the Central Government may, if it thinks fit, appoint a person to be a temporary Chairman or Member for the period of such absence."

"(5) During any temporary absence of the Chairman for which a temporary Chairman has not been appointed under sub-rule (4), the duties of his office shall be performed by such one of the other Members of the Board as may be nominated in this behalf by the Chairman"

(2) After rule 135A, the following rule shall be inserted namely :—

"135AA. Advisers to the Board. (1) The Central Government may appoint as Advisers to the Board—

(i) The Director General,

(ii) a person with special knowledge of aviation or air transport, and

(iii) a person with special experience of financial matters :

(2) The Board may call upon any Adviser appointed under sub-rule (1) to express his views on any matter before it, and when so called upon, the Adviser may take part in the proceedings of the Board, but shall not be entitled to vote."

(3) In clause (b) of sub rule (2) of rule 135C, the words "Deputy Chairman" shall be omitted.

(4) Rule 135D shall be omitted.

(5) In rule 135E, the words "or if he be absent the Deputy Chairman" shall be omitted.

(6) In sub-rule (2) of rule 135F the words "or the Deputy Chairman" shall be omitted.

(7) In sub-rule (2) of rule 136, the words "the Deputy Chairman" shall be omitted.

(8) After sub-rule (2) of rule 137, the following sub-rule shall be inserted, namely :—

"(3) All applications received by the Director General shall be examined and investigated by him and shall be forwarded by him with a report thereon to the Board at least ten days before the date fixed for the consideration of the application."

(9) Rule 139 shall be re-numbered as sub-rule (1) of that rule and in sub-rule (1) as so re-numbered the words "through the Director General" shall be omitted, and for the words "forwarded to the Director General" the words "attached to the representation" shall be substituted.

After sub-rule (1) the following sub-rule shall be inserted namely :—

“(2) The Director General shall have the right to make a representation against any application for licence but will not be required to pay any fees prescribed in rule 154.”

(10) After rule 148, the following rules shall be inserted namely :—

“148A. Review by the Board.—(1) The Board shall, subject to the provisions of Rule 148, have no power to review its order granting a licence.

(2) An order of the Board refusing a licence may be reviewed by the Board—

(i) if a license has not already been granted to operate a service on the route involved, or

(ii) if such a license has been granted but in the opinion of the Board the traffic potential on the route involved admits of the grant of a license to the applicant for review also.

(3) The Board may review any order of suspension or revocation made by it under rule 148.

(4) A review under sub-rule (2) or sub-rule (3) shall be made only—

(a) on the ground of some mistake or error apparent on the face of the record, or

(b) upon the discovery of any new and important matter or evidence which, notwithstanding the exercise of due diligence, was not within the knowledge of the applicant or could not be produced by him at the time when the order sought to be reviewed was made.

(5) Any other order or decision of the Board, not being an order granting, refusing, suspending or revoking a licence, may be reviewed by the Board if it thinks fit.

(6) A fee of Rs. 500/- shall be paid in respect of every application for review of an order refusing, suspending or revoking a licence. The Board however may, if it allows an application for review on the sole ground that there was an error or mistake apparent on the face of the record order a refund of a part of the fee to the applicant.

(7) An application for review of any order or decision required to be published under rule 149 shall not be entertained unless filed within 60 days of the publication of such order or decision in the Gazette of India : provided that such an application may be admitted after the said period if the applicant satisfied the Board he had sufficient cause for not making the application within that period.

(8) No order or decision of the Board shall be modified or reversed on review except by unanimous decision of the full Board.

148B. *Correction of accidental mistakes.*—The Board may, at any time, whether of its own motion or on application by any party, correct clerical or arithmetical mistakes in any of its orders or any errors arising therein from any accidental slip or omission.”

(11) In rule 155—

(a) In sub-rule (1) and in clauses (a) and (b) after the words “the Director General” the words “and the Board” shall be inserted and the words “by him” occurring after the word “prescribed” shall be omitted.

(b) In sub-rule (2) the words “by the Director General” shall be omitted.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE MR. C. H. BHABHA (for the Honourable Shri Rajendra Prasad) : Sir, on behalf of my colleague, I lay on the table the further information promised in reply to question No. 279 asked by the Honourable Raja Charanjit Singh on the 11th April, 1946.

DETERIORATION OF FOODGRAINS

Enquiry from the Government of Bengal indicates that the first and second allegations are not correct. It is not possible to say to what transaction the third allegation refers.

THE HONOURABLE SARDAR BALDEV SINGH (Defence Member) : Sir, I lay on the table the information promised in reply to question No. 307 asked by the Honourable Mr. Surput Singh on the 18th April, 1946.

COMPENSATION TO OWNERS OF REQUISITIONED HOUSES.

The main reason for limiting the amount of advances to 50 percent of Collector's assessment of compensation in the district of Calcutta, the 24-Parganas and Howrah as against 80 percent in the rest of Bengal was that claims in these three districts involved controversial matters affecting very large sums of money. It was therefore as a safeguard against over-payment by the Collector that the advance was limited to 50 percent in these areas. In practice, however the limit was relaxed to prevent hardship in deserving cases and the Collector advanced rent up to 80 per cent. of his assessment with the prior approval of Government. Moreover, in September last, when most of the complicated cases had been disposed of the limit was raised again to 80 per cent. and thus brought to the same level as the rest of Bengal.

THE HONOURABLE MR. A. V. PAI (Commonwealth Relations Secretary) : Sir, I lay on the table the Reports on the work of the Indian Delegation to the Preparatory Commission and the First Part of the First Session of the General Assembly of the United Nations, 1945-46.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE

THE HONOURABLE MR. A. V. PAI : (Commonwealth Relations Secretary) : Sir, I lay on the table information promised in reply to a supplementary to question No. 32 asked by the Honourable Raja Yuveraj Dutta Singh on the 19th February, 1946.

INVALIDATION OF JAPANESE CURRENCY

No compensation for losses resulting from repudiation of Japanese currency has been paid to Britishers in Burma.

THE HONOURABLE MR. A. V. PAI (Commonwealth Relations Secretary) : Sir, I lay on the table the information promised in reply to a supplementary question asked by the Honourable Pandit Hirday Nath Kunzru to question No. 60 on the 19th February, 1946.

WHEREABOUTS OF INDIANS SENT BY THE JAPANESE TO THE PACIFIC ISLANDS

The Representative of the Government of India in Malaya has ascertained from ALFSEA that they have no information regarding the number of Indian labourers sent by the Japanese for work in the various Pacific Islands and Siam.

THE HONOURABLE MR. A. V. PAI (Commonwealth Relations Secretary) : Sir, I lay on the table the information promised in reply to question No. 319 asked by the Honourable Pandit Hirday Nath Kunzru on the 18th April, 1946.

PROSECUTION OF INDIANS IN HONG KONG, ETC.

There are no Indians in French Indo-China, Siam, Java or Sumatra who are being prosecuted merely for having collaborated with the Japanese during the war.

STATEMENTS, ETC., LAID ON THE TABLE

THE HONOURABLE MR. D. D. WARREN (Transport and Railways Secretary) : Sir, I lay on the table under sub-section (3) of section 133 of the Motor Vehicles Act, 1939—

(i) a copy of the Motor Vehicles (Third Party Insurance) Rules, 1946, published with the Notification of the Government of India in the War Transport Department, No. 37-TP (8)/46, dated the 24th April, 1946, and

(ii) a copy of the Notification by the Chief Commissioner of Coorg, No. 254-R. F. 95/45, dated the 7th August, 1946, relating to certain amendments of the Coorg Motor Vehicle Rules, 1940.

WAR TRANSPORT DEPARTMENT

NOTIFICATION

New Delhi, the 24th April 1946

No. 37-TP(8)/46.—In exercise of the powers conferred by section 111 of the Motor Vehicles Act, 1939 (IV of 1939), read with section 22 of the General Clauses Act, 1897 (X of 1897), the Central Government is pleased to make the following rules, the same having been previously published as required by section 133 of the first mentioned Act, namely :—

Rules

PART I

1. *Short title.*—These rules may be called the Motor Vehicles (Third Party Insurance) Rules 1946;

2. *Commencement.*—These rules shall come into force on 1st July 1946.

*Not printed. Copies placed in the library of the House.

3. Definitions.—In these rules,

(i) "the Act" means the Motor Vehicles Act 1939.

(ii) "Insurer" means an authorised insurer as defined in Section 93(a) of the Act.

(iii) "Policy" means a policy of insurance in respect of third party risks, arising out of the use of motor vehicles, such as complies with the requirements of Chapter VIII of the Act, and includes unless the context requires otherwise a cover note.

4. *Certificates of insurance.*—An insurer shall issue to every holder of a policy other than a cover note issued by the insurer :—

(a) in the case of a policy relating to a specified vehicle or to specified vehicles a certificate of insurance in Form A set out in the schedule to these rules in respect of each such vehicle.

(b) in the case of a policy not relating to any specified vehicle or vehicles such number of certificates in Form A set out in the schedule to these rules as may be necessary to enable compliance with the requirements of Section 106 of the Act and of these rules as to the production of evidence that a motor vehicle is not being driven in contravention of Section 94 of the Act.

5. *Cover Notes.*—Every policy in the form of a cover note issued by an insurer shall be in or to the effect of Form B set out in the schedule to these rules.

6. *Issue of certificates and cover notes.*—(1) Every certificate of insurance or cover note issued by an insurer in compliance with these rules shall be duly authenticated by or on behalf of the insurer by whom it is issued.

(2) The certificate of insurance aforesaid shall be issued.

(a) in the case of policies which are in force on 1st July, 1946, on or before that date ;

(b) in any other case on or before the date on which the policy is issued or renewed.

This sub-rule shall not apply to certificates of insurance issued in pursuance of the provision^s of rule 8 of these rules.

7. *Exclusion of advertising matter.*—No certificate of insurance or cover note issued in pursuance of Chapter VIII of the Act and of these Rules shall contain any advertising matter either on the face or on the back thereof ;

Provided that the name and address of the insurer by whom a certificate is issued, or a reproduction of the seal of the insurer, or any monogram or similar device of the insurer or the name and address of an insurance agent or broker shall not be deemed to be advertising matter for the purposes of this Rule if it is printed or stamped at the foot or on the back of such certificate or cover note.

8. *Certificates or cover notes lost or destroyed.*—(1) Where the holder of a policy

(a) lodges with an insurer a declaration in which he declares that a certificate of insurance or cover note issued to him by such insurer has been lost or destroyed and sets out full particulars of the circumstances connected with the loss or destruction of the certificate or cover note and the efforts made to find it ;

(b) or returns to the insurer the certificate of insurance or cover note issued to him by such insurer in a defaced or mutilated condition ; and

(c) pays to the insurer a fee of Rs. 3 in respect of each such certificate or cover note ; the insurer shall, if reasonably satisfied that such certificate or cover note has been lost and that all reasonable efforts have been made to find it, or that it has been destroyed or is defaced or mutilated as the case may be, issue in lieu thereof another certificate of insurance or cover note which shall be plainly endorsed to the effect that it is a duplicate certificate or cover note as the case may be issued in place of the original.

(2) When a fresh certificate or cover note has been issued in accordance with the provisions of sub-rule (1) on representation that a certificate or cover note has been lost, and the original certificate or cover note is afterwards found by the holder, it shall be delivered to the insurer.

9. *Surrender of certificate or cover note.*—Every certificate of insurance or cover note surrendered to the insurer in pursuance of the provisions of section 104(1) of the Act shall be defaced or destroyed by the insurer forthwith after making a record of such defacement or destruction in the records maintained in pursuance of rule 11 of these rules.

10. *Cancellation or suspension of certificate or cover note.*—When a policy of insurance or cover note is cancelled or suspended by an insurer, the insurer shall forthwith inform the policy holder of such cancellation or suspension, by post to the latest address of the policy holder recorded in the records of the insurer.

11. *Records to be maintained by insurers.*—Every insurer shall keep a record of the following particulars in respect of every policy issued by him which is in force and of every other policy issued by him during the preceding five years :—

(i) Full name and address of the person to whom the policy is issued.

(ii) In the case of a policy relating to a specified motor vehicle or vehicles the registration mark and the number of each such vehicle and in other cases description of the vehicles covered.

(iii) The date on which the policy comes, or came into force and the date on which it expires or expired.

(iv) The conditions subject to which the persons or classes of persons specified in the policy will be indemnified.

(v) The number and date of issue of every certificate of insurance or cover note issued in connection with the policy.

(vi) The date, if any, on which any certificate of insurance or cover note issued in connection with the policy was surrendered or cancelled.

(vii) The date, if any, on which, and the reasons for which the policy was terminated or suspended by any means before its expiry by efflux of time.

12. *Exemption under Section 94(2) of the Act.*—(1) In the case of a motor vehicle owned by any of the authorities specified in sub-section (2) of section 94 of the Act, a certificate in Form C set out in the schedule to these rules signed by a person authorised in that behalf by such authority may be produced in evidence that the motor vehicle is not being driven in contravention of section 94 of the Act.

(2) Any certificate issued in accordance with sub-rule (1) of this Rule shall be destroyed by the person by whom it was issued before the motor vehicle to which it relates is sold or otherwise disposed of.

13. *Records of exempted vehicles.*—Every authority referred to in sub-section (2) of section 94 of the Act shall keep a record of the motor vehicles owned by it in respect of which a policy has not been obtained, and of any, certificates issued by it under these provisions in respect of such vehicles and of the names and addresses of the persons to whom such certificates have been issued by it, and of the withdrawal or destruction of any such certificates.

14. *Supply of information.*—Any person, authority or insurer required by these rules to keep records of documents shall furnish without charge to the Central Government or a Provincial Government or to any police officer authorised in this behalf by the Provincial Government on request, any particulars thereof.

15. *Fee for production of information.*—The fee to be paid in return for the production of information by a Registering Authority or the officer in charge of a police station under Section 109 of the Act shall be Re. 1.

PART II.—CO-OPERATIVE INSURANCE

16. *Definitions.*—In this part of these rules.

(i) "society" means a society of public service vehicle owners which has been permitted under the provisions of sub-section (1) of section 108 of the Act to transact the business of an insurer for the purposes of the Act as if it were an authorised insurer.

(ii) "Superintendent of Insurance" means the person for the time being performing the functions of the Superintendent of Insurance under the provisions of the Insurance Act, 1938.

(iii) "approved securities" means approved securities as defined in sub-section (3) of section 2 of the Insurance Act, 1938.

(iv) "holding authority" means in relation to a society the authority in whose custody the fund established under clause (a) of sub-section (1) of section 108 of the Act is to be lodged.

17. *Co-operative Insurance Fund.*—The fund required to be established in terms of clause (a) of sub-section (1) of section 108 of the Act shall be held in the form of a deposit made either in cash or in approved securities or partly in cash and partly in approved securities and the amount of approved securities so held shall be estimated at the market value of the securities on the day of the deposit.

Provided that where a deposit held under the Insurance Act, 1938, is transferred to the holding authority in pursuance of Rule 24 of these rules, the date of the deposit shall, in the case of approved securities so transferred, be deemed to be the date of such transfer.

18. *Deposits—procedure.*—(1) Deposits shall be sent by the society with a covering letter to the holding authority.

(2) Securities shall be duly transferred to the holding authority by the society.

(3) Upon receipt of a deposit under sub-rule (1) of this rule, the holding authority shall send,

(a) a certificate in Form D to the society ;

(b) a statement in form E to such officer as may be specified by the Provincial Government.

Provided that, if the holding authority is not satisfied as to the validity of the title of the society to the securities, he may return them to the society with the request that they shall first be renewed or that such other measures as may be necessary shall be taken to clear the title.

(4) The deposit made in cash shall be held by the holding authority to the credit of the society and shall except to the extend, if any, to which the cash has been invested in securities under sub-rule 6 of this rule be returnable to the society in cash in any case in which under the provisions of the Act or of these rules the fund is to be returned.

(5) The society may at any time replace any securities deposited by it under these rules with the holding authority either by cash or by other approved securities or partly by cash and partly by other approved securities, provided that such cash, or the value of such other approved securities estimated at the market rates prevailing at the time of replacement, or such cash together with such value as the case may be, is not less than the value of the securities replaced estimated at the market rates prevailing when they were deposited.

(6) The holding authority shall, if so requested by the society,

(a) sell any securities deposited by it with the holding authority under these rules and hold the cash realized by such sale as deposit, or

(b) invest in approved securities specified by the society the whole or any part of a deposit held by the holding authority in cash or the whole or any part of the cash received by him on the sale of, or on the maturing of securities deposited by the society, and hold the securities in which investment is so made as deposit and may charge the normal commission on such sale or on such investment.

(7) Where sub-rule (6) of this rule applies,

(a) if the cash realized by the sale of, or on the maturing of the securities (excluding in the former case the interest accrued) falls short of the market value of the securities at the date on which they were deposited with the holding authority, the society shall make good the deficiency by a further deposit either in cash or in approved securities estimated at the market value of the securities on the day on which they are deposited, or partly in cash and partly in approved securities so estimated, within a period of two months from the date on which the securities matured or were sold; and unless it does so the society shall be deemed to have failed to comply with the condition imposed under clause (a) of sub-section (1) of Section 108 of the Act; and

(b) if the cash realized by the sale of, or on the maturing of the securities (excluding in the former case the interest accrued) exceeds the market value of the securities at the date on which they were deposited with the holding authority, the Provincial Government may, if satisfied that the full amount required to be deposited under clause (a) of sub-section (1) of Section 108 of the Act is in deposit, direct the holding authority to return the excess.

19. *Interest on securities held as a deposit.*—(1) No interest shall be paid on cash deposits.

(2) Any interest accruing due and collected on securities deposited under clause (a) of sub-section (1) of Section 108 of the Act and these rules shall be paid to the society, subject only to deduction of the normal commission chargeable for the realization of interest.

(3) The holding authority shall remit interest or dividends on securities without delay to the society by a Government or bank draft after deduction of a commission of annas four on every sum of Rs. 100 or part thereof.

20. *Matured securities held as a deposit.*—(1) When a security in deposit matures or when any yield on such a security ceases to accrue, the holding authority shall not be bound to inform the society but upon receipt of a requisition from the society made in writing the holding authority shall, within six weeks of such a receipt, collect the discharge value and hold the amount in cash to the credit of the society or invest it in securities specified by the society.

(2) When the form or amount of a deposit is changed by reason of a subsequent deposit, or a substitution or a payment under sub-rule (5) of rule 18, or a sale or investment under sub-rule (6) of rule 18 of these rules, the holding authority shall, within two weeks from the entry of such change in the books of the holding authority, send a fresh certificate and a fresh statement of the nature and in the manner described in sub-rule (3) of rule 18 of these rules.

1. *Payments from deposits.*—(1) Withdrawals and payments from deposits and purchases of securities shall not be made save on the order of the Provincial Government made in writing, and save on the receipt by the holding authority of a requisition in writing and in accordance with the provisions of the Act and of these rules from the society, a liquidator acting in accordance with law, or a Court of competent jurisdiction as the case may be.

(2) The holding authority shall not be bound in pursuance of sub-rule (1) to return securities actually deposited, but may substitute therefor new scrip of securities of the same description and amount.

(3) The holding authority shall be entitled to charge, for the purchase or sale of securities any brokerage payable by the holding authority in respect of such purchase or sale.

22. *Inspection of deposits.*—Any officer authorised in this behalf by the Provincial Government shall be entitled, free of any fee, to inspect or to require from the holding authority any information relating to any security deposited with the holding authority in terms of clause (a) of sub-section (1) of section 108 of the Act and of these rules; and the holding authority shall if so required, furnish such officer with a copy of any entry in any register or book maintained by the holding authority relating to any deposit made with him in pursuance of the Act and of these rules.

23. *Information to the Reserve Bank.*—Where a society, to which permission is granted under sub-section (1) of section 108 of the Act to transact the business of an insurer for the purposes of the Act as if it were an authorised insurer, is registered under the Insurance Act, 1938 at the time of the grant of such permission, the Provincial Government shall intimate the grant of such permission, to the Reserve Bank of India, and shall also intimate to that Bank all the conditions imposed by the Provincial Government relating to the establishment of the fund referred to in clause (a) of sub-section (1) of section 108 of the Act in relation to such society.

24. *Transfer of deposit from Reserve Bank.*—(1) A society as aforesaid shall apply in writing to the Reserve Bank of India for the transfer of the deposit made under section 7 or section 98 of the Insurance Act, 1938, held by the Reserve Bank to the holding authority and such application shall be duly authenticated and accompanied by the order in original of the Provincial Government granting the society permission under sub-section (1) of section 108 of the Act and containing the conditions, if any, imposed by the Provincial Government under clause (a) of sub-section (1) of section 108 of the Act, and an attested copy of such application and its enclosures shall also be sent to the Superintendent of Insurance.

(2) If from the application so made the Reserve Bank is satisfied that the society has been granted permission by the Provincial Government under sub-section (1) of section 108 of the Act, the Reserve Bank shall transfer the deposit held by it under section 7 or section 98 of the Insurance Act 1938 on behalf of the society to the holding authority subject to such conditions, if any as may have been imposed by the Provincial Government.

25. *Information to the Superintendent of Insurance.*—A Provincial Government shall intimate to the Superintendent of Insurance every case of permission granted by it to a society to transact the business of an insurer for the purpose of the Act, and every case where such permission has been withdrawn or cancelled; and in every case where such permission has been granted, the Provincial Government shall also furnish to the Superintendent of Insurance a copy of the documents referred to in clauses (a), (b) and (f) of sub-section (2) of section 3 and the particulars referred to in section 26 of the Insurance Act 1938 in relation to such society so far as is applicable to such society.

Provided that in the case of societies which, at the time of grant of the permission by the Provincial Government have been registered under the Insurance Act 1938 it shall be sufficient compliance with the requirements of this rule if the Provincial Government furnishes to the Superintendent of Insurance the particulars referred to in section 26 of the Insurance Act 1938 in respect of every alteration taking place after the date on which permission is granted to the society by the Provincial Government.

26. *Failure of a Society to comply with the provisions of the Act.*—The Superintendent of Insurance shall intimate to the Provincial Government concerned every case in which, from a perusal of the returns furnished to him by a society, he is of the opinion that the society has failed to comply with the requirements of either sub-clause (i) or sub-clause (ii) of clause (f) of sub-section (1) of section 108 of the Act or both.

PART III.—FOREIGN INSURANCE

27. *Definitions.*—In this part of these rules—

(i) "Visitor" means a person bringing a motor vehicle into British India and making only a temporary stay therein not extending to a continuous period of more than one year.

(ii) "Foreign insurer" means a person or firm carrying on the business of insurance incorporated or domiciled outside British India and not registered under the Insurance Act, 1938.

(iii) "Guarantor" means an insurer who had guaranteed a foreign insurer in pursuance of these rules, and "guarantee", "guaranteed" and "guaranteeing" have corresponding meanings.

(iv) "Approved list" means the list of foreign insurers and their guarantors maintained by the Central Government under these rules.

(v) "Certificate of foreign insurance" means a certificate issued by a foreign insurer in Form 'G' in compliance with these rules.

28. *List of foreign insurers.*—(1) The Central Government shall publish in the official Gazette a list (hereinafter referred to as the approved list) of foreign insurers who have been guaranteed in accordance with these rules, together with the name of the guarantor or guarantors in each case and shall also publish any addition to or removal from the approved list.

(2) No foreign insurer's name shall be added to the approved list until such foreign insurer has been guaranteed by at least one insurer and the name of the foreign insurer who ceases to have at least one guarantor shall be removed from the list.

29. *Guarantor of foreign insurer.*—(1) An insurer who desires to guarantee a foreign insurer shall make application therefor to the Central Government in Form F set out in the Schedule to these rules.

(2) The Central Government may, if it is satisfied that the application referred to in sub-rule (1) is in order and that it is expedient that the foreign insurer be placed in the approved list, or, where the name of the foreign insurer is already included in the approved list, that the insurer should be added to the approved list as a guarantor of the foreign insurer, add the name of the foreign insurer to the approved list if it is not already included, and include the insurer as a guarantor of such foreign insurer.

(3) A guarantor desiring to cease guaranteeing a foreign insurer shall give notice of not less than two months to the Central Government in form I set out in the schedule to these rules, and where such notice has been given the guarantor shall be deemed to have ceased to guarantee the foreign insurer from the date specified in the notice:

Provided that the insurer shall be deemed, in respect of all certificates of foreign insurance endorsed or renewed in accordance with the provisions of rule 30 (2) of these rules before the date of such cessation, to continue as the guarantor of the foreign insurer who has issued the certificate as if the guarantor had not ceased to be his guarantor.

(4) If at any time a guarantor ceases to be an insurer, the Central Government may after giving such notice as may appear to it to be necessary, remove from the approved list the name of such guarantor wherever it appears:

Provided that the guarantor who ceases to be an insurer shall be deemed, in respect of all certificates of foreign insurance endorsed in pursuance of the provisions of rule 30 (2) of these rules before the date of removal of the name of the guarantor from the approved list, to continue as the guarantor of the foreign insurer as if the guarantor had not ceased to be an insurer and as if his name had not been removed from the list.

30. *Endorsement of certificate of foreign insurance.*—(1) A visitor wishing to have a certificate of foreign insurance endorsed or re-endorsed shall produce such certificate in Form G set out in the schedule to these rules before the Customs Collector at a port of entry or land customs post or to such other officer as the Central Government may by notification in the official gazette appoint, for the purpose of endorsement in accordance with the provisions of these rules or for the purpose of the renewal of any endorsement already made on the certificate in accordance with these rules.

(2) Such officer shall, if satisfied that the certificate of foreign insurance complies with the requirements of those rules, that the period of validity of such certificate in British India has not expired, that the certificate has been issued by a foreign insurer in the approved list and that the guarantor specified in the certificate is shown in the approved list as a guarantor of the foreign insurer, make an endorsement thereon in Form H set out in the schedule to these rules.

(3) The period of validity of an endorsement or of the renewal of an endorsement made as aforesaid shall not in any case extend beyond the date on which the certificate of foreign insurance ceases to be effective in British India; provided that, when a visitor obtains a fresh certificate of foreign insurance during the period of his stay in India, the period of validity of an endorsement made upon it added to the period of validity of an endorsement or endorsements that may have been made upon the original certificate, shall not exceed one year in all.

31. *Validity of certificate of foreign insurance.*—A certificate of foreign insurance carrying an endorsement in accordance with the provisions of rule 30 shall have effect as if it were a certificate of insurance issued by the guarantor specified in it and shall be deemed to comply with the requirements of Chapter VIII of the Act; and the policy to which it relates shall also be deemed to have been issued by such guarantor and to comply with the requirements of Chapter VIII of the Act.

32. *Maintenance of records by the guarantor.*—Every guarantor shall, in respect of certificate, of foreign insurance issued under his guarantee by the foreign insurer whom he has guaranteed and every person who has ceased to be a guarantor shall, in respect of the certificates of foreign insurance issued under his guarantee by the foreign insurers whom he had guaranteed at any time in the preceding five years, keep a record of such particulars relating to the policies in connection with which the certificates of foreign insurance were issued as are required to be kept by insurers under the provisions of rule 11 of these rules in respect of policies, and the necessary additions to these records required to make them up to date shall be made as soon as is reasonably possible in the circumstances.

THE SCHEDULE

FORM A

MOTOR VEHICLES ACT, 1939

Certificate of Insurance

(See rule 4)

- Certificate No. _____, Policy No. _____ (Optional).
1. Registration mark and number, or description, of the vehicles insured.
 2. Name and address of insured.
 3. Effective date of commencement of insurance for the purposes of the Act.
 4. Date of expiry of insurance.
 5. Persons or classes of persons entitled to drive.
 6. Limitations as to use.

I/We hereby certify that the policy to which this certificate relates as well as this certificate of insurance are issued in accordance with the provisions of Chapter VIII of the Motor Vehicles Act, 1939.

(authorised insurer).

FORM B

MOTOR VEHICLES ACT, 1939

Cover Note

(See rule 5)

1. Registration mark and number, or description of the Vehicles insured.
2. Name and address of insured.
3. Effective date of commencement of insurance for the purposes of the Act.
4. Date of expiry of insurance.
5. Persons or classes of persons entitled to drive.
6. Limitations as to use.

I/We hereby certify that this cover note is issued in accordance with the provisions of Chapter VIII of the Motor Vehicles Act, 1939.

(authorised insure).

FORM C

MOTOR VEHICLES ACT, 1939

(See rule 12)

Certified that the motor vehicle of the following description—

- (a) Registration number
- (b) Make
- (c) Class, i.e., Motor Cycle, Motor Car, Motor Bus, Goods Vehicle, or other class (describe)
- (d) Colour of body

Is the property of:—

- (i) the Government of _____
- (ii) the _____ local authority which has been notified for the purposes of section 94 of the Motor Vehicles Act by the Government of _____

This certificate is valid up to _____ unless cancelled in the mean-while.

Date.

Signed on behalf of
Designation

FORM D

(See rule 18)

No. _____

Certified that the _____ has made the undernoted deposits under clause (a) of sub-section (1) of Section 108 of the Motor Vehicles Act, 1939, and the Motor vehicles (Third Party Insurance) Rules, 1946.

(holding authority).

Approved Securities					
—	Cash	Loan	Face Value	Market Value	Remarks.
1	2	3	4	5	6
Total					

Grand total of columns 2 and 5 Rs. _____

FORM E

(See rule 18)

No. _____

Statement showing the particulars of deposits held on behalf of the _____ under clause (a) of subsection (1) of Section 108 of the Motor Vehicles Act, 1939.

Loan	Existing deposits (excluding deposits withdrawn)		New deposits received on		Total	
	Face Value	Book Value	Face Value	Book Value	Face Value	Book Value
Total						
Cash						
Grand Total						

Certified that the above agrees with the entries in the books maintained by _____

To

(the holding authority).
(holding authority).

FORM F

MOTOR VEHICLES ACT, 1939

(See rule 29)

Application for the approval of a foreign insurer

I/We hereby apply for the inclusion of
..... of
(name of foreign insurer)

Constituted/Incorporated/domiciled at

..... in the approved list maintained by the Central Government in pursuance of the Motor Vehicles (Third Party Insurance) Rules 1946, and for the inclusion of my/our name as the guarantor of the said (name of foreign insurer) for the purposes of Chapter VIII of the Motor Vehicles Act, 1939, and the said Rules. I/We hereby certify that I/We have entered into an arrangement for the purposes of the said Act and the said rules with the said foreign insurer and I/We hereby agree to act as guarantor in British India in respect of the said foreign insurer for the purposes of the said Act and the said Rules.

(signature of authorised insurer).

Dated, the 19 address.

FORM G

MOTOR VEHICLES ACT, 1939

(See rule 30)

Certificate of foreign Insurance

Certificate No., Policy No. (Optional).

1. Name and address of approved foreign insurer.
2. Name and address of guarantor.
3. Registration mark and number of the motor vehicle.
4. Name and address of visitor.
5. Date of commencement of the policy.
6. Date of expiry of the policy.
7. Persons or classes of persons entitled to drive in British India.
8. Any limitations as to use in British India.
9. Particulars of any other vehicle(s) which the foreign visitor is entitled to drive in British India and of any limitations in this connection.

I/We hereby certify that this certificate of foreign insurance has been issued in accordance with the provisions of Chapter VIII of the Motor Vehicles Act, 1939, and the Motor Vehicles (Third Party Insurance) Rules 1946.

(approved foreign insurer).

FORM H

MOTOR VEHICLES ACT, 1939

(See rule 30)

Endorsement on certificate of foreign Insurance

Certified that I have today examined this certificate of foreign insurance and that I am satisfied that this certificate complies with the requirements of Chapter VIII of the Motor Vehicles Act, 1939, and of the Motor Vehicles (Third Party Insurance) Rules 1946.

The period of validity of this endorsement will expire on unless cancelled in the meanwhile.

Date

(Signature and designation of competent authority).

The period of validity of this endorsement is hereby renewed.

Up to

Up to

Up to

Unless cancelled in the meanwhile.

(Signature and designation of competent authority).

FORM I

MOTOR VEHICLES ACT, 1939

(See rule 29)

This is to give notice that I/we desire to cease acting as guarantors in British India of
..... (name of foreign insurer). (address of foreign insurer) after or from the expiry of two months from the date on which this notice is delivered to the Central Government, whichever is later, for the purposes of Chapter VIII of the Motor Vehicles Act, 1939, and the Motor Vehicles (Third Party Insurance) Rules 1946.

(authorised insurer).

Dated the the day of 19

THE CHIEF COMMISSIONER OF COORG

NOTIFICATION

Dated Mercara, the 7th August, 1946

No. 254/R. F. 95-45.—In exercise of the powers conferred by sections 68 and 70 of the Motor Vehicles Act, 1939 (Act IV of 1939), the Chief Commissioner is hereby pleased to make the following amendments to the Coorg Motor Vehicles Rules 1940, issued with his notification No. R. F./43/121-39, dated the 26th March, 1940, as subsequently amended :—

Amendment

1. In rule 82 of the said Rules the following new clause (g) shall be added :—
“(g) The provisions of this rule shall not apply to motor vehicles registered under section 39 of the Act”.
2. The existing entry in rule 146 of the said Rule, “rule 91” shall be numbered as (a) and the following new entry shall be inserted :—
“(b) The District Superintendent of Police may by order in writing and subject to any conditions authorise the driving at night without lights of motor vehicles registered under section 39 of the Act during the hours and on the route or routes, or in the area, within his jurisdiction specified in the order”.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE

THE HONOURABLE MR. D. D. WARREN (Transport and Railways Secretary):
Sir, I lay on the table the information promised in reply to question No. 234 asked by the Honourable Mr. Abdool Razak Hajee Abdool Suttar on the 24th March, 1946.

NUMBER OF MUSLIMS EMPLOYED IN THE HIGHER DIVISION AND IN OFFICERS' RANK OF THE PORT COMMISSIONERS' SERVICE AT CHITTAGONG, ETC.

A statement giving the information for the Port of Bombay is laid on the table.

Statement showing the number of Muslims in the service of the Bombay Port Trust

Appointments carrying a maximum salary of less than Rs. 500 but not less than Rs. 100 p.m.	Appointment carrying a maximum salary of Rs. 500 and above p.m.
Bombay	113
	5

THE HONOURABLE THE PRESIDENT: We will now proceed with the further business on the list but before doing so I have been asked by two Honourable Members—the Leader of the House and Dr. Rajendra Prasad—to tender their apologies to you for their absence today which has been inevitable on account of special work.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONOURABLE THE PRESIDENT: Honourable Members, I have a message to deliver to you from His Excellency the Viceroy:—

“In pursuance of the provisions of sub-section (2) of section 63-A of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, I, Archibald Percival, Viscount Wavell, hereby nominate the following Members of the Council of State to be on the Panel of Chairmen of the said Council of State:

In the first place, the Honourable Sir David Devadoss; in the second place, the Honourable Mr. Manockji Nadirshaw Dalal; in the third place, the Honourable Mr. V. V. Kalikar, and lastly, the Honourable Saiyed Mohamed Padshah Sahib Bahadur.

NEW DELHI;

The 30th October, 1946.

WAVELL,

Viceroy and Governor General.”

COMMITTEE ON PETITIONS

THE HONOURABLE THE PRESIDENT: Honourable Members, under Standing Order 76 of the Council of State Standing Orders, I am required at the commencement of each session to constitute a Committee on Petitions consisting of the Chairman and four members. The following members have at my request kindly consented to preside over and serve on the Committee. I accordingly have much pleasure in nominating as Chairman of the Committee the Honourable Raja Charanjit Singh and as members, the Honourable Pandit Hirday Nath Kunzru, the Honourable Sir Ramunni Menon, the Honourable Haji Syed Muhammad Husain, and the Honourable Mr. Chidambaram Chettiyar.

GOVERNOR GENERAL'S ASSENT TO BILLS

SECRETARY OF THE COUNCIL: Sir, information has been received that His Excellency the Governor General has been pleased to grant his assent to the following Bills which were passed by the two Chambers of the Indian Legislature during the Budget Session, 1946, namely:—

- (1) The Workmen's Compensation (Amendment) Act, 1946.
- (2) The Indian Mines (Amendment) Act, 1946.
- (3) The Code of Criminal Procedure (Amendment) Act, 1946.
- (4) The Code of Criminal Procedure (Second Amendment) Act, 1946.
- (5) The Professions Tax Limitation (Amendment) Act, 1946.
- (6) The Insurance (Amendment) Act, 1946.
- (7) The Indian Finance Act, 1946.
- (8) The Indian Income-tax (Amendment) Act, 1946.
- (9) The Indian Oilseeds Committee Act, 1946.
- (10) The Factories (Amendment) Act, 1946.
- (11) The Provident Funds (Amendment) Act, 1946.
- (12) The Trade Marks (Amendment) Act, 1946.
- (13) The Indian Companies (Amendment) Act, 1946.
- (14) The Railway Companies (Substitution of Parties in Civil Proceedings) Act, 1946.
- (15) The Indian Coconut Committee (Amendment) Act, 1946.
- (16) The Protective Duties Continuation Act, 1946.

(68)

- (1) EXPRESSION OF REGRET ON DEATH OF SIR A.P. PATRO AND HAJEE ABDUL RAZA 69
- (2) CONGRATULATIONS TO RECIPIENTS OF HONOURS

- (17) The Protective Duties Act, 1946.
- (18) The Indian Soldiers (Litigation) Amendment Act, 1946.
- (19) The Hindu Married Women's Right to Separate Residence and Maintenance Act, 1946.
- (20) The Industrial Employment (Standing Orders) Act, 1946.
- (21) The Merchant Seamen (Litigation) Act, 1946.
- (22) The Mica Mines Labour Welfare Fund Act, 1946.

- (1) EXPRESSION OF REGRET ON THE DEATH OF SIR A. P. PATRO AND HAJEE ABDUL RAZAK ABDOL SUTTAR. (2) CONGRATULATIONS TO RECIPIENTS OF HONOURS.

THE HONOURABLE THE PRESIDENT: Honourable Members, it is my melancholy task to convey to you the sad news of the death of two of our sitting members. The first of them is the late Sir A. P. Patro. The late Sir A. P. Patro was a member of this Council for the last ten years and was one of the leading members of this House. He came to this House ten years ago after a most distinguished career in Madras where he had served in many important capacities and had earned a great reputation and respect not only from his colleagues but from the citizens of Madras. He was for many years connected with the Local Self-Government Institute as Chairman of that body, extending over twenty years, and, later on, after doing good work in that capacity, he joined the Legislative Assembly and the Government as one of the Ministers. As a Minister he did a great deal of work. Especially in the field of education his talents and his great capacity for work came into play. He revised the Primary Education Act and reorganised the Madras University. That was a great piece of work to his credit. Subsequently he was sent as a delegate to the Round Table Conference and also to the League of Nations where he discharged his duties admirably and very efficiently, and his work was very much admired in India. After doing all that work, he came to this Council as a member in 1937. Honourable Members are fully aware of his work as a member of this House and I need not therefore dilate upon it. He was a most capable politician. His utterances were not vague or indefinite; they were of a most definite character. He earned the admiration and respect of his colleagues. Sometimes members, as you will remember, had differences of opinion on many questions. But whenever he argued, he argued with a clear and definite object, that is, in order to convince his hearers of the proposition for which he was arguing, in order to convince them that the proposition which he was supporting was of considerable importance. I personally enjoyed his friendship, and I had great respect and admiration for the man. We will all miss him from this House on many important occasions, and I am sure you will all agree with me when I say that. With your permission, I will convey the regret and sorrow of this House to his bereaved family.

The other gentleman who was in this House for ten years was the late Hajee Abdool Suttar. He was a very dignified man. He spoke very rarely in this House, but he was the power behind the Muslim League. I do not see my Honourable friend Mr. Hossain Imam here, but if he was here, he would have very probably joined me in extolling his work. He was liked by all the members of this House with whom he was very friendly, and he gave a great deal of assistance to his party in this House.

Honourable Members, after this melancholy duty, it is my privilege to offer on behalf of the members of this House and my humble self our congratulations to those Honourable Members who had the good fortune this year to get decorations from His Majesty the King in the Birthday Honours.

THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal: Non-Muhamadan): What about those who have given up decorations?

THE HONOURABLE THE PRESIDENT: I am not concerned with them; they are not in the list of present decorations.

THE HONOURABLE MR. GAZANFAR ALI KHAN (Health Member): Congratulate them both.

THE HONOURABLE THE PRESIDENT: The foremost name that will appeal to you is that of Field-Marshal Sir Claude Auchinleck, our present Commander-in-Chief. I wish to be very brief in my reference to his present decoration, because only 18 months ago I spoke at considerable length when he got his G. C. B. from His Majesty. On that occasion I said that other higher honours were awaiting him, and my prophecy has come true within a short space of time. His qualities as a soldier and his work not only as a soldier but as a statesman are known to you all. He is a great soldier who distinguished himself not only in the Middle East but also in Asia, and the great honour which he has now received from His Majesty the King, which is the highest military honour, is well deserved. He has been very good to India. He is loved by all Indian soldiers, and they hold him in considerable respect. I have in my time had to deal with eight or nine Commander-in-Chief in India, and I may tell you that the present Commander-in-Chief's name is associated with two other great military men who have done similar good work and who won the affection and regard not only of Indian soldiers but of the citizens of India. Those names are Field Marshal Birdwood, and Field Marshal Viscount Wavell, our present popular Viceroy. You will also remember that His Excellency Viscount Wavell was in our House for nearly two years as Commander-in-Chief in India and you know his work in this House. He is not only a gifted soldier, but a gifted statesman, and I shall have to refer on some other occasion to the great work which he has done in this country in the last few months. At present I only say that Sir Claude Auchinleck has deservedly received the great honour which His Majesty has bestowed on him, and we are all happy to see him as Field Marshal. I also congratulate the Honourable Sardar Baldev Singh, our present Defence Member, on having at his elbow at this very difficult time a soldier of such great ability to help him.

Two K.C.S.I.'s were awarded to two Ex-Members of the Governor General's Council, the Honourable Sir Jawala Prasad Srivastava and the Honourable Sardar Sir Jogendra Singh.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras: Non-Muhammadan): Sir Jawala Prasad Srivastava is not a member of this House now.

THE HONOURABLE THE PRESIDENT: If you want to say anything, you must rise and address me properly.

THE HONOURABLE MR. M. THIRUMALA ROW: Because you were on your feet I did not stand.

THE HONOURABLE THE PRESIDENT: Kindly don't disturb me. As an old member you ought to know by this time that you should not disturb me while I am addressing the House.

THE HONOURABLE MR. M. THIRUMALA ROW: You have always said I am a new member.

THE HONOURABLE THE PRESIDENT: Sir Jawala Prasad Srivastava has obtained a K.C.S.I. I have nothing to say about his other activities but as Food Member in this Council he worked very hard. He visited the famine-stricken places and did everything in his power to alleviate the misery and hardship which was then prevailing in India and which unfortunately still prevails. I am sure that Dr. Rajendra Prasad, who is now in charge of the portfolio, will be able to combat this food question in a most efficient and successful manner.

Sardar Sir Jogendra Singh was a very quiet, modest and unassuming member. He was also a very able and energetic man. I worked with him in the first Council of State nearly 24 years ago. I worked with him for a short time in the old Legislative Assembly prior to the coming into existence of the Council of State. His deep studies of all important questions attracted the attention of the first President of the Council of State, Sir Alexander Muddiman, the late Governor of the United Provinces. He spoke about his great ability in the open Council in the first Council of State. He has served in various capacities. As a talukdar his knowledge of revenue questions was very great. He was very clear in his mind and he expounded on agricultural questions and referred to them with clarity and success in this House.

(1) **EXPRESSION OF REGRET ON THE DEATH OF SIR A. P. PATRO AND HAJEE ABDOL RAZAK ABDOL SUTTAR** (2) **CONGRATULATIONS TO RECEIPTS OF HONOURS**

Next I come to Sir Arthur Griffin, who has obtained a K.C.I.E., and who has just retired from the Chief Commissionership of Railways. He had worked in the Railway Board for a number of years. From a small appointment he became Secretary and from the Secretary's post he rose to that of Chief Commissioner of Railways. He did excellent work in this House. He propounded two Railway Budgets here and dealt with them very ably and efficiently. His logic was simply unassailable and he was much admired and respected in this House.

The other two men who have got a K.C.I.E. are Mr. H. C. Prier and Mr. N. R. Pillai. They both were good Secretaries and able men. They were in this House and they have been fortunate enough to receive the high distinction of K.C.I.E. I congratulate them. They are not now in this House for me to speak at any length but many of you are aware of their work and I hope that their successful career will not end with their acquisition of this title but will progress further, and that they will receive elsewhere more honours in the near future.

Sir Richard Tottenham, who also obtains a K.C.I.E., was the Home Secretary. He also did good work. He was in this House some years ago. I only refer to his work in this House. He was in the Assembly also as a prominent Government member. He was a competent man and did a lot of useful service.

Next I come to the C.S.I.'s. I have much pleasure in referring to my friend Mr. Yeatts, the Supply Secretary. He has been in this House for some time and he has done excellent work. When Sir Arthur Waugh was a Member of the Executive Council and also when he went to America and other places, Mr. Yeatts performed the duties which fell on him, which were of a very heavy character at that time in the midst of the war. We all know of the success which he achieved and after Sir Homi Mody, a very eminent Member of the Supply Department, had left this Council, he did excellent work in the capacity of Secretary. He is one of the most distinguished and brilliant Secretaries of the Government of India, and I wish him all success in the future. Mr. Narhari Rao has done much useful and praiseworthy work in the Finance Department.

THE HONOURABLE MR. M. W. M. YEATTS (Industries and Supplies Secretary): Thank you, Sir.

THE HONOURABLE THE PRESIDENT: I have omitted one important name, that of Mr. Greenfield, Member, Central Board of Revenue. He was a Member of this Council for some time and he did very good work. He is not in the Council now. He did excellent work as a Member of the Central Board of Revenue and he has been deservedly rewarded with a C.S.I.

Mr. A. V. Pai has received a C.I.E. which he richly deserves. He is a quiet honest and unostentatious man, and very hardworking. From the information which he placed today before the House on important questions you must have known how careful he is in his placing facts before the Council. I have nothing further to add. We shall now proceed with the Resolutions fixed for today.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Province Northern: Non-Muhammadan): Sir, before the business of the day begins, may I with your permission, associate myself with your expression of sorrow at the death of Sir A. P. Patro and Hajee Abdool Razak Abdool Suttar? Both these Members were well-known to us and valued for their qualities. It must be a matter of sorrow to every Member of this House that they are no longer with us. I trust that when you convey your expression of sorrow to their families you will be good enough to associate us with you.

THE HONOURABLE THE PRESIDENT: Of course I shall.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-official: Coming from Madras, I offer my sincere condolences to the family of the bereaved Sir A. P. Patro came to Madras as a member of the Legislative Council. That was the first time that I came to know of him. From that time onwards he worked very hard and he made such an impression upon his colleagues as well as upon His Excellency the Governor that he was offered a seat in what was known as the Cabinet which was

[SIR DAVID DEVADOSS:]

mainly composed of Non-Brahmins, which was known as the Justice Party. There he distinguished himself. You have already referred to the Madras University Act. In other ways also he did much good work. He was almost the first who tried prohibition in some parts of Madras. His other activities are well known to all of us and I do not want to take up the time of the House by referring to them. He was an excellent friend of a very amiable disposition. He was a very warm supporter of the right cause and it is a great pity that we should lose his services at this time when things are moving in a way that we would all like to support.

As regards the other Muhammadan gentleman, as you have referred to him I do not want to say much. He was a very quiet gentleman who always commanded the respect of his colleagues. Sir, will you please convey to the members of these two families our condolences?

THE HONOURABLE SIR K. RAMUNNI MENON (Nominated Non-official): May I, as another member coming from the South, associate myself with all the sentiments that you and other speakers have expressed in regard to Sir A. P. Patro. He was a very remarkable man. His work in the Council was certainly of a very high order. Through his speeches which were characterised by boldness, candour and a certain measure of unconventionality, he made very valuable contributions to a fuller understanding of the many subjects which came up for debate in this Council. His forceful personality has left a very vivid impression on our minds and I am sure his memory will be lovingly cherished by all of us.

*THE HONOURABLE SYED MOHAMED PADSHAH SAHIB BAHADUR (Madras-Muhammadan): Sir, I also join in the tribute which has been paid to our late colleagues Sir A. P. Patro and Abdool Razak Abdool Suttar Sait. Coming from Madras I can very confidently endorse what you have said about our late friend Sir A. P. Patro, that when he came to this House he came with a distinguished record of service rendered to our province. I do not want to say much about him, because most of the Honourable Members here are aware of the great services that were rendered by him in various capacities, as a lawyer, as a non-official politician and as a Minister in Madras. All that I would say is that he took an unceasing interest in politics and until the last moments of his life he took a keen interest in the public life of the country. Despite his age and declining health, he made his presence felt in this House, especially when important questions came up for discussion. One thing that characterised Sir A. P. Patro's utterances was his boldness and frankness of expression. The result was that even those who differed from him sharply could not help appreciating the sincerity of his conviction and the honesty of his purpose. We will really miss him very much on all important occasions when different views need to be put before this Honourable House.

As regards the other friend, the Honourable Mr. Abdool Razak Sait, he was one of the most popular members of this House. You put it, Sir, perfectly correctly when you characterised him as one of the most dignified members of this House. He was such a good natured gentleman that he was sympathetic to, and supported, any public cause. His genial disposition, his simplicity of manners and above all his transparent sincerity won for him the abiding regard and affection of all those who knew him. He will be missed very much for a long time to come. I request you to convey our condolences to the members of the bereaved families of both of our friends.

THE HONOURABLE MR. G. S. MOTILAL (Bombay: Non-Muhammadan): Sir, I rise to pay my tribute to the memory of two of our departed colleagues, Sir A. P. Patro and Mr. Abdool Razak Hajee Abdool Suttar. We were not prepared when we met them in the House some time back for mourning their death. Sir A. P. Patro had a long record of public life. There were many occasions on which we were engaged in debate on the one side or the other and with all that he preserved a certain amount of amity and he was a friend. Our differences were only in the House, but outside the House he was as friendly as any other person. The other gentleman, Mr. Abdool Razak Abdool Suttar, I met before we came into this House. We came to know each other in business. He was a man of amiable nature and he was a man gifted with a sound common sense and that common sense he used whenever he was

*Not corrected by the Honourable Member.

present in this House. He was a silent member, true, but his silence was also valuable. Sir, with these words I pay my tribute to their memory.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras: Non-Muhammadan): Because I come from the same part of the country from which Air A. P. Patro came and having known him for a long number of years, I wish to associate myself entirely with the kind remarks that have fallen from you. Sir A. P. Patro is a remarkable personality that had owed allegiance through life to several political ideologies. He had his schooling earlier in life in the Congress. He was a first class nationalist who led a deputation to England in the year 1916 along with other leading Congressmen. Afterwards he linked his political fortune to another party, called the Justice Party, in which he rose very high and distinguished himself as leader of men; and as it is said, a man is as old as he feels and Patro never felt old from what I know of him. In his 80th year he wanted to contest the Madras Landholders constituency and sit again in the same old Assembly. This was his jest in life and he always encouraged younger men like myself with kind words and good advice. The one thing which inspired him earlier in life, the ideology of the Congress, has held greater hold on me, that is the only difference between us.

With regard to my friend Mr. Abdus Sattar Sait, he was a very picturesque personality whose lace turban is very much missed here. He looked like the Shaikh of the Arabian Desert with all the grandeur of his cultured moustache. He was a fine personality with whom it was a pleasure to work. He was never cantankerous or in any way assertive. He was always for give and take in the political field and as men of such calibre are mostly in need in the present circumstances we miss him in this house.

I wish to make one submission to the President, about the association of this House with regard to the titles in the changed circumstances of the principal political parties, who attach equal value to titles, who have come into power; I hope this will be the last occasion in this House.

THE HONOURABLE THE PRESIDENT: That will be a matter for my successor to decide. I have no wish to depart from the practice which has been established in this House for many years.

THE HONOURABLE MR. GHAZANFAR ALI KHAN (Health Member): Sir, on behalf of my colleagues and myself I wish to associate myself with the sentiments which have been expressed by you and other members of this Honourable House regarding the death of these two most prominent citizens and popular members of this Honourable House and I request you, Sir, kindly to convey to the bereaved families the sense of grief which we all feel.

THE HONOURABLE THE PRESIDENT: I will convey your sympathy to the bereaved families.

RESOLUTION *RE* PROMOTION OF LEGISLATION TO BRING THE TEXTILE INDUSTRY UNDER FEDERAL CONTROL

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR (Madras: Non-Muhammadan): The Resolution I beg to move for the consideration of this House is in the following terms:—

“This Council recommends to the Governor General in Council—

(a) that the continuance in a state of up-to-date efficiency of Indian cotton mills (both spinning and weaving), and their expansion as well as the establishment in properly sited localities in provinces and States, of new mills, in accordance with a national plan are imperatively necessary for preserving and promoting the progress of the handloom industry for meeting adequately the growing internal demands for yarn and cloth, for building up a promising export trade in manufactured cotton goods, and above all for raising the standard of living of the common man both in the cities and the countryside;

(b) that the threat to the Indian mill industry which one Provincial ministry had sounded already, and which, there is reason to fear, might be sounded by other Provincial ministries also, deserves to be effectively countered; and

(c) that, therefore, federal legislation be undertaken without delay to declare that the development of the cotton mill industry under federal control is expedient in the public interest and to provide for this development in the interest of India as a whole and on nationally planned lines

[Sir N. Gopalasawmi Ayyangar.]

Sir, the cloth situation in the country gives cause for grave anxiety. The shortage is felt not only in urban areas but in the remotest corners of the countryside. I do not, Sir, in dealing with a Resolution of this comprehensive nature, propose to give details of the cloth position in the country. There is only one remark which I would allow myself to make at this early stage and that is that if this acute scarcity in the supply and distribution of cloth is to be adequately met, the only proper solution is to step up the production of cloth.

Now, Sir, this Resolution confines itself to the cotton mill industry. That industry has a long history. If I remember aright, the first Indian cotton mill was started somewhere about the 50's of the last century, so that the industry has been with us for the best part of a century. It is as a single industry the biggest in the country. It has passed through many vicissitudes. It has had ups and downs. It has been in very straitened circumstances on some occasions; on other occasions it has pulled itself up and tried to carry on. It had in the earlier years of its existence to contend against foreign competition and it could not depend on help which an industry of that sort could look forward to from the Government of this country when it had to contend against that foreign competition in those days. Well, some measure of tariff protection in favour of the industry started as early as the year 1894 and in some form or other it has continued since. The last instalment of it is still in force and is, I understand, to expire on the 31st of March, 1947. Perhaps a new Tariff Board may have to be set up to consider what should be done as regards this industry after that date.

Now, in all these years, in spite of these great difficulties, the industry has made progress. It would be interesting, Sir, to know that, as a result of this progress and as a result of the conditions brought about by the war which ended last year, the industry looks as if it has come into its own, though it has still many difficulties to face and surmount. One or two figures will help us to understand this position. At the end of World War I in the year 1919-20 the net available mill production for consumption in this country was about 144 crores of yards or 1,440 millions of yards. The *per capita* consumption in that year was 9.34 yards. For the year 1944-45—about the end of World War II—the total mill production available for consumption in this country was 4,350 million yards and the *per capita* consumption was calculated at 15.1 yards, taking into account also the production of handloom cloth in the country. Well, that is a big step forward. In 1945 there were 417 cotton mills with 10,238,000 spindles and 2,02,000 looms using something like 4,09,900 bales of cotton, each bale being about 392 lbs. The industry employs about 6 lakhs of workers, and one writer familiar with the history of this industry estimates that the number of university men employed in this industry is about 5,000. The pre-war capital cost of the machinery installed in this industry as a whole has been estimated at something like Rs. 80 crores. If you add the value of land and buildings also, that cost would probably come to about Rs. 120 crores. These figures which I have given are, I think, sufficient to indicate that it is not only the biggest single Indian industry in the country, but that the industry constitutes a most impressive testimony to Indian capacity in the field of large-scale industry.

Now, Sir, it is against this industry that a threat has been recently sounded. There have been ominous indications of Governmental action, not Government of India action, but Provincial Governmental action, threatening to thwart the expansion, rehabilitation and rationalisation, may, endangering even the very existence in the ultimate, of this industry. The provincial Government of Madras have announced a policy more or less in those terms. It is reported, though not supported by reliable evidence, that one other Provincial Government has been sharply pulled up for acquiescing in the installation of new mills in its jurisdiction. A third provincial Government is supposed seriously to be considering the implementation of the policy which the Madras Government have announced. These threats are there, and it is because of these threats that I have come to this House with this Resolution. If these threats are carried into execution, if the policy that has been enunciated is going to be pushed to its logical conclusion, then there will be no cotton mill industry.

Perhaps the extinction of this industry may not happen immediately, but that extinction is surely contemplated by the authors of the policy as an ultimate objective.

Now, take Madras. I wish to give a few facts regarding what has happened in Madras. On the 25th July, a conference convened under the auspices of the Madras Government considered a khadi development scheme prepared by the All-India spinners' Association and finalized it. A copy of this scheme and what happened at this conference have been made public in a note which has been issued by the provincial Textile Commissioner. This note gives no indication at all of any action being contemplated against cotton mills. On the 31st July, the Prime Minister of Madras introduced the provincial budget in the Legislative Assembly of the province, and this is all that appears in his budget speech:—

"A scheme for the production of khadi in each of the selected firkas is ready and will be put into operation almost at once. The special feature of the scheme is that not only will yarn be spun in the villages but it will as far as possible be woven into cloth in the same areas. A sum of Rs. 3 crores has been included in the budget for this purpose."

That sum of Rs. 3 crores was later on explained as intended to constitute a fund from which amounts were to be drawn for meeting the expenses of the khadi scheme and also paying subsidies to those who participated in it. You will notice that even in this speech the Prime Minister gave no indication of any action being contemplated against the expansion of the cotton mill industry.

Thereafter the provincial Textile Commissioner undertook a journey to Delhi and Wardha for placing the scheme before Mahatma Gandhi and explaining its provisions to him. It was scrutinised there, and, as a result of the discussions that took place there, three important changes were made in the scheme. Originally the khadi scheme in Madras was to have been experimented with in 25 firkas, one practically in each district of the province. As a result of the discussions the number of firkas in which this intensive work was to be carried on was reduced to seven. But in the remaining firkas an extensive scheme was to be implemented for preparing the people for khadi work in the future. The third point was action as regards cotton mills. The view held was that the Prime Minister or his Government could not attempt to ride two horses at the same time in the same area. He could not expect to implement his khadi scheme if he allowed the cotton mills also to function in that area. The provincial Textile Commissioner took this message back, and later on I believe the Prime Minister of Madras made a journey to Delhi and had also the benefit of discussions here. He returned, and on the 2nd October, at a small village called Erraguntapalam, he inaugurated his khadi scheme. In the course of the speech which he made on that occasion, he said as follows:—

"The Government are launching this khadi programme of theirs with complete faith in its efficiency as a beneficial scheme for our people and confidence as to its success if given a trial under fair conditions. They must therefore take steps to remove all the handicaps in the way. It has accordingly been decided."

and I want the House to note the words that follow:

"It has accordingly been decided not to allow any new cotton textile mills to be set up in this Province. Even the expansion of the existing mills will not be permitted and the Central Government will be informed that the allotment of spindles and looms made to this province under the post-war plan be cancelled."

Mind you, Sir, this speech was made some four or five months after the Government of India had issued orders allocating additional spindlage to the Madras province; and their orders not only provided for the expansion of some of the existing mills, but also for the establishment of 24 new mills in that province. I think I was a little inaccurate when I said that the sanction for the 24 mills was given on the 4th May,

1946. The allocation of the spindles was made on that day but I believe that before Mr. Prakasam made his important speech the sanctions for the new mills had been accorded. I have it on authority which I do not consider unreliable that only 3 or 4 weeks before the speech was made, the Madras Government wrote to the Government of India that sanction should be given for some more mills in addition to what they had already sanctioned. That was what

[Sir N. Gopalaswami Ayyanagar]

happened at Erraguntapalam. When the speech was reported in the Press, there was a storm of protest from all quarters. Barring certain people supporting the scheme, the generality of public opinion in the Province was against this policy. All the important organs of the press, including, I believe, the one which the Hon. Mr. Thirumala Row represents, were against this scheme. A number of protest meetings were held. I am not referring to the protest meetings of Chambers of Commerce and people of that sort because that is likely to be turned down as interested, on the score that they are meetings of what are called vested interests. I wish to assure the House that I have no vested interest in the cotton mill industry. I am not a mill owner and I am not a considerable shareholder in a cotton mill either. I own a few shares worth a few hundred rupees in an obscure cotton mill in Coimbatore which is run by a very respected Congress friend of mine; so that what I say, I say only from the purely public point of view. One important newspaper, after this speech appeared, had this item of news. It claimed to have important news from official quarters and published it with the speech of the Prime Ministers. "Mr. Gandhi has approved the finalised Khadi scheme of the Madras Government subject to the condition that no further extension of the spindleage of the existing mills not the starting of new mills in the Province be permitted. Mr. Prakasam has agreed to these conditions and has made the above announcement." On the 9th October I was called upon to preside over a public meeting in Madras to protest against this policy and in my concluding remarks as Chairman of that meeting I said:—

"Mahatma Gandhi was perhaps not prepared to approve the Madras scheme which had been submitted to him for advice unless such an assurance was forthcoming. Mr. Prakasam has landed himself in an *impasse*. I think that friends of Mr. Prakasam should help him to get out of it and take back the pronouncement he had made on the future of the mill industry, probably under advice which at the time he was unable to resist."

The Prime Minister published a reply in which he took exception to a statement of that sort. He said it was neither fair to him nor to Mahatma Gandhi. He said he himself had great faith in the scheme. I know Mr. Parakasam is a man of high ideal and I have no doubt that today he has immense faith in the scheme. But what I wish to point out is that this great important factor in a scheme of this sort did not occur to him when he propounded his Khadi scheme to the Madras Legislature. He had to be reminded of it from other quarters. The inspiration for adding what I have already described as the post-script to his Khadi scheme came from elsewhere and it matters little, so far as the value of the argument goes, whether he fully believed in what he did or simply accepted advice which was offered to him. The fact remains that the result is bound to produce hardship to the people at large. What is the nature of the threat to the mill industry? The new policy that has been accepted by the Madras Government—let me say it is the Madras Government which has accepted it; the Madras Legislature has not yet accepted it; the people of the Province have not yet accepted it, but the Madras Government have accepted it and announced it—this new policy is substantially the policy enunciated by the All-India Spinners' Association and blessed by Gandhiji. It is based on the cult of self-sufficiency,—self-sufficiency not of India as a whole, not of the Province as a whole, but of each village or group of villages. According to this cult, handloom cloth woven out of hand-spun yarn could and should be produced in sufficient quantity by every family to enable the clothing of the entire population of India in Khadi. Cloth production which is now centralised in the cotton mills is to be decentralised to the village. Khadi should be universal and therefore, when such universalisation takes place cotton mills will ultimately have to go out of existence. These are the objectives of this policy. Even Swadeshi has been given a new meaning. Swadeshi is not love of one's own country merely. It must be love of the village and its immediate neighbourhood. That is the new interpretation of Swadeshi. I have no wish, Sir, to go into the merits of this social philosophy. That will take me longer than I intend to take today in this House. I would only say this that this new orientation has not yet received the imprimatur of other persons who count. For instance, the Congress High Command as a body has yet to pronounce itself upon it. So far as the Interim Government is concerned, my point is that its policy is directly opposed to this

Taking the High Command, I do not know exactly what opinions each of the individual members of the High Command hold in this connection. I can however refer to the opinions of two of its prominent members. I will take first, Sir, the Leader of the Interim Government. A passage from his Autobiography has been quoted in a Madras Journal by a correspondent and it is to the following effect:—

"As a solution of vital present day problems, khadi cannot be taken seriously and it produces a mentality which may become an obstacle to growth in the right direction. * * * in spite of all these present-day advantages, the Khadi movement in India is, it seems to me, after all a transitional affair."

I would not go the length that Pandit Jawaharlal Nehru has gone in that last sentence. I personally think that Khadi will live permanently in this country and it will not be a mere transitional affair, that there is great scope for its further expansion. What I do maintain is that that expansion of Khadi development in this country need not be in conflict with the expansion of the cotton mill industry also. Without the expansion of the cotton mill industry and with the expansion of the Khadi industry alone, I consider it impossible to clothe India's population adequately within any measurable distance of time.

Now, Sir, I have quoted the Leader of the Interim Government. I will take another Member of the Interim Government who hails from Madras. He as Prime Minister of Madras in 1937 put before the Legislature of the Province a request for a grant for making subsidies to the Khadi industry in the province and when he was criticised in the Legislature, in reply he said:

"I admit this. Hand-spinning was always a subsidiary occupation yielding a supplementary income for those who live a precarious existence on poor agricultural income. If the irrigated areas of our Province cry for land revenue revision, the dumb and suffering families in the dry areas cry for assistance in the shape of a subsidiary occupation to be furnished to them and that is what I call hand-spinning."

Now these two pronouncements of members of the Congress High Command hardly fit in with the new policy which the All-India Spinners' Association is trying to force down the throats of Congress Ministeries. The policy of the All-India Spinners' Association is contained in a Resolution passed on 10th October 1946. The terms of this Resolution are that the Governments and the Mill-owners in consultation with the Charka Sangh should so arrange that mill cloth should not be sent to those areas where hand-spinning and hand-weaving work is possible. In addition to this they should see that no new mills are set up and that no new spinning and weaving machinery is indented for the existing mills. It concluded its direction by saying that Government should make the necessary enactments to give effect to the above and carry them out.

Now, Sir, that at least was a recommendation. There is something more than a mere recommendation in what a great lover and protagonist of village industries said in a paper called the "Gram Udyog Patrika" which comes from Wardha. I refer to Mr. J. C. Kumarappa. He said:

"With the support of the Provincial Governments, Textile Mills, Vanaspati Ghee Factories, Sugar Mills, etc. are shooting up like mushrooms. It is not a sufficient reply to say that the granting of licences to start certain of these factories were agreed to by their predecessors—the Adviser Regimes—It would be up to the popular Governments to reopen the question. What efforts have been made to do so? Are these not straws that indicate the direction of the wind? Is it not time that the policies of popular ministries were laid down definitely so that we may know the worst if that be in store for us."

THE HONOURABLE THE PRESIDENT: May I know how long you are likely to take? I do not want to stifle the debate, but I merely want to know.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR: At least 20 minutes, sir.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at Quarter to Three of the Clock, the Hon. the Chairman (The Honourable Mr. M. N. Dalal) in the Chair.

THE HONOURABLE THE CHAIRMAN (the Honourable Mr. M. N. Dalal): Debate will now proceed on the Resolution of Sir Gopalaswami Ayyangar.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR: Mr. Chairman, when we adjourned for lunch I had commenced to read out to you an extract from an article in the "Gram Udyog Patika" from the pen of Mr. J. C. Kumarappa. It says:—

"With the support of the Provincial Governments, Textile Mills, Vanaspati Ghee Factories, Sugar Mills etc. are shooting up like mushrooms. It is not a sufficient reply to say that the granting of licences to start certain of these factories was agreed to by their predecessors—the Adviser Regimes. It would be up to the popular Governments to reopen the question. What efforts have been made to do so. Are these not straws that indicate the direction of the wind? Is it not time that the policies of popular ministries were laid down definitely so that we may know the worst if that be in store for us? If the Ministers are not clear in their own minds as to the social philosophy they are supposed to represent, it will be fair to themselves and to the people to lay down the reins of office. It is no use flirting with rural reconstruction in spare moments and being joined together in an unholy wedlock with exploiters who will not hesitate to ruin the countryside to gain a little profit for their miserable selves."

I read that out to you as indicating the attitude if those who are responsible for sponsoring the new policy. There has however been some modification of the rigidity of this policy so far as Madras is concerned and so far as the existing mills in Madras are concerned. The Prime Minister has said in a statement issued by him to the Press that the charge that replacements of machinery in the existing mills will not be permitted is a wrong understanding of his policy. He has said:—

"Till khadi developments become fully effective and widespread the Government will obviously want to maintain the existing mills in efficient condition and to maximise their production."

Gandhiji has also said that it should be clearly remembered that this new policy does not touch existing mills in Madras for the present, though he has very significantly added that "the whole mill industry might get affected if the khadi scheme spreads like wild fire, as I expect some day such a thing must come. Let not the capitalist rue the day when and if it comes."

So that really the relaxation in regard to existing mills is only for the present. We do not know what developments will take place after the khadi scheme has been in force over a considerable area. No relaxation, however, has been promised or indicated by the Madras Government as regards the expansion of existing mills or the establishment of new mills and yet without such expansion and the establishment of new mills the cloth shortage in Madras is bound to get very much more acute than it is now. In other words, the Provincial Governments are being asked so to order their policy as to contribute to the achievement of the result that is contemplated. It is argued that there is no point in giving active assistance and encouragement to the increased production of khadi unless new mills and expansions of existing mills are stopped and unless after substantial progress has been made towards the universalization of khadi steps are simultaneously taken to withhold even replacements of machinery in existing mills and to help those existing mills, so to speak, to wither away. A policy more utopian and less related to realities or to any probabilities of success it is difficult to conceive. The policy, however, cannot be ignored by us now on that account as, while it is being experimented with, it will cause avoidable and serious injury to the economic life of the country. That is my case for taking effective action to counter this policy at this very early stage. It is interesting to compare the figures of production and quantity available for consumption of mill and handloom cloth with khadi production in the country. In 1944-45 the net imports from abroad were only 5 crores of yards. The net production of mill cloth after deducting exports was 435 crores and the estimated handloom production 160 crores of yards. I ought to add here that the estimated khadi production for the years is 14 crores of yards. That figure I am not very sure about. I take it from a publication by a gentleman named M. P. Gandhi who has been a student of the

cotton mill industry for many years and publishes an annual. I think that is a mere guess, but it is as good a guess as one can get on a subject of that sort. The only reliable figure as regards khadi production that we have is that supplied by the All-India Spinners' Association. The latest figure I find in this connection is for the year 1940 when they said it was about 1 1/8 crores of yards from the centres of the Association. The 14 crores of yards of M. P. Gandhi is really an estimate of khadi production in the whole country. Now, according to these figures, khadi was responsible for only 14 crores of yards, or 140 million yards, out of the 6095 million yards of cloth available for consumption. And this result has been achieved after all the fillip that khadi's connection with politics has received and after 20 years' intensive work by the All-India Spinners' Association.

We have a few figures from Madras. The total cloth quota for Madras Province is 31,951 bales. This does not include khadi production. The provincial Textile Commissioner has, however, said that the three branches of the A. I. S. A. in the province are producing in all about 200 bales of handspun yarn, a bale being 400 lb., equivalent to 188 bales of khadi, each bale of cloth being 1,500 yards.

THE HONOURABLE MR. THIRUMALA ROW: Are the figures for a year or for a month?

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR: For a month.

The amount of khadi produced by private persons outside this organisation is the Textile Commissioner says, also negligible. The amount of khadi in Madras Province thus works out to 188 1,500 yards.

I have given these figures to show that in the cloth economy of this country khadi's place is now insignificant. Its unique service in the political field and in the promotion of a self-reliant, fearless nationalism is immeasurable. As the livery of freedom, a phrase for which the Leader of the Interim Government is responsible, as a revolutionary, non-violent upsurge in the cause of independence, the part the charkha and khadi have played is invaluable. But, in spite of the impetus it has had on account of its political affiliations, its net contribution to the cloth economy of the country has been poor. Its possibilities for giving employment to the agriculturist during his idle hours and thereby adding to his earnings until more remunerative employment can be found for him cannot be questioned. There is a wide field for a very large expansion of khadi work in the country without interfering with such extensions of the mill industry as are possible within the next 15 years in the present world conditions.

Roughly speaking, it has been calculated that khadi costs now twice as much as hand-woven cloth made out of mill yarn, and thrice as much as mill-woven cloth woven out of mill yarn. Cloth woven out of mill yarn is of greater variety, more durable and more comfortable. That is the reason why the ordinary man and woman prefer mill cloth. Yarn produced by mills is what the enormous majority of handloom weavers in the country want. They do not take kindly to khadi yarn. It is remarkable in this connection to observe that in 1940, in the centres run by the A. I. S. A. only 23.7 per cent. of the spinners engaged by them and only 68.2 of the weavers working for them were reported as habitual khadi wearers; the rest were apparently purchasing and using only mill cloth. I mention these facts to indicate that the expansion in khadi work that is contemplated is bound to be an uphill task and will depend on very intensive propaganda and persuasion.

Now, Sir, coming to the Resolution itself, I have stressed three or four points. The main thing is that we must provide for increased production. The handloom industry has to be specially helped. It must get full work. At present the yarn quota for the Madras Province is estimated to give handloom weavers only about 10 days' work every month. If the export of mill yarn to other provinces which now takes place from Madras is stopped, Madras handlooms could certainly get more work, but we have got to recognise that handlooms in other provinces would starve; and from an all-India point of view and the point of view of a proper distribution of yarn for weaving, that is not a consummation which one should wish for in the present condition of cloth shortage in the whole of the country. The

[Sir N. Gopalaswami Ayyangar]

demand for cloth and yarn has increased and will increase due to an increase in purchasing power and rise in the standard of living which we all look forward to, in connection with post-war development in many directions. A small export trade has been built up during war time and it deserves to be consolidated and further developed for the future, particularly because our raw cotton position is such that all the raw cotton that we produce in the country cannot be used up in satisfying our internal market alone. We must give preference in export to export of yarn and manufactured goods over export of raw cotton.

I have said something about the common man. The *per capita* consumption of cloth is pitifully low in India. It was on the average about 15 yards in 1944-45 for India as a whole. The quota allotted to Madras is however only 10 yards this year. The target of the National Planning Committee, as Honourable Members know, was 30 yards—the same as the target which the Bombay Industrial Planners had in view. The Bombay Planners intended to reach this target in about 15 years. The five-year plan recently sanctioned by Government aims at a target of 18 yards. This can be attained only by rehabilitation of existing mills, extension of their capacity, and the establishment of new mills. Such a development does not rule out the expansion of khadi which will have all the margin between 18 and 30 yards in the whole country and in the Madras province between 16.5 and 30 yards to

annex to itself if only it can. I do not think it will be able to do so, but khadi enthusiasts can have a try. Why then should there be any cry now that there should be no new mills and no new expansion? The new expansion has already been sanctioned by the Government of India who have made allocations of spindles and orders have been placed for machinery. The Interim Government, I find, recently indicated that it will not in any case go back on its own on the 4th May Resolution which was passed after full consultation with Provincial Governments and I hope that the spokesman on behalf of Government will categorically give that assurance on the floor of the House today. Will the Interim Government go back if a new Provincial Government now asks it to do so? Have the Madras Government asked it to do so and if so what orders has it passed? If they have not asked it to do so and if they ask it to do so in the future what attitude is going to be adopted? These require, I think, categorical answers.

The policy regarding new mills, in my opinion, was a very unnecessary post script to the Madras khadi scheme. In spite of the suggestion that it was intended to be a rectification of the "great flaw" detected in the scheme, I venture to think that, for the purpose of the khadi development scheme including the exclusion of mill yarn and mill cloth competition in the 7 firkas chosen for intensive experiment, it is wholly unnecessary to attempt to prevent the implementation of the Government of India's policy regarding increase of mills, spindleage and loomage for Madras based upon an all-India plan. The policy, I therefore contend, which the Madras Government has announced is in direct conflict with that which the Government of India gave effect to on the recommendation of the Khatau post-war planning Committee and which the Interim Government, I claim, has made its own. I hope that the Government spokesman will confirm it. In fact, the Interim Government has gone further and is taking steps to remedy as soon as possible another crying need of the mill industry, namely, the manufacture of textile machinery in India. With 417 mills already working and another 125 to be added in the near future it would be a crying shame if such an industry for manufacturing textile machinery is not established at the earliest possible date. The Interim Government is therefore, far from contemplating anything like a withering away of the mill industry.

Then, as regards the industry being Controlled on an all-India basis—

THE HONOURABLE THE CHAIRMAN (the Honourable Mr. M. N. DALAL): You might bring your remarks to a close. You have also a right of reply.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR: I wish to draw your attention to the statement of industrial policy during the time of Sir Ardeshir Dalal. He put forth the policy of the Government to be that certain industries

basic and key industries and certain consumption goods industries, should be brought under central control. Government considered that for achieving this object certain industries should be centralised and amongst those industries they included cotton and woollen textiles. I would also refer to what the Khatau Committee itself recommended and Government have accepted. They said:—

"No plan could be prepared except on an all-India basis and we wish it to be clearly understood that if the Government of India cannot arrange for the compliance by all Provinces and States of the principles of this post-war plan, we are of the opinion that the whole question of planning for the expansion and construction of new mills in India must be abandoned."

Textiles are a field in which both cottage and mechanised industry should participate and will continue to participate as long as one can see. But the relations between these two parts have to be carefully regulated. The National Planning Committee recommended such regulation on an all-India basis.

Then, Sir, I would only say this that if any consumption goods industry deserves to be brought under central control it is the cotton mill industry. It deals with a prime necessary of life. It has to be dispersed widely over the whole of India with a view to help industrialisation all over the country. It has constantly to look to the Central Government for tariff protection against foreign competition.

Now, Sir, with regard to the last clause of the Resolution suggesting federal legislation, that the law that I suggest could be passed by the Federal legislature goes without saying. It is permitted by the existing Government of India Act. But some people might question the constitutional expediency of undertaking legislation of that sort at the present juncture, when a new constitution is expected soon to be framed and it is highly problematical that item 34 in List I of the seventh Schedule of the Government of India Act will make an appearance at all in the Union list of subjects. Two alternatives I would suggest to Government for consideration in order to meet this point. If the Government of India, are not satisfied that they can effectively persuade all Provincial Governments against, and prevent them from, sabotaging the five-year plan they have already sanctioned, legislation should be undertaken at once subject to whatever fate might be in store for it under the new constitution if and when it comes into being. The other alternative is, if they are not so satisfied, they should get the Madras Government and similarly inclined Provincial Governments either to withdraw their previous announcements or to refrain from making new announcements of a similar nature.

I do not wish to go into the question of the details of the central control that should be exercised. That is a large subject and it would not arise until Government are clear about undertaking legislation of this kind. I would only say that, if such legislation is undertaken, central control should be the minimum, limited to planning, allocation and determination of productive capacity, on an all-India basis, of factories and reserving power to regulate distribution to Provinces of the total production in India and regulating prices when circumstances require such action. The legislation should also contain provisions to enforce conformity to the plan laid down by the Government of India. All other powers relating to the cotton mill industry might be either left to the Provincial Governments or be delegated to them under the federal legislation. Sir, I move.

THE HONOURABLE MR. M.W.M. YEATTS: (Industries and Supplies Secretary): Sir, I find myself rather in a peculiar position today, as the Honourable Mover in his very full and very informed speech—I might quote him—said, I think correctly, that the Premier of the Province he refers to said that the Central Government would be informed; well, beyond what we have read in the papers, the Central Government have not been informed. We are discussing, so far as I am concerned, Sir what has appeared in the newspapers of which we are all regular readers. At the end of his speech, just taking the same point, the Honourable Member suggested two alternatives, either go ahead now or get the Madras Government to withdraw, etc. One point is we are on a matter which has been a common policy for some considerable time. We have no formal intimation of a desire for a departure from it. I do not want to detain the House. The Honourable Mover has covered the ground of the Khatau allocation so fully that I shall

[M. W. M. Yeatts]

not go over the same ground again, except to sum up. If I might quote from the distinguished organ of the Honourable Mover's Province, the newspaper *The Hindu* said that "India must have a common textile policy." That has been the position of the Government of India for some considerable time now and it is its position at present. It is rather like a case where the burden of proof is on the man who wants to alter that case. Basically we are talking on something that is hypothetical. Our policy in this matter has involved a very competent Committee surveying the whole field which had involved in turn participation of Provinces and States, because the States, as you know, have participated in this plan which is an all-India one; it has involved the allocation of spindles; it has involved allocation to Provinces and States; it has involved the placing of orders for machinery and the procuring of land for the erection of buildings and so on. I think it quite clear that a thing like that is like a big river that does go rolling along. At any rate there is no intention of throwing a dam across it. It is rather surprising; we have no serious proposal from a Government which participated in the plan saying that this Government has thought better for the following reason, perhaps this and that. We have nothing. Our position here is that what we have we have and where we are we stand.

Coming to the three points of the Honourable Member's Resolution, one might say that (a) covers the whole ground which resulted in the Khatau Committee's Report and the Government of India Resolution which all of you have read. I would just comment on one point. The Resolution draws particular attention to promoting the progress of the handloom industry adequately. One of the very few modifications which Government made in the Khatau Plan was to give more yarn for the handloom industry. It was the only appreciable modification and for the very reason which the Honourable Mover has put forward in his Resolution. On (b), the point is that this view has not been put to us on any grounds which we could consider seriously. Obviously it is going to upset very considerably our plan. It can only be done on a very serious presentation of the reasons, when we can get down to it and study—

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR: If I may interrupt the Honourable Member for a moment, does he contend that the Government of India are not to take notice of public pronouncements of policy by Provincial Governments which are in conflict with their own policy? Secondly, assuming that a Provincial Government does go forward without informing the Government of India and pass legislation or take administrative action in respect of new industries for which they have the power now, what would be the attitude of the Government?

THE HONOURABLE MR. M.W.M. YEATTS: The Government of India does take notice, and that is why I am speaking today. But there is a distinction. The Honourable Member himself said that the Madras Legislature, I believe, has had no opportunity yet of pronouncing on it and the Madras people, as reported in the press, are strongly in the opposite direction. It may well be I think that that Government might be in a position where it has made a statement which might go beyond or depart very widely from the degree to which its own supporters will follow. The actual crux of the decision of that Government will be presented in a representation to us to amend or withdraw their previous participation in the Plan.

Now, on the second point, one obviously has got to get this issue clear, and if the Madras Government do not write and clear it up, we shall have to consider writing and telling them, and to use a phrase generally used in another connection, we shall ask them their intentions; and the opinions of this House would be a very useful piece of background in that complicated question.

On the third point, the Honourable Member himself has, broadly speaking—suggested federal legislation without delay to declare etc. etc. It is important to get this clear. I will just repeat that this industry is at present Provincial. It has been declared, as the Honourable Member said, to be one which under that statement of policy which has been quoted should become a central responsibility. Under the present constitution it would be for the Central Legislature of which this House is a part to adopt legislation which would convey this particular industry from the Provincial

field to the Central field, Thereupon, under the present constitution, the Central Government would be able to pursue such a plan as we are discussing and would have the authority to pursue it.

Now on the actual steps to be taken to give effect or otherwise pursue that statement of industrial policy. You have the Planning Advisory Board which you will remember was set up recently. It met yesterday all day and it is meeting today and one of the points before it will be this one of the actual operations to be taken to convey power in that way under the present constitution from one field to the other and in which cases that particular transfer should be made. Now, I am not a member of the Planning Board and I do not know what are the actual contents of their discussion.

THE HONOURABLE MR. M. THIRUMALA ROW: Is it a statutory body?

THE HONOURABLE MR. M.W.M. YEATTS: No. It was set up by Government recently, but it is a Board the function of which really to study things like these as a whole and to advise the present Government on the steps which it thinks necessary, among them being legislative steps like these. That is why I cannot stand and say here that that legislation will be adopted without delay, because that will be a matter obviously for the Cabinet to decide. It will be for the Cabinet to take it up and, if they so decide, to put it before the two Houses of the Legislature accordingly, but so far as I standing here can say, I can sum up the position by saying that we are where we stand and that the discussions in this House will be of very considerable value to Government.

*THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras Muhammadan): I am in general sympathy with the spirit of the Resolution. It is not necessary for me to speak at length about the necessity of encouraging and improving mill industry and particularly the cotton mill industry in the country. Sir Gopalaswami Ayyangar has given very cogent reasons for improving the industry in the whole country. He is also right in thinking that it is not in the interest of the people to put down such industries in a Province or to do anything which will go to militate against the interests of this industry and this particularly in view of the fact that the cloth available for use in the country is very far short of the demand for it.

Again, he has made a very strong case on behalf of the mill industry by quoting facts and figures which go to show that in spite of the expansion of the present cotton mill industry and also of any new industries which may come into existence there will be enough scope for the handloom industry to grow in the country and prosper. On all these grounds, Sir, it is quite obvious that nothing should be done now to interfere with the natural growth of the Indian mill industry in our country. But, Sir, one point which makes me hesitate to give my complete support to this Resolution is the fact whether we have the power to enact legislation in this respect. Industry is a provincial subject and on that account the Central Legislature has no authority to take up the legislation which is recommended in this Resolution.

Again, Sir, as the Honourable the Mover has himself admitted under the proposed new constitution "Industry" is not one of those subjects which will have to be administered by the Central Union. On these grounds, Sir, I feel doubtful whether such a legislation could be taken up now.

Again, the Honourable Member who has spoken on behalf of Government has told us that nothing in the regular or formal way has come to the notice of the Government as regards the policy which has been adumbrated by the Madras Government and it is highly necessary, as the Honourable Sir Gopalaswami Ayyangar has stressed, that every step should be taken to press the Madras Government to reverse its policy. There is already a storm of protest in the Madras Province against the policy which has been indicated by the Premier of the Government there.

Let us, therefore, hope that the Government of Madras will be persuaded to allow itself to be guided more by facts than by idealism and that they would stop short of taking practical steps in the direction which the Premier there has announced.

* Not corrected by the Honourable Member.

[Pandit Hirday Nath Kunzru.]

Sir, with these words I give my general support to the Resolution so ably moved by Sir Gopalaswami Ayyangar.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras : Non-Muhammadan). Mr. Chairman, the Resolution so ably moved by my Honourable friend Sir Gopalaswami Ayyangar wants to arm the Central Government with extraordinary powers to over-ride the opinions of the Provincial Ministries and yet the Provincial Ministries are supposed to enjoy a greater freedom and autonomy than the Central Government. The Central Government is now functioning under the Act of 1919 by the good will and sufferance of the Viceroy whereas the Provincial Ministries have come into existence as a result of the Act of 1935 and enjoy a certain measure of freedom, and he asks such a Government as this, whose moorings have not yet been sufficiently realised by the Members of the Government themselves, to undertake legislation or take a course of action to over-ride a certain policy that has been announced by the Prime Minister of Madras. It has yet to be approved by his Legislative Assembly. The Resolution, I am afraid, is not very happily worded because the last clause says :—

“...federal legislation be undertaken without delay to declare that the development of the cottonmill industry under federal control is expedient in the public interest and to provide for his development in the interest of India as a whole and on nationally planned lines”

If Mr. Gopalaswami Ayyangar had taken kindly to khaddar and mentioned something about khaddar in his Resolution, I would have been disabused of the apprehension which troubles me that this Resolution is aimed at completely killing khaddar by the mill industry.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : Is it the Honourable Member's suggestion that I should have recommended that the control of the khadi industry should also be brought under the Centre ?

THE HONOURABLE MR. M. THIRUMALA ROW : My fear is perhaps he might have unwittingly done it, but the indirect result will be, if his Resolution is accepted and acted upon, to kill khadi outright and encourage only mill industry. He had made no provision in his Resolution to make clear his intention that he does not want the extinction of khadi altogether but that both *khadi* and the mill industry can exist side by side and get developed according to the statement made recently by one of the Ministers in Bombay. There is room for the mill industry as well as khadi. As one who has been consistently using khaddar for the last 26 years I can very well tell my friends who trot out the argument that khaddar does not cater to the tastes of people that it is not borne out by experience. People wearing khaddar can clothe themselves in the most up to date and fashionable clothes satisfying all their dandy feeling. Our experience is that khaddar is not only the livery of liberty but it has also helped the poor man to a large extent. In a village in my district Nagulapalli, the entire production is monopolised by the Bombay millionaires. It is one of the finest producing centres that takes more than Rs. 2,000 as wages every month. That means it has been taking nearly Rs. 25,000 wages every year for the last 20 years—that village alone. The finest handiwork of khadi still remains in Andhra and it produces yarn of 80, 90 and 100 counts purely spun by hand and woven by hand. That ancient industry still remains unimpaired in Andhra Desha and some families retain as heirlooms sarces 100 years old, sarces completely woven and manufactured by hand. The industry has survived the onslaughts of the mill industry for a long time ; but whether the economics of it is sound is a question that has to be deeply considered. With the voluntary effort which has been made all these 25 years, I think they are able to produce about 2 to 3 crores worth of khadi every year. But what my Honourable friend Sir Gopalaswami Ayyangar wants is State protection, State organisation and State drive, which is another word for coercion. If the same State protection, State organisation and State drive is given to khadi, there are people who believe that khadi can be universalised and at the same time avoid the evils of over-centralised industrialism. The basic wages of the labourer have not considerably improved. The Honourable Mr. Kunzru says that instead of allowing a large number of people to be dependent on land and agriculture you should

transfer a portion of that labour to the mill industry. But you see the black spots of industry in Bombay, in the chawls of Bombay and in the busties of Calcutta, where life is miserable. You can go and see that the basic wage of these people is only 4 or 6 annas. All the other extras they get is by dearness allowance and extra allowances.....

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I ask my Honourable friend whether the defects that he has pointed out are inherent in industries ? Does the experience of other countries bear that out ?

THE HONOURABLE MR. M. THIRUMALA ROW : My complaint is that the Honourable Mover and his supporters have not suggested ; it is for them to suggest a better way of industrial planning and a better industrial life for these poor labourers. They have completely ignored, in their enthusiasm to support the mill industry, the conditions of labour. I am going to give my suggestions about that also. How the cotton mill industry has developed and come to the present stage I want the House to go into. The Swadeshi movement, the Boycott movement, the burning of foreign cloth movement in 1921 and the Khaddar movement has created a spirit of swadeshi in this country. We have been depending on foreign countries for our cloth supplies entirely to the tune of 60 to 70 crores of rupees. Today hardly 5 or 6 crores worth of cloth is imported from abroad and all the 56 crores of income is retained in this country and all this goes into the pockets of the mill industry. The mill industry, I may tell you, has gained by the national spirit in this country and by the national movement in this country and when a man is asked to wear hand-woven cloth, he comes out and says “ If I am not able to wear khaddar, I am at least wearing Indian mill cloth.” You have created an atmosphere in this country that to wear any cloth except even the Indian mill cloth is a crime. The Indian mill industry has gained to such a great extent. And what have they done during the years 1940 to 1943 ? Have these Indian industrialists stood by the country ? I want to put a straight question to these millionaires and multimillionaires who have grown fat and fat at the cost of the country. The poor man in the street could not buy a dhoty for Rs. 11 or Rs. 12. The whole thing has gone to the black market. Go to Coimbatore, Ahmedabad and Bombay. How many people have acquired enormous wealth with which they do not know what to do. They have gained by the sufferings of the country. All this spirit has been created by Gandhi and the Congress and its sacrifices. During every movement, in 1922—I have got personal experience of these movements—in 1930, 1932, 1941 and 1942, every time you send lakhs of people to jail, the mill industry has thrived by selling millions and millions worth of cloth. What have they done ? Have they improved the lot of these poor labourers ? Not at all. You see the report about strikes. In one year they had 25 strikes in the mills. Look at the amount which is lost per month. I do not shed crocodile tears for the mill industry. It must be controlled. You must now consider whether this industry deserves any support from the State as long as it goes on exploiting the poor people, both the labourers and the consumers. You must consider a plan if Government were to insist on having control over this industry where labour and capital must have equal partnership and control over this whole industry. You must insist on minimum or maximum wages for the labourers and also minimum profit for the producer. The Delhi cloth mills in one year made a profit of 36 lakhs and paid income-tax of 24 lakhs. Wherefrom all these profits come to the mill-owners ? Some of the mill-owners change their Rolls Royce cars every year and the poor labourers are there in the same old chawls and busties of the city. I am not worried if this mill industry under the present conditions were to continue. It is for the State to enter and see that a wholesome and complete revolutionary change is brought about in the conditions of the industry. With regard to khadi, I may tell you that khadi is not such a thing that can be lightly treated. Every economic planning that is designed to improve the condition of the country requires the force of State behind it. No country has achieved planning without State interference. In the most democratic country, whose democracy is upheld as an example to the world, Great Britain, the Labour Government is going to nationalise its heavy industries ; they want to nationalise the iron industry, the coal industry. You can nationalise the textile industry also. But when you nationalise I want to say that

[Rai Bahadur Sri Narain Mahtha.]

tell anybody to wear foreign clothes. It does not go against the sentiment of Swadeshi, and I do not know why it was suggested by the Honourable Member Mr. Thirumala Row that it would introduce the foreign competitor again into the Indian market. No such situation will arise if a Resolution like this is accepted.

That is all I have to say with regard to this Resolution, and if the Government of India have not made up their mind on this question, instead of Sir Gopalaswami Ayyangar postponing his Resolution for consideration on a later date, I would request the Government of India to remain neutral on this question and let the Resolution be carried. If within a month's time they hear something more definite from the Madras Government, they will have this Resolution as well before them, and they can consider it then together with the Madras Scheme when it crystallises further and take stock of the situation. The problem is a vast one and is an all-India problem and no province can be allowed to easily break away from an all-India policy on a vital question like this.

THE HONOURABLE MR. G. S. MOTILAL (Bombay Non-Muhammadan) : Mr. Chairman, personally I think the Resolution is rather too hasty. I will give my reasons. The Madras Government has not yet taken any definite decision as to total prohibition of expansion of the mill industry in that province. The Prime Minister of that province has announced his intention and that, I think, of his Cabinet also, that they intend to stop the expansion of the mill industry in that province. The reason for it is this. They are in dead earnest to improve and expand the production of hand-made cloth which is known as khadi, and they also have taken the view that it is necessary for that purpose that there should not be any more expansion of the mill industry, as mill-made yarn will compete with hand made yarn. This view of the ministry is subject to the approval of the Legislature. The Madras Legislature has not yet accorded its approval to this policy.

There are two views, very honestly held. One is that put forward by my friend Sir Gopalaswami Ayyangar, that there is room both for the mill industry and for the hand-spinning and hand-weaving industry in the country, and that there is no competition between them and both can thrive side by side. There is another view which has been very ably put forward but is not so generally known. That view is that the mill industry, at any rate its expansion, would come in the way of the hand-spun and hand-woven cloth industry. The Madras ministry and the people of the province should decide for themselves what is best in their interests. I should be very reluctant to take any step at the very first stage and tell them : "You are proposing to adopt a certain course and a certain programme, and we will step in and stop it". It is a responsible ministry. They know their responsibility to the Legislature. If the Legislature is not with them and is not prepared to stop the expansion of the mill industry, will the ministry be able to go ahead with their idea ? Surely not. The proper step which my, Honourable friend, Sir Gopalaswami Ayyangar, as a constitutionalist should take in the first instance is to persuade the ministry of his own province, to abandon this policy, to point out to them the flaws of this policy and tell them how it is not in their interest; and secondly, to persuade the electorate of that province not to support it. It is a very intelligent province. The electorate is an intelligent electorate. They appreciate the sentimental value which attaches to khadi because of the reasons given by the previous speakers ; so they want to support khadi. But they also have sense enough to understand that if khadi is not going to solve their problem, and at any rate until khadi promises to be in a position to supply enough cloth to the exclusion of the mill industry, they would tell the ministry and the members of the Legislature "We first want cloth. Give us khadi if you can. But if you cannot give us khadi, give us mill cloth". That is the view which the electorate should be made to put before the Government of that province. If the ministry follows a wrong policy, surely they will have to answer to the electorate.

In our country we are all faced with a very large and very vital and important issue—the issue of freedom itself. There can be no difference on this issue. We are all agreed and united. But on an economic issue like the one we are discussing in this House, there may be, in the Congress Party itself, division of opinion,

and opposition formed. These issues, after all, lead to the formation of parties on economic grounds. If the people of Madras are all agreed and united that there shall be a certain programme for the province and that that shall be the only programme for it then it will be unwise to interfere. It will have to be seriously considered by the Central Government : are we to go and override the wishes of a province? Are we to impair their responsibility to their electorate ? It should not be open to them to say : "We were going to follow this policy of patriotism, but the Centre is unpatriotic and it has overruled us." We should not give them an opportunity to take shelter behind the Centre. I think Sir Gopalaswami Ayyangar, as a constitutionalist, would attach some value to this point of view. He must throw the burden of carrying out a good policy or a bad policy on the proper persons who are responsible for it. There may be a storm of opposition from that province to any measure which the Centre may adopt in opposition to their policy. If they know that the Centre is going to interfere and tell them : "No, no ; whether you wish or do not wish to import mill machinery, we are going to make you import it," well, they will take shelter behind the Centre and will not face their own electorate and will not be discharging their responsibilities to the people.

I, therefore, think that this is rather a hasty Resolution. The Honourable the mover should have given time to the legislature of his own Province. I understand that there are differences of opinion there. They are meeting some time in December. Two or three months do not matter on a vital question like this ; there is not much urgency at all in this matter. In one way it might be a blessing in disguise. If an order is placed for a mill at the present time, you might get public subscriptions from an incredible number of people, and might float a mill paying four times the price. There is a great deal of force in the view expressed by one of the industrialists some time back. He said: The mills which are started today will have to face very serious times if they pay 4 and 5 times the price. I know something about this industry. You cannot now place any order for any definite delivery. They want you to place an open order. They tell us that for three years we need not write any letter to them as to when delivery will be made. No stipulation about delivery. They say that after three years, delivery will be made if and when they are in a position to do it. Having regard to all these facts I do not think there is any urgency to bring forward this Resolution in this House today. First and foremost, we must put the responsibility upon the men in the Provinces. Let them come to a decision and then let us consider whether we can go to the length of telling them that they are wrong and we shall superimpose our view upon them. If they are wrong let them face the consequences. People will rise up within six months or a year against them and say, "We do not want your Ministry". That is the right way to deal with the situation. Sir Gopalaswami Ayyangar, or if not he, men of his way of thinking, will be able to say, "This Ministry has brought disaster upon us ; therefore turn it out and let us try another. That is how political parties in other countries have arisen. Unfortunately, in our country, we were not in that position so far. The power and responsibility remained with the Government and we had to remain in opposition. Now, let us do something else. Supposing the Party today in the Government is in the wrong, the opposition should convince the province and occupy the position which that Party occupies today. We should work to that end. I think the Resolution had better not be pressed. It is too early, too premature. They have hardly even got the consent of their Legislature. I am sure that these aspects will receive from the Honourable Sir Gopalaswami Ayyangar the consideration which they ought to.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : Sir, my Honourable friend, Mr. Thirumala Row, referred to certain points in respect of which I do not think much of an answer from me is necessary. I have made it perfectly clear several times in the course of my speech that my own view was that there is very great scope for the expansion of khadi and that it need not mean any interference with the expansion of the mill industry. I have not contended and shall not contend that any spoke should be put in the wheel of the

[Sir N. Gopalaswami Ayyangar.]

expansion of the khadi industry. On the other hand, I even went to the length of expressing my disagreement with a view which I quoted of a very eminent person who said that after all khadi could be only a transitional affair. I thought I said emphatically that I was not prepared to go that length and I repeated that khadi would endure for quite a long time to come. The text of the Resolution confines itself to the cotton mill industry. Of course it was intended only for that industry. I also, I think, in the course of my speech said that, in the field of cloth production, both hand-made cloth and cloth made in mechanised factories had a part to play and it was wisdom on the part of any Government so to order their policy as to regulate the mutual relations of these two parts of the production set-up. He referred also to conditions in the cotton mills as unsatisfactory, that millowners are making unduly large profits in the black market and amassing money at the expense of the poor man in the country. I am all with him in Government taking such powers as would prevent this sort of thing not only in the cotton mill industry but in every other industry in this country. But that is altogether a different affair. We have got to reckon with the fact that the cotton mill industry is producing the great bulk of the cloth that is required for consumption in this country and you cannot view the prospect of its being killed with anything like equanimity. That is all that I was interested in putting forward.

Nationalisation of the mill industry was mentioned. If it is possible to bring that about, let us bring it about not merely for defeating grabbing shareholders and managing agents but also for promoting the interests of the workmen. By all means let us do that sort of thing. But whether nationalisation should mean State ownership or whether it should mean effective control to bring about better conditions is a matter on which opinions are likely to differ in relation to the cotton mill industry. I have a recollection that Mahatma Gandhi himself, when the question was put to him, preferred that the cotton mill industry should continue in private hands but effectively controlled, and that it should not be taken over under the ownership of the State.

An appeal has been made to me by the Honourable Raja Govindlal. I see the point he was trying to make, namely, that the initial attempt should be to get the Madras ministry to reconsider its policy, that, if there was any hesitation on their part, an appeal should be made to the Legislature of the Province and that, if the Legislature was not quite amenable to good advice, I should proceed to the electorate in the Province. A more acceptable constitutional dictum cannot be enunciated. But the Honourable Raja Govindlal may rest assured that these various steps are not being forgotten. When this wonderful policy was announced, an attempt was made to mobilise public opinion against it and an appeal was made to the Prime Minister himself, who made that statement, to take it back and try to conform to the policy of the Government of India which the Madras Government had themselves previously accepted. There is the other question. The cotton mill industry is one of those industries which should be planned, controlled and guided on an all-India basis. It is not merely a question for a single Province. It is a question for the whole of India. Assuming I appeal to the local authorities or units that were mentioned by Raja Govindlal; supposing the Madras Government takes a decision which is in conflict with the all-India policy. Now when you concede the position that the planning and the control should be all-India, you also concede the position that no particular unit in that India should be allowed to break away from a policy which is enunciated in the interests of the whole country. What will happen if tomorrow Bombay broke away from this Resolution of the Government of India of the 4th of May, which assigned to Bombay only a very small quota of spindlage though Bombay applied for a much larger quota? Supposing Bombay should break away from that and say "We have got the money, we have got the skilled labour; we have got all the experience of this industry behind us; we are in an area where properly the largest number of additional factories should be established". Supposing Bombay takes that view, are we, speaking

on behalf of India as a whole and believing in all-India regulation of such an industry, give way to Bombay opinion? I should certainly say 'on'. It is all right for you to say "You must persuade Madras". We will certainly try to persuade Madras. But there is another aspect to the whole thing. Madras opinion alone should not decide the fate of this new policy. It must be decided on an all-India basis. And who else can do it than the Legislature which speaks for all India? That is the reason why I have brought this Resolution up in this House. I think myself and the Government of India are absolutely at one. They have been acting on an all-India basis. I want them to continue to act on an all-India basis.

THE HONOURABLE Mr. G. S. MOTILAL : Not on the point of Federal Legislation.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : If in the course of their acting for all India there is a breaking away from their policy by a particular Unit, should they not arm themselves with the power of bringing that Unit into line with the all-India policy? That is the only thing that I want to secure by this Resolution. The only suggestion I could make was that, if by administrative persuasion you are unable to do that sort of thing, the only alternative that is left to you is to undertake legislation which the present Government of India Act permits. You have to take power. Let this Legislature declare that this industry is one which should be brought under central control in the public interest. Arm yourselves with the power. No doubt before you decide a policy for all India, you consult all Provincial Governments. In your Legislature all Provinces are represented.

THE HONOURABLE Mr. G. S. MOTILAL : They were in agreement with this policy. Now they are probably likely to differ.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : True. That is why I said they were in agreement. They have expressed disagreement now, one particular province has. The question is—

THE HONOURABLE Mr. G. S. MOTILAL : Are we to override?

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : If you believe that that policy is good on an all-India basis for the country as a whole, you must have the power to override and I ask you to arm yourselves with that power.

THE HONOURABLE THE CHAIRMAN : (The Honourable Mr. M. N. Dalal): The question is that the following Resolution be adopted.

"This Council recommends to the Governor General in Council —

(a) that the continuance in a state of up-to-date efficiency of Indian cotton mills (both spinning and weaving), and their expansion, as well as the establishment, in properly sited localities in provinces and States, of new mills, in accordance with a national plan are imperatively necessary for preserving and promoting the progress of the handloom industry for meeting adequately the growing internal demands for yarn and cloth, for building up a promising export trade in manufactured cotton goods, and above all for raising the standard of living of the common man both in the cities and the countryside;

(b) that the threat to the Indian mill industry which one Provincial ministry had sounded already, and which, there is reason to fear, might be sounded by other Provincial ministries also deserves to be effectively countered; and

(c) that, therefore, federal legislation be undertaken without delay to declare that the development of the cotton mill industry under federal control is expedient in the public interest and to provide for this development in the interest of India as a whole and on nationally planned lines."

The Motion was adopted.

RESOLUTION RE AMENDMENT OF THE INDIAN LEGISLATIVE RULES

THE HONOURABLE THE CHAIRMAN (Mr. M. N. Dalal): Before you move your Resolution, Mr. Motilal, may I point out rule 14 of the Council of State Manual which says—

[Sir N. Gopalaswami Ayyangar.]

expansion of the khadi industry. On the other hand, I even went to the length expressing my disagreement with a view which I quoted of a very eminent person who said that after all khadi could be only a transitional affair. I thought I said emphatically that I was not prepared to go that length and I repeated that khadi would endure for quite a long time to come. The text of the Resolution confines itself to the cotton mill industry. Of course it was intended only for that industry. I also, I think, in the course of my speech said that, in the field of cloth production, both hand-made cloth and cloth made in mechanised factories had a part to play and it was wisdom on the part of any Government so to order their policy as to regulate the mutual relations of these two parts of the production set-up. He referred also to conditions in the cotton mills as unsatisfactory, that millowners are making unduly large profits in the black market and amassing money at the expense of the poor man in the country. I am all with him in Government taking such powers as would prevent this sort of thing not only in the cotton mill industry but in every other industry in this country. But that is altogether a different affair. We have got to reckon with the fact that the cotton mill industry is producing the great bulk of the cloth that is required for consumption in this country and you cannot view the prospect of its being killed with anything like equanimity. That is all that I was interested in putting forward.

Nationalisation of the mill industry was mentioned. If it is possible to bring that about, let us bring it about not merely for defeating grabbing shareholders and managing agents but also for promoting the interests of the workmen. By all means let us do that sort of thing. But whether nationalisation should mean State ownership or whether it should mean effective control to bring about better conditions is a matter on which opinions are likely to differ in relation to the cotton mill industry. I have a recollection that Mahatma Gandhi himself, when the question was put to him, preferred that the cotton mill industry should continue in private hands but effectively controlled, and that it should not be taken over under the ownership of the State.

An appeal has been made to me by the Honourable Raja Govindlal. I see the point he was trying to make, namely, that the initial attempt should be to get the Madras ministry to reconsider its policy, that, if there was any hesitation on their part, an appeal should be made to the Legislature of the Province and that, if the Legislature was not quite amenable to good advice, I should proceed to the electorate in the Province. A more acceptable constitutional dictum cannot be enunciated. But the Honourable Raja Govindlal may rest assured that these various steps are not being forgotten. When this wonderful policy was announced, an attempt was made to mobilise public opinion against it and an appeal was made to the Prime Minister himself, who made that statement, to take it back and try to conform to the policy of the Government of India which the Madras Government had themselves previously accepted. There is the other question. The cotton mill industry is one of those industries which should be planned, controlled and guided on an all-India basis. It is not merely a question for a single Province. It is a question for the whole of India. Assuming I appeal to the local authorities or units that were mentioned by Raja Govindlal; supposing the Madras Government takes a decision which is in conflict with the all-India policy. Now when you concede the position that the planning and the control should be all-India, you also concede the position that no particular unit in that India should be allowed to break away from a policy which is enunciated in the interests of the whole country. What will happen if tomorrow Bombay broke away from this Resolution of the Government of India of the 4th of May, which assigned to Bombay only a very small quota of spindlage though Bombay applied for a much larger quota? Supposing Bombay should break away from that and say "We have got the money, we have got the skilled labour; we have got all the experience of this industry behind us; we are in an area where properly the largest number of additional factories should be established". Supposing Bombay takes that view, are we, speaking

on behalf of India as a whole and believing in all-India regulation of such an industry, give way to Bombay opinion? I should certainly say 'on'. It is all right for you to say "You must persuade Madras". We will certainly try to persuade Madras. But there is another aspect to the whole thing. Madras opinion alone should not decide the fate of this new policy. It must be decided on an all-India basis. And who else can do it than the Legislature which speaks for all India? That is the reason why I have brought this Resolution up in this House. I think myself and the Government of India are absolutely at one. They have been acting on an all-India basis. I want them to continue to act on an all-India basis.

THE HONOURABLE Mr. G. S. MOTILAL : Not on the point of Federal Legislation.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : If in the course of their acting for all India there is a breaking away from their policy by a particular Unit, should they not arm themselves with the power of bringing that Unit into line with the all-India policy? That is the only thing that I want to secure by this Resolution. The only suggestion I could make was that, if by administrative persuasion you are unable to do that sort of thing, the only alternative that is left to you is to undertake legislation which the present Government of India Act permits. You have to take power. Let this Legislature declare that this industry is one which should be brought under central control in the public interest. Arm yourselves with the power. No doubt before you decide a policy for all India, you consult all Provincial Governments. In your Legislature all Provinces are represented.

THE HONOURABLE Mr. G. S. MOTILAL : They were in agreement with this policy. Now they are probably likely to differ.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : True. That is why I said they were in agreement. They have expressed disagreement now, one particular province has. The question is—

THE HONOURABLE Mr. G. S. MOTILAL : Are we to override?

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : If you believe that that policy is good on an all-India basis for the country as a whole, you must have the power to override and I ask you to arm yourselves with that power.

THE HONOURABLE THE CHAIRMAN : (The Honourable Mr. M. N. Dalal) : The question is that the following Resolution be adopted.

"This Council recommends to the Governor General in Council —

(a) that the continuance in a state of up-to-date efficiency of Indian cotton mills (both spinning and weaving), and their expansion, as well as the establishment, in properly sited localities in provinces and States, of new mills, in accordance with a national plan are imperatively necessary for preserving and promoting the progress of the handloom industry for meeting adequately the growing internal demands for yarn and cloth, for building up a promising export trade in manufactured cotton goods, and above all for raising the standard of living of the common man both in the cities and the countryside;

(b) that the threat to the Indian mill industry which one Provincial ministry had sounded already, and which, there is reason to fear, might be sounded by other Provincial ministries also deserves to be effectively countered; and

(c) that, therefore, federal legislation be undertaken without delay to declare that the development of the cotton mill industry under federal control is expedient in the public interest and to provide for this development in the interest of India as a whole and on nationally planned lines."

The Motion was adopted.

RESOLUTION RE AMENDMENT OF THE INDIAN LEGISLATIVE RULES

THE HONOURABLE THE CHAIRMAN (Mr. M. N. Dalal) : Before you move your Resolution, Mr. Motilal, may I point out rule 14 of the Council of State Manual which says—

THE HONOURABLE Mr. G. S. MOTILAL (Bombay : Non-Muhammadan) : You can take it for certain that I know the rule. I read it two or three times. Before I framed the Resolution I read the rule more than once. I beg to move :

“ This Council recommends to the Governor General in Council to amend the Indian Legislative Rules so that the members of the Legislature desiring to address in Hindi or Urdu may do so.”

Ever since I entered this House, now nearly 10 years ago, it has been my desire that the members of this House, whether they are acquainted or unacquainted with the English language, if they want to address the House in either of the two principal languages of this country, Hindi or Urdu, they should be at liberty to do so and English should rather be an exception than the rule. The Standing Order on the subject provides that the business of the Indian Legislature shall be transacted in English. There is a proviso to this Order which reads :

“ Provided that the president may permit any member unacquainted with English to address the Council in a vernacular.”

Thus only if a member is unacquainted with the English language he may address it in a vernacular language. There is this restriction. This is a country whose language is not the English language. The business of the Legislature of every country should be conducted in the language of the country and much more so in a democratic country. The circumstances so far have been different. We have been evolving towards responsible Government and hitherto some of the Members of the Government were Englishmen who did not understand Indian languages and for their sake we have had to address this House in the English language. Things have now changed, enormously changed. Every Member of the Government is an Indian who understands the language of the country. The composition of the Government today is such that except one Member—and I am sure he is so well-gifted that he will soon be able to pick it up—all the other Members understand it. I have the privilege of knowing this Member for a number of years and whenever I had occasion to talk to him I liked to talk to him in Hindi or Hindustani, call it whatever you like. He is a great Sanskrit scholar and he is able to follow a great deal of it. In fact he himself introduced it in his own Province. Now, Sir, these two languages—Hindi and Urdu—are the most understood languages in this country and as I said every Member of the Government can understand them. I do not think it will now be pleaded that the members of the Indian Civil Service will not understand them. At least the Indian members of it in their homes and houses all talk the languages of the country and they cannot pretend to be ignorant of Hindi or Urdu. They may not be scholars of them but if we talk here for one or two sessions they are gifted enough to follow it and not only to follow it but to speak very good Hindi or Urdu. Some of them speak very good Urdu ; some of them speak very good Hindi. An amalgam of these two languages is Hindustani and it is in the fitness of things that in the present circumstances one should as a matter of self respect be able to address this House in his own language. We do not feel very happy when we are addressing the House in the English language. We would feel much happier; honestly I feel much happier if I have to address in my own language. I have often asked my friends to speak in Urdu or Hindi. The atmosphere here is altogether an alien atmosphere. If I had been allowed to address the House in Hindustani I would have done it long ago. I made an attempt in the earlier years when I entered this House but when I looked at the rules I could not pretend or say that I was unacquainted with the English language and then I had to accept the things as they were. Now, I say Sir, this Government is pledged to that policy—the policy of transacting the business of the country in the languages of the country. The Hindi and Urdu are the two languages which are widely spoken and we will all enjoy and have greater facility in expressing our thoughts in our own mother tongues than in hired tongues and the language of a country seven seas beyond. If the Englishmen here do not understand, it will not be absolutely necessary that they should but they will be able to follow or understand at any rate the purport of it. They will be able to gather from their friends of the same variety of the same service, of the

same brotherhood and they will be able to tell them “ Well, this gentleman is talking a great deal of sense” and so on. Then, Sir, there are so many people in this country who are now deprived of rendering service in the Legislature simply because they are not in a position to express themselves with proficiency in the English language. I cannot think of any objection to persons who do not understand these languages and cannot express themselves proficiently in them being allowed to address the House in their vernacular language. I suppose then the amendment will provide also that if they are unacquainted with the English or Hindi or Urdu languages they may address the Legislature in their vernacular language. Of course, the rule here refers to the Council. The scope of my Resolution is wider. The scope of my Resolution is wider in the sense that it is not confined to an amendment of this particular standing order only. It refers also to the other House. After the recent elections I asked some of my friends in the other house to address it in the Hindustani language. They wanted to know whether they could do it. I said only if they were unacquainted with the English language. Well, Sir, I am not unacquainted although I am not a very good speaker—people can be good speakers of a foreign language though I am not. So this difficulty was there. I am therefore requesting the Government to amend the rule—the Act gives them the power—so that it may enable the members who like to address the House in their own language, in the language of their heart, in the language of their soul—

THE HONOURABLE Mr. GHAZANFAR ALI KHAN : In Pushtu.

THE HONOURABLE Mr. G. S. MOTILAL : Yes, if they can speak Pushtu they may address the House in that language but at any rate Pushtu is not so commonly understood. Urdu and Hindi are the most talked languages.

Sir, I move.

THE HONOURABLE Mr. GHAZANFAR ALI KHAN (Health Member) : Mr. Chairman, I intervene at this early stage of this debate so that my friends may not have to waste their eloquence on this non-controversial measure. Let me assure the Mover of this Resolution that the Government are entirely in sympathy with its contents and they have not the slightest hesitation in trying to do their best to put it into practice as soon as it is possible. Let me inform my Honourable friend that even under the rule as it is framed today it is up to the Speaker to interpret it either most stringently or liberally. So far as the rules framed under the Government of India Act, 1935, are concerned the Act of 1935 itself contains a similar provision. The phraseology would be a little bit different. It says “ those who do not possess sufficient knowledge of English”. Different interpretations have been put by different Speakers. I know in the Punjab Provincial Assembly the Speaker gave a ruling that anybody even if he is a graduate even if he is a barrister-at-law, if he says that he “ does not possess sufficient knowledge of English” he would allow him to make his speech in any language. I have also heard of rulings where if an Honourable Member makes a speech in English on a certain subject but on another subject he wants to make a speech in Hindi the Speaker has allowed him to do so if he says that he does not possess sufficient knowledge of English so far as speaking on that particular subject is concerned. Therefore, Sir, before we can alter the rule I would request that we interpret the rule as liberally as we can. “ Acquaintance” is a word which is very vague. I may be knowing English and still I may not be sufficiently acquainted with it to speak in English. Therefore, Sir, my contention is that if under the rule as it stands today any Honourable Member says that he wants to speak in Urdu or Hindi because he cannot express himself adequately in English, even under this rule the Speaker or the Chairman should have no objection in allowing him a speech in that language. So far as changing the rule itself is concerned, I would only say that there should be a uniform procedure both in the Central Assembly and in the Council of State. If we pass a Resolution here in the Council of State but the other House does not pass a similar resolution, I think there will be certain practical difficulties in giving practical shape to this proposition. Therefore, my request to my Honourable

[Mr. Ghazanfar Ali Khan]

friend the Mover of this Resolution is not to press this motion, on the clear understanding that we shall take up this matter with the other House immediately and ask them as to what means should be found to give practical shape to the proposition contained in this Resolution. So far as the European members of the Legislature are concerned, I know that there are quite a number of them who will be able to follow speeches in Urdu. Even if some of them cannot do so, we should not much worry about it. They have been able to carry on for such a long time in this country without understanding it that I am sure they will be able to carry on for two or three years without any difficulty.

There are, however, certain suggestions in the speech of the Honourable the Mover with which I do not agree. So long as the speeches are confined to Hindi and Urdu, it is perfectly all right. But the moment he says "in any language", then the question becomes a bit complicated. The number of languages which are spoken in this country are so numerous that I can hardly count even six members sitting in this Honourable House who can say that they understand every language that is spoken in India. Therefore, so far as that proposition is concerned, that should be ruled out. But so far as Hindi and Urdu are concerned, I think the tendency should be that we should speak in our own languages. I entirely agree with him that to conduct the proceedings in a language which is a foreign language is not a matter of pride for this country.

Therefore, I appeal to the Honourable the Mover not to press this motion, on the understanding that we shall take up the matter at a very early date.

THE HONOURABLE MR. G. S. MOTILAL : Only a few words by way of reply. I did not at all say that we should really have so many languages here. That was not at all in my mind. What I said was this. The rule as it stands permits members not acquainted with English to address the House in any vernacular. So, if any member from the Madras Presidency or from some other part of India says, "I am not acquainted with English, nor am I acquainted sufficiently with Hindi or Urdu; and I will address the House in Tamil," that latitude is given to him today under the rules. It is not for me now to ask that it should be taken away, and I do not think the Honourable the Health Member either means that it should be taken away. But in the natural course of things, they will also understand that if they are addressing the House, they are addressing the House, not themselves, and they would address the House in a language which the House can understand. The rule now gives them permission to address in any language if they are unacquainted with English. It would not be fair for me now to suggest that it should be taken away. But as things are, most of the members will address the House in Hindi or Urdu. And as I am assured that the Government will take necessary measures, since they are entirely with me, and that they are as anxious and as earnest as I am in this matter, it serves my purpose. When Government say that they are prepared to carry out the object of the Resolution, it is not necessary for me to press the Resolution. I am glad that the Government are in agreement with the object of the Resolution, and have given us the assurance that they will take steps immediately. I fully rely upon that assurance and I am confident that it will soon be put into practice. I hope that the President will take note the opinion of this House as well as of the Government that this latitude which has been given in the provinces should be given by the Chair in this House too. I beg leave to withdraw the Resolution.

The Motion, was by leave of the Council, withdrawn.

RESOLUTION RE THE APPOINTMENT OF A CENTRAL INDUSTRIAL PLANNING COMMISSION

THE HONOURABLE SIR SOBHA SINGH (Nominated Non-official): Sir, I move :—

"This Council recommends to the Governor General in Council that immediate steps be taken to appoint a Central Industrial Planning Commission to plan the industrial development of the country as a whole and co-ordinate the Provincial schemes for industrial development."

The Council then adjourned to a date to be notified hereafter.

COUNCIL OF STATE

Tuesday, 12th November, 1946

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

MEMBER SWORN :

The Honourable Mr. Abdur Rab Nishtar (Communications Member).

QUESTIONS AND ANSWERS

POTATO PRICES

36. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is it a fact that over 120 motor trucks are plying daily on the Hindustan-Tibet Road to transport about 5,75,000 maunds of potatoes grown at elevations ranging from 3,500 to 10,000 feet? If so, will Government state the quota of potatoes allotted to each Province's and their graded prices?

THE HONOURABLE MR. C. H. BHABHA : The answer to the first part of the question is in the affirmative. A statement showing the allocation of these potatoes to various areas is placed on the table of the House.

The f. o. r. Simla price of potatoes of the first grade is approximately Rs. 16-10-3 per maund and of the second grade Rs. 15-9-6 per maund.

THE HONOURABLE SIR SOBHA SINGH : Are Government aware that this Hindustan-Tibet road is not built for heavy wheeled traffic?

THE HONOURABLE MR. C. H. BHABHA : Government are fully aware of that position, Sir.

THE HONOURABLE SIR SOBHA SINGH : Are Government aware that it is dangerous to the public safety to run heavy wheeled traffic on that road?

THE HONOURABLE MR. C. H. BHABHA : We have no information to that effect, Sir.

Allocation of Simla Hill potatoes main 1946 crop.

(All figures in maunds.)

Recipient	For seed.	For table purposes
1. Punjab	50,000	30,000
2. Delhi	...	36,000
3. N. W. F. P.	1,200	3,000
4. Sind	1,500	...
5. Bombay	1,50,000	1,00,000
6. U. P.	10,000	...
7. C. P.	19,000	...
8. Bengal	1,50,000	50,000
9. Bihar	...	30,000
10. Army (Central and Northern Command)	...	63,000
11. Rajputana States (viz., Jodhpur, Bikaner, Sirohi and Shahpura)	1,100	34,000
		(of this 8,000 mds. are meant for Bikaner.)
12. Palanpur	8,000	...
13. Gujrat States	1,400	...
14. Kolhapur Residency	200	5,000
15. Baroda	28,000	...
16. Hyderabad	3,400	...
17. Khairpur	500	...
18. Malerkotla	1,900	...

19. W. I. States including Kathiawar States	20,000	9,000
20. Bhopal	8,000	...
21. Gwalior	5,000	...
22. Mysore	37,000	...
23. Bundhelkhand	40	...
24. Ratlam	2,000	...
25. Central India States (less Ratlam)	1,300	...
26. Holkar	5,000	...
27. Rewa	300	...
28. Alwar	...	270
29. Dhar	400	...

POTATO PRICES

37. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that about 5,000 tons of dehydrated potatoes have recently arrived in Madras from America? If so, will Government state the quota of potatoes allotted to each Province and their graded prices?

THE HONOURABLE MR. C. H. BHABHA: About 5,000 tons of dehydrated potatoes from the United States of America have recently arrived at Madras. An additional 2,400 tons have arrived at Bombay also, making a total of 7,400 tons. These have been allocated to the Provinces as follows:—

	Tons.
Madras	2,232
Bombay	1,000
Bengal	4,168
Total	7,400

The landed cost of these dehydrated potatoes is about Rs. 1-5-0 per lb. It is for the Provincial Government to fix the retail price.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Why are potatoes being purchased at so high a price?

THE HONOURABLE MR. C. H. BHABHA: There was scarcity of potatoes in this country and that is why these imports were made.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Are further exports at the same price expected from America?

THE HONOURABLE MR. C. H. BHABHA: I want notice of that question, Sir.

ISSUE OF TICKETS TO THIRD CLASS PASSENGERS AT KUREBHAR, E. I. R.

38. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government make an enquiry into the general complaint that tickets to third class passengers from Kurebhar to Fyzabad (East Indian Railway) are issued only to groups of passengers of at least 10 in number and not to individuals, and that the person holding the pass seldom takes the trouble to collect at Fyzabad Junction Station all the persons for whom the joint pass is issued with the result that many passengers including women and children who have paid the fare, are subjected to harassment and extortion at the destination station?

(b) Are they aware that similar incidents often happen at many other stations not only on the E. I. Railway, but also on the O. T. Railway resulting in harassment, detention and extortion to illiterate third class passengers?

(c) Do they propose to issue strict orders to the station authorities not to compel third class passengers to accept joint Railway fare passes, but to give separate tickets to individual passengers?

THE HONOURABLE MR. D. D. WARREN: (a) Yes, Government have ordered an enquiry into the general complaint, but at the moment no information is available

at the headquarters of the E. I. R., and this is being obtained from Divisional headquarters. A statement containing detailed information will be placed on the table of the House.

(b) Government are not aware of this, but both the railways have been directed to investigate.

(c) The Railway Administrations are being asked to draw the attention of station staff to the standing instructions that individual tickets are to be issued to passengers if required.

THEFT OF SUGAR, O. T. R.

39. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Has the attention of Government been drawn to a letter from the General Secretary, Cawnpore Sugar Merchants' Associations published in the *National Herald*, dated the 9th October, 1946 (City edition), that sugar consignments to Cawnpore, over the O. T. Railway are frequently tampered with in transit, and "bags of sugar are relieved of their contents", and that "no attention is paid to the complaints made to the Traffic Manager of the Railway", and on flimsy pretext, claims are disallowed?

(b) Will they have a thorough enquiry made into this and take drastic action to prevent pilfering?

THE HONOURABLE MR. D. D. WARREN: No. Government have no information, but have asked the O. T. R. Administration to conduct an enquiry into the complaint, and a statement containing detailed information will be placed on the table of the House.

RE-EXPORT OF JUTE FROM THE U. S. A. TO SOUTH AFRICA.

40. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Are Government aware that some commercial firms in U. S. A. have recently been exporting jute goods from India, and then importing them from America to South Africa? What steps have they taken to stop this and with what result?

THE HONOURABLE MR. Y. N. SUKTHANKAR: Government have seen a Press report to the effect that 350 bales of jute goods of Indian origin were re-exported from the United States of America to South Africa and they have instructed their representatives in the United States to investigate the matter and to lodge a protest with the appropriate authorities, if necessary.

It is understood in this connection that owing to the scarcity of jute manufactures in the United States, action has already been taken by the authorities concerned to stop leakage at ports, as also to suspend issue of export licences for used bags for South Africa and certain other destinations.

EXPANSION OF TEXTILE MILLS.

41. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government enunciate their policy with respect to the establishment and development of textile mills in India vis-a-vis the production of hand-woven and hand-spun *khadi*?

(b) Do they propose to take steps to prohibit the total import of foreign cloth in this country? If so, will the production of *khadi* be adequate to provide cloth to four hundred million people of India, in case the Indian textile mill production is seriously curtailed by any executive or legislative enactment?

(c) Are they aware that even now the production of Indian textile mills, in addition to *khadi*, is quite insufficient to meet even a fraction of the actual requirements of the general public?

(d) Do they propose to introduce any element of compulsion, direct or indirect in the production of *khadi*?

THE HONOURABLE MR. M. W. M. YEATTS: (a) Government's present target for expansion of spinning and weaving mills falls considerably short of what is needed

to produce enough cloth for the country. Therefore the more *khadi* that is spun and woven the better.

(b) The reply to the first part of this query is in the negative. The second part therefore does not arise.

(c) It has already been admitted in reply to part (a) that the production of Indian textile mills is insufficient to meet the requirements of the public; but the wording of the Honourable Member's question gives a perhaps exaggerated impression of the shortage.

(d) No, Sir.

RIVER GANGES.

42. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Are Government aware that the sacred river of the Hindus "Ganga" is wrongly spelt as "Ganges" in official records, geography, maps and other documents of the Government of India? Do they propose to substitute the word "Ganga" in place of the word "Ganges"?

THE HONOURABLE MR. A. E. PORTER: Government are aware of the discrepancy but the name Ganges like other adaptations of geographical names throughout the world has become established by long usage and international recognition and the expense of time, labour and money which would be required to make the substitution proposed would not be justified by the results.

THE HONOURABLE MR. G. S. MOTILAL: In what other country is this word used except in England?

THE HONOURABLE MR. A. E. PORTER: It is used in America and in all other English speaking countries.

THE HONOURABLE MR. G. S. MOTILAL: English speaking countries only?

THE HONOURABLE MR. A. E. PORTER: I am not acquainted with the other languages.

THE HONOURABLE MR. G. S. MOTILAL: The Honourable Member said "international". Therefore I say it is used in English-speaking countries only.

THE HONOURABLE MR. A. E. PORTER: That is all I am prepared to say, Sir.

THE HONOURABLE MR. G. S. MOTILAL: Should it not be changed to the correct name?

THE HONOURABLE MR. A. E. PORTER: I have given my reply to that, Sir.

OMISSION OF THE WORD "ROYAL" FROM ROYAL INDIAN NAVY, ETC.

43. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Do Government propose to drop out the word "Royal" from "Royal Indian Navy" and "Royal Indian Air Force" which looks incongruous in a free India?

THE HONOURABLE SARDAR BALDEV SINGH: No, Sir. The time for considering such a change will arise after the future constitution of India is determined.

THE HONOURABLE MR. M. THIRUMALA ROW: Are Government aware that the name of the Imperial Council of Agricultural Research was recently changed to Council of Agricultural Research?

THE HONOURABLE SARDAR BALDEV SINGH: Yes, Sir. But in this case it is quite different. The armed forces still owe allegiance to His Majesty the King. The change is not therefore possible at present.

THE HONOURABLE MR. M. THIRUMALA ROW: Does the present Government desire to bring about changes by convention if not constitutionally?

THE HONOURABLE SARDAR BALDEV SINGH: As far as the present Government are concerned, we would have brought about all the changes immediately but I am afraid it has not been found possible for the difficulties that I have explained, i.e. the allegiance of the armed forces to His Majesty.

I. C. S. AND P. C. S.

44. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government enunciate their policy with regard to recruitment for I.C.S. and P.C.S.? What changes are contemplated about the recruitment of foreigners for these services?

THE HONOURABLE MR. A. E. PORTER: The Government of India have no concern with the recruitment to Provincial Services. The Secretary of State has decided not to proceed with recruitment to war-reserved vacancies in the Indian Civil Service and the Indian Police and is being urged by the Government of India to wind up these services at an early date. A Conference of Provincial Premiers was convened by the Honourable Home Member on the 21st October, 1946 to discuss arrangements to replace these services. The majority of Provinces were in favour of the formation of new all-India Services for the purpose. Details are being worked out in consultation with the Provinces and when arrangements are finalised, a public announcement will be made.

The considered policy of the Government of India is that non-Indians shall not be appointed to Government service except in very exceptional circumstances and then only on contract for the minimum period necessary. Appointment to the new services will be governed by this general decision of policy.

THE HONOURABLE MR. M. THIRUMALA ROW: The Honourable Member said that the majority of the Provinces have agreed to the organisation of an all-India service. Will he please let us know which are the Provinces which differ from this scheme?

THE HONOURABLE MR. A. E. PORTER: I should prefer not to do this, because we still hope that the other Provinces will come into the general scheme.

THE HONOURABLE MR. M. THIRUMALA ROW: The Punjab has already published in the press that it differs from the Centre.

THE HONOURABLE MR. A. E. PORTER: I am not aware of that publication; but it is a fact that at present their view is that they would prefer not to come into this scheme.

WAITING ROOMS, O. T. R.

45. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Are Government aware that:

(a) There are no waiting rooms for inter class passengers and no ladies' waiting room at Lakhimpur-Kheri station (O. T. R.), which is a district headquarters?

(b) Even one year after the termination of the War, the lights which were in use at Lakhimpur-Kheri station have not yet been restored and that the whole station premises remain in darkness throughout the night, and this causes trouble and inconvenience to the passengers and exposes them to the risk of theft and accident?

(c) The passengers and the railway staff suffer for want of water at this station, the only source of water being a private well which is situated quite outside the railway premises and at a considerable distance from it?

(d) Drivers of passenger trains pull the whole train on the water column quite outside the railway platform at this station and passengers are put to great difficulty and danger in crossing the signal wires, specially in the night when the whole station and the yard are plunged in darkness?

(e) Lakhimpur-Kheri station is situated in the middle of the town, with dense population on both sides, and that in the absence of an over-bridge, and wall enclosure or fencing, the public have to trespass over the railway lines and thereby accidents happen every year? Do they propose to put up an over-bridge and active fencing to prevent trespassing?

(f) What steps have been taken, or are proposed to be taken, to remove the contents noted in (a) to (d) above?

THE HONOURABLE MR. D. D. WARREN: (a) Yes

228178
Gdham-800 008

(b) High powered lights have not yet been restored but platform oil lights are provided.

(c) No. Hydrants are provided on the platforms and watermen are posted during the summer season.

(d) No. Rules require drivers to stop passenger trains at platforms and detach engines for watering.

(e) There is a level crossing at each end of the station yard by which the public can cross the railway track in safety and there is no reason why the public should trespass over the railway track. The necessity for the provision of an over-bridge will be further looked into.

(f) The necessity for providing additional waiting rooms such as suggested will be looked into and provision will be made as found necessary. Arrangements for adequate lights will be made. Adequate arrangements for the supply of drinking water already exist as stated in reply to part (c) of the question. Action will be taken against drivers found contravening the rules with regard to stoppage of trains at platforms.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: With regard to the answer to part (a) of the question, may I ask whether there is no ladies' waiting room for any class?

THE HONOURABLE MR. D. D. WARREN: That is so. That is what I have said in answer to the question. There is no waiting room for any class.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: May I ask whether the Government will take immediate steps to have a ladies' waiting room for the third class which is more urgent than for the other classes?

THE HONOURABLE MR. D. D. WARREN: I have said in answer to part (f), Sir, that that will be looked into.

DISAPPEARANCE OF CLOTH AT KARWI

46. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that cloth worth about Rs. 3,50,000 has disappeared mysteriously at Karwi, a sub-divisional headquarter of district Banda (U. P.)? Will Government state the facts, and the steps taken in that connection?

THE HONOURABLE MR. M. W. M. YEATTS: We have asked the U. P. Government about this but have not yet had their reply.

SUPPLY OF CONSUMER GOODS TO AFGHANISTAN.

47. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state what arrangements have been made or are proposed to be made to overcome the difficulties said to exist in Afghanistan for the supply of goods from India? What kind of goods will be supplied, and under what terms and conditions?

THE HONOURABLE MR. A. V. PAI: As a result of the war, Afghanistan, in common with most countries, is suffering from an acute shortage of commodities and in particular of piecegoods, kerosene oil and sugar. The Government of India have been and remain most anxious to do all they can to assist a friendly neighbour over her difficulties in this matter and the essential requirements of Afghanistan are supplied from India to the greatest extent possible having regard to our own difficulties. Subject to Governmental controls, goods are supplied through the ordinary trade channels on a commercial basis.

EXPANSION OF TEXTILE MILLS.

48. THE HONOURABLE SIR GOPALASWAMI AYYANGAR: With reference to their resolution, dated the 4th May, 1946, on the expansion of the cotton textile industry, will Government state:

(a) whether orders have issued to applicants allocating the entire new spindleage allotted to the Madras Presidency in the annexure to that resolution under the heads 'fine' and 'coarse' spindles?

(b) If so, will Government furnish details of the names of applicants, the date on which the orders on their applications were passed and the number of spindles, fine and coarse, sanctioned for each of them?

THE HONOURABLE MR. M. W. M. YEATTS: (a) Yes, Sir, with the exception of one unit of 5,500 spindles which is still under discussion between the Madras Government and the Government of India.

(b) A statement is placed on the table of the House.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: May I ask a supplementary question, Sir? May I take it that the orders to individual applicants in these cases were issued by the Government of India and not by the Government of Madras?

THE HONOURABLE MR. M. W. M. YEATTS: I do not altogether follow the question, Sir.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: I am asking whether the allocation to individual applicants was ordered by the Government of India, not by the Government of Madras.

THE HONOURABLE MR. M. W. M. YEATTS: It is discussed between the Governments and it is really a form of agreed decision.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: Whose was the final order?

THE HONOURABLE MR. M. W. M. YEATTS: I cannot say. No dispute has come to my notice. But I take it since it is professed to be all-India, the final order would be that of the Government of India.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: Is it not a fact that the Madras Government only recommended certain applications and did the Government of India not say in a Press Note the other day that promoters were nominated by the Provincial Governments.

THE HONOURABLE MR. M. W. M. YEATTS: That is correct.

Statement

Name of applicant	Date on which orders passed.	Spindles allocated	
		Fine.	Coarse.
<i>New Mills.</i>			
Hemlatha Textiles Ltd., Guntur	22-5-46	...	12,000
Kadiri Mills Ltd., Coimbatore	22-5-46	13,500	...
Kandan Textiles, Ltd., Madras	22-5-46	...	6,000
Murugananda Mills, Ltd., Finnovevly	22-5-46	6,000	6,000
Peerdan Textiles, Ltd., Trichinopoly	22-5-46	6,000	6,000
Karnatak Spg. & Wvg. Mills, Ltd., Bellary	22-5-46	...	17,000
Kandapuram Spg. & Wvg. Mills, Cuddapah	22-5-46	...	12,000
Tungbhadra Textiles Ltd., Kurnool	22-5-46	...	12,000
Rayalseema Mills, Bellary	22-5-46	...	12,000
Anantapur Spg. & Wvg. Mills, Anantapur	22-5-46	...	7,700
Rayalseema Textiles, Anantapur	22-5-46	...	12,000
India Textiles, Ltd., Tinnevely	22-5-46	6,000	6,000
Sri Ganpathi Mills, Tinnevely	22-5-46	6,000	6,000
Rambhadra Textiles, Ltd., East Godavari	22-5-46	9,000	9,000
Kistna Textiles, Ltd., Kistna	22-5-46	6,000	6,000
Tuticorin Spinning Mills, Tuticorin	22-5-46	6,000	6,000
Kartikeyan Mills, Ltd., Kurnool	22-5-46	6,000	6,000
South India Textiles, Ltd., Ramnad	22-5-46	9,000	9,000
Sri Ram Krishna Mills, Coimbatore	29-5-46	6,000	...
Srinivas Mills, Madura	29-5-46	6,000	6,000
Kannabiran Mills, Coimbatore	29-5-46	7,000	...
Rajeshwari Mills, North Arcot	29-5-46	6,000	...
Aaron Spg. & Wvg. Mills, Malabar	12-3-46	12,000	...

<i>Extensions</i>				
Trichinopoly Mills, Trichinopoly	24-5-46	...	9,000	
Balasubramanys Mills, Coimbatore	24-5-46	5,000	...	
Kumaran Mills, Coimbatore	24-5-46	1,300	...	
Palamalai Ranganathar Mills	23-5-46	6,000	...	
Mahalakshmi Textile Mills, Madura	24-5-46	10,000	...	
Sarda Mills, Coimbatore	24-5-46	6,000	...	
Vijayalakshmi Mills, Coimbatore	23-5-46	10,000	...	
Tirumurthi Mills, Udumalpet, Coimbatore	24-5-46	10,000	...	
Asher Textiles, Tinepput, Coimbatore	24-5-46	10,000	...	

IMPORT OF PRODUCTIVE MACHINERY.

49. THE HONOURABLE SIR GOPALASWAMI AYYANGAR: (a) Has any sanction for the import of productive machinery for replacement, in excess of the quantities allotted to new mills and expansion of existing mills, been given for the Madras Presidency?

(b) If so, will Government furnish details as to the names of applicants and the description and quantities of the machinery permitted to be imported by them?

(c) Have any applications under paragraph 11 (c) of the Khatau Committee report for productive machinery for balancing the existing plant been received from mills in the Madras Presidency? If so, will Government state particulars of the names of applicants and the description and quantities sanctioned in each case?

THE HONOURABLE MR. M. W. M. YEATTS: (a) Yes, Sir.

(b) A statement is laid on the table.

(c) Yes, Sir. A statement is laid on the table.

<i>Statement I</i>		
Name of mill	Description of machinery	No. of spindles.
Loyal Mills, Koilpatti	Spinning machinery from blow-room to ring frames	20,000
Pankaja Mills, Coimbatore	6 ring frames	2,640
Radha Krishna Mills, Ltd., Coimbatore.	1 blow room line; 12 roving frames and 30 ring frames	12,000

<i>Statement II</i>		
Name of mills	Description of machinery	No. of spindles.
Pankaja Mills, Coimbatore	One slubbing frame, one roving frame, two ring frames	880
Shri Balasubramania Mills, Singanailur.	Two ring frames	864

RESERVATION OF SPINDLES FOR THE HANDLOOM INDUSTRY.

50. THE HONOURABLE SIR GOPALASWAMI AYYANGAR: With reference to para. 5 of the resolution, dated the 4th May, 1946, will the Government of India state whether the Madras Government have since informed them whether, out of the new spindles which have been allocated to that province, they will reserve 25 per cent. or a higher percentage for satisfying adequately the needs of handloom weavers?

THE HONOURABLE MR. M. W. M. YEATTS: The Madras Government, like all other Provincial Governments, were obliged to reserve at least 25 per cent. They have not informed the Government of India whether they intend to reserve a higher percentage than 25 per cent. The Textile Commissioner will however keep a check while scrutinizing applications for Import Licenses.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: Are the Government of India aware that the largest number of handlooms in any single Province is in the Madras Province and that the Madras Government have not asked for reservation of a larger percentage than 25?

THE HONOURABLE MR. M. W. M. YEATTS: That is correct.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: Are the Government of India aware that the handlooms in the Province today get yarn which will give them work only for 10 days in the month?

THE HONOURABLE MR. M. W. M. YEATTS: The figure we had was more or less 15.

THE HONOURABLE MR. M. THIRUMALA ROW: Did the Government of India divert a large quantity of yarn from Madras to other Provinces?

THE HONOURABLE MR. M. W. M. YEATTS: Yes.

THE HONOURABLE MR. M. THIRUMALA ROW: Is it not the duty of the Government of India to see that the local needs are first satisfied?

THE HONOURABLE MR. M. W. M. YEATTS: The control, as the Honourable Member will see, professes to be an all-India one.

THE HONOURABLE MR. M. THIRUMALA ROW: The Government of India is responsible for the shortage of yarn in the Madras Province.

EXPANSION OF THE TEXTILE INDUSTRY

51. THE HONOURABLE SIR GOPALASWAMI AYYANGAR: With reference to the recommendation of the Khatau Committee in the last sentence of paragraph 20 of its report, namely, that "should there not be sufficient applications from persons approved in the manner detailed above to absorb the planned expansion in any particular zone, the surplus should be allocated to applicants from other zones including the Bombay surplus area", will Government state whether there has been any insufficiency of applications for the planned expansion in the Madras Presidency?

THE HONOURABLE MR. M. W. M. YEATTS: There has been no such insufficiency.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: May I take it that the only condition on which any spindlage and loomage allotted to the Madras Province could be taken away from them and allotted to other provinces would be insufficiency of applicants?

THE HONOURABLE MR. M. W. M. YEATTS: That is what the question contemplates, Sir.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: That arises from the Khatau Committee's Report which you have accepted. I would not pursue that. I would only ask this whether the Government of India would be prepared to transfer any portion of the spindlage allotted to the Madras Province not on the ground that there is an insufficiency of applicants but on representation from the Government of Madras.

THE HONOURABLE MR. M. W. M. YEATTS: Actually that point is coming up in one of the Honourable Member's subsequent questions.

EXPANSION OF THE TEXTILE INDUSTRY.

52. THE HONOURABLE SIR GOPALASWAMI AYYANGAR: (a) Is it not the intention of the Government of India that the plan for the further expansion of the cotton textile industry could be framed and carried out only on an all-India basis?

(b) Have they not accepted without demur the recommendation of the Khatau Committee contained in the following words:

"We wish it to be clearly understood that if the Government of India cannot arrange for the compliance of all Provinces and States to the principles of this post-war plan, we are of the opinion that the whole question of planning for the expansion or erection of new mills in India must be abandoned"?

THE HONOURABLE MR. M. W. M. YEATTS : (a) and (b) Evidently an all-India Plan ought to be all-India ; and if the all-India aspect was seriously affected, the viability of the Plan itself might be in danger. Much however would depend on the nature and extent of Provincial or State deviations from the all-India aspect before the Government of India could give a categorical ruling of the kind desired.

EXPANSION OF THE TEXTILE INDUSTRY

53. THE HONOURABLE SIR GOPALASWAMI AYYANGAR : (a) Has the attention of Government been drawn to the following statement made by the Prime Minister of Madras of the policy of his Government :

"It has been decided not to allow any new cotton textile mills to be set up in this province ; even the expansion of the existing mills will not be permitted ; and the Central Government will be informed that the allotment of spindles and looms made to this province under the post-war plan be cancelled " ?

(b) Have Government proposed, or do they propose to acquiesce in the implementing by the Madras Government of this policy of non-co-operating with the policy laid down by the Government of India ?

(c) Has any communication been received from the Madras Government asking the Government of India to cancel their orders already issued as regards the allotment of spindles and looms to that province ? If so, how has that communication been disposed of ?

THE HONOURABLE MR. M. W. M. YEATTS : (a) Yes, Sir.

(b) and (c) The Government of India have received no communication from the Madras Government on the subject, and are asking them to clarify.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : Not even within the last day or two ?

THE HONOURABLE MR. M. W. M. YEATTS : Not until the moment I left for the House this morning.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : Apparently newspapers get information sooner than the Government of India do ?

THE HONOURABLE MR. M. W. M. YEATTS : Apparently so, Sir.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : I am asking what will be done after the receipt of such a communication ?

THE HONOURABLE MR. M. W. M. YEATTS : That is a hypothetical question, Sir.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : Now, Sir, has the Honourable Member in charge of Industries received a telegram in the following terms :—

"Thungabhadra Mills Nandyal obtained capital issue import permits for textile mill twelve thousand spindles. Company registered. Machinery ordered. Received today communication Madras Government intimating surrender spindles quota Madras and cancelling distribution. Action illegal. Pray interfere."

Has the Honourable Dr. Matthai whose name I find amongst the addressees in this telegram, received that telegram ?

THE HONOURABLE MR. M. W. M. YEATTS : I could not say, Sir, but if we can assume the efficiency of the Post and Telegraph Department he probably has.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : May I ask, Sir, whether the Madras Government have any powers to cancel allocations, import permits, capital issue sanctions issued by the Government of India ?

THE HONOURABLE MR. M. W. M. YEATTS : No, Sir.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : Will that not be impeding or prejudicing the exercise of the executive powers of the Central Government in the Madras Province ?

THE HONOURABLE MR. M. W. M. YEATTS : That is a matter of opinion, Sir.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : I am pointing out that the orders were issued by the Government of India and that the Madras Government later issued their communication cancelling those sanctions. Will that be not impeding or prejudicing the exercise of your executive powers in the Madras Province ?

THE HONOURABLE MR. M. W. M. YEATTS : I think, Sir, that the Honourable Member is rather straining the position. It is not the executive authority of the Government of India which is affected in this case. It is a matter of an agreed distribution in which apparently according to the newspaper intimation but not to any letter which has yet reached us one party no longer wishes to play.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : I am afraid, Sir, the Honourable Member does not exactly apprehend the legal position. Are import permits, capital issue sanctions issued by the Government of India under statutory powers under the Defence of India Act and the Rules made thereunder ?

THE HONOURABLE MR. M. W. M. YEATTS : That is so but there would be no interference with the import.

THE HONOURABLE THE PRESIDENT (to the Honourable Sir Gopalaswami Ayyangar) : Don't you think the answer enough ? What is the good of—

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : No, Sir. I am proposing to suggest to the Government of India what they might do in the awkward position in which the Provincial Government has placed them. I am asking, if you agree that it is an interference with your executive powers, will you issue a direction to the Provincial Government under sub-section (1) of section 126 of the Government of India Act to withdraw their orders ?

THE HONOURABLE MR. M. W. M. YEATTS : That asks for a statement or Government policy which, I am afraid, I cannot give at present.

EXPANSION OF THE TEXTILE INDUSTRY.

54. THE HONOURABLE SIR GOPALASWAMI AYYANGAR : (a) Will the Government of India state :

(i) whether their policy is that the cotton mill industry in the country—both spinning and weaving—should not only continue to exist but should be expanded from time to time to meet adequately the growing demands of consumers in India and to produce a surplus for export, and

(ii) whether the planning and control of its development in the future under federal auspices are expedient in the public interest ?

(b) If the answer to (a) is in the affirmative, do the Government of India propose to undertake legislation under item 34 of list 1 of the Seventh Schedule to the Government of India Act, 1935 ?

THE HONOURABLE MR. M. W. M. YEATTS : (a) (i) Yes, Sir.

(a) (ii) and (b). These matters are under consideration.

DIRECTORATE GENERAL, INDUSTRIES AND SUPPLIES

55. THE HONOURABLE MR. N. K. DAS : (a) Will Government state whether the Directorate General, Industries and Supplies consist of the Supply Wing and the Development Wing ?

(b) Is it a fact that the Purchase Branches of CCP (M) and CCP (S) constitute the present Supply Organisation while the "Planning" Organisations of DGMP and DG (S) constitute the present Development Cell ?

(c) What are the functions of the Development Wing ?

(c) The cadres were not amalgamated. There are separate cadres for "Supplies" and "Development" work. The scales of pay were kept uniform. The posts have been sanctioned only on a temporary basis up to 28th February, 1947, and the question of formation of cadres on a permanent basis is under consideration.

(d) Yes.

(e) Yes.

DIRECTORATE GENERAL, INDUSTRIES AND SUPPLIES

61. THE HONOURABLE MR. N. K. DAS: (a) Will Government state whether it is a fact that there are instances where non-gazetted staffs in the Planning, Progress and also Purchase wings have been promoted to gazetted ranks and have been retained as Assistant and Deputy Directors superseding the claims of directly recruited gazetted officers of the Supply Wing?

(b) How many such cases are there?

(c) Why were these promotions made?

(d) Do they propose to re-examine these cases and fix up their ranks in accordance with their seniority in grade?

THE HONOURABLE MR. M. W. M. YEATTS: (a), (b) and (c). No. Four officers who originally held non-gazetted posts in the Supply Department and were later promoted on merit to gazetted posts have been, on the reorganisation of the Department, appointed Deputy Directors or Assistant Directors in the Supplies Wing. At the same time, the services of a number of directly recruited gazetted officers were dispensed with. But no question of supersession arises as all the officers retrenched held temporary posts and selection for the new organisation was made on the basis of previous service, experience and efficiency.

(d) No.

DIRECTORATE GENERAL, INDUSTRIES AND SUPPLIES

62. THE HONOURABLE MR. N. K. DAS: (a) Will Government state whether it is a fact that:

(i) Purchase Officers of the old Indian Stores Department were Class I Officers of the Government of India?

(ii) Purchase Officers appointed in war-time were recruited in Class I Service and entitled to all the privileges of Class I Officers?

(iii) In the post-war set up these officers have been demoted to Class II Service? If so, why?

(iv) Officers in other Departments of the Government of India and Railway's with equivalent amount of Salary as well as responsibility as that of Purchase officers are in Class I Service?

(b) Are Government aware that discontent prevails among the officers of this Department on their demotion to Class II Grade?

(c) Do Government propose to remedy this discontent?

THE HONOURABLE MR. M. W. M. YEATTS: (a) (i). Yes.

(ii) No. Temporary war-time posts were never formally classified under the Central Services Classification, Control and Appeal Rules. In war-time conditions such officers were treated as Class I Officers for the purpose of travelling allowance only.

(iii) No. So far as the travelling allowance point is concerned, temporary officers in this Department have been allowed travelling allowance in accordance with the general rules which relate to travelling allowance on basic pay, i.e., travelling allowance at the rates admissible to officers of Class I Services is paid only to those whose pay exceed Rs. 750 p. m.

(iv) I am not in a position to make a comparison between the responsibilities of officers of this and other Departments of Government. As I have already said, temporary posts have not formally been classified. In the case of such posts, for the purpose of travelling allowance, officers are classified, as in the case of other Departments, on the basis of their pay.

(b) No.

(c) Does not arise.

DIRECTORATE GENERAL, INDUSTRIES AND SUPPLIES

63. THE HONOURABLE MR. N. K. DAS: (a) Will Government state whether it is a fact that a Deputy Assistant Director and the Assistant Director are both Section Officers and discharge equivalent amount of responsibility? so, why has a distinction been made between these two grades of officers?

(b) Was there any such distinction maintained in the old Indian Stores Department?

(c) Do Government propose to examine the issue and consider introducing a joint cadre?

THE HONOURABLE MR. M. W. M. YEATTS: (a) and (b). Both are Section Officers but the Assistant Director is given more responsible charges and has wider powers. A corresponding distinction obtained in the old I. S. D.

(c) Yes.

DIRECTORATE GENERAL, INDUSTRIES AND SUPPLIES

64. THE HONOURABLE MR. N. K. DAS: (a) Will Government state whether it is a fact that:

(i) Central Government officers at Bombay and Calcutta are paid compensatory local allowance and house rent allowance;

(ii) Officers stationed at the Headquarters at New Delhi are not entitled to these allowances;

(iii) The cost of living in Delhi in the present conditions is equal if not more than the cost of living in Bombay and Calcutta;

(iv) Officers at Delhi are not given house rent allowance on the understanding that Government will provide accommodation for all its officers on rent based on salary; and

(v) There are a number of officers in the different Departments of the Government of India at Delhi who have been allotted no accommodation by the Government and are occupying private houses on rents out of all proportion to their salary?

(b) Do Government propose to examine the whole matter afresh and consider giving compensatory allowances to all officers at Delhi and house rent allowance to those who cannot be provided with houses by Government on account of short age of accommodation?

THE HONOURABLE SIR CYRIL JONES: (a) (i) Yes, Sir. As a rule officers on general scale of pay who are liable to transfer from one station to another are given both compensatory and house rent allowance while stationed at Calcutta and Bombay.

Non-gazetted ministerial Government servants are entitled only to the house rent allowance.

(ii) In Delhi, the concession of house rent allowance was extended to non-gazetted ministerial Government servants during the war and still continues.

(iii) Government do not consider that the cost of living in Delhi is as high as in Calcutta and Bombay.

(iv) No, Sir. Government do not work on the basis that Government accommodation will be provided to all their employees stationed in Delhi.

(v) It is a fact that some officers have not been allotted Government residences. Government have, however, no information about the rents paid by them for private accommodation.

(b) The question does not arise in view of replies to (a) (ii) and (iii).

MANUFACTURE OF VANASPATHI

65. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) With reference to a question of mine in a previous session of the Council, about the opening of new factories in India for the production of what is called "Vanaspatti" so called ghee, has the attention of Government been drawn to the following remarks of Mahatma Gandhi (*vide* the "National Herald", dated the 14th October, 1946, City edition)—

"Vanaspatti is not, and can never be ghee. If ever it were to become ghee, I would be the first loudly to proclaim that there is no further need of real ghee. Ghee or butter are the fat contents of milk drawn from an animal. To sell vegetable oil or butter in the form and name of ghee is to deceive the Indian public. It is thoroughly dishonest. It is the clear duty of tradesmen not to sell any product of this nature in the guise of ghee, and no Government should countenance such sale".

(b) Do Government propose to cancel the opening of new factories for the production of "Vanaspatti" so called ghee, and prohibit totally its production and sale in India; and prosecute those who indulge in such sales under the Merchandise Marks Act, for giving false trade description to their goods?

THE HONOURABLE MR. C. H. BHABHA: (a) Yes, Sir.

(b) The answer to the first two parts of the question is in the negative. Government have already regulated conditions of sale under the Vegetable Products Control Order, 1946, so as to prevent the sale of Vanaspatti in premises where ghee is on sale and to provide for Vanaspatti containers having a clear description of the contents displayed upon them. Breach of these regulations is punishable under the law.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE

SECRETARY OF THE COUNCIL: Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meetings held on the 7th and 11th November, 1946, namely:—

A Bill to remove certain disabilities and doubts under Hindu Law in respect of marriages between Hindus.

A Bill further to amend the Reserve Bank of India Act, 1934

STATEMENTS, ETC., LAID ON THE TABLE,

THE HONOURABLE MR. A. E. PORTER (Home Secretary): Sir, I lay on the table copies of the Declaration of Exemption under section 6 of the Registration of Foreigners Act, 1939, as published with the notification of the Government of India in the Home Department:—

(1) No. 1/2/46-Poll. (E), dated the 4th March, 1946.

(2) No. 1/4/46-Poll. (E), dated the 11th April, 1946.

(3) No. 1/4/46-Poll. (E) dated, the 17th May, 1946.

(4) No. 1/4/46-Poll. (E), dated the 3rd June, 1946;

(5) No. 1/13/46-Poll. (E), dated the 27th August, 1946.

(6) No. 1/14/46-Poll. (E), dated the 27th August 1946.

(7) No. 1/16/46-Poll. (E), dated the 10th September, 1946;

(8) No. 1/14/46-Poll. (E), dated the 17th September, 1946;

(9) No. 1/16/46-Poll. (E), dated the 25th September, 1946.

NOTIFICATIONS

Declarations of Exemption

No. 1/2/46-Political (E.), dated the 4th March, 1946.—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 General Fleming and Mr. T. H. Macdonald of the Government of the United States of America for so long as they remain in India.

No. 1/4/46-Political (E.), dated the 11th April, 1946.—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 rule 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—

(1) Mr. Thomas W. Simons, Senior Economic Analyst to the American Consulate General at Calcutta and his wife;

(2) Miss Minnie Gay Cox, Clerk at the American Consulate General at Calcutta;

(3) Mr. George K. Murray, Clerk at the American Consulate General at Bombay; and

(4) Miss Anne Hiers, Clerk at the American Consulate General at Calcutta for so long as they retain their present employment.

No. 1/4/46-Political (E.), dated the 17th May, 1946.—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 rule 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. Ralph Block, wife of Mr. Ralph Block, Principal Public Affairs Officer of the American Mission in India and her daughter Bridget Block, for so long as they remain in India.

No. 1/4/46-Political (E.), dated the 3rd June, 1946.—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. George Oswald Barraclough and Robert Louis Welk, United States Government officials of the Foreign Liquidation Commission, for so long as they retain their present employment.

No. 1/13/46-Political (E.), dated the 27th August, 1946.—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. Stanley R. Chartrand, Assistant Public Affairs Officer, American Consulate in Madras, Miss Huth A. Grover, clerk, American Consulate General at Calcutta for so long as he/she is employed in his/her present post.

No. 1/14/46-Political (E.), dated the 27th August, 1946.—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. Terence W. MacDermott of the United Nations Organisation.

No. 1/16/46-Political (E.), dated the 10th September, 1946.—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,

	Mr. Douglas Le Roy Edwards	he	
or in relation to	Miss Eugenia A. Richards	she	
	Mr. John Korkis	he	are employed in

	United States Foreign Liquidation Mission.
the	American Consulate-General, Bombay.
	United States Mission, New Delhi.

No. 1/14/46-Political (E.), dated the 17th September, 1946.—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 Miss Phyllis Elizabeth Somerville, Private Secretary to Mr. Terence W. MacDermott of the United Nations Organisation.

No. 1/16/46-Political (E.), dated the 25th September, 1946.—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 Miss Beth Elene Davis, for so long as she is employed in the American Mission, New Delhi.

DEFENCE CONSULTATIVE COMMITTEE

THE HONOURABLE SARDAR BALDEV SINGH (Defence Member): Sir, I beg to move :—

“That this Council do proceed to elect, in such manner as the Honourable the President may direct, four non-official members to serve on the Defence Consultative Committee for the remaining portion of the financial year 1946-47.”

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan): May I inquire what is the number of members elected by the Assembly to this Committee?

THE HONOURABLE SARDAR BALDEV SINGH: The members elected by the Assembly are twelve.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I suggest, Sir, that the number of members elected by the Council of State should be six in that case. I would have proposed that in March last but as the personnel of the Committee was not altered then and no new election was held I could not do so. It has been an unwritten rule observed by the Government so far that the Council of State is called upon to elect to a Committee half the number of members elected by the Assembly. I see no reason why that practice should be departed from in this case and I hope that my Honourable friend, Sardar Baldev Singh, will not object to an increase in the number of representatives of the Council of State on the Defence Committee itself.

THE HONOURABLE SARDAR BALDEV SINGH: Sir, if the House so desire I will certainly agree that the Council of State should elect six members. My own opinion is that membership of the Consultative Committee as 18 will be too big; it will not remain consultative. I had hoped that the number of members elected by the Assembly should be reduced but that was not possible as the motion had already been moved in the Assembly. In the circumstances, I have no objection if the House so desires to six members being elected from this House.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: That will give representation to all parts of the House. If the number of members to be elected by the Assembly is decreased the Honourable Member can then certainly ask us to be content with the number he has proposed now but since that cannot be done I think it is fair to this House that it should be allowed to elect six members, particularly as that will give all parties in this House an opportunity of sending a representative to the Committee.

LT.-COL. THE HONOURABLE SIR BUTA SINGH (Punjab : Sikh): I also strongly support the proposal of Pandit Kunzru. When the number of members are reduced in the other House, the same can be done in this House. But at present there seems no reason why the number should not be raised to six.

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN (Sind : Muhammadan): Moreover, it is for a short period. As my Honourable friend says that the Motion has already been moved in the Assembly and they have elected 12 members, it is only fair that he should allow this House to elect six members.

THE HONOURABLE THE PRESIDENT: Motion moved :—

“That this Council do proceed to elect, in such manner as the Honourable the President may direct, six non-official members to serve on the Defence Consultative Committee for the remaining portion of the financial year 1946-47.”

The Motion was adopted.

STANDING COMMITTEE ON PILGRIMAGE TO THE HEJAZ.

THE HONOURABLE MR. A. V. PAI (Commonwealth Relations Secretary): Sir, I move :—

“That this Council do proceed to elect, in such manner as the Honourable the President may direct, one Muslim member to serve on the Standing Committee on Pilgrimage to the Hejaz vice the late Honourable Mr. Abdul Razak Hajee Abdool Suttar, deceased, for the unexpired portion of the life of the Committee constituted on the 1st April, 1944 and due to expire on the 31st March, 1947.”

The Motion was adopted.

STANDING COMMITTEE FOR THE COMMERCE DEPARTMENT.

THE HONOURABLE MR. Y. N. SUKTHANKAR (Commerce Secretary): Sir, I move :—

“That this Council do proceed to elect, in such manner as the Honourable the President may direct, one non-official member to serve on the Standing Committee to advise on subjects with which the Commerce Department is concerned—vice the late Honourable Mr. Abdool Razak Hajee Abdool Suttar, deceased.”

The Motion was adopted.

THE HONOURABLE THE PRESIDENT: Honourable Members, as this is going to be a very short session, I am obliged to fix the time for receiving nominations up to 11 A.M. to-morrow. Otherwise we shall not have sufficient time for the elections. Nomination papers must be submitted by 11 A.M. to-morrow.

RESOLUTION *RE* CONTINUATION OF INDIA'S MEMBERSHIP OF THE INTERNATIONAL MONETARY FUND AND THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.

THE HONOURABLE SIR CYRIL JONES (Finance Secretary): Sir, I move :—
“That this Council do approve India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development.”

From the time, Sir, that it became apparent to thinking and far-seeing men that in view of the impact of the long drawn out and bitterly waged war on the economies of the various nations of the world, the economic outlook for the world for many years to come after the end of the war would be bleak indeed unless the nations could see their way to agree to combine in the economic development of all nations for their mutual benefit, and that the first step in such economic co-operation could appropriately be taken in the monetary field, from that time down to the formulation of a concrete scheme for international monetary co-operation, complete in all its technical details, as formulated at Bretton Woods, is a long history into which I do not propose to enter for purposes of the present debate. Similarly, I do not propose to recapitulate past history in regard to the question of India's adherence to these Agreements. I would suggest for the consideration of Honourable Members that the matter now before the House be considered on the basis of facts as they stand today and be decided strictly on the merits of the case irrespective of past history.

Of the facts as they stand today the two chief are these, that two international institutions, the Monetary Fund and the Bank for Reconstruction and Development have been set up and will shortly be ready to begin active operations; and, secondly that India is a member of both these institutions. The present Government, after full consideration on merits, judged by the one criterion as to whether India's participation is in India's interests or not, are of the opinion that India should continue her membership, and they are desirous that their view should receive the endorsement of the Legislature. That, Sir, is the plain issue before the House today. If the Legislature agrees, India will continue her membership, enjoying the rights and privileges of membership, and also automatically assuming the obligations of membership all of which are clearly defined and laid down in the Articles of Agreement, including among others, the payment of subscriptions as they fall due from time to time. If the Legislature should disapprove of India's membership, then India could withdraw

[Sir Cyril Jones,]

from either or both of these institutions at any time without notice and without penalty. But in the interests of strict accuracy I should perhaps modify that statement. India is at liberty to withdraw from the International Bank at any time, and in that case she has full option either to continue or to withdraw her membership of the Monetary Fund. But if on the contrary India withdraws her membership from the Monetary Fund, then she will automatically cease to be a member of the International Bank; she loses the option, and it rests with the Bank itself to decide whether if India desired to continue her membership of the Bank she should be allowed to do so, such decision on the part of the Bank requiring a three-fourths majority. But by and large it is true that India has full option to continue or to discontinue her membership of these two institutions.

Honourable Members of this House will probably remember that the Articles of Agreement of these two institutions, called for short the Bretton Woods agreements, were hammered out by the representatives of 44 nations by a long drawn out process of give and take where differences of opinion or conflicting interests manifested themselves. The Articles of Agreement are, therefore, of the nature of a compromise. Possibly no single nation is altogether and completely satisfied with the result. That is generally true of all compromises. The actual details of any International financial and monetary agreement are necessarily highly technical and possibly appear somewhat mysterious and confusing to the non-expert mind, and I would ask Honourable Members of this House in the course of today's discussion not to let themselves get lost in a minute examination of the technicalities and the technical details but to consider the question before the House on broad general lines. I make this request with greater confidence because it is a fact, on practical grounds, that it is hardly possible for any one country at this stage to obtain any modification of the details embodied in these agreements. To do so would involve the calling together of a fresh International Conference, and that would reopen all the issues which were decided by this process of give and take to which I have referred by the various countries and on which agreement was reached sometimes with great difficulty at Bretton Woods. Therefore in actual practice, although it may not be so in theory, it is a case of accepting or rejecting this scheme of international monetary co-operation as it stands. If in the course of experience the working of either the Fund or the Bank were to show defects, technical or otherwise, in the set up of these institutions or the provisions governing their working it will be open to the managements of those institutions on which India if a member, will be duly represented, to make such changes as are agreed upon as necessary. But, at this stage, it is not practical politics to make any changes in the details of the schemes themselves.

In order to assist the House, Sir, in considering the proposition which I have moved on broad general lines it would perhaps be appropriate if I were to say a few words at this stage on the general purposes and objectives to secure which the collective wisdom of the representatives of 44 nations regarded these two institutions as a most appropriate means. To take first the International Monetary Fund, it has two main purposes which although separate and distinct are yet inter-dependent. The first one is to assist in stabilising rates of exchange and the second one, which is really a means to an end of the first purpose is to provide short-term credit facilities to member countries in order to enable them to overcome temporary difficulties in their balance of payments position without resorting to restrictive monetary practices which otherwise would be unavoidable but are nevertheless injurious to world trade. This scheme of short-term credit facilities in a sense carries into the international sphere the ordinary banking principle of overdrafts. Honourable Members might remember that that was the basic principle of the original scheme put forward by the late Lord Keynes, in which he carried this principle to its logical conclusion although his scheme was, in my opinion, too clever and certainly too novel to secure general acceptance. But the scheme as it has finally emerged does rest on the same principle, that if a person or a company or even a country is in temporary difficulties in the matter of paying his way, it will serve to his advantage and to the mutual advantage of many other people if he is given temporary accommodation to enable him to tide over his difficulties. The functions of the Bank are quite different, and

yet in a way they are complementary to the functions of the Fund. The International Bank is designed to assist with long-term loans in the development of the economic resources of member countries, especially for securing the restoration of war-ravaged countries and the development of backward countries, where it is particularly necessary in the interests of those countries and of the world in general to raise standards of productivity, to raise standards of purchasing power and to raise standards of life. In so far as India is an industrially backward country I suggest that she is the more directly interested in the inauguration and proper functioning of the International Bank. I said just now that these two institutions are to a degree complementary in character and I would express that in this way. Few people, I imagine, will deny that stability of exchange rates is desirable, since only if order exists in the field of exchange rates will the flow of international investment be facilitated. *Per contra*, the International Bank, by supplying nations in need with initial purchasing power, will free the resources of the International Fund from abnormal strain. Now, the view has been expressed, and I think with some reason, that stability of rates is an objective which, if carried too far, might be a menace or a danger to the economic health of an individual country. I would agree at once that stability of exchange rates is only an acceptable objective provided that reasonable freedom is allowed to adjust rates as and when found necessary to avoid intense deflationary pressures. Such freedom is in fact allowed in the Articles of Agreement governing the working of the International Monetary Fund. They were put in at the instance largely of the United Kingdom and of Australia, which foresaw the necessity of national policies aiming at full employment and were strongly of opinion that if it were necessary to choose at any time in the future between that national policy and the maintenance of stable rates of exchange, then it was the national policy which should have preference. That as I say, has been allowed for in the Articles of Agreement, in that the Fund is not allowed to question national policies, and if in the implementation of an accepted national policy a country finds itself in difficulties in maintaining its balance of payments at the current rate of exchange, rather than force that country to alter its policy and perhaps adopt deflationary measures which would result in unemployment and economic distress the Fund is under obligation to permit of such exchange depreciation as might be necessary to correct the position.

As regards the relative importance of these two institutions, Sir, it is not very easy to dogmatise. I think one can say this, that in the immediate future the crying need for the post-war world will be new investment, and the International Bank would provide an ideal agency for the international planning and direction of this new investment and for the mobilisation of investible resources. In the immediate future, therefore, it is possible that the Bank may be of more importance than the Fund. But the Fund's value will become increasingly apparent as conditions become increasingly settled, since it caters for fluctuations in conditions governing current trade transactions and is not concerned with long-term investment. Nonetheless we must remember that no effective international economic plan can work or will work in the absence of reasonably stable foreign exchange rates. It was the unregulated and anarchical competitive depreciation of foreign currencies in the inter-war period which was largely responsible for the severe malaise which affected international trade in that period.

Now, Sir, if India subscribes to the purposes and objective which I have very briefly enumerated, then I submit that it follows that her participation in these international organisations would seem to be fully justified. I would go further and say that her participation will be essential if India is to rise to the height of her new dignity and status and take her place as an equal in the councils of free nations of the world. I would mention in passing that the provisions in these Articles of Agreement relating to the organisation and management of the two institutions give India, as they give to other countries, her due and proportionate share in the management of both these institutions. I would suggest, Sir, that it is hardly necessary to complicate what seems to be a fairly simple issue by introducing extraneous considerations such as the Sterling Balances and the Dollar Pool, which on a broad view are really irrelevant to the simple straightforward issue before the House.

[Sir Cyril Jones.]

Sir, I have no wish to take up the time of the House unduly, because there may be a number of Honourable Members who wish to express their views on this motion. But there is perhaps one point to which I might refer. It has been stated, it has been argued, that adherence to the International Monetary Fund involves a partial loss of monetary sovereignty on the part of the member countries. That I think is undeniable. It has been inferred from that that for that reason alone India should not adhere in order that she might preserve her monetary sovereignty free and untrammelled. From that point of view, Sir, I must emphatically dissent. I do not think the conclusion follows at all. All forms of co-operation, all agreements, involve a voluntary restriction on the freedom of action of the party who enters into those agreements. For instance, India could not give in the sphere of tariffs Most Favoured Nation treatment to any country in the world without limiting her freedom of action in the matter of varying her tariffs when she will, at pleasure; and if it is a question of preserving national sovereignty in that sense, 100 per cent., then no agreements, no co-operation would be possible at all. It is I think legitimate to argue that India would not be bartering away her national sovereignty by making of her own free will a voluntary relinquishment of untrammelled freedom of action, as accepted by all the participating countries if the objectives of the Fund are to be secured; because it is obvious that if every country in the world intends to hold itself free at any time for any reason to vary its rate of exchange to any extent, then we are heading for economic chaos and not for order in world economic affairs. One can argue by analogy from the national sphere to the international sphere. No citizen of a country feels that he is demeaning himself when he voluntarily submits to a regime of order and gives up his freedom of individual action in the interests of society at large. The individuals of the country agree to abide by a regime of law which is enacted by a Legislature of their choosing and administered by an executive of their choice, and if they are dissatisfied with the way in which either the Legislature or the executive acts, they have the option in course of time of changing the one or the other. Similarly, I would suggest that in the international sphere countries are in no sense losing their sovereignty when, in the interests of all and for the purpose of living in a world of economic order rather than economic chaos, they voluntarily restrict their freedom of action subject to the proviso that they remain free agents to dissociate themselves from that co-operative arrangement whenever they are not satisfied that it is working to their interests, therefore, Sir, I would suggest that this consideration, although it contains an element of truth, is not sustainable as an objection to India's participation in these international co-operative efforts.

I think, Sir, that is all I need say at this stage, except on behalf of the Government to commend this Resolution for the acceptance of the House.

Sir, I move.

THE HONOURABLE MR. M. N. DALAL (Bombay: Non-Muhammadian): There was a time when any suggestion made by His Majesty's Government or even the Government of India was looked upon with suspicion and hostility. Times have now changed.

[At this stage the Honourable the President vacated the Chair which was occupied by the Honourable the Chairman (The Hon. Sir David Devadoss).] We have now at the Centre a representative Interim National Government and India's political and economic prestige is gradually rising high. We must, therefore, approach important issues in a constructive spirit again, not on sentiments but on merits.

The question is for simpler than what some financial jugglers make of it. The House has been merely asked to approve membership of the International Monetary Bank and its fund for reconstruction to development. At a time, Sir, when India needs help of almost every country of the world and at a time when foreign countries need the help of this vast continent, I for one feel it would be futile to refuse co-operation. It is to India's advantage to help the fund by co-operating and subscribing a commensurate share taking into consideration India's size and the vast population of the country.

Let us first consider, Sir the main risks involved in becoming a member of the International Bank and its fund. The first and foremost risk is that we will not be

in a position to manipulate our foreign exchange by more than 20 per cent, without the sanction of the other members of the Fund and that we have to declare immediately the par value of our currency. This has been called as surrendering the sovereignty of our currency. This would be a great disadvantage in a helpless country where foreign goods are dumped against its indigenous products and when that country is not in a position to depreciate the par value of its currency to such an extent as to prevent competition, but such an exigency does not arise in India today with a representative Interim National Government at the Centre. There is no question of giving up the sovereignty of our currency. This is in fact, Sir, a freely joined partnership of two countries with all its advantages and consequently also to a certain extent a few of its disadvantages.

The second risk is that we may have to accept restrictions on tariff policies in common with other countries of the world, thereby restricting our right with regard to safeguarding our industries by means of protection. The only other alternative to this is subsidization, but we must remember there are limits to subsidization and we cannot give subsidies on a very large scale to our industries. I must, therefore, request Government to warn our representatives at international institutions not to commit themselves to its findings if they make inroads into our economic and fiscal field. India should definitely reserve her full freedom in regard to tariffs, especially during the transitional period in bringing this country in line with the other highly industrialised countries of the world.

The third risk, Sir, is the danger that the International Bank might commit shady transactions or undertake liabilities far beyond her capacity with the result that a poor member like India may have to shoulder high financial burdens far in excess of her capacity, leading perhaps even to the failure of the Bank. My reply to such an argument is that an International Bank is not and cannot be one of that type. Its Board of Directors shall consist of men of true and tried integrity and they will not lend themselves to any transaction which is not in keeping with the highest traditions of honest dealings. Further, India holds the largest quota in voting power in this institution. Our representatives will exercise considerable influence in regard to transactions and will not allow the Bank to endanger the interests of our country.

As against these risks, the advantages in becoming a member of the International Bank and the fund are real and substantial. First and foremost, India will be one of the original Big Five of the fund, initiating policies and guiding deliberations from the very beginning having the privilege, the most important privilege, of having a part of the fund in this country. India can also develop its productive resources with foreign capital, can even get loan to finance the import of capital goods from anywhere in the world's cheapest market. The advantages of membership of the International Bank and Fund are so great and so many that they cannot all be recounted here except at very great length. The policy of isolation, Sir, has not suited the mighty industrial giant, the United States of America and much less, therefore, will it suit this country. We cannot have a closed economy in this country. We have to buy and sell in the world markets and we cannot therefore do without the co-operation of foreign countries if India is to achieve her full economic and fiscal potentialities. It is again, Mr. President, a wrong lead to suggest the repatriation of our sterling assets, as a condition precedent to our participation in the International Bank & Fund. I would impress upon the Interim Government, Sir, to have an orderly liquidation immediately of our sterling assets but it must be remembered that we have no counter-bargaining factor except perhaps the International Trade Conference if His Majesty's Government insist on scaling down sterling assets or plead helplessness under the Anglo-American financial agreement.

In conclusion, Mr. Chairman, it must be remembered that the membership of the International Bank and the Fund is subject to a review periodically and there is nothing to stop this country from resigning its membership if at any time it feels that it no longer serves the interests of this country or that of the world.

Mr. Chairman, I support the Motion.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadian): Mr. Chairman, my Honourable friend, Sir Cyril

Jones, has given us an accurate and lucid summary of the two Agreements with which we are concerned. They concern the International Monetary Fund and the International Bank for Reconstruction and Development. I shall not raise now the question whether it is desirable for us to join either the International Monetary Fund or the International Bank for Reconstruction and Development. This question has been discussed before and I think the consensus of opinion is to the effect that it would be a great advantage to India to join the other countries of the world in stabilising exchange and in promoting the expansion of international trade. As my Honourable friend, Sir Cyril Jones, said, the International Monetary Fund will provide the mechanism for giving stability to exchange rates within limits which will not be permanently or substantially injurious to the economy of any country, and the International Bank for Reconstruction and Development will, by making provision for long-term investment, bring about that increase in employment and that enhancement of the standards of living which is essential to world peace. Stability of exchange is possible even with restricted trade, but that is not the object either of the International Monetary Fund or the International Bank for Reconstruction and Development. The object of the International Monetary Fund, as stated in the Articles of Agreement, is to bring about stability of exchange with a view to the expansion of international trade and the restoration of war devastated economies and the development of those countries whose resources have been inadequately developed. It is obvious thus that the two Agreements with which the Honourable Sir Cyril Jones has dealt are complementary to one another.

India is a member of the United Nations Organisation. If that Organisation is to prosper, it must rest on a sound world economy. Now, such a basis can be provided only if full international co-operation in the monetary, financial and economic fields can be secured. My own view is that notwithstanding the limitations under which the Fund and the Bank will have to work, the Bretton Woods Agreements may be said to have paved the way for the success of the United Nations Organisation in San Francisco in 1945 and that the proper working of these two Institutions will not merely bring about greater co-operation between all the countries in the world but will promote world peace without which civilization itself cannot last long. Having joined the U. N. O., I do not think that we can withdraw from the membership of either the International Monetary Fund or the International Bank for Reconstruction and Development.

There are, however, certain points arising out of these Agreements on which I would ask my Honourable friend, Sir Cyril Jones, to throw a little light. If the International Monetary Fund and the International Bank are to succeed in achieving the purposes for which they are designed, it is necessary that all the countries of the world, particularly all the bigger countries, should lend their help to these organisations. But we find that from the very start one of the big powers, Russia, will hold aloof both from the International Monetary Fund and the International Bank. It is clear to every one that the non-participation of Russia in the Fund and the Bank will have a very serious effect on the working of these organisations. Suppose the United States of America were today to withdraw from the Fund and the Bank; their withdrawal would mean a blow both to the Fund and the Bank. We may not feel that the non-participation of Russia would affect the Fund and the Bank as seriously as the non-participation of the United States, but it is a matter of concern to those who are keenly interested in the achievement of world co-operation and the maintenance of world peace that one of the major powers should be unable to co-operate with the Fund and the Bank. I should like to know from my Honourable friend, Sir Cyril Jones, whether he can tell us why Russia has abstained from participating in these bodies. There was some hope at one time that she might join the other countries in establishing these organisations. What has happened to prevent her from collaborating with other countries in these matters? Were the conditions of membership of such a character as to interfere with the economy of Russia or was there any suspicion that these institutions might work in such a manner as to make Russian economy appear in an invidious light? I should further like to know to what extent the working of the Fund and the Bank would be affected by the non-participation of Russia.

The next question, Sir, that I want to raise relates to the liquidation of our sterling balances. It may be thought that there is no connection between our adherence to the Monetary Fund and the International Bank and the liquidation of our sterling balances. But the financial agreement between the United States of America and Great Britain, as is acknowledged by Great Britain herself, is meant to promote not bi-lateral but multi-lateral trade. There is therefore a real connection between the achievement of the purpose of the Fund and the Bank and the ability of those countries which have a large amount of sterling to their credit to use this credit in order to secure the goods required for the development of their economy in any currency that they might have to use. I know, Sir, that Great Britain has undertaken that within a year of the coming into effect of the financial agreement between herself and the United States of America she would take steps to negotiate with the countries which have large sterling balances to their credit with a view to the settlement of the questions at issue between her and those countries. I should like to know from my Honourable friend, Sir Cyril Jones, what steps His Majesty's Government have taken in this connection or are likely to take in the near future. It is said in the third Report of the Committee appointed by the Assembly on the Bretton Woods Conference agreements that the Finance Member informed the Committee that His Majesty's Government had indicated that they believed that in the interests of a satisfactory and lasting settlement of the problem the negotiations on the sterling balances should be carried on with as representative an Indian Government as possible and that they would be ready to issue an invitation as soon as a representative Government was formed. A representative Government is in existence now. It is therefore pertinent to inquire whether His Majesty's Government have invited the Government of India to enter into negotiations with them for the settlement of this question; or, if they have not done so, whether it is understood that the British High Commissioner who will soon arrive in India will take steps to start negotiations with the representatives of the Government of India in regard to this matter?

The third question which I want to raise relates to the position of India in regard to the appointment of executive Directors. At the present time owing to the non-participation of Russia, India will have an executive Director on the Boards of Directors of the Fund and the Bank. But we all hope that the abstention of Russia from the Fund and the Bank will not be of long duration. When she comes in, India will not be automatically represented in the same way as she is now. Is there any way in which it can be made certain that India would always be able to appoint Executive Directors on the Board of Directors of the Fund and the Bank. This was a question to which considerable importance was attached when the Bretton Woods Conference was going on. But I do not know what the present position in this respect is and whether the Government of India mean to take any steps in order to ensure permanent Indian representation on the Boards of Directors of the institutions that I have already referred.

Lastly, Sir, I should like to know what place Indian nationals occupy in the organisations that has been set up by the Fund and the Bank for carrying on its daily work. I do not know what the number of the higher and subordinate officers in the offices of the Fund and the Bank is. I do not even know whether those offices have been completely staffed or not; but I am anxious to find out whether the Government of India are alive to the importance of securing an adequate proportion of Indians on the staff of those two bodies. My Honourable friend, Sir Cyril Jones, I am sure knows well the dissatisfaction of India with her position in this respect in connection with the International Labour Office and certain other organisations. Knowing this, I hope that he will not allow India's case to go by default when the staff required by the Fund and the Bank is appointed. I think India's case should be very strongly represented. India is no longer in the position in which she was a few months ago. So far as I remember, Sir, one of the reasons why India was not allowed permanent representation on the Board of Directors of the Fund and the Bank was that the Indian vote would only have the result of strengthening the position of Great Britain which would have two votes instead of one. That position no longer exists and we may say not merely with regard to Indian executive Directors but also with regards to any Indians that might be appointed on the staffs of the Fund and the Bank that they

would represent a Government which would not be subject to instructions from His Majesty's Government in respect of the work of these bodies. The position of India should be viewed in the same light as that of the U.S.A., the United Kingdom, Russia, China and France is. India in spite of her undeveloped economy is, I believe, in a better position financially and economically than China. Yet we find that China has permanent representation on the Boards of Directors, but India has not and I shall not be surprised if China's claims are borne more in mind in appointing the staffs of the bodies with which we are dealing than Indian claims unless the Government of India see to it that the managing bodies of the Fund and the Bank realise that India occupies an important position in the world and that she should have an adequate position not merely in connection with the governing bodies but also regarding the officers who will be concerned with the execution of the policies laid down by the governing bodies.

These, Sir, are the important questions that I wished to raise and I hope that my Honourable friend, Sir Cyril Jones, will be able to give such answers to us as would satisfy us on this side of the House that the interests of India in regard to these matters would not be ignored as they have been ignored in regard to comparable matters in the past.

THE HONOURABLE SIR RAMUNNI MENON (Nominated Non-official): Sir the question that is before the Council today, namely, India's permanent membership of the two international organisations, is a very important one. It is fitting and it is fortunate that the final decision on this question is to be taken by the Interim Government, which is as national a Government as we can possibly get under existing conditions in this country. That we are able to take a final decision in this appropriate manner is due to the skilful handling of the negotiations by the former executive Government, especially its financial part, which managed to postpone a final decision to the very last moment without committing India in any way and without prejudice to India's status, rights and privileges as an original member. Surely our thanks are due to that Government for this achievement.

I am a layman, but there are general aspects of the question that is before us which are well within the comprehension of a layman and it is with that apology that I say a few words on the merits of the question. I think it is highly gratifying that the Government have practically decided that India shall be a permanent member of the two bodies. I am convinced after the very lucid speech of the Honourable Sir Cyril Jones and after perusing various other speeches and magazine articles and documents which have come into existence on this subject—I am thoroughly convinced that the advantages which will accrue to India from permanent membership far outweigh the possible disadvantages, by way of restriction of freedom and a certain amount of financial liability, which membership will involve; and I am therefore very glad that the Government have practically decided on India's becoming a permanent member.

A famous British novelist has recorded somewhere his opinion that the best seat in a public meeting is a seat near the exit door. I am reminded of this dictum by an argument which I may be permitted to call plausible without offence, which has been frequently used and which has been used here today and in the other place some days ago, by advocates of the two organizations in their persuasive efforts, namely, that any country can withdraw if it is not satisfied with the working of these bodies. To my mind that argument will not be of much practical avail. These institutions are going to work if the United States of America and the United Kingdom are prepared to co-operate; without their co-operation, they will fail. The attitude of the other nations, either singly or collectively, will not be of much consequence. If either the U.S.A. or the U.K. gets out of the agreement, the whole thing collapses. If they stick together, these institutions will work. I think that every country, and this country also, should join these associations with a full determination to remain in them till the very last moment and to work them as successfully as circumstances will allow. I therefore hope that members will not be influenced by considerations of the ability to withdraw, in coming to a decision on this matter.

There are one or two other points on which I would like to say a word. Two issues have been prominently brought forward in the discussion on this subject—

they have also been referred to here today—namely the question of Sterling Balances and the rupee-sterling exchange rate. Now, with regard to the first, Sterling Balances, I have very carefully gone through the speeches made by the Government spokesmen in the other House, the Finance Member and the Honourable Dr. John Mathai. For my part I am perfectly content to leave the handling of the large question of the sterling balances in their hands. I am convinced that they will safeguard interests of this country to the fullest extent. But there is one aspect of this matter on which I have not been able to get sufficient information and on which I feel rather puzzled. Business men in this country have been very loud in their demands for the early repayment of our sterling balances. They have been equally loud in their demands for the removal of all controls. What the first instalment of these sterling balances will be, what the date, on which it would be paid may be, I do not know—I don't suppose anybody knows—but what one is interested in knowing is this: How will the amount released be distributed? Will it be paid to anybody, to all and sundry who may ask for it, or have the Government got a plan? Surely, the welfare of this country requires that in the immediate transitional period and after the transitional period there should be a well-thought-out and co-ordinated plan of economic development. Such a plan will involve a considerable amount of State control, if not of State ownership and management. Have the Government a plan of that sort? Unless it has a plan, a haphazard distribution of the sterling assets will not be in the interests of this country. Such a plan would also involve a considerable amount of control over imports and exports. I hope the Government are fully alive to the problem and I leave the matter at that.

Now, with regard to the rupee sterling exchange ratio, I am not an expert and do not presume to express any opinion. I note with some satisfaction that the present rate will be continued. But what as a layman, as an ordinary man in the street and as a consumer, not as a producer, I am interested in the internal value of the rupee. Large sections of the people who depend upon fixed income for their maintenance, have been put to the greatest hardship and loss by the phenomenal depreciation in the internal value of the rupee. That depreciation has been brought about very largely by the action of the Government in increasing the currency. Is the Government going to take any action to bring down the internal prices in this country? I am not for one moment suggesting that we can restore the prewar prices—that is quite outside practical politics, but what I am suggesting is that the Government should help in every possible way in lowering the price level in this country. I hope that this matter will receive the attention of the Government. When the prices in this country are brought down to a sufficiently low level there may be no need at all for tampering with or altering the exchange rate of the rupee.

With these few remarks I give my hearty support to the motion before the House.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras: Non-Muhammadan): Mr. Chairman, Sir, I do not presume to speak as an expert but even as a man in the street looks at this problem one is entitled to understand the workings of the mind of the Government, but the reticent speech, I can call it, which Sir Cyril Jones has delivered today, I am sorry to say, does not throw much light on the subject. I do not know by what logic and argumentation he comes to the conclusion that our financial problems and especially the membership of these two institutions has not got much to do either with the Dollar Pool or with the settlement of the balances which England owes to us. But, Sir, judging about the disadvantages first, let us see that India occupies the fifth place among the nations. No doubt it is the combined wisdom of 44 nations that has evolved these two schemes but the leaders of these 44 nations are the United States and the United Kingdom the rest of them, including France and China, being camp followers, and these are mainly intended to rehabilitate the economy of the war-devastated areas. That is a point where India should be more watchful as to how these enormous funds that are being accumulated in this Bank will be utilised; whether these funds will go to countries whose economic

[Mr. M. Thirumala Row.]

have been completely shattered and whose capacity to repay may not be commensurate with the demands from this Bank. As to why the United Kingdom should join this Monetary Fund in connection with this loan agreement between Britain and America, Prof. Keynes has said :—

“It will be very satisfactory if we can maintain the voluntary war-time system into 1947. But what hope is there of the countries concerned continuing such an arrangement much longer than that? Indeed, the danger is that these countries which have a dollar or gold surplus, such as India, and South Africa, would prefer to make their own arrangements, leaving us with a dollar pool which is a deficit pool, responsible for the dollar expenditure not only of ourselves but of the other members of the area having a dollar deficit.”

If the credit of India cannot be completely utilised for rehabilitating the rickety credit of Great Britain by these arrangements Britain would have no purpose to drag us in this fund. That is one of the disadvantages which has to be guarded against but the advantage which we see is that India will be completely cut off from the leading strings of the sterling area. If you see the history of the import control that has been instituted in this country by Great Britain by His Majesty's Government through the Government of India, every transaction that has been gone into now is done solely with the purpose of benefitting the British manufacturer. A sort of trade blockade had been established till yesterday through the departments of the Government of India when our business men intended to place orders abroad for their machinery. Now, Sir, I think by this International Monetary Fund we will be in a condition to purchase as much of hard currency as is necessary and required to buy machinery not only from the United States but also from other countries in the world where machinery can be got cheaper.

With regard to sterling balances, Sir, they have to be settled sooner than we imagine because one of the clauses of the agreement that has been concluded between the United States and Great Britain is that Britain has promised to see that the sterling balances of India will be scaled down to some extent. That means that in the relationship between the creditor and the debtor the debtor promises the creditor that he would see that his credit will improve. It is on that basis that the United States of America has looked upon all these transactions and wanted that the sterling balances should be scaled down. In this report called the Second Report of the Committee appointed by the Assembly they unhesitatingly say that—

“We strongly endorse the statement made in the course of the recent debate by the Honourable the Finance Member that India is not bound by the terms of the Anglo-American Agreement of 1945.”

This way the Finance Member has admitted the direct influence on the settlement of the sterling balances of our position as a member of these institutions. The agreement that has been entered into between Great Britain and Argentina with regard to the scaling down of the debts which Great Britain owed to Argentina, and also the proposal for scaling down the debts which Great Britain owed to Egypt, ought not to weight with the present Government of India in the settlement of the debt which Great Britain owes to this country. In order to finance the great industrial plans of his country we require the entire sterling balances that are to our credit. As we see now, the present international set up and the future international set up of the world is being dominated by the United States. The economy of the United States of America had been such that they had got a large internal home market and they had not to go abroad to capture world markets. But after the war, having gone to all parts of the earth, having sent their troops to all parts of the earth, their outlook has completely changed. Their politics has changed. They now feel that they must have a dominating influence over the politics of the world. And with that, their trade policies have also changed, and they are trying to produce not only for their home markets but in order to satisfy the demands of devastated Europe as well as of countries like India and China which want to develop industrially. Therefore, the trade channels between India and the United States of America will have to be more direct, and in that connection the International Monetary Fund and the International Bank are going to be largely helpful in financing our requirements and establishing our own trade channels with other countries of the world. From this point of view, I support the motion moved by the Honourable the Finance Secretary.

THE HONOURABLE SIR CYRIL JONES: Sir, I do not think that there is very much that I can say in addition to what I have said already, except to thank the House for the very friendly and favourable reception which they have given to my Motion. The Honourable Pandit Kunzru raised three points regarding which he asked me to give some elucidation. The first one was, why Russia has so far abstained from joining these two institutions. I am afraid that there the Honourable Pandit Kunzru has me beaten. Even to her best friends, and to nations who are only too anxious to work in friendly co-operation with Russia, she has in many respects proved herself a complete enigma. I cannot say for what reasons Russia has not so far joined the Fund. It may possibly be that she is holding her hand for use as a bargaining power; in consideration of her size, importance and economic strength she may think that she is so powerful a nation that she may be able to secure a *quid pro quo* if other nations are keenly anxious that she should join the Fund. I cannot say. This is pure surmise on my part. But in connection with Russia's abstention there is one relevant fact, namely that as a result of past history Russia's weight and influence in international trade is in no way proportionate to her size and political and economic strength. What her outlook and attitude will be in the future it is not for me to hazard an opinion, I doubt if anybody can say. But I would suggest, Sir, that the fact that Russia so far as not deemed fit to join the institutions is in no sense a reason for India's not joining them now.

The second point that the Honourable Pandit Kunzru raised, and which has been referred to by other speakers in this debate, was as to the steps that have been taken to secure a settlement of the problem of liquidation of the sterling balances. Honourable Members are aware that the United Kingdom is under an obligation, in view of the terms of the Anglo-American Loan Agreement, to come to some settlement with her creditors by about July next, and His Majesty's Government are, to my knowledge, extremely anxious that discussions with India, her largest creditor, should commence at the earliest possible moment. The matter is under discussion between our Government and His Majesty's Government at the present moment as to the procedure by which these discussions shall be initiated, whether any preparatory clearing of the ground is needed, and so on. The present Government has not been long in office, and on account of the very heavy programme of work, legislative and otherwise, it has not been possible to come to any settled conclusion regarding the course of the sterling balances negotiations. But I can assure the Honourable Member that that fact is due in no way to any reluctance on the part of His Majesty's Government to open negotiations with the Government of India, as now constituted, at the earliest possible moment. What the outcome of the discussions will be it is of course impossible to forecast, and perhaps inadvisable to speculate. But one or two things are clear. The first is that whatever immediate payment is made will have, under the terms of the Anglo-American Loan Agreement, to be made in a multilateral form, that is, in free currency. And similarly, in respect of the funded portion of the balances, each year's payment, whatever that may be and for however long the payment may last, will have to be in multilateral convertible form also. The Honourable Sir Ramunni Menon said that there was a certain danger in India receiving a large allocation of free currency without there being some plan for the wise spending of this sum. That of course raises the whole question of the planned development of India, on which there have been many discussions in the past both in this House and in the other place, and I do not feel that I can make any useful contribution to that general question at this stage. The third point raised by the Honourable Pandit Kunzru was about the representation of Indian nationals on the staffs of these two international organisations. The point was, I know—I speak from personal knowledge—definitely under the consideration of this Government, who were taking steps to see that India's claims were not overlooked and that India's case was duly represented and considered. Having only just recently returned from leave in England I am not in a position to say off hand, Sir, what the present position in that respect is or what results have followed from our representation in that direction. I have no time now to gather the information, but I shall be pleased, after I have had an opportunity of ascertaining the facts, to give either the

[Sir Cyril Jones]

Honourable Member personally or this House such information as I can. At present I am not in a position to give any except, to reassure the Honourable Member that the matter has not been overlooked in the past and I imagine that the position is satisfactory.

I think, Sir, those were the points raised in the debate and again I would like to express my appreciation of the reception which has been given in this House to my motion.

THE HONOURABLE THE CHAIRMAN (Sir David Devadoss) :

The Motion is :

"That this Council do approve India's membership of the International Monetary Fund and the International Bank for Reconstruction and Development."

The Motion was adopted.

The Council then adjourned till Eleven of the Clock on Wednesday the 13th November, 1946.

COUNCIL OF STATE.

Wednesday, 13th November, 1946.

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

MEMBER SWORN :

The Honourable Sir Pheroze Kharegat (Agriculture Secretary).

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meeting held on the 12th November, 1946 namely :—

A Bill to provide for the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, certain commodities.

A Bill to make provision for the constitution of a special police force for the Chief Commissioner's Province of Delhi for the investigation of certain offences committed in connection with matters concerning Departments of the Central Government, for the superintendence and administration of the said force and for the extension to other areas in British India of the powers and jurisdiction of members of the said force in regard to the investigation of the said offences.

DEATH OF PANDIT MADAN MOHAN MALAVIYA

THE HONOURABLE THE PRESIDENT : Honourable Members, I presume you must have all heard with profound grief and sorrow the death of one of our most illustrious citizens, the late Pandit Madan Mohan Malaviya. He was a national figure and he is now dead in the zenith of popularity which few politicians have attained in this country. His life was a remarkable and unselfish life, as we are all aware and many of you know how strenuously for many years he has worked for the good of this country. I had the privilege of working with him for over 20 years and I was associated with him in many important committees and bodies, including the Round Table Conference, and I shall just say a few words regarding his great work which was performed by him in India. His life from the earliest period was very exemplary and worthy of emulation by young citizens of India. He did remarkable work as a youngster. He first rose from a very humble position to one of the highest positions in the affections of the people of this country. He has got a nation-wide reputation ; not only nation-wide, but he had also a world-wide reputation. He started life as a school master, but subsequently exchanged, as many great men have done, for journalism ; and after working as a journalist for some years he took law and obtained his degree, and though in a few years time he acquired a status and position at the Bar, he still did not like to continue the profession because his love was for another line, to serve unselfishly the nation and lead a political life, though he was to be a great loser pecuniarily. His first activity after he left law was to join the National Congress in 1886 and you are all aware what a great and ardent follower of the Congress movement he was and what hard work he did for many years and how unselfishly he exerted for the good of the country, at least for the advancement and progress of India towards independence and freedom. In addition to his work, he was a member of the Legislative Council of his Province and did remarkably good and useful work there. As you are all aware, he became so famous in the national cause that he was called upon twice to preside over the

[The President]

National Congress which he did with good grace, with great knowledge and with public approbation. After he had done this national work, he had the good fortune in 1920 to be elected as a member of the late Imperial Legislative Council and in that body I had the good fortune to come in contact with him and then we worked together from 1920 for nearly 20 years. In the Imperial Legislative Council he was a most prominent figure. At that time we had not many parties in the House. There was one party, the party of opposition and he fulfilled that great trust with infinite ability, skill and independence which became the talk of the whole of India for years together. We found him a great and fearless critic of Government, an opponent in many ways of Government business, and though I co-operated with him on some occasions I had also to differ from him in much of his work but at the same time with the knowledge that no great politician has ever sat in the Legislative Council of India who did such immense good work for the country as the late Pandit Malaviya. You are all aware of the great work, his remarkable speeches on the Press Act, on the Seditious Meetings Act and also on the Rowlatt and the Indemnity Acts. He was the man of whom everybody was afraid of in the Legislative and Imperial Councils and what he spoke was to the point. All his opposition was to the point and remarkably well put and at the time he earned the approbation of the non-official members as well. I cannot go into the whole history of his legislative work because I have no time to do so. I who was personally acquainted with him and worked with him know in what directions his main activities lay and with what ability and skill he performed his duty as a citizen of India. But, Honourable Members, the great work which remained yet for him to do was started by him in 1919 and that, as you are all aware, was to lay the foundations of the Benares Hindu University. That is a living monument to his great work in the country. Through his influence he collected several crores of rupees and laid the foundations of that great University on proper footing and not only he did that but he dedicated himself and his life to the work of that great University. Many of you, at least the people of the United Provinces, are aware of the great work he did as Chancellor and Rector of that University and till his death he was an active member, and always endeavoured for the progress and advancement of that great University which occupies a premier position in India today.

The Government even was aware of his great ability, his great independence, his fearlessness when they called upon him to attend the Round Table Conference in 1931 and I myself was associated with him in that Conference in London and I can tell you of the great work which he did even in that Conference. Though he had abandoned the profession of law he still was a constitutional lawyer of great eminence. At the 1931 Round Table Conference we had to discuss many important questions of constitutional law and he was by the side of another great lawyer, politician, and legislator like Sir Tej Bahadur Sapru—and he was his righthand man—and he and Sir Tej Bahadur Sapru led the whole discussion on the question of constitutional laws which was not only admired by the other members of the Round Table Conference but which led in a way to the advancement of this country on constitutional lines and we owe to him and also to Sir Tej Bahadur Sapru for leading the Round Table Conference in all directions which have contributed to the fulfilment of the ambition of this country in the matter of acquiring independence.

Honourable Members, I do not wish to detain you much longer because although I can speak much more about his great qualities, of his independence and about his national love, but the time at my disposal is not enough to do justice to a man of such national importance as the late Pandit Madan Mohan Malaviya. I hope and pray that Providence may rest his soul in peace.

Honourable Members, I am sorry to tell you that I feel it my duty to adjourn the House today and not do any work as a mark of respect to his memory. After many of you who are also desirous of speaking have paid tribute to his memory I shall adjourn the House to the next day.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House): It is under the gloomy shadow of a very sad news, as you have pointed out, that we have met today. A great figure from the Indian scene has passed away. Not only a great politician and a great Parliamentarian but a great educationist and a great social

reformer has passed away. The record of public service of Malaviyaji is so remarkable that it can compare favourably with the record of any great man that we know in the recent history of India. No doubt, there are people who differed from him on politics and I would submit, Sir, that I am one of those, but all the same his ability, his public spirit and his talents and all that he did for India are things for which even his opponents had very great regard and respect for him. It is really very unfortunate that at a time when his services were needed more than ever, he has been snatched from us by the hands of death. He had retired from public life on account of his ill-health for some time, but all the same from the place where he used to be, occasionally, whenever there was need, he gave advice which in many cases had been very useful for the public men who wanted to serve India.

On behalf of this side of the House, I thoroughly support, Sir, the expression of grief and sorrow that you have made today and I would request you to convey to the members of the bereaved family our sense of grief and sorrow on the sad death of that great man of India.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): This day is perhaps the saddest day in our life Pandit Madan Mohan Malaviya had been unable for many years, owing to failing health, to take an active part in the public affairs of this country, but his death has nevertheless given a profound shock to all those who valued his work and who realised how necessary it was that a man with his outlook and spirit should be with us at the present time. You have, Sir, spoken at length with regard to the work that he did. You have left very little for anybody to say on the subject, but I may perhaps add that the country valued him not merely for his work but for the spirit in which he carried it on. For 60 years he devoted himself to the national cause with a sincerity and selflessness which must be rare in the annals of any country. As you have told us, though he became a lawyer, he never seriously devoted himself to his profession. His interest in public life and the advancement of his country was so great that he could not persuade himself to devote all his time and talents to his profession. The work that he did is of such magnitude that it is not possible for us to realise its greatness just now. There have been many men who have served the country unselfishly during the last 60 years; but among the older public men Pandit Madan Mohan Malaviya and Mr. Gokhale, appeared to the feelings of their countrymen in a way in which scarcely any other public worker did.

I was closely connected with him and it is therefore not possible for me to refer to the glorious life that he lived without the deepest emotion. I feel as if I had lost today one who had served as a beacon light to me and who took the utmost interest in guiding my footsteps lest I should follow a wrong path. But it is not of my personal connection with him that it would be appropriate for me to speak on the present occasion. I cannot find the words needed to describe my admiration for the lofty life that he lived and the great example that he has set both to his contemporaries and those who will come after him. Even when stricken by illness and unable to take an active part in public affairs, his interest in all that concerned the advancement of the country remained as keen as ever. I met him only two or three months ago. The condition of his health was such as to give rise to serious anxiety, but he spoke to me for half an hour about the future of the country he loved so dearly and the place that it should occupy among the nations of the world.

There are few men in the history of this country who can be mentioned in the same breath with Pandit Madan Mohan Malaviya. I feel that to think of him is to set aside all selfishness and devote one's life to the service of one's fellowmen. It will be long before our countrymen can set eyes again on a man like Pandit Madan Mohan Malaviya, a man whose life was one of dedication, who never harboured bitter thoughts or feelings against anybody and who was ever ready to forgive those who had tried to injure him. He was too great to nourish a feeling of resentment against the small-minded persons who tried to besmirch his reputation or belittle his work. He felt that his work spoke for itself, and that the only way in which he could silence his critics was to continue in the path that he had chalked out for himself when he was barely twenty years of age. May our country show its gratitude to Pandit Madan Mohan Malaviya by keeping alive his memory and producing men who will

[Pandit Hirday Nath Kunzru.]

keep up his traditions and devote their lives in a spirit of devotion and unselfishness to the service of both their countrymen and their fellowmen. I say, of their fellowmen, because, though by his work Pandit Madan Mohan Malaviya might be judged to have been a patriot alone, yet those who knew him realised that he was in his heart of heart an internationalist. He did not stand merely for the greatness of his own country; as are saturated with the ancient Indian spirit of universalism he stood for the freedom of all suppressed nations, and for the creation of a state of affairs in which people of different nations would meet one another as brothers and contribute to the uplift of humanity as a whole. It is that we mourn today the passing away of such a man, and I am sure that the members will unanimously approve of your decision to adjourn the House as a mark of respect to the memory of this remarkable man.

THE HONOURABLE MR. G. S. MOTILAL (Bombay: Non-Muhammadan): Mr. President, the demise of Pandit Madan Mohan Malaviya has removed from our midst a veteran Congress leader of the highest rank. As you have remarked, he joined the Congress and attended its second session in Calcutta and nourished its tender plant from its infancy until he saw it growing into a majestic tree. His advanced age alone compelled him to be less active in public life but he has a long record of devoted and sincere public service which few can equal. Sir, you knew him as your colleague in the Legislature for a number of years and have spoken of his great qualities. He was the contemporary of the greatest men of India in those days. He was one of the builders of the Indian nation. He inspired the youth of the country with the high ideals which he cherished and by his exemplary and saint-like life and character which he combined in himself. Sir, he was a builder of institutions. In his own Province there are a number of institutions which were set up in those days which owe their origin to Pandit Madan Mohan Malaviya's inspiration. Pandit Motilal Nehru once said that he was the premier leader of that Province. I know, Sir, that whenever he came to Bombay, there was a stream of visitors. There was something magnetic in his life, in his personality. His was indeed a unique personality. He attracted high and low, old and young. They all respected him and held him in high veneration. Peasant and Prince joined in paying homage to him most spontaneously. I was a witness to the scheme of affection which Dadabhoi Naoroji bestowed on him when he called on him some years ago at Versoba. He was held in similar respect by all leaders in the public life of this country, whether they agreed with his politics or not, whether they agreed with his views or not. His was such a pure soul. He wanted to serve India in order to serve humanity. He was a lover of humanity. He was not a narrow-minded person at all. Sir, as I said, he was a builder of institutions. The Hindu University is a towering monument of his work and devotion.* As a lawyer of great ability he would have had, if he had desire a very lucrative practice. He would have earned a lot of money. But that was not to his taste. His ideal was that of the greatest men and that was the service of humanity, the service of his country. He gave his all to that noble work. The country today is poorer, but his grateful countrymen will remember him and his work for a number of years. His inspiring and exemplary life will serve as a beacon light. Many persons, particularly those living today in his Province, would readily admit that they had drawn inspiration from his life, from his teachings, from his character, from his actions and work. It is also a personal loss to me. It is not a loss only to the members of his family. He has a very large family indeed. He looked upon the whole of India as his family and the whole of India as his family is mourning his death today. After all, a man is given only a certain number of years to live. He has lived a very rich life indeed, full of devotion to his country and our hearts go him. We all appreciate that you are adjourning this House as it is the desire of every Member of this House that it should be adjourned as a mark of our homage to the memory of that great and departed leader.

*THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras: Muhammadan): Sir, by the demise of Pandit Madan Mohan Malaviya a great name has passed into the history of India. That illustrious son of India belonged to that noble band of public men who had dedicated themselves completely to the service of their country in the effort to serve humanity. Pandit Madan Mohan Malaviya.

served to his very last moment. Even after he retired from public life he continued to serve his country and humanity zealously, unceasingly and passionately. Sir, he was a man of versatile ability, a veteran educationist, a profound scholar, one who had the talents for becoming a very eminent lawyer, and one of the greatest orators of India. Sir, as has been observed by you and by my Honourable friend Raja Motilal, Pandit Madan Mohan Malaviya would have become one of the foremost lawyers of his country if he had only wished to do so. But his love for the service of mankind and service of his fellow-brethren prevented him from taking to that profession and leading a life of plenty and ease. As has been observed by my Honourable friend Raja Motilal, his ardent desire was to serve his people. One of the great services that he rendered was that he very much inspired the life of the youth in this country. Not only by his teachings, by his precepts and preachings did he try to mould the character of the youth in this country. He also set a noble example to them by his complete simplicity and noble character. Sir, his love for education and his ardent desire to see that the youth in the country had proper education and training has been epitomised by the Benares University of which he was the distinguished founder. Sir, the record of his service is so numerous and so big and the qualities of his head and heart so great that it is well nigh impossible to make even a passing reference to them in the brief remarks that one has got to make on an occasion like this. I would therefore conclude my observations by appreciating the decision that you have come to that this House do adjourn as a mark of respect to his memory. On behalf of my Party I request you to convey our feelings of sorrow and grief at the death of Pandit Madan Mohan Malaviya. Even though he had died full of years and full of honours, still we would have wished to see that he had lived for a few years more at a time like this when people of that broad outlook and popularity are so very much required in this country.

THE HONOURABLE MR. M. N. DALAL (Bombay: Non-Muhammadan): Sir I join in the well deserved tribute paid in such felicitous terms by you to the memory of this departed leader and statesman Pandit Madan Mohan Malaviya. It is needless for me to recount at this stage the great services he has rendered to this country as they are yet fresh in our memory. He was respected and held in great esteem by all Political Parties, sections and communities and in the death of this veteran leader we have lost his shrewd and sagacious counsel which will be deeply missed. He has left in our hearts a void which will be very difficult to fill for a number of years to come. I suggest, Mr. President, that this motion of condolence expressing our deep sense of regret and condolence be conveyed to his bereaved family.

*THE HONOURABLE RAJA CHARANJIT SINGH (Nominated Non-official): Sir, I wish to associate myself with the expression of grief and sorrow at the loss which India has sustained by the death of the late Pandit Madan Mohan Malaviya.

THE HONOURABLE MR. J. M. B. GIBBONS (Bombay Chamber of Commerce): Mr. President, I had not myself the privilege of personal acquaintance with the late Pandit Malaviya, but the details of his illustrious career and the lifelong services which he rendered to India are well known to me, as indeed they could not fail to be to anyone who has spent any time at all in India. I wish therefore, Mr. President, to associate myself whole-heartedly with the sentiments of sorrow now being expressed at the loss of this great national figure.

THE HONOURABLE NAWABZADA KHURSHID ALI KHAN (Nominated Non-official): Sir, I fully associate myself with the sentiments of sorrow and grief at the death of Pandit Madan Mohan Malaviya. Although I had the privilege of meeting him only on a few occasions, he was a friend and colleague of my father in the old Imperial Legislative Council for many years and I always held him in the highest esteem.

*THE HONOURABLE MR. M. THIRUMALA ROW (Madras: Non-Muhammadan): Sir, I entirely associate myself with the feelings of sorrow that have found expression in this House at the demise of a distinguished leader of this country, Pandit Madan Mohan Malaviya. He was one of those early band of great men that had a clear

* Not corrected by the Honourable Member.

[Mr. M. Thirumala Row.]

vision of the shape of things to come with regard to the political stature of this country. In the year 1885 when the Congress was first thought of to be organised he was one of those English-educated few who had taken courage to tell the masters of this country what was best in the interests of this country. Allahabad, Sir, is situated at the confluence of two mighty rivers the Jumna and the Ganges. (the Honourable Mr. G. S. Motilal : Say Ganga) I am sorry—at the confluence of the Ganga and the Yamuna and it has given great leaders to this country down from Bishan Narayan Dhar, Ajudhya Nath, Madan Mohan Malaviya, and Motilal Nehru. These gentlemen have remained plain misters to the end of their lives and never were they cowed down by the blandishments of the foreign Governments in the shape of titles or patronages. They have shown and upheld a very high standard of independence in the conduct of their political life which is emulated by the succeeding generations. But, Sir, like all pioneers of freedom movement it was not given to them to enjoy the fruits of their labours of their lifetime. Pandit Madan Mohan Malaviya the late Mr. Tilak, Lala Lajpat Rai and Pandit Motilal Nehru all had to plough a lonely furrow in the sands of Indian Politics without commensurate results for the sacrifices they had made. At a time when we are on the very threshold of far-reaching changes in the politics of our country Pandit Malaviya might have been spared a few more months to see the emergence of this ancient land as a full fledged Indian nation; that satisfaction was not vouched to him but he has gone away on the eve of great changes in this country. He was one of those rare souls that combined patriotism with religion. Religion is not associated with Malaviya in the narrow sense of bigotry. He had upheld Hindu Dharma which meant service of humanity is the service of God and tolerance and a spirit of live and let live are the chief tenets of a religion that has had its roots in times immemorial. He has upheld those tenets and has tried to blend those high ideals of religious life into the day to day career of a politician. Sir, his career as a member of the Legislative Assembly is an example in erudition, in eloquence and in statesmanship to all those that can follow him. I am reminded in this connection to mention that we have lost one of the greatest exponents of Parliamentary practice and capacity. Mr. Bhulabhai Desai, whom we have recently lost; but we had no occasion to mention about him here in this Council on account of a technical difficulty that he did not belong to this House. It is in the fitness of things that I should mention his name also in this connection and associate this House with the demise of the two great men, Madan Mohan Malaviya and Bhulabhai Desai.

THE HONOURABLE THE PRESIDENT: Honourable Members, I will convey your sympathy to the bereaved family.

Before I adjourn I should like to consult the Leader of the House as regards the date for the next meeting. I think there are 4 or 5 Bills which have been already laid on the table which we can dispose of on the 15th; also we can dispose of all the questions marked for today on that day.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House): Yes, Sir. I agree.

THE HONOURABLE THE PRESIDENT: Honourable Members, have you any objection?

HONOURABLE MEMBERS: No objection.

The Council then adjourned till Eleven of the Clock on Friday the 15th November 1946.

COUNCIL OF STATE

Friday, 15th November, 1946.

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

QUESTIONS AND ANSWERS

INDIANS IN FRANCE

66. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Are Government aware that Mr. Girja Mukerji, former Ambassador at Vichy, of Netaji Subhas Chandra Bose's Azad Hind Government, has appealed for "food, clothing, and the minor amenities of life", to "survive the forthcoming winter", on behalf of himself and the personnel of the Azad Hind Government? Have they made enquiries, and will they make a statement regarding the number, whereabouts, and the conditions of these persons, and what has been done for their relief?

THE HONOURABLE MR. A. V. PAI: The Government of India have no information about the first part of the question. An Indian Military Mission has been established in Berlin, one of whose functions is to trace the whereabouts of Indians in Austria and Germany and to look after their interests. So far 69 out of 92 Indians who were thought to have been in Germany have been traced and every effort is being made to repatriate them to India. Indians who are in France or in other European countries in which the Indian Military Mission, Berlin, has no authority can approach the local British Consular authorities for assistance. The Government of India are making every effort to assist Indians abroad, both in regard to the provision of the necessities of life and in the matter of their repatriation.

MANUFACTURE OF FOUNTAIN PENS

67. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Are Government aware that among the post-war industries which have come into existence in India is the manufacture of fountain pens? If so, what steps have they taken to protect this infant industry from unfair foreign competition?

(b) Is it a fact that the President of the Reynolds Pen Company of New York, U. S. A., is sending out a chartered plane with about 100,000 fountain pens for Karachi and that this firm has already sold in Karachi over 12,000 such pens recently? What steps have Government taken to prevent the Indian markets from being flooded by foreign products to the detriment of Indian industry?

(c) Are they aware that a firm in Karachi recently secured an order from Cairo for the supply of 100 gross nibs for use in fountain pens; and that this order was confirmed by the firm in Cairo, which opened a letter of credit on the strength of the confirmation given by the Assistant Export Trade Controller, Bombay, that export of these nibs was free, and no licence was required?

(d) Are they aware that when the goods were ready for despatch, the Assistant Trade Controller in Karachi refused permission for export, and the Assistant Trade Controller Bombay, also cancelled his original letter of confirmation, and this cancellation was upheld by the Chief Controller of Exports to whom the matter was ultimately represented?

(e) Are they aware that this decision has seriously injured this indigenous industry? Have they made an enquiry into this case, and will they state the facts and also the steps taken in this connection?

THE HONOURABLE MR. Y. N. SUKTHANKAR: (a) As far as Government are aware a few concerns established before the war and one established after the

war, are manufacturing fountain pens from imported parts and raw materials. The grant of protection to an industry is usually preceded by an investigation by the Tariff Board and such an investigation can only be undertaken if the applicant establishes a *prima facie* case for protection. An application for protection to the fountain pen industry was received in April last but detailed particulars required for consideration of the case, asked for from the applicant, have not yet been furnished.

(b) Government have no information that the President of the Reynolds Pen Company of New York is sending out a chartered plane with about 100,000 fountain pens for Karachi and that this firm has already sold in Karachi over 12,000 such pens recently. Licences for import of fountain pens from the U.S.A. are granted freely against definite offers for supply. So far as can be readily ascertained from the records available here, import licences for over 40,000 gross fountain pens have been issued and it is not impossible that the reported import of 100,000 fountain pens by the Reynolds Pen Company of New York is covered by these valid import licences.

Ordinarily imports of goods from abroad are either completely prohibited or restricted in cases, where the application of a liberal licensing policy is likely to cause undue injury to the Indian industry.

(c) M/s. G. V. Advani & Co., Bombay, approached the Export Trade Controller, Bombay, on 4th May, 1946, for export of fountain pen nibs to Middle East, South and West Africa. The Export Trade Controller, Bombay, under a misapprehension informed them that export licences are not necessary for the export of these nibs provided they are of indigenous manufacture.

(d) The Karachi Office of the same company wrote to the Export Trade Controller, Karachi, stating that they desired to export Indian made fountain pen nibs to Egypt and asking whether there are any restrictions on the export of the same. As "fountain pens" are included in part D of the Export Trade Control Notification and as the ruling given by the Export Trade Controller, Bombay, was contrary to the existing instructions, the Export Trade Controller, Karachi, referred the matter to the Chief Controller of Exports, who informed him that export of fountain pen nibs should continue to be refused in view of the existing instructions. In the meantime the Export Trade Controller, Bombay, also was apprised of this position, who cancelled his letter to the Bombay Office of this firm.

(e) The question of liberalising the existing instructions in regard to the export of Indian-made fountain pens and parts thereof, is under the active consideration of the Government of India, and final orders are expected to issue shortly.

THE HONOURABLE MR. V. V. KALIKAR: Will the Honourable Member give the number of concerns that were established before the war for the manufacture of fountain pens?

THE HONOURABLE MR. Y. N. SUKTHANKAR: I must ask for notice of that question, Sir.

INDO-CHINESE TRADE, ETC.

68. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that the Chinese Government have made representation to the Government of India for simplification and if possible removal of restrictions on movements of Chinese and Indians from one country to another, for facilitating Indo-Chinese trade and cultural developments? What has been the Government's response to this request; and in what respects the position has been improved?

THE HONOURABLE MR. A. V. PAI: Yes. The general question of the extent to which the existing visa regulations can be relaxed is at present under consideration of the Government of India and an early decision is anticipated.

STATEMENT BY CONGRESS ON REGULATIONS, ORDINANCES, ETC.

69. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Has the attention of Government been drawn to—

(a) The following statement in the I. N. Congress election manifesto of 1936:—

"The Congress representatives will take all possible steps to end the various Regulations, Ordinances and Acts which oppress the Indian people, and smother their will to freedom"?

(b) The Fundamental Rights as defined in the Congress resolution passed in its Karachi session in 1931, which condemned detention without trial, issue of Ordinances and other arbitrary acts of an irresponsible bureaucracy?

(c) The following solemn declaration in the Congress election manifesto in 1945:—

(i) "Congress envisages a free democratic state with the fundamental right and civil liberties of all its citizens guaranteed in the constitution"?

(ii) "Large numbers of our countrymen are still in prison, and obstructions in the way of holding public meetings still continue in many places"?

(d) Will Government state why even on the advent of National Government at the Centre and the Congress Ministries in most of the Provinces, Ordinances have been issued authorizing detention without trial, arbitrary imposition of collective fines, executive control of public meetings, serious curtailments of the civic rights of the people, and the continuance of the provisions of the Defence of India Act and its Rules, in some form or the other?

THE HONOURABLE MR. A. E. PORTER: (a), (b) and (c) (i) Yes.

(c) (ii) I have been unable to trace this quotation.

(d) I can reply only for the Central Government. Since the Interim Government took office, no Central Ordinance containing provisions of the nature indicated has been promulgated.

SUPERINTENDENCE BY THE CENTRE OVER PROVINCES

70. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether under the existing constitution the Government of India possess indirect powers of control and superintendence over the administration of a province when some unprecedented calamity or emergency, such as famine, pestilence, cyclone, flood, pest or uncommon outburst of lawlessness overtakes the latter?

(b) Whether the Province of Bengal which has had to suffer so much by reason of its close proximity to the eastern theatre of war has not of late got help from the Government of India during such calamities in the exercise of their general powers of superintendence over the provincial administration;

(c) If the answer to (a) is in the affirmative, whether the Government of India considered the question of exercising such powers when they were apprised of the most terrible happenings in Calcutta in August last and of unprecedented organized lawlessness and hooliganism in Dacca in September and of unheard of and organized arson, loot, abduction of women and forcible conversion in Noakhali in October in the Province of Bengal;

(d) Did they exercise such powers; if not, why not?

THE HONOURABLE MR. A. E. PORTER: (a) The Home Department is not concerned with calamities such as famine, cyclone, floods or pests. The maintenance of law and order is primarily a responsibility of the Provincial Governments. The question of superintendence by the Centre is a matter of interpretation of the law and I refer the Honourable Member to the relevant provisions of the Constitution Act on this question.

(b) The Government of Bengal has received and will doubtless continue to receive assistance of various kinds from the Government of India, without any question arising of such assistance being rendered in the exercise of any power of control.

(c) to (e). As I have said in answer to part (a) of the question the powers, if any, possessed by the Government in this respect are a matter of interpretation. On this there is room for a difference of opinion and I have no doubt that the Honourable Member will appreciate the position of Government in not intervening in this matter.

TRANSMISSION OF RADIO MESSAGES BY THE MILITARY ON DIRECT ACTION DAY

71. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether they are aware that radio messages were transmitted at short intervals from the wireless station at the Calcutta Fort during the Muslim League's Direct Action Days in Calcutta in August last?

(b) If not, whether they propose to hold an enquiry into the truth or otherwise of the matter?

(c) But if the answer to (a) is in affirmative, then (i) the ultimate destination of those messages; (ii) at whose behest they were sent?

(d) Whether the Commander of the Garrison at Fort William in Bengal and his Deputy Brigadier General were timely apprised of those messages of the disaster that was impending upon Calcutta on 16th August and the three subsequent days thereafter?

(e) Whether those military chiefs gave timely information and warning to the Civil Authorities in Calcutta of the apprehended danger and trouble?

(f) If so, to whom and exactly on what date and at what time?

(g) Whether it is a fact that between 8 and 9 in the morning on 16th August last one such message carried some such text: "Rajabazar Muslims are preparing to attack the neighbouring Hindu localities"?

(h) Whether the texts of all such messages recorded at the Fort during the period referred to will be given out either to the public or to the Calcutta Disturbances Inquiry Commission?

THE HONOURABLE SARDAR BALDEV SINGH: (a) It is a fact that during the Calcutta disturbances those messages were transmitted from the Calcutta Fort. They were on a wave-length for Calcutta only and not for areas outside.

(b) Does not arise.

(c) The messages were addressed to the troops and consisted of reports on the situation to enable troops to know what was happening throughout Calcutta.

(d) As the messages were issued by the military authorities, they were naturally aware of their contents before issue.

(e) The messages were based on information received from the civil authorities and the military had no exclusive information.

(f) Does not arise.

(g) and (h) No, Sir. The messages were broadcast at 9-45 and 10-45 on the 16th August but neither contained such a message as is referred to by the Honourable Member. The texts of all such messages, which as stated were based on information received from the civil authorities, will certainly be available for the Commission if they wish to see them.

MANUFACTURE OF BOBBINS

72. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether they are aware that an industry has sprung up in Calcutta and its suburbs for the manufacture of wooden bobbins of all shapes and sizes since they ceased to come from abroad during the latter years of the war?

(b) Whether these country made bobbins have fully met the requirements of the numerous jute and cotton mills in Bengal when foreign-made bobbins became scarce in the market?

(c) If the answers to (a) and (b) are in the affirmative, what steps they have taken or intend to take in order to afford some sort of impetus to the country's nascent industry so that it may survive foreign competition?

THE HONOURABLE MR. M. W. M. YEATTS: (a) Yes, Sir.

(b) No, Sir.

(c) Assistance has been given to bobbin manufactures all over India in the procurement of raw materials such as timber, terne plates, varnish, white spirit and mineral turpentine. The industry has asked for tariff protection and the question is under consideration.

MANUFACTURE OF PLYWOOD BOXES

73. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether an industry has arisen in Bengal for the manufacture of plywood boxes for export of tea chests abroad?

(b) If the answer is in the affirmative, the reason why the manufacturers of such tea-chests are not afforded the metal bands and nails for the manufacture of chests at control price but are required to get their supplies in those lines from the indentors of such chests?

(c) Whether they propose to remove such control by the indentors and to allow the manufacturers of chests to obtain direct the bands and nails according to their requirements at control prices?

THE HONOURABLE MR. M. W. M. YEATTS: (a) Yes, Sir.

(b) and (c). Tea chests are assembled at tea gardens, not at works of plywood manufacturers. Nails are therefore required only at tea gardens or at repacking depots. All nails allotted for distribution to tea gardens and repackers for tea packing are released through the Indian Tea Association and distributed to gardens and repackers in accordance with Tea Trades packing programme. Steel for the manufacture of corner bands is released direct to manufacturers of tea-chest fittings.

INCIDENT AT THE CENTRAL TELEGRAPH OFFICE, CALCUTTA

74. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether there occurred any sensational incident in the officers' quarters at the Central Telegraph Office in Calcutta on the night of 9th October last; if so, the exact details thereof?

(b) Whether the nationality of and the quarters from which the miscreants came have since been found out?

(c) Whether in view of the most dangerous happenings between 16th and 19th August last in Calcutta any precautions were taken to guard against any such untoward incident at the G. P. O. and the C. T. O., Calcutta?

(d) Whether police and departmental enquiries into the incident were made, if so, what was the result?

(e) Whether a report of the incident was sent to the Press?

THE HONOURABLE MR. A. R. NISHTAR: (a) and (b). The only incident of which Government has information is that on the 9th of October two unarmed loiterers, believed to have been seeking shelter for the night, were found on the Central Telegraph Office premises. They were handed over to the police who consider the incident might be made the subject of a petty court case.

(c) Government have no information.

(d) Such measures as were possible for the protection of the General Post Office and Central Telegraph Office were taken.

(e) The case is in the hands of the police.

75. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether the Central Intelligence Bureau attached to the Government of India was in any way cognisant of the nefarious smuggling transactions which were going on in lethal weapons through the railways and post offices from U.P. and the Punjab to Bengal and Bombay under fictitious names of consignors and consignees; if so, what steps did they take to prevent betimes such illicit smuggling of knives and daggers?

(b) Whether after the ugly disclosures that have come to light already, the department concerned has set up a regular enquiry to trace the offenders, if so, with what results?

(c) What preventive measures have since been adopted by the different railways and the postal department to detect such dangerous consignments in the future?

THE HONOURABLE MR. A. E. PORTER: (a) The Intelligence Bureau has seen in the press and received from other sources reports that parcels containing cutlery had been consigned to various addresses principally from Wazirabad in the Punjab. Such reports as the Bureau received were transmitted to the provincial police authorities concerned. The Bureau has not any staff for preventive or investigating work nor do its functions extend to such work. The Provincial Governments are responsible for public order and have been entrusted with the administration of the Arms Act and rules under the Act.

(b) Does not arise.

(c) I have ascertained that existing rules of the Railways and the Posts and Telegraphs Department already provide for the prohibition, detection and stoppage of unlawful traffic in arms coming under the purview of the Arms Act.

WORKING OF THE GENERAL POST OFFICE, CALCUTTA

76. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether the service record of the present Presidency Post Master, Calcutta G. P. O., has been such as to ensure efficient postal working under him even in quite normal times?

(b) Whether there has not been wholesale bungling of all postal working and business under him under the excuse of the general strike and the civil disturbances?

(c) What specific measures have been introduced by him and his numerous subordinates in the various town offices in Calcutta to rise above the prevailing situation?

(d) Whether the present Post Master General, Bengal and Assam, is a *bona fide* postal official having had previous training and experience of the administration, working and management of post offices under him; if not, why such person has been placed in supreme charge of post offices of a big and progressive province like Bengal?

THE HONOURABLE MR. A. R. NISHTAR: (a) Yes.

(b) No.

(c) Certain measures have been introduced to meet the present abnormal situation prevailing in Calcutta. For instance night shifts on in sorting and delivery department of the Calcutta G.P.O. have been introduced. Arrangements have been made to transport the staff as far as possible between their residences and places of duty.

(d) The present Postmaster General of the Bengal Circle is a Telegraph Engineering officer but he has held charge of Posts and Telegraph Circles for about four years and has acquired experience of postal administration. Assam now forms a separate Circle and is not under the control of the Postmaster General, Bengal.

IRREGULAR DELIVERY OF LETTERS ETC., IN CALCUTTA

77. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether they are aware of the irregularities in the postal working of letters, registered articles, money orders and telegrams in Calcutta and other towns in Bengal for over 2½ months?

(b) Whether such irregularities have still been allowed to continue despite the gradual return of normal conditions; if so, why?

THE HONOURABLE MR. A. R. NISHTAR: (a) The disturbed conditions in Calcutta have resulted in unavoidable delays and irregularity in delivery of letters registered articles, money orders and telegrams. Enquiries will be made in regard to other towns in Bengal if the Honourable Member will give names of those which he has in mind.

(b) No.

TELEPHONE SYSTEM, CALCUTTA

78. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether it is a fact that the working of the Telephone system in Calcutta between 16th and 19th August last was most irregular?

(b) Whether general public did not have to suffer irreparable damage and wrong due to the failure of the system when the great Calcutta killing was going on?

(c) Whether it is a fact that despite such failure of service to all and sundry, influential persons and parties actually enjoyed regular service during the period in Calcutta? If the answer is in the affirmative, the reason for such discriminatory treatment by the department concerned?

(d) Whether they propose to hold forthwith a regular enquiry into the whole breakdown of the system to punish offenders for the discrimination and set matters right for regular and uninterrupted service in future?

THE HONOURABLE MR. A. R. NISHTAR: (a) No, but due to inability of the telephone staff to move from their homes and report for duty, the service had to be restricted to essential connections only. The list of essential connections for use in such emergencies was prepared in consultation with the Provincial Government, the Calcutta Corporation, the Chamber of Commerce and the Railways early in the year.

(b) Government are not aware of the extent of the damage suffered by the public on account of the curtailment of telephone service.

(c) No.

(d) Government feel that there is no sufficient ground for instituting a regular enquiry. A full report from the General Manager has been received and is under examination. I may, however, state for the information of the Honourable Member that it is intended as a part of the post-war telephone development scheme to convert the whole of Calcutta telephone system to automatic working which will provide a better service during emergencies than the present manual system.

POST OFFICE AT KATRASGARH, MANBHUM DISTRICT

79. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether it is a fact that the Post Office at Katrasgarh in Manbhum District draws its main business from the neighbouring collieries of the Tatas and the Birds situated at a distance of about two miles from the post office?

(b) Whether it is a fact that there are about 5,000 people residing in Tata's Colliery Colonies at Malkera and Choutidih and almost an equal number in those of the Birds both in close proximity of each other?

(c) Whether they intend to open a sub-post office in a place midway between the two collieries to remove the inconvenience and hardship of a very vast number of people living in and about the two important collieries?

THE HONOURABLE MR. A. R. NISHTAR: (a) Katrasgarh Post Office—draws its business from several other collieries besides Tatas and Birds.

(b) About 3,000 people reside in Tatas Colliery Colonies at Malkera and Choutidih and about 1,200 in those of Birds.

(c) The matter will be examined.

THE HONOURABLE THE PRESIDENT: I must mention that the Honourable Members who give notices of their questions, to answer which Government takes lot of trouble, should at least have the courtesy to give notice to the office if they are unable to be present. The whole list is full of Mr. Surput Singh's questions.

PRODUCTION OF VEGETABLE GHEE

80. THE HONOURABLE MR. G. S. MOTILAL: (a) What is the monthly production of vegetable ghee in India at present?

(b) How many more factories are likely to work during the next twelve months and how much Vegetable Ghee will they produce each month or in a whole year?

(c) How many more factories will start working in the year after next and what will be their production?

(d) What was the previous Government's plan regarding the extension of the existing factories and for the establishment of new factories? What quantity of such ghee, according to that plan would be produced in India in a month?

(e) What was the quantity of vegetable ghee and similar product imported in India during the last twelve months?

(f) Was any enquiry made by Government as to the nutritional value of such ghee and its effect on public health?

(g) Are Government in a position to state how much of this vegetable ghee is used for adulteration of real ghee?

(h) Has any research been made by any of the Government Departments regarding the effects of its use on the health of the public using it?

(i) What are the other ways used for adulteration of ghee? What measures have been devised for preventing adulteration?

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) The monthly production at present is approximately 15,000 tons.

(b) and (c). 44 factories, with a total monthly capacity of 21,000 tons are under construction, which will be completed, according as machinery is available, within the next two years.

(d) The plan was in two sections: Long term and short term. The objective of the short term plan was to avoid excessive expansion and confine it to the immediate needs of the people for cooking oil, and to secure that factories were so located as to utilise raw materials available on the spot, check the possibility of adulteration of ghee, and make the product available where it was most needed. Before determining on the long term plan Government consulted a Committee of the Industry. Their recommendations have confirmed the target of the short term plan and Government have decided to restrict production to that figure for some time to come. The resulting production will be 13,000 tons per month.

(e) Nil.

(f) and (h). The nutritive value of Vanaspati has been the subject of investigation under the Imperial Council of Agricultural Research for the last two years. The effect of Vanaspati on public health has been ascertained from time to time from medical and scientific authorities, whose opinions were laid on the table of the House in response to question No. 116 of the last session.

(g) No.

(i) Ghee can be adulterated with animal fats and edible oils. No special preventive measures have been devised, but appropriate authorities prosecute adulteration on the evidence of analytical values.

INDIAN TROOPS IN INDONESIA

81. THE HONOURABLE MR. G. S. MOTILAL: Will Government state whether Indian Troops have been completely withdrawn from Indonesia; if not, what units are there and what is their number and when they would be withdrawn?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): No, Sir, but it is the intention to withdraw all Indian troops from Indonesia by the end of November, 1946. It would not be advisable to reveal the exact number there at present, until other countries also decide to do so with regard to their troops.

THE HONOURABLE MR. M. THIRUMALA ROW: What is the nature of the duties that the Indian troops are carrying out in Indonesia?

THE HONOURABLE MR. C. H. BHABHA: The usual army duties.

THE HONOURABLE MR. M. THIRUMALA ROW: Is it also part of their duties to suppress the Indonesian movement for independence?

THE HONOURABLE MR. C. H. BHABHA: No, Sir.

DISPOSALS COTTON CLOTH

82. THE HONOURABLE MR. G. S. MOTILAL: Is it a fact that the Disposal Department sells cloth at 12½ per cent. over ex-mill price? What is the reason of it?

THE HONOURABLE MR. M. W. M. YEATTS: Disposals cotton cloth is sold at either 10 per cent. or 12½ per cent. over the ex-mill price. 12½ per cent. is charged when the cloth is of a very popular type which sells easily, such as longcloth, and 10 per cent is charged for less popular varieties. The margin allowed by the Cotton Textile Control for new Indian-produced cloth is 20 per cent. between ex-mill and retail prices. This margin has to cover a range of handling greater than applies to Disposals cloth and to allow 20 per cent. would for the latter cloth be excessive. Hence the lower margins mentioned above.

CLOTH PRICES

83. THE HONOURABLE MR. G. S. MOTILAL: Do Government propose to reduce the difference of 20 per cent. fixed between the ex-mill and retail prices of cloth?

THE HONOURABLE MR. M. W. M. YEATTS: No, Sir.

IMPORTS OF FOODGRAINS

84. THE HONOURABLE MR. G. S. MOTILAL: (a) What quantities of foodgrains have been received from countries outside India during the last twelve months? When is Burma rice likely to be available for India?

(b) What is the quantity of each type of foodgrains produced in the current agricultural season?

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) I place a statement on the table of the House. Burma rice is already coming to India.

(b) Reliable quantitative estimates of the outturn of food crops in the current agricultural season (1946-47) are not yet available but the information received from various parts of the country shows that the outturn of kharif crops will be approximately average on the whole.

A statement showing the outturn of food crops during 1945-46 is placed on the table of the House.

Statement showing arrival of foodgrains from abroad during last quarter of 1945
(October to December 1945)

—	Source of supply	—	Quantity	Foodgrain
October 1945	U. S. A.		22,827	Wheat
	Canada		63,386	"
	Total		86,283	
November 1945	U. S. A.		20,687	Wheat
	Canada		45,774	"
	Burma		6,000	Rice .
	Total		73,061	
December 1945	U. S. A.		49,902	Wheat
	Canada		65,704	"
	Burma		39,334	Rice .
	Egypt		6,500	" .
	Total		161,440	

January—October 1946

MOVEMENT BRANCH

Imported foodgrains—Arrivals during 1946

A. Foodgrains other than rice.

—	From	Tons	—
(i) Arrivals against shipments made in 1945.			
January 1946	U. S. A.	29,778	Wheat
	Canada	50,433	"
	Total	80,211	
February 1946	U. S. A.	22,246	"
	Canada	48,346	"
	Total	70,592	

—	From	Tons	—
(ii) Arrivals against 1946 shipments.			
February	U. S. A.	15,015	Wheat.
	Canada	24,195	"
	Total	39,210	
March	U. S. A.	27,881	"
	Canada	4,443	"
	Australia	36,091	"
	Total	68,415	
April	U. S. A.	29,706	"
	Canada	7,500	"
	Australia	62,182	"
	Australia	12,803	Wheat equivalent of 9,350 tons of flour at 73% extraction basis.
	Total	112,196	
May	Australia	62,189	Wheat.
	Australia	42,470	Wheat equivalent of 31,003 tons of flour.
	U. S. A.	26,164	Wheat
	Canada	3,500	"
	U. K.	5,500	Wheat equivalent of 4,000 tons of flour.
	Total	139,823	
June	Australia	52,398	Wheat.
	Australia	15,895	Wheat equivalent of 11603 tons of flour.
	Canada	39,314	Wheat.
	Total	107,607	

	From	Tons	
July	Australia .	48,471	Wheat.
	Australia .	45,478	Wheat equivalent of 33,199 tons of flour.
	Canada .	53,212	Wheat.
	U. S. A. .	33,879	"
	U. S. A. .	76,979	Maize.
	Total .	258,019	
August	Australia .	52,931	Wheat.
	Australia .	19,245	Wheat equivalent of 14,049 tons of flour.
	Australia .	1,050	Barley.
	Canada .	9,308	Wheat
	U. S. A. .	43,105	"
	U. S. A. .	8,913	Maize.
	Argentina .	25,301	"
	Burma .	2,730	"
	Iraq .	170	Millets.
	Egypt .	19,625	"
	Total .	182,378	
September	Australia .	43,836	Wheat.
	Australia .	35,764	Wheat equivalent of 26,108 tons of flour.
	Australia .	200	Millets.
	U. S. A. .	67,581	Wheat.
	U. S. A. .	5,100	Maize.
	U. S. A. .	7,625	Milo.
	Burma .	2,300	Maize.
	Argentina .	26,182	Maize.
	Egypt .	4,709	Barley.
	Egypt .	14,644	Millets.
	Abbyssenia .	1,421	Millets.
	Total .	209,362	

	From	Tons	
October	Australia .	17,079	Wheat
	Australia .	900	Millets
	U. S. A. .	32,499	Wheat
	U. S. A. .	6,852	Wheat equivalent to 5002 tons of flour.
	U. S. A. .	7,475	Milo
	Argentina .	97,118	Maize
	Argentina .	1,684	Millets
	Egypt .	2,157	Barley
	Egypt .	3,200	Millets
	Turkey .	6,900	Barley
	Iraq .	17,200	Barley
B Rice	Iraq .	1,000	Millets
	Total .	194,064	
	(i) Arrivals against 1945 programme		
	January	Burma .	29,368
	(ii) Arrivals against 1946 programme		
	May	Burma .	9,381
	June (i)	Burma .	24,377
	July	Burma .	36,568
		Siam .	8,700
		Saigon .	3,890
		Total .	49,158
August	Burma .	22,908	
	Brazil .	9,500	
	Total .	32,408	
September	Burma .	54,248	Rice equivalent of 6019 tons of Paddy.
	Java .	4,000	
	Total .	58,248	
October	Brazil .	19,376	Rice
	Java .	12,000	"
	Total .	31,376	

Statement showing the total production of major foodgrains during the year 1945-46.
(Figures in 000 tons).

Year	Rice	Wheat	Jowar	Bajra	Gram	Maize	Barley
1945-46	26,249	8,967	5,546	3,375	3,614	2,518	2,115

(These figures are subject to revision when the final forecasts for all these are ready and relate only to reporting areas.)

PRODUCTION AND IMPORT OF PETROL

85 THE HONOURABLE MR. G. S. MOTILAL: (a) What quantity of petrol has been produced in India and received from abroad during each of the last twelve months?

(b) How much of it was issued to (i) military, (ii) other Departments of Government, and (iii) public, in each province?

(c) What steps have been taken recently for prevention of black market sales of petrol by the military and others?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): (a) and (b) (i). I lay a statement on the table.

(b) (ii) and (iii). I lay a statement on the table showing issues of petrol to the various provinces for the last four quarters. It has not been possible to work out figures for each month nor to show issues to the public separately from those to departments.

(c) (i). *Armed Forces.*

The following measures have been adopted for the prevention of fraudulent disposal of petrol by members of the Armed Forces:—

(a) When drawn by a unit motor spirit is taken on ledger charge and is issued to drivers on an Indian Army Form on which the signature of the driver is obtained. After each journey the mileage run is entered either on a duty slip or, in the case of staff cars, motor cycles and ambulances, in the car diary. At the end of the day the petrol consumed is also entered in the duty slip. From these duty slips entries are made in the vehicles daily running account which contains the monthly mileage and petrol record of every vehicle day by day. From the daily running account the average mileage per gallon can be calculated.

(b) Petrol stored in bulk is either under an armed guard or is in a locked store. Whichever is the case all such petrol is on ledger charge of the accounting unit holding it.

(ii) *Others.*

Measures to prevent sales of petrol in the black market by civil agencies are formulated by Provincial Governments concerned. I regret I am not in a position to say what steps the Provincial Governments have taken in this direction.

Statement in reply to parts (a) and (b) (i).

GALLONS

Months	Imports	Production	Military Releases
1945			
September	21,170,830	1,912,080	16,890,000
October	13,516,620	1,977,730	11,296,000
November	894,660	1,699,110	3,251,000
December	2,790,000	1,631,970	7,510,000

Months	Imports	Gallons Production	Military Release
1946			
January	8,658,519	1,757,700	7,679,000
February	13,030,503	2,175,320	5,846,000
March	12,034,850	1,705,224	5,762,000
April	13,623,325	2,236,560	3,860,000
May	3,957,572	1,539,408	4,199,000
June	11,871,464	2,070,286	4,801,000
July	8,261,635	1,831,607	3,777,000
August	13,378,559	1,551,399	2,755,000
Total	123,188,537	22,038,394	77,626,000

Statement in reply to part (b) (ii) and (iii)

THOUSANDS OF GALLONS

Provinces	Quarter ending Oct. 45	Qr. ending Jan. 46	Qr. ending Apl. 46	Qr. ending July. 46
1. Madras	1,771	1,982	2,363	2,714
2. Coorg	25	33	40	35
3. C. P. and Berar	284	294	401	428
4. Bombay	3,815	3,894	4,191	4,467
5. Sind	470	533	514	538
6. Baluchistan	150	165	172	199
7. N.-W. F. P.	293	324	345	330
8. Punjab	969	1,343	1,422	1,377
9. Delhi	402	423	446	436
10. Ajmer-Merwara	20	24	26	28
11. U. P.	1,057	1,376	1,611	1,745
12. Bihar	790	927	1,090	1,004
13. Orissa	108	140	173	164
14. Bengal	2,973	3,070	3,247	3,409
15. Assam	579	845	873	845
Total	13,706	15,37	16,914	17,719

TELEPHONE EXCHANGES ALLOCATED TO THE MILITARY.

86. THE HONOURABLE MR. G. S. MOTILAL: What was the number of telephone exchanges allocated to the military in the city of Bombay, Poona and Calcutta? How many of them have been released from military use? How many of them have been allocated to public?

THE HONOURABLE MR. A. R. NISHTAR: I lay a statement on the table of the House.

Statement

	Bombay	Poona	Calcutta
(i) Number of Private Branch Exchanges of Various sizes allocated to Military.	63	31	26
(ii) Number of Private Branch Exchanges of various sizes recovered up to the end of October '46	20	2	19
(iii) Number of Private Branch Exchanges of various sizes installed since April '46 for civil use including those recovered from the Military.	43	...	13

FOOD RATIONING AND THE BLACK MARKET

87. THE HONOURABLE MR. G. S. MOTILAL: (a) Are Government aware that the reduction in the quantity of ration of food has produced larger black market?

(b) Are they aware that licensed sellers are mostly selling articles of food in black market?

(c) Have any steps been taken to enquire how they are able to do it and what measures have been taken to stop it?

(d) When do Government propose to increase the quantity of the food ration to its previous level in each Province?

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) & (b). Government have received no such reports.

(c) Does not arise.

(d) As soon as the supply position permits.

THE HONOURABLE MR. G. S. MOTILAL: Will Government make inquiries?

THE HONOURABLE SIR PHEROZE KHAREGAT: Yes, Sir; we have no objection to making inquiries.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: With regard to part (a) of the question, may I ask whether my Honourable friend the Secretary for Agriculture is personally aware of the fact that the domestic servants, being totally dissatisfied with the small ration that they get, do either procure food in the black market or compel their masters to do so?

THE HONOURABLE SIR PHEROZE KHAREGAT: I have no information on the point.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The Honourable Member has great capacity for closing his eyes to unpleasant facts.

THE HONOURABLE SIR. S. K. ROY CHOWDHURY: Is the Honourable Member aware that the last Food Member gave a promise in this House that he would inquire into this matter and would take steps to increase the foodgrains rations of domestic servants?

THE HONOURABLE SIR PHEROZE KHAREGAT: Government are making every effort to increase the rations, but owing to the fact that we had a very poor harvest last time, it has not been possible to increase these rations so far.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: Increase the rations of domestic servants only, who can be considered as manual labourers.

THE HONOURABLE SIR PHEROZE KHAREGAT: I do not know what the position in that respect is.

THE HONOURABLE MR. G. S. MOTILAL: How are merchants able to sell foodgrains in the black market?

(No answer.)

THE HONOURABLE MR. G. S. MOTILAL: Have Government instructed Provincial Governments also to take serious steps in regard to black-market selling by merchants?

THE HONOURABLE SIR PHEROZE KHAREGAT: Yes, Sir; Provincial Governments have been asked to use their utmost efforts to prevent black-marketing.

THE HONOURABLE MR. G. S. MOTILAL: Have they informed the Government of India of any particular efforts which they have made recently?

THE HONOURABLE SIR PHEROZE KHAREGAT: I am afraid I must ask for notice of that question. I have not got the information ready at hand.

THE HONOURABLE MR. M. THIRUMALA ROW: Is the Honourable Member aware that the Madras Government, by increasing the price of paddy by Rs. 2 per maund, were able to procure 3 lakhs of tons of paddy?

THE HONOURABLE SIR PHEROZE KHAREGAT: Yes, Sir. I do not remember the exact figure, but I am aware of the fact that they were able to procure a certain quantity of extra foodgrains.

TELEPHONE SERVICE IN BOMBAY

88. THE HONOURABLE MR. G. S. MOTILAL: (a) Are Government aware that the telephone service in Bombay has deteriorated and repairs are not attended to for a long time?

(b) What steps do Government propose to take in this matter?

THE HONOURABLE MR. A. R. NISHTAR: (a) Government are aware that the telephone service in Bombay is not up to the pre-war standard but every effort is being made to improve matters. The present deficiencies are a result of the war-time limitations such as lack of spares and replacements for worn equipment and the necessity for employing inexperienced and partially trained staff, from these it will take an appreciable time to recover. Repairs are attended to as promptly as possible and no reports of abnormal difficulties in this respect have been received.

(b) Overhauling of the exchange equipment has been taken up and worn parts are being replaced but difficulties are still being experienced in getting sufficient spares. Staff is also being trained. Orders for additional equipment for the extension of the Bombay exchanges have also been placed.

THE HONOURABLE MR. G. S. MOTILAL: Did Government take notice of what appeared in the papers: a prominent citizen of Bombay asked an operator what his name was, and was told: "My name is your father"?

THE HONOURABLE MR. A. R. NISHTAR: Government has no information about it. But I may submit for the information of the Honourable Member that we have no particular machinery to trace the talks that take place between an operator and a person who has got a telephone.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: You have got it: you can tap conversations quite easily.

THE HONOURABLE MR. M. THIRUMALA ROW: Will the Honourable Member tell us what arrangements have been made to manufacture telephone equipment in Government's own workshops in India?

THE HONOURABLE MR. A. R. NISHTAR: I want notice of this question.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN : May I ask, Sir, if the Government are aware that similar conditions exist in Madras also and there are many complaints about the telephone system ?

THE HONOURABLE MR. A. R. NISHTAR : The information sought to be conveyed by the supplementary question may be correct, but I have no direct information about it.

THE HONOURABLE MR. MTHIRUMALA ROW : Has the Honourable Member got experience of the telephone connections in Delhi ? You never get a connection.

THE HONOURABLE MR. A. R. NISHTAR : It is really unfortunate, Sir, I have already said that so far as Bombay is concerned, the position is not very satisfactory, and the same difficulty is experienced everywhere. But I have already explained the reasons for that difficulty and the Department is doing its best to overcome it.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN : Sir, may I ask Government if they will make inquiries in regard to the condition of the telephone system in Madras ?

THE HONOURABLE MR. A. R. NISHTAR : I have no objection. We shall certainly make inquiries.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : When Government try to improve the telephone system in Bombay, will they also pay some attention to what is going on in Calcutta where the telephone system during the last few years has gone from bad to worse ?

THE HONOURABLE MR. A. R. NISHTAR : I think this question is already engaging the attention of the Government.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Are Government aware that nowhere is the state of things so bad and the telephone system so inefficient as in Calcutta ?

THE HONOURABLE MR. A. R. NISHTAR : May be. I cannot say. I have never compared the position of the different Provinces and the different cities, but if the Honourable Member has got some data, he is entitled to form his own opinion.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I have my own personal experience.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Will the Honourable Member take it from me, as a person coming from Calcutta, that that is a fact ?

THE HONOURABLE MR. A. R. NISHTAR : Well, the Honourable Member comes from Calcutta and he is entitled to form his own opinion about the Calcutta Exchange, but, so far as the comparative position between Calcutta and other places is concerned, I think he will agree with me that Government is not in a position to accept that he is entitled to form an opinion as to the comparative position between Calcutta and other places because he does not belong to all places.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : You cannot get a telephone message or connection in Calcutta for days together even if you apply.

THE HONOURABLE MR. A. R. NISHTAR : May be, I do not contest it.

THE HONOURABLE SIR DAVID DEVADOSS : Will the Honourable Member be pleased to direct that more equipment is supplied to Madras, because when we apply for a telephone connection they say there is not enough equipment ? Will the Honourable Member kindly see that more equipment is supplied to Madras ?

THE HONOURABLE MR. A. R. NISHTAR : Government will look into it, Sir.

THE HONOURABLE MR. MTHIRUMALA ROW : Is it the policy of Government to wait till equipment from foreign countries is imported ? Will they take steps to manufacture these things in India ? This is a question which has been raised elsewhere.

THE HONOURABLE MR. A. R. NISHTAR : May I know where the question has been raised ?

THE HONOURABLE MR. M. THIRUMALA ROW : It was raised in the other House and the Secretary of your Department has said that sufficient arrangements have not been made to manufacture these sets in the Government workshops and that they were waiting for foreign manufacturers to send their goods.

THE HONOURABLE MR. A. R. NISHTAR : So far as this Government is concerned I can say that it will encourage every effort to manufacture these things in India.

INCOME-TAX PAYABLE BY HINDU ASSESSEES HOLDING JOINT PROPERTY

89. THE HONOURABLE MR. G. S. MOTILAL : Is it a fact that instructions were issued by the Central Board of Revenue more than six months ago that Hindu assesses holding property jointly as tenants in common should not be assessed separately for income-tax and that non-Hindu joint holders of property holding as tenants in common are to be assessed separately for income-tax ? If so, why this discrimination ?

THE HONOURABLE SIR CYRIL JONES : The reply to the first part of the question is in the negative. On the other hand, the Central Board of Revenue issued a circular in March, 1945 that section 25A of the Income-tax Act which, on the partition of a Hindu joint family, requires the division of property in definite portions should not be construed in a manner which would make it impossible for a Hindu joint family to have its claim of disruption accepted.

The attention of the Honourable Member is invited to the provisions of section 9 (3) of the Income-tax Act which lays down that where property is owned by two or more persons and their respective shares are definite and ascertainable such persons will not be assessed collectively but in respect of their appropriate share. Where a Hindu undivided family owns joint property not partitioned by members, the Hindu undivided family is in itself a person under section 2 (9) of the Income-tax Act and a separate unit of assessment for the purposes of the Act. It cannot therefore be said in such a case that the property is owned by two or more persons within the meaning of section 9 (3) of the Act.

SHORT NOTICE QUESTION AND ANSWER

THE HONOURABLE THE PRESIDENT : Are Government prepared to answer the short notice question of the Honourable Mr. Thirumala Row ?

THE HONOURABLE SIR CYRIL JONES : Yes, Sir.

ADVANCES FOR HOUSE BUILDING

90. THE HONOURABLE MR. M. THIRUMALA ROW : Will Government state whether the grant of house building advances admissible to the Government officers under Civil Account Code, Volume 1, was held in abeyance during the period of war ? If so, when do Government propose to restore this concession, in view of the present acute shortage of houses ?

THE HONOURABLE SIR CYRIL JONES : The grant of house-building advances was discontinued in 1937, i.e., more than two years before the war. The question of reviving the concession has recently been raised and is under consideration.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meetings held on the 13th and 14th November, 1946, namely :—

A Bill to confer upon the Central Government certain powers in respect of foreigners.

A Bill to make certain provisions in relation to sentences and orders passed by Special Tribunals constituted under the Criminal Law Amendment Ordinance, 1943, on such Tribunals ceasing to function.

A Bill to restrict the opening and removal of branches by banking companies.

STATEMENTS, ETC., LAID ON THE TABLE

THE HONOURABLE MR. S. LALL (Labour Secretary): Sir, I lay on the table copies of 13 *ad hoc* Reports * prepared by the Labour Investigation Committee.

RESERVE BANK OF INDIA (AMENDMENT) BILL

THE HONOURABLE SIR CYRIL JONES (Finance Secretary): Sir, I move:

"That the Bill further to amend the Reserve Bank of India Act, 1934, as passed by the Legislative Assembly, be taken into consideration."

The purpose of, and the reasons for, this Bill, Sir, have been fully explained in the Statement of Objects and Reasons. The Reserve Bank are seriously perturbed at the new device referred to in this statement which has recently been practised in order to evade the prohibition embodied in section 31 of the Reserve Bank of India Act against the issue of bills of exchange payable to bearer on demand. The objections to the practice are given in the Statement of Objects and Reasons to which I might add another, namely, that this practice would go far towards defeating the purpose of the Government's demonetization of high denominational notes. The Reserve Bank has urged that prohibition of this practice is an urgent matter which cannot await the passing into law of a comprehensive Banking Bill. Special legislation has, therefore, been brought forward for this one single purpose, which I believe to be not only entirely non-controversial but generally recognised as necessary for the protection of the public against fraud and also as a matter of public policy to prevent the issue of instruments calculated to supplant the country's currency. I trust that this House will be prepared to accept the measure. Sir, I move.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR CYRIL JONES: Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The Motion was adopted.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) BILL

THE HONOURABLE MR. M. W. M. YEATTS (Industries and Supplies Secretary): Sir, I beg to move:—

"That the Bill to provide for the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, certain commodities, as passed by the Legislative Assembly, be taken into consideration."

During the war the Central Government entered the Provincial field and did so under cover of the Defence of India Act and Regulations. That cover passed on the 30th September. Before that date the Central Government studied the various topics in which it was operating controls in the Provincial field, selected those which it considered it was essential to continue, and dropped the rest. Parliamentary legislation gave this Legislature power to pass laws in regard to the chosen subjects

Not printed. Copies placed in the Library of the House.

for a very limited period. Obviously if some controls were to continue at all, you could not have a gap. So the interval between the 30th September and now was covered by an Ordinance and the object of this Bill before us is to replace that Ordinance by an Act of this Legislature. A study of the measure itself will show you that this is not a question of a general extension of controls or indefinite continuance of this or that. It is an extremely emergent measure indeed. To begin with, we can only continue these powers for one year. If the Government feels they ought to go on after that, the Governor General has to make a declaration to that effect. If it was found that they should go on after that, then assuming the present Constitution, both Houses of Parliament would have to pass a Resolution to allow them to continue and they could only do that for one year at a time and they could not go beyond in any case 1951. This is rather like a hurdle race. One might say from one point of view that the limitations were excessive rather than that they were inadequate. The key word I think of the whole Bill is the word "essential", and this Bill does not relate to tobacco and cosmetics and this and that. It relates to things which really enter the life and working of the people. And what really is the basis of the Bill? I do not think I need comment on food, cloth, cotton textiles or on coal and what they mean; but there they are. In strict theory there is only one logical control and that is where the controlling authority takes the thing and dishes it out in appropriate quantities to each recipient; in other words, rationing. Rationing on an all-India basis applies to two things, newsprint—and that is not really typical—and the other is motor spirit. It has been done in the case of foodstuffs in the Province with which I have the honour to be associated myself. There you have had a very great extension of urban and rural rationing, a performance which I think, despite all the hard things said about the administration in India, will be a case for mingled admiration and wonder over a very considerable area. Now, that has been done there; but food rationing is not yet all-India. In the working of controls, we have to be practically-minded. We say "Article X. Its main conditions are these. It comes to us from such and such source. The people who know something about it are these, and the most practicable way of running it would be this and that". It is essentially empirical or pragmatic. We start a system going on and we watch how it works. There are a lot of hard things said about control and controllers. But I think we should never judge any big phenomenon by a purely local aspect of it. Human nature being what it is, you will always get what Shakespeare called "the man dressed in his little, brief authority" or what Dickens would have called the local Bumble. These are part of the trials that God sends upon us. But don't judge the objects of these controls by the occasional pinches they give us. The fundamental cause of control is that there is not enough to go round, and that is where this word "essential" comes in. It does not matter if there is not enough tobacco to go round. It is just too bad. But if you have not got enough of something that the people must have, and not by a long way, then in any country you will have the position that money will talk. Money will talk and it will talk all the time and it will have the last word. That is really the background of the control of essential commodities. You have to say "Are we prepared in a thing like food or cloth just to let the ordinary citizen take his chance?" I think the answer to that must be "No".

I do not want to keep the House, but there is just one last thing which occurred to me. These controls, as the very existence of this Bill shows, have an all-India aspect and that is an indication of the fact that the scarcity expresses itself on an all-India basis. The Bible tells us that ye are members one of another and the truth of that is borne in most forcibly on us in times of adversity. When we have provinces sending food to the South and Madras sending yarn elsewhere, I think the truth of that comes home to us. Controls are only an expression of that. Sir, I move.

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS (East Bengal: Non-Muhammadan): Sir, first I want the Honourable Mover of the motion to clarify the words "limited period". Secondly, I want de-control of slack coal which is necessary for the purpose of brick manufacture.

[Rai Bahadur Satyendra Kumar Das]

Sir, during the last Budget session it was made clear that the Government was going to encourage the construction of private buildings in order to provide the labourers released from aerodromes and other war works. That being so, Sir, I do not see any harm if the Government be pleased to reconsider my prayer as to the decontrolment of the brick-burning coal, which is not necessary for steaming and other purposes, required for the industries as well as for their locomotives. Sir, this coal is nothing but slack coal which is hardly required for running power or electricity or anything for moving force. Sir, I move that this brick-burning coal at least be excluded from control. In these days of unemployment when people cannot find a job to eke out their existence, my submission is that the Government be pleased to reconsider this item of coal which is raised from collieries, de-control it and freely supply it to those brick manufacturers to encourage the construction of private buildings.

Sir, I move.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Mr. President, the system of controlling the distribution and sale of commodities was introduced during the war because of the shortage of supplies that existed then. For the same reason, it is desirable to continue control over certain commodities even now though the war is over. There can, therefore, be no objection to the principle of the Bill but while I think that the House would be willing to vest Government with the powers which it has asked for it will desire to have information with regard to their policy regarding the increased production of those commodities which are in short supply at the present time. I am not going to refer now to foodstuffs or paper, because these subjects have often received attention in this House. We have a debate once or twice a year on the food situation and we have therefore ample information with regard to what Government is trying to do to increase the production of foodstuffs. But we know very little about the efforts that are being made by them to increase the production of cotton textiles and iron and steel. Now so far as the cotton textiles are concerned I have read the report of the Khatau Committee, but no one knows how long Government will take to implement the programme recommended by the Committee, nor do we know at the present time whether that programme will be carried out in every Province. Notwithstanding the debate that took place in this House the other day with regard to the policy proposed to be followed in respect of this matter by the Madras Government, the Premier of Madras has come out with a statement re-affirming the policy laid down by his Government and his determination to stick to it. We have, therefore, a right to ask Government within what period they propose to increase the supply of cotton textiles to such an extent as to dispense with controls. It is true, as my Honourable friend, Mr. Yeatts, said that under the India (Central Government and Legislature) Act, 1946, the control can be continued for a maximum period of five years only but I submit that it ought to be the policy of the Government to act in such a way as to make the control unnecessary before that period expires, so that the difficulties that are experienced now might not have to be traced when the control is removed. We hear a great deal of black-marketing in connection with the sale of cloth, but notwithstanding this prices have been kept under reasonable control. If the supply of cotton textiles remains as limited as it is today, then though the black market will not exist when the control is withdrawn prices will certainly rise considerably and make it almost impossible for the poor man to obtain his requirements.

As regards iron and steel we were under the impression that during the war their production had increased. I think I shall be quite correct in saying that Government themselves fostered and strengthened this impression. There was a general belief, that India had advanced considerably in respect of the manufacture of iron and steel. I learnt therefore with great surprise from an article in the "Indian Economist" a few weeks ago that the production of both iron and steel was now wrightly less than it was before the war. Perhaps, my Honourable friend Mr. Yeatts will be able to let us know how this has happened and what steps are to be taken by Government in order to increase the production of these things which will be much more in demand in future than they were before the war. Both the need,

of the ordinary people and the demands made by new industries will require a considerably increased production of iron and steel but if the industry concerned with their manufacture remains in its present condition I do not think that control over them for a limited period will do us any good at all.

Another point, Sir, that I should like to raise is connected with clause 3, sub-clause (1), of the Bill before us. Now this clause empowers the Central Government to issue instructions for maintaining or increasing the supplies of any essential commodity to the extent they consider necessary. Their object will be not to interfere unduly with trade and commerce. I am sure that my Honourable friend Mr. Yeatts knows that the rules made under the Defence of India Act which empower the Central Government to control the production, distribution and sale of certain commodities have been used in many instances in such a way as to injure vested interests. I think it ought to be the policy of the Government of India to see that the control over the sale of the controlled commodities is exercised in such a manner as not to interfere with the business of people already engaged in trading in those commodities. If it is necessary to open more shops, by all means bring new people in. But there is no reason why people who are already carrying on a business should be driven out of it. I hope therefore that my Honourable friend Mr. Yeatts will be able to give us an assurance that the Central Government will not allow such a policy to be pursued in the future.

Lastly, I should like to ask my Honourable friend what would be the period during which this law would remain in force in the first instance under the India Central Government and Legislature) Act, 1946. This will depend on the date on which the Proclamation of Emergency ceased to have effect. The question is whether it ceased to have effect from the date on which it was withdrawn or from the date on which it ceased to operate altogether. In the first case, this Act will remain in force only till the 31st March, 1947, and in the other case, till the 30th September, 1947. I hope my Honourable friend will be able to clarify the situation in this respect.

I do not think I have anything more to say in respect of the provisions of this Bill. I support the principle of the Bill, and, generally speaking, I recognise the need for controlling the commodities mentioned in clause 2. But as I have already said, the power to control the sale of these commodities will by itself not be of any permanent use to the people; it ought to be the policy of the Government to see that before the controls are removed a state of things is brought into existence in which the public will be able to satisfy its needs in respect of these articles at least in the same way as it could before the war.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras: Non-Muhammadan): Mr. President, the necessity to extend the special powers by way of a Bill is obvious. The conditions under which people lived during the war are still continuing, and it is the duty of any Government to control all the productive sources of food and cloth and other necessities so that an equitable distribution of those necessities can be made amongst the people. Otherwise it is only the rich—as the Honourable Member said money can buy anything—who will be able to get the essential articles of life. It is our duty to support the measure until conditions in the country come to normal. But I do not envisage a time in the near future when conditions will come to normal when people can have enough food and clothing. The Bill seeks to provide for the continuance of these powers during a limited period.

With regard to the control on production of food, energetic measures have to be taken by the new Government for producing more food. India has been chronically a deficit country with regard to its food. As long as other countries continued to supply the deficit, we did not realise that we were so much in deficit as regards our food requirements. The moment war came, famine stared us in the face, and the terrible famine in Bengal was a warning to the Government of India that their complacent methods would not do hereafter. Even now, food production is a long-range plan and it has got to be tackled on a long-range basis. This Bill cannot tackle the problem at all. Still, the Government want to have some control over the production of various articles. But I am afraid this Bill does not arm the Government with necessary powers. They have started on their industrial planning. I want to quote

[Mr. M. Thirumala Row].
 an example. They wanted to plan and control the vegetable ghee industry. With great gusto the previous Food Member announced that he was allowing the manufacture of ghee, to be allotted to several provinces. But I want to draw attention to how these controls were circumvented by a big business man of this place. The Madras Province has been allotted the manufacture of 100,000 tons of vegetable ghee, to be distributed amongst 7 factories. Now, an eighth man comes—rather sneaks into the province of Madras, to devour all the smaller fry. The capital of all the 7 companies together is Rs. 105 lakhs. The big man comes with some influence at the top and starts the industry with a capital of 100 lakhs. He is like the spider that spreads his web all over. He can easily swallow all the smaller fry that are being started with less capital. Does this Bill give authority to the Government of India to control the situation? Last time, when I put a number of questions to the previous Food Member, Sir Jwala Prasad Srivastava, he said that the Government of India had no power to control these industrialists who tried to spread their tentacles all over the country; you could simply refuse electricity, you could refuse an import licence, you could refuse capital issues. But the man has got enough capital; he does not require permission for capital issue. He has got engineers. He manufactures plant himself. He can go and dump it anywhere he pleases, even where it is not wanted. The Madras Government and the Central Government are unable to check the man. He goes and menaces the smaller manufacturers. Are you going to control such circumvention, such a plan to defeat the purposes of this Bill? I want the Honourable Member to clear my doubt. I want him to tell the House whether this Bill arms the Government of India with sufficient power to prevent any such unjust schemes.

Then, Sir, there is another point. They get hold of retired civilians and employ them in their firms. They try to take advantage of the influence which they have. A retired civilian is taken on as a director on a salary higher than that which he was getting before retirement and he with the influence of his recent past is able to manage things. I want you, Sir, without fear or favour to see that such unjust encroachment of big finance on the small industrialist is not permitted. Trusting the word of the Govt. of India and the Madras Government, people have invested in each company to the tune of 15 to 20 lakhs in 7 companies. What happens to all of them when one company with a crore of rupees starts producing cheaper than the manufacturers in the other cases? They will dump the market with cheaper stuff. One company comes in with a crore of capital. We have agitated about it in the Province. I do not know how the Madras Government say they are unable to effectively control this. They say they have not got the powers. Even the Central Government have said they have not got the powers unless they take some power with regard to industrial planning and tell people that they cannot start a factory without the previous permission of the Govt. of India. I want the Hon. Member to consider this aspect. If you allow one man to suppress the small industrialists in one province, this man will go to other provinces or some other man will go there and start factories by circumventing your own powers and rules and Acts. I want Government to effectively control such things with regard to production.

With regard to newsprint, you are now controlling supply and distribution. I do not know how far efforts are being made in the Planning Dept. or the Industries Dept. to investigate whether newsprint can be manufactured in this country. During the war I had occasion to go and spend some hours in the Industrial and Scientific Research Institute of the Government. They had started experiments to substitute iron gramophone pins with bamboo pins. They succeeded. They wanted to give greater tempo to the coir ropes which are used in the navy. For things that were wanted to be done during the war the Industrial Research Institute carried on research whether these things can be improved and manufactured in this country. I want the Govt. of India to instruct their scientists to see whether the grass that is available in the Himalayan ranges and in the U. P. for ordinary paper can also be used for the manufacture of newsprint. Sir, the question of newsprint is a very serious one. The richer man gets richer and the poorer man gets poorer. The man that gets a quota of 50,000 tons will devour the small man that has got a smaller quota, the moment control is removed, you are not able to supply. I will give you a practical instance. If you want to run a paper you must have at least a circulation

of 10,000 copies. But you allot 1½ tons to some papers, 2 tons to some papers, and 5 tons to some papers. It gives 4,000 or 5,000 copies each. That means the concern has to run at a loss. What I want to impress on the Government is, let them take seriously the meaning of the word "production" and investigate if they can produce newsprint also and make this country independent of conditions elsewhere like Norway or Canada, who are now increasing their cost of newsprint phenomenally because there is a demand from our country and other countries.

These are the only two points I want to draw attention to. If the Government really want to show that a real change has come over the Govt. of India, that men of genuine public spirit and grit are controlling the Government, let them consider these things and let not a single man, however rich and influential he may think himself to be, and however much he may be hobnobbing and rubbing shoulders with the bigger people in the country, consider that he is bigger than the people and the interests of the public.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-official) : Sir, controls are a necessary evil. Personally I would like to see all controls removed. But, as matters stand at present, that is not possible. But I would ask the Government to see that the corruption which is rampant in this control business is removed. Not only corruption but all kinds of other evils are also there. I will give one or two instances. I do not want to take up the time of the House by going through many things. For instance, my own family doctor wanted some sugar. He sent his ration card to the man who distributes sugar and he said he had no sugar available. Then he was advised to have a police officer sent along with his servant. The servant again went and the same reply was given. The servant said to the man, "Do you know who is with me? He is the Head Constable of the place". Then the sugar was forthcoming. Then, Sir people have to wait in queues of 100 or 150 to 200 and what does the vendor or the licensee say? He says, "Wait till 9 O'Clock at night" I am not exaggerating. I am telling you the facts. They wait and then he measures the grain in a way and they have got to take what they are given. The stuff sometimes is full of grit, sand and all sorts of things. Though it is necessary to have controls I want Government to see that these evils are removed. Another thing that I want to mention is this. Why should there be control in regard to vegetables? In Kodaikanal where I live part of the year people raise vegetables and potatoes. The officer in charge of the Dept. says that one should sell it only at a certain price. That is not an evil in itself. But he also says he can only sell it to a licensee. That man makes a lot of money. He goes round and says, "Give me at this price". We will say the price fixed is X. He wants to buy at X—Y. What is the poor man to do who raises vegetables and potatoes? Why should you insist upon the man selling to the licensee only? The licensees are men of straw. They probably have got some influence with some clerk or officer and they cause a lot of annoyance to the people. These people are not allowed to send their own goods down to the plains. Suppose the price of potatoes is Rs. 0-4-0 a lb. in Kodaikanal. It is sold down below, within 50 miles, at Rs. 0-6-0 per lb. by the licensee, who is the only man who can take it down. Why should you insist upon these people selling only to the licensees? You may put a value upon the thing. You may say that potatoes or vegetables should be sold at a certain price. You may also add a certain percentage for transport costs. But why should you insist that these things should go through the licensee only. I would ask the Hon. Mr. Yeatts who knows Madras to see to this, especially with regard to vegetables and potatoes and other things grown in Kodaikanal and Ooty. People suffer greatly. I am speaking from experience. People have come and told me, "We have got things; we cannot send them down; we are told to sell them only to the licensee". Remove these licensees. You can say that he should sell only at a certain price. I do not mind that, because that applies to everybody. But free transport to different places like Madura and Dindigul should be allowed. I hope the Honourable Mr. Yeatts will see to this and instruct the Madras Government to remove the controls with regard to vegetables.

[Mrs. Radha Bai Subbarayan]

I think, my Honourable friend, Mr. Yeatts, said that full rationing is not made on an all-India basis. I am quite aware of it but I think that it is certainly necessary for the Government to give their earnest consideration to the need for as much uniformity about rationing as is possible and also with regard to the commodities which the different Provinces think are necessary to be rationed. While I am on this subject of rationing, Sir, I would like to point out that when the Provincial Governments introduce rationing of a particular foodstuff they should also consider whether it is necessary to introduce rationing or control of its allied foodstuffs. I think I should make my point clear by giving an instance. In Madras we did not have rationing of sugar until this year and all that time there was no scarcity of sugar. Sugar, *jaggery*, which I think is called "gur" in these parts and "country sugar" which in Tamil is called "*nattu shakkarai*", were available to all classes of people but now that rationing of sugar has been introduced, *jaggery* and "country sugar" have gone into the black market with the result that the poor people who are not used to white sugar are left in the lurch. I think this is a very important matter which needs careful attention of the Central Government. With regard to distribution also I would venture to make a suggestion to the Government: that they should, in consultation with the Provincial Governments, try to have distribution through Co-operative Societies. I have great faith in Co-operative Societies if they are run efficiently. Black marketing can be avoided if the assistance of Co-operative Societies is utilised more extensively and frequently.

Next, Sir, I shall be treading on rather delicate ground if I venture to say a few words on textiles, but I shall be failing in my duty if I do not warn this House that the women in my Province are undergoing acute anxiety with regard to textiles. The other day I refrained from speaking on the resolution brought forward by my Honourable friend, Sir Gopalaswami Ayyangar, because he did not recommend any definite policy. I yield to none in the desire to promote khadi. I myself have been a user of khadi for many, many years—more years than I should like to remember as it showse that I am rapidly getting old. (Laughter.) But, Sir, my point is that every man, woman and child should have sufficient clothing and that clothing should be available at a reasonable price—at a price which everybody in this country can afford. How that is to be done is not my concern. It is the concern of the Government but my duty is to place this point before the Government for their consideration. Yet I would take the liberty of making a suggestion. I feel, Sir, that the time has come when Government must give their earnest consideration to the principle of State ownership. I feel there is urgent need for the Government to take over the mills under their own management. Instead of having an elaborate machinery to exercise control over the production and distribution of textiles the best method of seeing that the needs of the people are met is by taking over the management of the mills. My Honourable friend, Mr. Thirumala Row, the other day rightly gave a moving picture of the conditions in mill areas, conditions under which the labourers live and work. It is an open secret that the magnates of the mill industry have made huge profits during the war, not only by what is known as "war profiteering" but also by cruel exploitation of labour. If profiteering and exploitation of labour are to be stopped it can only be done by State ownership. Also I do not see, Sir, why mill-owners should make large profits when people are suffering from want of cloth. I also wonder why, when Government raise loans at only 3 per cent. mill-owners should be permitted to make big dividends of 30 to 50 per cent?

THE HONOURABLE MR. G. S. MOTILAL: To pay taxes.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: And now that the Excess Profits Tax has been abolished, they have a wider scope for making larger dividends. I personally think that if the matter of State ownership is going to be a difficult problem, and requires a long time to accomplish, Government could in the meanwhile take steps to prevent excessive profiteering by the mill industry.

Then, Sir, I would like my Honourable friend to inform the House clearly in what manner the Central Government are going to enforce the different sub-sections of section 3 in the provinces, because even with my limited knowledge of the constitution I know that many of the subjects come under provincial administration. Take, for instance, sub-section (2) of section 3. How are they going to deal with them?

All these are vital problems, in my opinion. Only the other day, an Honourable Member of the Government stated that a certain quantity of dehydrated potatoes were imported into this country, and in reply to a supplementary question why it was necessary to import the potatoes at an excessive price, he said, because there was scarcity of the commodity in this country. Why is there scarcity? There have been repeated reports among the public that potatoes grown in India have been rotting in certain places while there has been scarcity of potatoes in other places. There must be something wrong somewhere when there is unequal distribution of essential commodities in this country. As I said at the beginning of my speech, I make my remarks with the real goodwill and with a desire to help the Government, and I hope the Government will give sympathetic consideration to the views I have ventured to express. (Applause.)

THE HONOURABLE THE PRESIDENT: Mrs. Radhabai Subbarayan, we all welcome you to this House, and we are very glad to hear and very much impressed with the maiden speech which you have made today. You have spoken with much clarity and ability, and we trust that after the next election many eminent ladies—there are several in the field of politics who have already distinguished themselves—will join you in this House and add to the glory and lustre of this House. (Applause.)

As regards the subjects to which you have referred in your speech, they are all serious points and require very great consideration on the part of Government. I have not the slightest doubt that your observations and remarks, coming as they do from a seasoned and expert politician like yourself, will receive great attention and consideration from Government. (Applause.)

THE HONOURABLE MRS. RADHABAI SUBBARAYAN: I thank you very much, Sir.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR (Madras: Non-Muhammadan): Sir, I rise to say only a few words on this Bill. I give my whole-hearted support to the principle of this Bill, and I cannot see what Government whether national or otherwise, could have done in circumstances such as we are placed in at the present moment, if they had not taken action of the kind they propose to take in this Bill. Control, Sir, has to be continued even after the war. The only thing that we have got to decide is how much of control we should have, in respect of how many commodities, and how far we should go in exercising that control.

The Honourable the Mover of the Bill referred to the fact that during war-time the Central Government did encroach on the provincial field of legislation and took control over spheres which properly would not be the spheres of the Central Government but were the spheres of the Provincial Governments. Now, Sir, with regard to the commodities that have been listed in clause 2 of this Bill, I desire to draw the attention of the House to the fact that, except perhaps for two or three items, the rest are all cases, which under a properly evolved post-war industrial policy, will have to come under some sort of central control. Cotton and woollen textiles, coal, iron and steel, I think, were amongst the industries listed in the statement on industrial policy which the previous Member for Planning published some time last year. What I wish to suggest in this connection is this. This particular Bill will be in force only for a very temporary period, and I suppose the Central Government will constantly be watching the situation and will try to relax and then remove controls over the items mentioned in clause 2 gradually. I suggest, Sir, that the Government should resort to removal only in respect of items which are not likely to come under a certain measure of permanent planning control in the future. I think it will be necessary for them to think hard before they remove controls altogether in respect of cotton and woollen textiles, coal, or iron and steel.

Now, with regard to those items which will become subjects of permanent planning in the future planning on an all-India basis, it is necessary for them to evolve machinery for control which will endure. My Honourable friend, Mrs. Subbarayan, on whose maiden speech, Sir, I should like to add my own congratulations to what you have already expressed, referred to the point mentioned by the Honourable Member for Industries and Supplies in the other House, namely, the unsuitability of the present administrative machinery for exercising the powers of control which, under legislation of this kind, have got to be vested in some kind of bureaucracy. That is one of the

[Sir N. Gopalaswami Ayangar]

things which are facing not only this country but countries all over the world. The question of the recruitment of the proper personnel, their post-entry training, the manner in which they should assume the role of positive and dynamic helpers in industrial development—things of that sort have got to be very carefully thought out in connection with proper planning in the future. I suggest that, though they will now recruit machinery for exercising control over items of that sort merely for a temporary purpose, they should have this larger object in view in finding such machinery in respect of those items.

With regard to some of the questions which have been raised, I should like to refer first to the point that very largely the powers that are being taken in this Bill are powers which would be exercisable by the Provincial Governments. Now, there is one particular point, which is perhaps relevant to recent controversy, in respect of which, I think, there is no question of provincial jurisdiction. Take, for instance, the question of the proper distribution of cloth on an all-India basis. That necessarily involves the control of cloth produced in one province being made available in another province, and not elsewhere. It might involve the control of yarn produced in one province so as to make it available in another province and not elsewhere, and so on. That, Sir, under the Government of India Act as it stands today, is not within the provincial field, because, under section 297 of the Government of India Act, I think, no Provincial Government can legislate so as to prohibit or restrict the entry of commodities from or into another province. That, I think, is a power conferred only on the Central Government in virtue of this Parliamentary enabling legislation and that is proposed to be continued under this Bill. This point is very relevant to a recent controversy because, in the statement which the Prime Minister of Madras has issued to the press, to which my Honourable friend Pandit Kunzru made reference this morning, he has tried to answer it. One of the objections raised to his textile scheme for the Madras Province was that he contemplated the shutting out of the import of cloth, say, from Bombay or Mysore or any other area outside the Madras Province into the Madras Province, and his answer was that, at present, this distribution is effected on an all-India basis by the Central Government and cloth is being sent out to particular areas from other areas and he can now use this power, which is exercised through the Centre, for the purpose of shutting out cloth from coming into Madras from Bombay. He further said that the problem of the ability of the Provincial Governments to shut out such cloth in the future in order to help his own scheme would arise only during what he called the post-control period. That is to say, when the Government of India takes away this control on an all-India basis, it will be time for him to consider what the Madras Government or the Madras Province should do in order to shut out Bombay cloth or to prevent Madras yarn from going to Bombay or other province which may be in need. That is a matter which the Central Government have got to consider very seriously. I tried to make out the other day during the debate on my Resolution that the whole of the textile industry should come in for control on an all-India basis and we should take power here for the purpose of regulating the siting of this industry in different places, and even the distribution of the production of this industry as between different provinces in this country. A thing like that could be done only on an all-India basis. Of course, the Prime Minister of Madras thought he could in the meanwhile make some legislative adjustments in order to keep for Madras the power to override the provisions of section 297 of the Government of India Act. But that could be done, I submit, only by amending legislation Parliament. He also talked of the Constituent Assembly taking up this matter and giving provinces the power to prohibit or restrict trade as between one province and another in the future. I should myself doubt very much whether any constituent assembly, speaking for all India, would easily vest power in particular provinces to act in the fashion he contemplates. With regard to this particular matter it would be interesting to know whether the orders which the Government of India have issued already as regards the allocation of spindleage could be brought under the provisions of this Bill. This Bill in clause 3 (2) (a) says that an order may provide for regulating, by licences, permits or otherwise, the production or manufacture of any essential commodity. I wonder if the orders which the Government of India have already issued and to which I hope they will stick could be interpreted as having been issued under this I am afraid in terms that order did not issue under any provision of this kind. But

where the Government of India have to see that the policy they have laid down is carried out, it is worth their consideration to try and bring it under a legislative enactment of this sort; and where a Provincial Government has demurred and wishes to act in a fashion which is contrary to the policy enunciated on an all-India basis, it will be up to the Central Government, apart from the section of the Government of India Act which I quoted the other day, to issue a direction under clause 5 of this Bill telling the Provincial Government what it should do to carry into execution in the province any order made by the Central Government.

Now, my Honourable friend, Mrs. Subbarayan, asked how these things were going to be enforced. These go into the legislative enactment and the directions are issued under the legislative enactment and if a Provincial Government does exercise its executive powers so as to conflict with the powers of the Central Government so far as the present Government of India Act goes, there is a provision even now,—section 126, I think—under which a direction could be given and enforced. It gives power, I think, to the Governor General in his discretion, to ask the Governor of the Province if necessary to see that the direction is implemented. I am not suggesting that a drastic step of that sort should be taken. I am sure that even the Madras Government would persuade itself to change its policy when it finds that an Interim National Government desires that the orders it has issued should be conformed to by a Congress Government in the Madras Province. I do not wish to say anything more, Sir, except that I certainly welcome and give my whole-hearted support to this Bill.

*THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: (United Provinces West: Muhammadan): Sir, I confine my remarks on this Bill to a particular point. I do consider that control is necessary and introduction of legislation of this kind is quite suitable. But I would very much like to know from my Honourable friend the Mover whether the Government have any intention of applying the provisions of this Bill, or the Ordinance which was in force, to themselves or it is only meant for other people besides the Government. What about the Disposals Department? Now, the Disposals Department is disposing of millions worth of these commodities; most of them new, and some of them second-hand. Does the Government consider that control of the articles sold to tenderers would be to the benefit of the public and the Government also or not? Government itself is encouraging black-marketing. As an instance, I ask "What about motor vehicles?" They had control prices over motor vehicles. How have they sold by auction and by tender? If Government cannot control its own hands in black-marketing, how can it go to the public and ask them to stop black-marketing. Prices of second-hand motor cars have gone up very high and I am sure that the Government auction and sale by tender is responsible for it. Besides motor vehicles, there are thousands and thousands of tons of eatables purchased by the United States Government and as a matter of fact military stock is being sold. Have the Government been able to see or intend to see in future that they reach the general public at a reasonable price, or while the Government is black-marketing, it will also allow the people who purchase from it to do the black-marketing? How articles are disposed of by the Disposals Department requires very very careful consideration by the Government and I confine myself and say nothing more on this except that every provision of this Bill or the Ordinance which is in force ought to be applied to the articles disposed of by the Disposals Department and if they contravene, the people responsible should be punished like an ordinary member of the public would be punished.

THE HONOURABLE MR. M. W. M. YEATTS: Sir, taking the points as I recall them, first slack coal. Coal, like most other commodities in general use, is a function in two variables, if I might say so. One, you have the articles itself and then you have the problem of taking it, movement; and one of the very big issues in coal is just this one of movement. Most of it comes from one corner of India; but it is used all over the country. People burn bricks in every corner of this country and they want slack coal, and that is why it is not really practicable in a control which is 50 per cent. movement if not more to leave out one basic thing. Slack coal cannot fly

* Not corrected by the Honourable Member.

[Mr. M. W. M. Yeatts]

a distinction between taking a power and using it. Now if you have a power you need not use it, but if you have no power you cannot use it. That is the distinction and it applies to mica and various other things in this field.

Then I should like to say how pleased I was to see so fluent and charming a representative of the women of this country in this House and I wish I could speak as well as she. The Honourable Mrs. Subbarayan has given us quite a lot to think about. I have mentioned her point about Co-operative Societies. We should be glad to use them or any helpful agency. The second point about State ownership of textile mills takes us a long way and that is not a point on which any one would expect me to speak much now. One thing I would like to say on this matter of textiles, and that is that it is really a production problem. Probably I might say, standing here, that coal enters into textiles as into every thing else. But apart from that, I think it is in the power of the textile worker to add appreciably to the actual production of textiles at this moment. I do not mean, by working more hours than are prescribed; not at all. But I think that aspect of the problem is worth mentioning here.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: Sir, may I interrupt the Honourable Member and ask a question? Is it not a fact that the mills are producing finer stuff which takes more time and labour for production and also which is wanted only by a few, and therefore the scarcity of the ordinary material which is used by the general public, particularly the poor, is becoming greater?

THE HONOURABLE MR. M. W. M. YEATTS: I think there are distinct restrictions on the number of picks and so on that go into cloth. There is a demand in the country for a certain proportion of what might be called fine cloth, but that proportion is very small. Basically you can take it that what are known as the coarser counts form a very large proportion of the total production. They are going on, and they could not really be appreciably affected by any such change. The proportion of the industry devoted to the coarser counts is very, very large.

I would now refer to the points raised by the Honourable Sir Gopalaswami Ayyangar and which came from the front bench here. This is a Bill with powers for a very limited period enabling Government, or at least giving a chance to Government to try to feed these important commodities in the proper directions and in proper amounts. Now, any long-range industrial plan by its very nature goes well beyond the field of this Bill. It would be a rather difficult point, I think, how far this Bill—which is the definite intention disclosed by the Honourable Member—could go outside that field on to a longer range plan. But it is correct that section 3(1) says “maintaining or increasing supplies,” and so on; and it is our intention to use that section in the best practicable fashion to enable us to meet our need, which is putting more material of the kind demanded where it is wanted.

I will not touch further on the points about recruitment which the Honourable Sir Gopalaswami Ayyangar dealt with so clearly, because they have been fully discussed, nor on his constitutional ones, because, as I said in the debate on his Resolution, that whole issue is in hand now.

Then, Sir, we had an assault on the disposals question. Now, Disposals, as I said once, is fair game, and I think sometimes it is unfair game too. The man who is dealing with Disposals has a most miserable job. If you are selling something, you would have specifications; you know what you are selling, and the fellow 2,000 miles away knows what he is buying. In Disposals, we do not declare the stuff, and it sometimes happens that the man who is buying does not know what he is buying and the man who is selling has not got a full description of the stuff he is selling. It is very difficult. But we do try to follow our own controls. It may be that sometimes an officer makes a slip, but we do apply our own controls. Motor cars are very dear now, but I do not blame that on Disposals. We do not control that. If we had control, my Honourable friend might get a better car.

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: I only wanted the Honourable Member to consider and apply the system of disposals to the surplus stores of the military purchased from the United States Government. Do you control that stuff and the people who purchase it from you on the basis of tenders running some times into lakhs?

THE HONOURABLE MR. M. W. M. YEATTS: It is rather like this. There is the field of control which is always operative. Now and then you have specific things like prices. Take cloth, for instance. The prices we take are governed by our own prices. The Textile Commissioner has his own prices for corresponding materials. Then, if they are bought by X, then X comes under the general field of controls in respect of cotton textiles, which prevents him from doing this and that; and if he disposes of the stuff so as to come within the reach of any of the operative provisions, then he can be caught.

As Disposals we are really an agency to take a lot of stuff which one man no longer needs, and put it out into the country. But we are not a rationing body. We do not take one chair and hand it over there. We deal with several thousands of items. Whether it is picks and shovels, whether it is foodstuffs, whether engineering stores, and so on, we see what is the appropriate background of existing controls against which we operate, and we sell it within that; and then again, the buyer operates, in any of his subsequent activities, within that field of control.

That is all I have to say. I do not think there is anything more I can say.

THE HONOURABLE THE PRESIDENT: Motion made:—

“That the Bill to provide for the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, certain commodities, as passed by the Legislative Assembly, be taken into consideration.”

The Motion was adopted.

Clauses 2 to 17 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. M. W. M. YEATTS: Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The Motion was adopted.

ANNOUNCEMENT IN THE PAPERS OF THE DEFENCE POLICY OF THE COUNTRY

THE HONOURABLE MR. M. THIRUMALA ROW: Mr. President, I have got a small representation to make to you, Sir. In yesterday's papers an important statement has been issued by the Government of India on the defence policy of the country, namely, the nationalisation of the Army. When the Assembly is in session, when the Council is in session, and when the Honourable Member in-charge of the portfolio is a Member of this House, I think it is due to us that he should make the statement on the floor of this House before he gives it to the press. It is a very important change of policy. It is not merely an executive order. It is a matter in which the country has been interested for a long time. It is a welcome departure no doubt of policy. But we expect an Honourable Member of this House to make a statement before this House. We have really got something to offer by way of remarks on that—before he goes to the press or before the public is taken into confidence.

Another point. We would like to have a day allotted for the discussion of the food situation in the country. It is a thing which is engaging the minds of everybody and we owe it to our constituents that we must know how the food situation stands. We should not be left to read the debates in the other House or in the newspapers. The Food Secretary can function in the absence of the Food Member in this respect.

THE HONOURABLE THE PRESIDENT: As regards your latter request, we had three debates on this point in three different sessions. The whole question has been thoroughly thrashed out, not only in this House but in the other House also and I do not think anybody has to add anything to the full debate which has taken place.

THE HONOURABLE MR. M. THIRUMALA ROW: The food situation is changing every day. It is not constant.

THE HONOURABLE THE PRESIDENT: We have a very short time at our disposal. This House will have to adjourn *sine die* about the 20th of this month. So, I do not think that is possible.

[Mr. President]

As regards your other request, one of the distinguished members of this House has already been appointed President of that body, Sir Gopalaswami Ayyangar, and a committee has been appointed to consider the matter very carefully. I think it is impossible for Government to give any further information at this stage. The mere omission to make a statement in this House is not fatal to the appointment of the commission.

THE HONOURABLE MR. M. THIRUMALA ROW : I take it, Sir, that you have got your views in the matter. As representatives of the people, the House cannot be ignored by the Honourable Members who are to run the responsible Government in spirit.

THE HONOURABLE THE PRESIDENT : I do not think the House has been ignored.

THE HONOURABLE MR. M. THIRUMALA ROW : These are old ways and old methods are not to continue.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House) : I assure my Honourable friend over there that so far as the present Government is concerned it is prepared in every way to accommodate the Members of this House. We are all brothers and comrades and therefore there is nothing of that spirit which existed in the past so far as the Government and the Opposition are concerned. The Honourable Member who is in charge of the Defence Department is not here and therefore I cannot say what was the particular reason that made him not to make the statement here. But, if my information is correct, the statement was not made in the other House either. I am not so expert on the procedure of the Central Legislature as my Honourable friend is. But, with the little experience that I have got of Legislatures, I think that so far as statements are concerned, when they are made by a Member, they are not subject to discussion by the House. Therefore even if the statement had been made on the floor of the House, probably my Honourable friend, according to the practice and procedure of this House, would not have been within his rights to make comments here.

THE HONOURABLE MR. M. THIRUMALA ROW : Don't ignore this House.

THE HONOURABLE MR. A. R. NISHTAR : The only thing is that instead of reading it in the papers, this statement would have been read out in his presence by the Honourable Member in charge of the Department. But I assure him that there is no such thing as depriving the Members of any right. There is no such thing as keeping secret anything from the Honourable Members. We want the co-operation of the Members. We want to give them every opportunity to discuss matters as far as possible.

THE HONOURABLE THE PRESIDENT : I quite agree with the Leader of the House. I may point out also that many Commissions and Committees have been appointed by the Government without making any statement in this House.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at a Quarter to three of the Clock, the Honourable the President in the Chair.

DELHI SPECIAL POLICE ESTABLISHMENT BILL

THE HONOURABLE MR. A. E. PORTER (Home Secretary) : Sir, from the debate this morning it was abundantly clear that all sections of this House are anxious that there should be established or maintained as good a machinery as possible for keeping the administration clean. I am in the happy position, Sir, of presenting to the House a cog in the existing machinery which is small but I think important and which will fall out if the Bill which I propose, with your permission, to lay before the House for their consideration is not passed. The Bill, Sir, is one—

“to make provision for the constitution of a special police force for the Chief Commissioner's Province of Delhi for the investigation of certain offences committed in connection with matters concerning Departments of the Central Government, for the superintendence and administration of the said force and for the extension to other areas in British India of the powers and jurisdiction of members of the said force, in regard to the investigation of the said offences,”

as passed by the Legislative Assembly. During the war irregularities and corruption in connection particularly with contracts concerning the War Department reached a very serious stage and it became necessary for the War Department, as it was then called, in 1941 to take special measures for the investigation of allegations of corruption and matters of that kind. Later in 1943 formal legislation was promulgated under which a special police establishment was set up for the same purpose. With the lapsing of the Ordinance under which this special police establishment was set up at the end of September, it became necessary to take measures to continue that organisation in force and, on the recommendation of the Interim Government, His Excellency the Governor-General promulgated an Ordinance establishing a special police establishment for Delhi. This Ordinance will lapse at the end of March unless legislation is now passed to continue it in effect and the Bill which is now before the House is intended to continue in effect the Ordinance promulgated with effect from the 1st October this year.

The existing police force, Sir, is characterised by I think three principle features. In the first place, it is a police force which is under the control of the Central Government. That is provided in clauses 2 and 4 of the Bill which is now before Honourable Members. Secondly, it has been given authority to investigate not all criminal cases but only criminal offences concerning matters relating to the Government of India's Departments and within this class only certain offences which are notified in that behalf. The existing notification, Sir, defines the offences which I might describe without particularising too definitely, as falling under the heads of bribery, corruption, criminal misappropriation, fraud, embezzlement and fabrication of documents with the intention of deceiving Government and profiting at Government's expense. The relevant provision in the present Bill in this respect is found in clause 3. The third feature which distinguishes this establishment is the fact that it is at present able to conduct its investigations and exercise its powers not only in the Delhi Province for which it was primarily constituted but also, with the consent of other Administrations and of other Provincial Governments, throughout the whole of India. That is provided for in clauses 5 and 6 of the Bill; and by negotiation with other Provincial Governments at present the force is empowered to conduct its investigations in all provinces with one exception.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Which is that exception?

THE HONOURABLE MR. A. E. PORTER : Sind. The Province of Sind has refused to allow—

THE HONOURABLE THE PRESIDENT : Why has that Province been excluded?

THE HONOURABLE MR. A. E. PORTER : Because it is only with the consent of the Province itself that the Central Government can empower its officers to operate in a Province. All the other Provinces have consented to allow this establishment to operate in their Provinces with the exception of Sind. There were other dissentients but they have yielded to our blandishments and we are not without hope that Sind also will yield to our blandishments.

THE HONOURABLE THE PRESIDENT : Why was special treatment given to Sind?

THE HONOURABLE MR. M. THIRUMALA ROW : Sind is more honest and there is no corruption there.

THE HONOURABLE MR. A. E. PORTER : If I may explain, there is no power to the police authorities set up by the Central Government to operate in any Province except with the concurrence of that Province.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : Where do you get that from?

THE HONOURABLE MR. A. E. PORTER : That is in the Constitution Act. “Police” is a provincial subject and the rather peculiar form which this legislation has taken has been imposed upon us by limitation of the Constitution Act.

As I was saying, the Centre cannot force Provinces to allow their police force to operate in their provinces without their consent.

THE HONOURABLE THE PRESIDENT: That Government prefers Government to be robbed.

THE HONOURABLE MR. A. E. PORTER: That Government is not prepared to allow our police force to investigate cases concerning the Central Government so far as that province is concerned.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Has it given any reasons for its refusal?

THE HONOURABLE MR. A. E. PORTER: Possibly the Honourable Member would allow me to continue without interruption. I will finish within a few minutes and I have no doubt if he wishes to speak he will do so. But if you will permit, Sir, I should prefer not to be interrupted. I should like to hurry on and finish. It would probably be more convenient for the House if I summarised my comments on points raised by Honourable Members at the end.

As I said, Sir, with the exception of one Province all the other Provinces have agreed that the police establishment, which is now in existence, shall operate in their provinces and it is in fact operating in their provinces.

Now, Sir, I said that this is a small but important cog in the machine. It is not the only piece of machinery which this Government have in view. I am not without hope that I may be able to lay before this House a measure intended to make the law connected with bribery and corruption, particularly when committed by government servants, more effective and stringent; but that I cannot say now. The point I wish to make now is that this piece of machinery has proved useful during the war years and since and Government seeks to have it continued, because if it is not continued this one cog will fall out of the machinery.

It is an important piece of machinery and I have no doubt that the House, would like to know something of its achievements. It was established, Sir, as I said, in 1943. Up to the 30th September it had investigated 1020 cases. Of these cases it had sent up for trial 636 and recommended for departmental action 168. Amongst the cases sent up for trial, there are still 99 pending trial; and of the remainder 363 have resulted in convictions. Out of the 168 cases recommended for departmental action, 18 had been acquitted and 125 had been punished departmentally. It still has under investigation 68 cases. The amount of money involved in cases which it has investigated hitherto is some 20 crores of rupees. It has resulted, as I have indicated, in the punishment either by courts of law or departmentally, of 686 persons, of whom, I am sorry to say, 30 were gazetted officers and 16 were commissioned officers of the armed forces. Honourable Members may be interested to know the strength of the force. The present strength is about 270—rather less than 270—of whom 64 are officers.

I think those figures, Sir, justify me in saying that this establishment is a valuable piece of machinery and that it is expedient to continue it. The House will remember that the conditions which encourage corruption do not cease when war comes to an end. There are large numbers of contracts to be terminated; for a very considerable time there will be shortages of food and consumer goods and also possibly of capital goods, and in the enforcement of controls for the procurement and distribution of these necessary articles, there is a very great scope for corruption on all hands. Finally, I say with great regret that there is no doubt that standards, if I may so put it, of public and service morality have suffered during the war, and there is no doubt that when corruption gets a lodgment in a country or in service, it is very difficult to eradicate. On all grounds therefore I am confident that the House will agree with me that there is ample justification for continuing this force which, as I have tried to show, has already considerable achievements to its credit.

Finally, Sir, there is one point which I should like to mention and that is that before the continuance of the Special Police Establishment was decided upon the Government of the day consulted the Standing Committee of the Legislature, on which this House is represented, and the general opinion they expressed towards the end of March was that it was desirable to continue it. In putting this Bill before you, therefore, Sir, I am supported by the recommendations to the Honourable Member of that time of the Standing Committee of the Legislature. I do not wish to say anything more at this stage.

Sir, I move.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): I was very surprised to learn from the Home Secretary that the Province of Sind had refused to allow the special police force, which has been established to investigate certain offences concerning Departments of the Central Government to exercise the powers to be conferred on it in that Province. If they had allowed this police to investigate the offences with which the Bill before us is concerned it would not have meant any diminution of provincial autonomy. It is obvious that the Bill which we are now considering is not designed to invade provincial autonomy and increase the powers of the Central Government at the expense of the Provinces. The matters with which the Bill deals are of a very special character and experience during the last six or seven years has shown that the ordinary police is unable to investigate them efficiently. A special police force is needed if the offenders are to be brought to book and corruption is to be brought under control. It is a matter, therefore, of great importance that the Government of Sind should be prevailed upon to allow the special police force to exercise its powers in the Province of Sind. I think that the Central Government may well in the interests of honest and efficient administration press the Sind Government to fall in line with the other provinces and allow this Act to be operative within the Province of Sind. I think that to keep quiet in a matter of this kind would be to allow provincial autonomy to run riot. Nobody wants to control the ordinary administration of Sind or of any other province, but in special matters like this, which, though they directly concern the Government of India, have a far-reaching influence on all provincial departments, to refuse to allow the agents of the Government of India to investigate certain crimes with a view to bringing the offenders to book is really to hamper the efficient administration of departments and impede the course of justice. I hope, therefore, that the Central Government in general and the Governor-General in particular will so use their powers as to persuade the Sind Government to change its opinion and allow the special police force to operate throughout Sind.

But for the fact that the Sind Government has refused to allow the police, for whose constitution we are providing, to work within Sind, I would not have taken part in this debate. But having done so, might I refer to another point which is of some public interest? I would like to know whether the police force that has been brought into existence and which is to be continued by means of this Bill is composed of men drawn from one province only, or whether it is recruited from all provinces? Delhi is under the Central Government, and I think it is right that in a province like this the police should be drawn from all parts of India, just as the members of the various Central Departments are. Many of those who have any knowledge of police administration in this province have, so far as I know, expressed the opinion that it would be an advantage to the province if the ordinary police force of this province were not drawn entirely from the Punjab. The experience and outlook of the members of the police forces in the other provinces would certainly not be less useful to Delhi than the experience and outlook of the Punjab police force. Perhaps the outlook of the men drawn from other parts of the country will be such as to broaden the horizon not merely of subordinate personnel but also of the police officers here. The matter, though it may seem to be a small one to the Home Secretary, seems to me to be rather important. We always wanted that the police force here, as everywhere else, should regard itself as the servant of the people. It has done so in no province hitherto, but if I may say so without casting any undeserved aspersions on the Punjab or on Delhi, that the police force in these provinces has had a special reputation for what might be called *zabardasti*. I hope, therefore, that if the special police force with which the Bill before us deals has been drawn from only one province, the Central Government will take this opportunity of leavening it with at least a small number of men drawn from other provinces whose experience and methods might be more in consonance with the times in which we are living.

*THE HONOURABLE SIR SOBHA SINGH (Nominated Non-Official): Sir, I rise to give my full support to this Bill. The way in which this small police force has worked during the short time that it has been in existence goes to the credit of the

* Not corrected by the Honourable Member.

[Sir Sobha Singh.]

band of workers who have helped the public service and the people by rendering great services to the country. I hope that this small police force, the foundation of which was laid by the Defence of India Rules some time ago and is being laid by legislation today, will become the Scotland Yard of India. I request the Government that in recruiting this force they should keep in view certain educational qualifications.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Certainly.

THE HONOURABLE SIR SOBHA SINGH : They should prescribe educational qualifications even for the lowest member of the staff as well as for the higher ranks. Although officers are promoted through the system of the selection grade, their record should further be scrutinised either by the Federal Public Service Commission or by the Home Department themselves, so that the object for which this force is created is really achieved in the interests of the Government and the public.

Within the short time that this force has been in existence, I think this small band of workers have done wonderfully well. They have saved the public and the Government crores of rupees.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-Official) : Sir, I welcome this measure. Owing to the war, corruption has become the order of the day. In every department corruption prevails. The result is that people are suffering greatly. It is very difficult to put down corruption. The law is such that the man who gives the bribe and the man who receives it are both guilty, and the result is that nobody is willing to come forward and say, "I was asked to give a bribe" and so on. I should say that the man who gives the bribe is more guilty than the man who receives it, because that is the man who tempts. Well, so long as the law is such, it is very difficult to put down corruption, and this move on the part of the Government of India is very laudable and I welcome it.

I would only ask the Honourable the Home Secretary a few questions. He said the amount which came out of the investigation amounted to about Rs. 23 crores. May I know how many crores of rupees were really recovered by the Government from the people who received bribes or who cheated the Government? Another question is, how much does this police force cost? You must have some idea of the cost of this, because, if it is really a useful and beneficial force for stopping corruption, we should like to have it continued. The third point is this. I was not quite clear whether the offences which this police force will investigate relate only to the officers of the Central Government or also to officers of the Provincial Governments. I do not think the Honourable the Home Secretary has made that clear. Probably I have not studied the matter clearly. But to me it appears that this special force should be empowered not only to investigate offences connected with the officers of the Central Government who are working in the various Provinces but also officers of the Provincial Governments. In that case this force would do more good to the country. With these words, I have much pleasure in supporting the motion.

*THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal : Non-Muhammadan) : Sir, I welcome this measure. I want to know from the Honourable the Home Secretary whether it is a fact that in some cases where reports have been made by the police force against certain individuals, steps have not been taken against those individuals through the influence of some Provincial Governments. I want to know whether that is a fact or not.

*THE HONOURABLE MR. V. V. KALIKAR : (Central Provinces : General) : Sir, I give my full support to this Bill. A straight question was asked by my Honourable friend Pandit Kunzru of the Home Secretary as to the reasons why the Sind Government refused to take part in this matter. My Honourable friend Mr. Porter has not replied to that question. Is it the case of the Sind Government that corruption should go on undetected there? Why should they refuse to allow this force to investigate the offences committed in that province? I therefore want to know,

* Not corrected by the Honourable Member.

and I think the House is entitled to know, the reason why the Sind Government refused to accept investigation by the police force of the Central Government.

THE HONOURABLE SIR DAVID DEVADOSS : All the officers there are saints.

THE HONOURABLE MR. M. THIRUMALA ROW : Including the Ministry.

*THE HONOURABLE MR. V. V. KALIKAR : The next point that occurs to my mind is this. My Honourable friend the Home Secretary has said about provincial autonomy. Nobody here in this House will say that the Central Government should make inroads on provincial autonomy. But the question is whether the Central Government should not issue directions to the Provincial Governments so far as these matters are concerned. If I remember aright, Sir, during the Bengal famine, the Central Government brought pressure on the Provincial Government to act according to the views of the Central Government. Why should not the Central Government even now bring pressure on the Sind Government to act according to their advice? Why should they not be asked to follow the directions issued by the Central Government? Under section 12 of the Constitution Act the Viceroy has got wide powers. If the section is properly interpreted, according to me the Viceroy can ask the Governor of the Province to bring the Provincial Government to the view of the Central Government. If the Viceroy takes interest in this matter I think the Sind Government will not be in a position to resist the direction of the Central Government. If the Central Government have not got powers they should bring pressure on the Viceroy to exercise his powers under section 12 of the Constitution Act. In order to have uniformity in all these provinces no exception should be made so far as Sind is concerned. I therefore want to know, Sir, the reasons why the Sind Government refused to act according to the instructions of the Central Government and whether the Central Government would bring pressure through the Viceroy on the Sind Government to act up to their directions.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR (Madras : Non-Muhammadan) : May I, Sir, say a word in explanation of the action which apparently Government have taken in bringing forward the Bill in the terms they have done? I have just been looking into the provisions of the Government of India Act. They have had to do it in a very roundabout way. Ordinarily, Police is a provincial sphere. But there is an entry in the list of Federal subjects which enables the Central Legislature to extend the powers of the Police in any particular province to any other province. But the exercise of powers so extended under that particular item could not be made except with the consent of the Provincial Government. As the Bill stands it applies to Sind as much as to any other province. The Bill extends to the whole of British India. I think that one sentence in the Statement of Objects and Reasons has raised all this controversy. Government have pointed out that while all other Provincial Governments have consented to the exercise of these extended powers, Sind has not so far done so. Even if we are to pass the Bill as it is into law, there is nothing which prevents the powers being extended to Sind; only the exercise of those powers cannot be made in that Province without the consent of the Government of that Province. That, I believe, is the Government of India's difficulty, and explains why they have taken this roundabout course of creating a police force under the Provincial list of subjects in a centrally administered area like the Delhi Province and extending the powers of that police force under an entry in the Federal list of subjects to other provinces in British India. But so long as that entry in the Federal list is worded as it is, it is necessary that we should get the consent of the Provincial Government for the exercise of the power. Whether the Viceroy could put pressure on the Sind Government to agree is more than I can say. I am afraid, as the lists stand, Government have taken the only possible position they can under the Constitution Act.

THE HONOURABLE THE PRESIDENT : I would like you very kindly to throw some light on one point which was made out in your speech. I did not like to disturb you at that time as you said you wanted to go on with your speech. You have said that out of a number of cases which were suspected, some were put up for trial and some were departmentally inquired into. Will you kindly let us know why this discrimination was made?

*Not corrected by the Honourable Member

THE HONOURABLE MR. A. E. PORTER : Sir, at the outset I should like to express my appreciation of the measure of support which has been voiced for this proposal. I think I am right in saying that the House is unanimous in the opinion that the Special Police Force establishment should continue. I should like in my reply to the debate to deal first with questions concerning the existing police establishment. I am happy to be able to assure the Honourable the Leader of the Opposition that there is no intention of confining recruitment to this force to one particular province. I regret that I cannot give him the actual territorial origin of the members now constituting the force, but I can assure him that we have no intention whatever of rejecting any suitable officer whom we can obtain from a Province for this purpose. In fact, Sir, our difficulty is, if I may say so, exactly the opposite. It is not a question of the net we are throwing not being wide enough; the difficulty is that the fish are not prepared to come into the net: and far from the Punjab establishing a monopoly of appointments in this police force, my headache at the moment is whether I shall be able to retain such officers from the Punjab as we have already got, because the Punjab Government, in acceding to our request to concur in this legislation, entered a warning that we must not expect to get police officers from them.

The question which was raised by the Honourable Sir Sobha Singh is one which has not in fact come up—the establishment of a central investigation agency. It is an organisation which might, I think, very easily grow out of this force; but it is not a subject which has come up for consideration and decision at present.

So far as the methods of selection in obtaining officers are concerned, there again, as I have indicated, we have no officers of our own and an officer is virtually not of very much use to us unless he is trained and experienced. That naturally means that we have to go to the Provinces for our officers and we are therefore required to depend upon their concurrence and acquiescence in letting us have their officers. But I have no reason to believe that any officer who would be offered by a Province and accepted by us would fail in the qualifications which the Honourable Member thinks are necessary.

I am not able to give my Honourable friend Mr. Roy Chowdhury an answer to his question. I do not know of any case in which prosecution or other proceedings had been suggested by the special police establishment and obstructed or frustrated by the intervention of a Provincial Government. If he is in possession of any information to that effect, I should be very glad to look into the question and see what the facts are. You will remember, Sir, that the Home Department has taken on the responsibility for this force only from the beginning of October.

Turning now, Sir, to the question of Sind, I said when the Honourable the Leader of the Opposition raised the point in my first speech that I would prefer to deal with it later. Sind was one of three Provinces which had at first declined to permit this force to operate in its area.

THE HONOURABLE MR. V. V. KALIKAR : Which were the other two Provinces?

THE HONOURABLE MR. A. E. PORTER : The other two Provinces were Bombay and the Central Provinces. The reasons which they gave, Sir, were the same. They thought that offences of the type contemplated could equally well be investigated by their own police and of course that is the normal provision. If an investigation spills over into another Province, you can do one of two things. Either you can hand it over to the other Province for investigation, so far as that Province is concerned, by its own provincial police or you can get that Province to agree to your Province investigating it. The Sind Government was one which preferred handing over to their own police so far as the investigation took investigating officers into Sind. The other two Provinces have yielded to our blandishments and we are not without hope that the Sind Government will also yield subsequently.

But any suggestion of endeavouring to coerce the Sind Government would, I suggest, at this stage be out of consideration. I do not wish to pursue the

constitutional question any further except to remind the Honourable Mr. Kalikar that section 12 upon which he relies is not in force. Section 12 of the Act is a part of that Chapter of the Government of India Act which will come into effect only when or if the Federation is established. Federation has not been established and section 12 therefore does not operate. On this particular point I do not wish to elaborate upon the explanation given by my Honourable friend Sir Gopalaswami Ayyangar. "Police", as he has indicated, is a subject falling within the exclusively Provincial List and the only provision by which police functions can be extended from one Province to another by the Central Government is one in these terms. It occurs in item 39 of List I which says:

"Extension of the powers and jurisdiction of members of a police force belonging to any part of British India to any area in another Governor's Province or Chief Commissioner's Province but not so as to enable the police of one part to exercise powers and jurisdiction elsewhere without the consent of the Government of the Province or the Chief Commissioner as the case may be";

and as my Honourable friend Sir Gopalaswami Ayyangar lucidly explained that is the reason why we have been driven to the somewhat tortuous device embodied in this Bill. I may say, Sir, that the question of bringing pressure to bear upon the Sind Government need not arise unless we actually find that investigation into matters with which the special police establishment is concerned is actually being frustrated or obstructed by the fact that we have not got the power to operate in that Province. If or when such an occasion arose, at the risk of being accused of making a statement on a hypothetical issue, I should say that it would be most likely that the Government of India would use such powers of persuasion or pressure as are available to them in order to remove the difficulty which we should then feel. I hope, Sir, that this disposes of the question of Sind.

Now, Sir, I think perhaps I need not pursue Mr. Kalikar into his observations about directives to the Provinces. There is one fundamental and conclusive consideration in respect, for instance, of anything which was done by the Government of India before the 30th September of this year or before at any rate the 31st March and that is that during the time when the Proclamation under section 102 was in force by which the peace and tranquillity of India was declared to be threatened by war, if there were in fact directions issued to Bengal during the time of famine or to other Province, the authority for those directions can be sought in section 126A of the Constitution Act which applies only where there is a Proclamation declaring that peace, tranquillity or safety is threatened by war. I think this is a matter which is rather beside the point in dealing with this particular measure: but my Honourable friend Mr. Kalikar mentioned it and I think perhaps it is only fair to him that I should put my point of view to him in debate.

The Honourable Sir David Devadoss raised two or three questions. So far as the third and last is concerned, it is a fact that this measure concerns only matters which affect the departments of the Central Government. That is clearly stated in clause 3 which says:

"The Central Government may.....specify the offences or classes of offences committed in connection with matters concerning Departments of the Central Government which are to be investigated by the Delhi Special Police Establishment".

Of course, the question of extending it to the Provinces does not really arise in view of the fact that the investigation of offences and so on is a matter which is in the exclusive provincial list and it can only be extended if it is covered by entry 39 in List I.

As to the other point, Sir, the cost of the force, it is a point which I think, if I may say so, is very relevant. The force has cost us in round figures in 1941-42, Rs. 2 lakhs; in 1942-43, Rs. 2.2 lakhs; in 1943-44, Rs. 4.5 lakhs; in 1944-45, Rs. 6.5 lakhs and in 1945-46, Rs. 8.5 lakhs. During the current year, the Budget provision is just over Rs. 10 lakhs. Now that is not a large sum to pay for an effort to clean up the administration and to establish or re-establish honesty and integrity in the conduct of business financially affecting the Central Government. The amount which hitherto has been imposed in fines on conviction totals Rs. 10.15 lakhs.

[Mr. A. E. Porter.]

Finally, Sir, there is one point in which you Sir, were particularly interested. I believe I have covered all the other points. I have explained why Sind has stood out and what the position is in that respect. It is not a question of giving Sind a preferential treatment; it is just that Sind is not prepared, like all other Provinces to give us a preferential treatment.

THE HONOURABLE THE PRESIDENT: The motion is :—

“That the Bill to make provision for the constitution of a special police force for the China Commissioner's Province of Delhi for the investigation of certain offences committed in connection with matters concerning Departments of the Central Government, for the superintendence and administration of the said force and for the extension to other areas in British India of the powers, and jurisdiction of members of the said force, in regard to the investigation of the said offences, as passed by the Legislative Assembly, be taken into consideration”.

The question is that the motion be adopted.

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Clauses 5, 6 and 7 were added to the Bill.

Clause 1 was added to the Bill.

Title and Preamble were added to the Bill.

THE HONOURABLE MR. A. E. PORTER: Sir, I move :—

“That the Bill as passed by the Legislative Assembly be passed”.

The Motion was adopted.

STATEMENT OF BUSINESS.

THE HONOURABLE THE PRESIDENT: Before I adjourn the House to Monday next I should like to know if the Leader of the House could throw some light on the course of business next week.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House): Sir, so far as my information goes I understand that the last date fixed for business in the Legislative Assembly is the 18th when it is expected that some Bills will be forthcoming. Those Bills will be here on the 19th and shall be placed on the table of the House the same day. The only question is whether we shall be able to dispose of them on the 19th or not. If we can dispose of them on the 19th then probably we shall be able to finish on the 19th, otherwise the House may have to meet on the 20th, but I am not sure of that at present because it entirely depends upon the business conducted by the Lower House.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-official): With your permission, may I suggest that the Bills which may be passed on Monday may be placed on the table on Tuesday? We meet on Wednesday and these Bills may be taken up on that day.

THE HONOURABLE MR. A. R. NISHTAR: If they can be passed in time. They may not be passed in time to be laid on the table.

THE HONOURABLE SIR DAVID DEVADOSS: If they are passed very late say at 5 o'clock, then it will be difficult. I am not suggesting, nor am I anxious that we should sit on the 20th, but.....

THE HONOURABLE THE PRESIDENT: I understand that some Resolutions which were postponed the other day have got to be disposed of after the official business is done.

THE HONOURABLE SIR DAVID DEVADOSS: Any Bill passed on Monday can be placed on the table on Tuesday and if there are any Resolutions they can also be taken up on the 20th. That will be more convenient.

THE HONOURABLE THE PRESIDENT: But the Honourable Members may require time to consider those Bills.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): As President you have got the power to suspend the rules. I think we are all willing.

THE HONOURABLE SIR DAVID DEVADOSS: If the Bills are passed on Tuesday they can be taken up on Wednesday but I thought they could be passed on Monday and we could discuss them on Wednesday. That will give 24 hours to members of this House. You can now consult the members.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: You cannot consult them unless you have the Bills before us. I would like to ask my Honourable friend whether he proposes to give time for the discussion of the Hindu Marriage Bill about which some of us have already spoken to him. I thought when we spoke to him that he was quite agreeable to give us time for the discussion of the Bill and I hope that in allotting time for the future business of the House he will not forget this Bill.

THE HONOURABLE MR. A. R. NISHTAR: Well, Sir, it was suggested to me that I should find some time for that Bill but there are certain difficulties in the way of it because I am told that on the last non-official day a Resolution was moved and that the Honourable the mover of that Resolution probably would like to continue with that non-official business also before this non-official Bill is taken up. So if I have an assurance on this point that no other non-official business is coming then with a view to accommodate them if time is available, I shall be quite prepared to give some time for this particular Bill.

THE HONOURABLE SIR SOBHA SINGH (Nominated Non-official): I will withdraw my Resolution.

THE HONOURABLE MR. A. R. NISHTAR: Well, on the last day we shall try to find out some time for that.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is it not possible to give us some time on the next day when the Council meets for a discussion of that Bill?

THE HONOURABLE THE PRESIDENT: That is what I suggest: that on Monday it should be taken up as the first item.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I think it will be convenient to all of us and particularly to me.

THE HONOURABLE SIR DAVID DEVADOSS: If we all meet on Monday and Tuesday that will be better.

THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal: Non-Muhammadan): The Bills which have already been passed by the Assembly and laid on the table may be taken up on the 19th as well as the Hindu Marriage Bill, and the Bills passed by the Assembly on the 18th may be laid on the table on the 19th and taken up on the 20th; so that we meet on the 19th and the 20th and dispose of the business.

THE HONOURABLE THE PRESIDENT: Every one has a different proposal to make. The best thing is to leave the matter to the discretion of the Leader of the House.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: But I hope he will allow us to discuss the Hindu Marriage Bill on the next day on which the Council meets, whether it be the 18th or the 19th.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN (Madras: Non-Muhammadan): I would like to submit that the Hindu Marriage Bill is a very short and simple one. I do not think it will take much time. If the Leader of the House and you would kindly allow it to be considered on Monday, I think it would help all the members of this House.

THE HONOURABLE THE PRESIDENT: That is what I suggested.

THE HONOURABLE MR. A. R. NISHTAR: I suggest a *via media*, and it is this, that instead of meeting on the 18th, we meet on the 19th. We have three Bills which have already been passed by the other House and which are to be considered by this House. They have been laid on the table of the House to day. We first of all discuss and dispose of the official Bills, and in the time left, we take up the non-official Bill. Those Bills which are passed by the other House on the 18th will be placed on the table of this House on the 19th. So far as the three official Bills which

(c) Whether it is a fact that a very large number of 3rd class passengers were booked at Bishnupur for journey to Calcutta and other places without ascertaining beforehand whether accommodation in the Purulia Express was available on that night?

(d) Whether in consequence that great crowd of passengers was literally crammed into all the compartments—3rd and inter—some being allowed to hang on the footboards outside;

(e) Whether considerable ticketless travelling as well as higher class travelling are suffered on the various sections on the B. N. R.

THE HONOURABLE MR. D. D. WARREN: (a) (i) Yes. The Bengal Nagpur Railway have issued instructions for the supply of drinking water to the travelling public throughout the year including hot days in summer.

(a) (ii) to (d) Enquiries are being made and information will be laid on the table of the House in due course.

(e) Ticketless travel and travel in compartments of higher class than that for which tickets have been purchased persist on some sections of the Railway, but vigorous efforts are made to control irregular travel.

THE HONOURABLE MR. M. THIRUMALA ROW: With regard to (a) (i), has the Railway Board issued instructions that *pani* should be Muslim *pani* and Hindu *pani*? Is it according to its instructions that this distinction is observed?

THE HONOURABLE MR. D. D. WARREN: No, Sir.

MUSTARD OIL

93. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) The names of the mustard oil mills or their Combines in U. P. (with their location) which send the mustard oil quota from U. P. to Bengal;

(b) Whether Sir J. P. Srivastava, the ex-Food Member of the Government of India, is directly or indirectly concerned with any of those U. P. mustard oil mills or their Companies either as a shareholder, or a partner or a director?

(c) Whether it is a fact that it was through the indirect intervention of the Upper India Chamber of Commerce that the same railway freight was fixed for a maund of manufactured oil as for a maund of raw mustard seeds for conveyance from any station in U. P. to Howrah.

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) The U.P. Oil Millers Association, Cawnpore, are at present exporting the U.P. quota of mustard oil to Bengal in accordance with arrangements negotiated with them by the Government of Bengal last year.

(b) Government have no information.

(c) No, Sir. Freight rates for mustard seeds are much lower than for oil. The rest of the question does not, therefore, arise.

MUSTARD OIL

94. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether mustard oil is an article of essential consumption for the people of Bengal?

(b) Whether they are aware that that this essential commodity of consumption is becoming scarce both in availability and in its price gradually enhancing so as to become out of the reach of the masses?

(c) Whether they propose to hold a thorough investigation into the mustard oil and mustard seeds position *vis-a-vis* the Centre and the Provinces?

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) and (b) Yes.

(c) The question of control over all edible oils and oilseeds has been under thorough examination and was recently discussed at an all-India Conference attended by representatives of all Provincial Governments and important States. On the

recommendation of the Conference, the Government of India have adopted a policy of the fullest possible control on movement and prices of edible oilseeds and oils.

MEDICAL REQUIREMENTS ON JHARIA COALFIELDS

95. THE HONOURABLE MR. SURPUT SINGH: Will Government state whether a full-fledged and thoroughly equipped hospital for the sole use of the coal miners is not a desideratum both at Dhanbad and Asansol; if so, what steps are being taken by the Indian Mining Federation and the big coal companies towards that end?

THE HONOURABLE MR. S. LALL: A committee appointed by the Government of India in March, 1944 to survey the medical requirements of the Jharia coalfields recommended *inter alia* the establishment of central and regional hospitals with a view to improving the medical facilities for the miners. The need for well-equipped hospitals both in the Jharia and Raniganj coalfields has been appreciated by Government and the question of construction of central hospitals at Dhanbad and Asansol and regional hospitals at Tisra, Katras, Chara and Searsole is being pursued with vigour by Government, the cost being borne from out of the Coal Mines Labour Welfare Fund. Plans for the central hospitals are being finalized and proceedings are in progress for the acquisition of sites for their construction. Construction work of regional hospitals has already commenced.

2. In view of the hospitalization undertaken by the Coal Mines Labour Welfare Fund, private colliery companies are not taking independent action for setting up central or regional hospitals for the use of miners.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: May I know, Sir, whether Government have got any temporary arrangements to provide medical facilities to the people in these areas while these plans are being materialised?

THE HONOURABLE MR. S. LALL: Many of the big collieries have their own hospitals or dispensaries. There are also the District Board and other hospitals. We are now trying to set up central and regional hospitals to which important cases can be sent. Up to now, of course, hospital arrangements have been neglected but I hope that with the setting up of the central and regional hospitals these will be considerably improved.

THE HONOURABLE MR. M. THIRUMALA ROW: Can the Honourable Member give us the number of hospitals they are going to build now including central and regional hospitals?

THE HONOURABLE MR. S. LALL: I have said that there will be central hospitals at Dhanbad and Asansol and regional hospitals at Tisra, Katras, Chara and Searsole. Thus, two central and four regional hospitals are going to be built immediately.

MATERNITY AND CHILD WELFARE CENTRES IN COLLIERIES

96. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) What arrangements are there in the several coal mines owned by big and influential companies for maternity welfare and child benefit?

(b) Whether it is a fact that sometimes when the lady doctor attached to one of the T. t.'s Collieries has no work to do as a medico, she is asked to attend to office work by the authorities?

(c) Whether the big European companies possess an ambulance car for each of their collieries for the speedy transport of accident cases to the existing hospitals at Jharia, Dhanbad and Asansol? If so, what are the names of all such collieries?

(d) Whether every big colliery has at present in their employ a lady doctor to attend to their maternity welfare work; if so, what are the names of such collieries?

(e) Whether the medical men in charge of big collieries are all fully qualified doctors with up-to-date training and qualifications required from medical colleges;

(f) Whether there is periodical inspection by the Central Government over the general administration of the coal mines so far as health, sanitation, education, leave, leisure and housing of miners are concerned, if so, how and by what agency that is done; and whether reports of such periodical inspections are released to the Press?

THE HONOURABLE MR. S. LALL: (a) Presumably the Honourable Member desires to know whether maternity and child welfare centres are being maintained by large collieries. Information in respect of those matters is not readily available with Government, but will be collected and furnished to the House in due course.

(b) Government have no information.

(c) & (d) Information will be collected and laid on the table of the House in due course.

(e) Government have no definite information.

(f) The Chief Inspector of Mines and his Assistant Inspectors carry out periodical inspections with a view to ensuring that the requirements of the Indian Mines Act, 1923, regarding sanitation, health, hours of work and rest intervals, are complied with. The Inspectors of Labour Welfare, employed by the Coal Mines Labour Welfare Fund also carry out inspections with a view to advising colliery owners regarding provision of welfare measures including housing. No inspections are carried out by the Central Government regarding education of the miners. The annual reports of the Chief Inspector of Mines which embody the results of the periodical inspections carried out by the Inspectorate were not released to the Press during the War owing to shortage of paper, but will be released hereafter.

THE HONOURABLE MR. M. THIRUMALA ROW: Has the Labour Department any policy to insist upon minimum arrangements for medical relief upon all these big colliery owners?

THE HONOURABLE MR. S. LALL: That matter is now under consideration by the Mines Welfare Fund Committee. At present we are examining what provisions are being made by private colliery owners. When we have a clear picture of what provision is made we will be able to say whether particular colliery proprietors are or are not providing enough medical facilities. We can then consider what action should be taken.

THE HONOURABLE MR. M. THIRUMALA ROW: Am I to understand that up to now the Department has no policy or definite set of rules to insist on minimum medical relief?

THE HONOURABLE MR. S. LALL: That is correct. At present there is no definite rule to that effect, but the whole question is under examination.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: With regard to (a) while Government are collecting the information will they ask the owners of these collieries to start maternity and child welfare clinics?

THE HONOURABLE MR. S. LALL: Yes, we will try and persuade them to start maternity and child welfare clinics.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: With regard to (d) Sir, will the Government make it compulsory for the collieries to employ lady doctors to conduct maternity and welfare work?

THE HONOURABLE MR. S. LALL: That will require consideration. I cannot commit Government straightaway.

CHITTAGONG ARMOURY RAID

97. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether the Government of India exercised in any way their discretionary powers of control and superintendence through their own agency in Chittagong in Bengal Province when an unprecedented disturbance took place inside the Chittagong Armoury during the Viceroyalty of Lord Irwin in India?

(b) If the answer is in affirmative, the nature and extent of such control and superintendence over the Provincial Administration to get over the said disturbance?

THE HONOURABLE MR. A. E. PORTER: (a) I find nothing on record to indicate that the Central Government of the day intervened in the manner suggested by the Honourable Member.

(b) Does not arise.

THE HONOURABLE MR. M. THIRUMALA ROW: Have the Central Government not got power to intervene when serious disturbance breaks out in such an area in the country?

THE HONOURABLE MR. A. E. PORTER: I think that the question was referred to recently by Mr. Henderson in the House of Commons and I would refer the Honourable Member to the reply there given.

THE HONOURABLE MR. M. THIRUMALA ROW: We are not in the House of Commons today. I want to know if the Honourable Member in charge of the Home Department has got the experience of 1942 when the whole system of law and order was centralised and is it right that they should now plead that they have no power or refer us to some other proceedings elsewhere?

THE HONOURABLE THE PRESIDENT (to the Honourable Mr. Thirumala Row): Please do not argue; put a question.

THE HONOURABLE MR. M. THIRUMALA ROW: I want to know if the Honourable Member cannot exercise his powers just as he exercised in 1942 to put down a popular movement?

THE HONOURABLE MR. A. E. PORTER: Conditions of 1942 no longer exist.

THE HONOURABLE MR. M. THIRUMALA ROW: You are still here. 1942 may not exist, but the persons who existed in 1942 continue to exist in the Government of India today.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: What is the extent of lawless disturbance that will require the intervention of the Government of India?

THE HONOURABLE MR. A. E. PORTER: Disturbances which attract the intervention of the Government are those threatening the security of India by war.

THE HONOURABLE MR. G. S. MOTILAL: Isn't there section 102 which also provides that in the case of internal disturbances the Government of India may exercise powers if an emergency is declared?

THE HONOURABLE MR. A. E. PORTER: If the security of India is threatened by internal disturbance or war the Central Government may take upon itself certain legislative functions which otherwise are purely Provincial subjects.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: If the civil administration fails in a particular part, is it not the duty of the Central Government to intervene?

THE HONOURABLE MR. A. E. PORTER: It is not in the constitution, Sir, of the Government of India.

MILITARY DAIRY FARMS

98. THE HONOURABLE MR. G. S. MOTILAL: (a) How many military dairy farms have been taken over by Government in accordance with the recommendation of the Standing Committee for the Department of Agriculture made on 4th June, 1946?

(b) What are their particulars?

THE HONOURABLE MR. PHEROZO KHAREGAT: (a) & (b). No Military dairy farm as a going concern (i.e., with cattle, etc., in it) has been disposed of since the Standing Committee of the Legislature for the Department of Agriculture made its recommendation on the 4th June, 1946. Three of the military dairy farms at Kapsewadi (Poona), Fyzabad and Bhadrak (Lucknow) have, however, since been closed down and the livestock, etc., removed to other military dairy farms. The Provincial Governments concerned have been negotiating with the military authorities for taking over the lands and buildings of these abandoned military dairy farms.

MALKERA STATION, B. N. R.

99. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) How far Malkera Railway Station on B. N. R., Gomah-Adra section, is situated from the big Malkera Colliery of the Tatas?

(b) Whether it is a fact that that railway station is largely used by the mine workers and office staff of the Tatas daily both in up and down directions;

(c) Whether it is also a fact that the letter box which is kept hanging at the railway platform is cleared only once in a week on Fridays by the Katrasgarh Post Office; if so, whether Government propose to make arrangements to have the letter-box cleared every day?

THE HONOURABLE MR. D. D. WARREN: (a) 1½ Miles.

(b) Yes.

(c) The clearance is done three times a week by the postman on his beat days. The number of articles to be cleared at a time is very small and Government do not propose to make arrangements for affecting clearance every day.

MAXIMUM PERIODS PRESCRIBED FOR PROMOTION IN THE ROYAL NAVY, ETC.

100. THE HONOURABLE PANDIT H. N. KUNZRU: (a) Is it a fact that the maximum periods prescribed for promotion from one rank to another in the British Navy, Army and Air Force before the war have been recently reduced? If so, what were they before the war and what are they now?

(b) Will Government give the corresponding periods for the Indian Army?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): (a) There have been no changes in the maximum periods prescribed for promotion from one rank to another in the Royal Navy and the Royal Air Force. As regards the British Army the periods of promotion have been reduced as follows:—

Rank	Before the war	Now
2nd Lt. to Lt.	After 3 years' service	After 2 years' service.
Lt. to Capt.	After 8 years' service	After 6 years' service.
Capt. to Major	After 17 years' service	After 13 years' service.
Major to Lt.-Col. and above	By selection	By selection.

(b) The corresponding periods for the Indian Army before the war were the same as in the British Army except that the period of promotion in the Indian Army from 2nd Lieut. to Lieut. was 2½ years' service.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: What is the period now? What are the maximum periods fixed for promotion now in the Indian Army?

THE HONOURABLE MR. C. H. BHABHA: For the Indian Army there have been no changes. The matter is under consideration at present.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: May I know when we may expect the final decision of the Government on this subject as the matter has been hanging fire for several months?

THE HONOURABLE MR. C. H. BHABHA: The proposal is under consideration at present to bring the promotion rules in the Indian Army into line with the latest rules in the British Army, and very soon the proposal will be fully considered.

PERMANENT COMMISSIONS

101. THE HONOURABLE PANDIT H. N. KUNZRU: What is the number of Emergency Commissioned Officers who have applied for permanent commissions? How many of them have appeared before Selection Boards and how many of the latter have been successful?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): The number of emergency commissioned officers who applied for permanent commissions in the three services is 4,877. Of these 4,394 have appeared before the Selection Boards and 1,712 have been successful.

Plans are now well advanced to give those officers who were unsuccessful in their applications a further opportunity to obtain regular commissions in the Army. A course of pre-selection training at a special school is to be established with a view to developing their qualities of leadership and personality so as to fit them if possible for the grant of regular commissions. This course will be open to all emergency commissioned officers who wish to apply to attend it, provided they fulfil the necessary conditions appertaining to age, health, etc. It is hoped that in this way the Army will secure a considerable number of suitable officers with war experience.

SHORT TERM COMMISSIONS AND SPECIAL COMMISSIONS

102. THE HONOURABLE PANDIT H. N. KUNZRU: What is the number of short term and special commissions, respectively, granted up to the end of October, 1946?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): No short-term commissions have so far been granted in any of the three services, but it is the intention to grant 2,000 such commissions in the Indian Army in the near future. An announcement to this effect was made on 4th November 1946. The number of special commissions granted in the R.I.A.F. is 18 while no such commissions have been granted in the Navy.

It is also proposed to grant special direct commissions to serving V.C.Os. and I.O.Rs. of the required educational qualifications, for certain types of administrative works such as Record Officers, Quartermasters, Assistant Adjutants, etc. The total to be granted will depend on the numbers applying with the necessary qualifications. There is however no intention of reducing the general standard of officers of I.A.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Why is it that no short-term Commissions have been granted as yet. Has not this matter too been under the consideration of the Government of India for at least seven months?

THE HONOURABLE MR. C. H. BHABHA: I want notice of that, Sir.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: What is the maximum number of Special Commissions which it is proposed to grant in the Indian Army subject to the necessary educational qualifications?

THE HONOURABLE MR. C. H. BHABHA: Sir, I have just said that 2,000 is the total number of such short-term Commissions that is going to be offered.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Does the Honourable Member realise that there is a difference between the short term and Special Commissions. While the short-term Commissions are meant generally speaking for the Emergency Commissioned Officers the Special Commissions are meant for V.C.Os. and I.O.Rs. as he himself has stated in his reply.

THE HONOURABLE MR. C. H. BHABHA: The total number is 2,000 and it includes also Special Commissions.

THE HONOURABLE MR. V. V. KALIKAR: What is the number of Special Commissions?

THE HONOURABLE MR. C. H. BHABHA: The total number, as I said, is 2,000. There is no special number that has been allotted for Special Commissions and the short-term Commissions.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is the Honourable Member certain of that? I was under the impression that the Military Authorities intended to give about 1,000 Special Commissions to V.C.Os. and I.O.Rs. and about 2,000 short-term Commissions to Emergency Commissioned officers.

THE HONOURABLE MR. C. H. BHABHA: Sir, I would like to have notice.

SHORT TERM COMMISSIONS AND SPECIAL COMMISSIONS

103. THE HONOURABLE PANDIT. H. N. KUNZRU: Have Government decided to reconsider the cases of officers rejected by the Selection Boards but still recommended by the Commanding Officers of their units? If so, what has been the result of the re-consideration so far?

THE HONOURABLE MR. C. H. BHABHA: (on behalf of the Honourable Sardar Baldev Singh): Yes, Sir. As regards the Indian Army, so far 89 cases have been recommended by Commanding Officers and the candidates concerned will appear before the Selection Boards again. In addition, 524 cases of Grade "Six" officers have been reviewed and 306 have been up graded. In the case of the Royal Indian Navy, the total number of permanent commissions offered was 156 and as all have been filled, the question of reconsideration of rejected cases does not arise. The question does not apply to the Royal Indian Air Force where the method of selection differs from that of the Army.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Did the Honourable Member say that the rejected Emergency Commissioned officers whose cases had been recommended for further consideration by their Commanding Officers would have to appear again before Selection Boards?

THE HONOURABLE MR. C. H. BHABHA: Yes, that is exactly what I said.

INTAKE OF CADETS AT INDIAN MILITARY ACADEMY

104. THE HONOURABLE PANDIT. H. N. KUNZRU: What is the number of cadets normally required for the Indian Military Academy? How many cadets have been admitted into the Academy since the conclusion of the war and what is the deficiency to be made good so far?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): The required annual intake of cadets at the I. M. A. for the Indian Army from 1947, is 500. 384 cadets have been admitted to the I. M. A. since the conclusion of the war, i. e., the total admitted to the first and second courses commencing in 1946. These two courses were intended to take 500 each and the deficiency to be made up for 1946 is therefore 616.

EXTERNAL AFFAIRS DEPARTMENT

105. THE HONOURABLE PANDIT. H. N. KUNZRU: (a) What is the number of superior officers belonging to the External Affairs Department in the Secretariat?

(b) How many of them are Indians and what posts do they occupy? Do Government contemplate an early increase in their number?

THE HONOURABLE MR. A. V. PAI: (a) The number of superior officers in the External Affairs Department Secretariat is at present 23.

(b) Of these 13 are Indians or Anglo-Indians holding the following posts:—

Deputy Secretaries	2
Private Secretary to Honourable Member	1
Under Secretaries	5
Assistant Secretaries	5

It is the intention of Government to increase the numbers of Indian officers as rapidly as possible. This question is connected with the formation of the new Indian Foreign Service to which it is proposed to recruit Indians only.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Has the Honourable Member included Assistant Secretaries amongst the superior officers?

THE HONOURABLE MR. A. V. PAI: Yes, Sir.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is that the custom in the Secretariat?

THE HONOURABLE MR. A. V. PAI: Yes, Sir.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Since when?

THE HONOURABLE MR. A. V. PAI: In the list of superior officers in the Secretariat Assistant Secretaries are included

HELP GIVEN TO ESCAPED PRISONERS OF WAR BY THE INHABITANTS OF ETOBON AND CHANEBIER IN FRANCE.

106. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government make a statement relating to the gallant part played by the citizens of Etobon and Chanebier in France, in giving succour and help in the shape of food, clothing and refuge to the Indian prisoners of war, who fled from the German concentration camps after bombing and took shelter in the neighbouring French forest during the German war, and many of whom were ultimately killed by the Nazis for giving help and shelter to the escaped Indians?

(b) Are Government aware that Sir Samuel Runganadhan, High Commissioner for India, accompanied by Col. Hayand Din of the Indian Army recently came specially from London to unveil a handsome memorial and a library in the village of Etobon (France) to the men, women and children who played their part with the sons of India for the overthrow of Nazism?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): (a) I lay a statement on the table.

(b) Government are aware that Sir Samuel Runganadhan and Col. Hayand Din together with the British Military Attache, visited Etobon on October 26 to make the presentation, accounts of which have appeared in the Press. I would take this opportunity of adding that the inhabitants of these two villages are anxious to keep in touch with the Indian soldiers whom they helped and that Government will be pleased to have translated into French and forwarded any letters which such former prisoners of war may wish to write to them

Statement

May, 1944, a large number of Indian prisoners of war escaped from the local German-prison camp and took to the surrounding forests in an endeavour to reach Switzerland. Between 150 and 200 prisoners gravitated to the vicinity of Etobon and Chanebier. Under cover of the surrounding forests the escapees lived hidden in rough log shelters in the woods for about six months until they were finally liberated by the arrival of French and U. S. troops from the south.

The men were welcomed by the French inhabitants of the two villages who supplied them with food, clothing and medical aid throughout their enforced stay. Wireless sets were placed at their disposal to enable them to listen to the progress of the war, tobacco rations were handed to the escapees and woollen garments were made for them by the French. To the prisoner's hide-out in the woods food was carried by the villagers, often at night, at the risk of possible arrest by German patrols.

Arrest for helping escaped P. O. W. would have meant death and 39 Frenchmen were in fact shot in cold blood on September 27, 1944, as a reprisal. In all 67 from these two villages were shot.

For their help given to escaped Indian P. O. W. the Government of India presented to Etobon and Chanebier a cheque for £ 1,000 towards the establishment of a joint library for the two villages, which have already raised the bulk of the amount required by public subscription from the villagers themselves. The War Office is paying the balance. A memorial is also to be set up by the local inhabitants at their own expense. This will include a plaque, paid out of the Government of India's gift, with an inscription in Roman Urdu and French expressing the gratitude of India for the help given to Indian escaped P. O. W. and sympathy for those members of the two communities who were put to death by the Germans.

AMERICAN SURPLUS FOOD

107. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Are Government aware that large quantities of American surplus stores of food, valued at several lakhs of rupees, were destroyed recently in Karachi, having been declared unfit for human consumption, by the panel of experts attached to the Food Commissioner, Karachi?

(b) Why were no steps taken earlier to buy these good surplus stores before they became unfit for human consumption, in view of the fact that the war ended more than a year ago?

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) A quantity valued at Rs. 4,000 had to be destroyed early in the year by the Local Government. The Survey Board since appointed by the Food Department has declared about 7 per cent of the stocks as unfit for human consumption.

(b) The surplus was declared by the American authorities at the end of 1945, and possession given between 20th March and 8th May, 1946. Since then energetic

NOTE.—Questions standing against the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

steps for disposal have been taken. The deterioration which is mostly of stocks in paper packing was natural to the age, contents, storage conditions of the stocks and was beyond the control of the Government of India.

MR. SUBHAS CHANDRA BOSE.

108. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Has the attention of Government been drawn to the following statements of Sardar Sardul Singh Caveesher, President of the All-India Forward Bloc (*vide* the Pioneer dated the 24th October, 1946, late City edition):—

(i) "I am positive that Mr. S. C. Bose is alive"?

(ii) "Mr. Bose can come to India on our request, provided we inform him that there is a settlement between the Congress and the British Government in terms of the 'Quit India' resolution, or when Congress again takes up the final fight for the freedom of India"?

(iii) "Some of the Forward Bloc members have received Code messages from Mr. Bose as recent as three months ago. That Code is known to Mr. Bose and none else"?

(iv) "I have also before me the statement on oath of three Singapore merchants with whom Mr. Bose lived long after the argument referred to by the Allied investigation team and Mr. Habibur Rahman"?

(b) Do Government propose to take necessary steps to verify the truth by proper enquiry?

THE HONOURABLE MR. A. E. PORTER: I have seen the statement as I explained in my reply to the Honourable Member's question No. 29 on the 7th November, Government do not propose to make any enquiries in the matter.

OUTPUT OF COAL

109. THE HONOURABLE F/LT. RUP CHAND: Will Government state whether it is a fact that the output of coal in India at present is very low and that insufficiency of coal supplies is hampering industrial progress of the country, and whether in view of the urgent need of increasing output of coal especially of good quality, Government have taken or propose to take any measures in this direction?

THE HONOURABLE MR. M. W. M. YEATTS: The output of coal in the country at present is about 30 million tons per annum and of this about 26 million tons are being sent to consumers. As against this, despatches in 1943 were only 23 million tons. The present requirements are estimated to be about 4 million tons per annum higher than the available supplies. To this extent it would be correct to say that the shortage of coal is hampering industrial activity.

Government took various measures during 1944 and 1945 to improve coal raisings such as the offering of certain financial inducements to colliery owners, the provision of imported labour the adoption of labour welfare measures, the resort to open cut coal mining operations and so on. As a result, there has been a progressive increase in coal raisings but any substantial increase in output would require increased rail transport facilities to move the additional coal.

The Indian Coalfields' Committee have after assessing the coal requirements of the country for the next ten years, recommended measures covering the production and transport aspects of coal availability and designed to provide consumers with a progressive increase of 1½ million tons of coal per year. The Committee consider that at this rate a balancing of demand and supply will probably be achieved by 1954. I would like to add that neither coal production nor transport capacity can be increased on any large scale at short notice.

RELEASE OF REQUISITIONED HOUSES

110. THE HONOURABLE F/LT. RUP CHAND: Will Government state:

(a) Whether it is a fact that a number of buildings and houses requisitioned by Government during war time have not yet been released?

NOTE.—Questions standing against the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

(b) Whether Government are aware that the people are suffering great inconvenience because of the acute shortage of housing accommodation in urban areas throughout the country, partly as a sequel to the requisition of houses and buildings for Government officers?

(c) Whether Government have taken any steps to relieve this shortage of house and to encourage the construction of new buildings by making all raw materials freely available and by other facilities to house builders if so, will they give the details of such steps taken?

THE HONOURABLE MR. C. H. BHABHA: (a) Yes.

(b) Yes.

(c) Government have constructed residential and office accommodation during the war to relieve congestion as per statement placed on the table. Besides this, they are considering taking up the following construction in hand:

30 officers' bungalows under construction;

200 officers' flats in New Delhi;

2,000 clerks' quarters in New Delhi;

1,000 clerks' and 250 peons' and daftries' quarters in Old Delhi.

1,000 peons' quarters in New Delhi.

Steps taken to encourage construction of new buildings by private house-builders are as follows:

(i) Bricks are released to the public in Delhi at their request, and large stocks of bricks are available.

(ii) Control on timber has been lifted and the same is available in the market.

(iii) As regards steel and cement the position as stated in the Assembly by the Honourable Member in charge of Industries and supplies is as follows. The Government of India removed their control over steel, but they have been compelled recently to reimpose the steel control owing to a fall in production and the inadequate supplies now available. The Cement Control lapsed on 1st October 1946, but has been reimposed by many of the Provinces. Here also a central control may become necessary. In both cases however the Control will amount to the allocation of provincial quotas and the Provincial Governments will be left free to make quantities available for the construction of houses and buildings.

Steps are also being taken by the Delhi Improvement Trust to expedite the construction of new houses. In the first instance, the lessees of plots in Daryaganj, South, Mondhewala Road, Original Road and Barstin Bastion Road are being asked to complete construction of new buildings within one year from the date of the notice. Similar action will be taken in respect of plots of land sold in other Trust areas also. The Trust also propose to construct poor class quarters under the State-aided re-housing Scheme. These quarters are intended primarily for those who may have to vacate their present accommodation on account of slum clearance schemes sponsored by the Trust.

In order to accelerate the building of new accommodation, the Government of India have asked all Provincial Governments to set up Building Material Panels to co-ordinate the requirements of building materials, and all efforts will be made to meet those requirements as far as possible.

Statement

	sq. ft.
Temporary office accommodation built during the war in Old and New Delhi	19,56,726
Permanent & semi-permanent accommodation in Old & New Delhi during the war for married clerks drawing salary less than Rs. 600 p.m.	2,737
Permanent & Semi-permanent accommodation for single clerks drawing salary less than Rs 600 p.m.	1,084
Temporary accommodation for married clerks drawing salary less than Rs. 600 p.m.	16

Temporary accommodation for single clerks drawing salary less than Rs. 600 p.m.	224
Semi-permanent accommodation for officers drawing salary above Rs. 600 p.m. (Married).	134
Temporary Family Hutments	243
Temporary hutments, hostels and single quarters for Commissioned Officers (RAF, Army, etc.).	2,149
Temporary quarters for B. O. Rs.	4,695
Temporary single quarters for War Deptt. clerks.	1,000

SHORTAGE OF SUGAR

111. THE HONOURABLE F/LT. RUP CHAND : Will Government state :

(a) Whether any sugar has been exported from India to the Middle East or to Far Eastern countries during the last two years ; if so, the quantity so exported ?

(b) Whether it is a fact that there is a shortage of sugar in India at present leading to a reduction in the rationed quota for civilians particularly in urban areas ?

(c) The causes of shortage of sugar ?

(d) Whether any steps have been taken to import sugar from the Far East or from elsewhere to tide over the shortage in this country ; and to increase sugar production in India in the future ; if so ; what are the details of such measures ?

(e) whether in view of the shortage and insufficiency of sugar supplies in India Government have considered the advisability of stopping export of sugar from India altogether ?

THE HONOURABLE SIR PHEROZE KHAREGAT : (a) A total quantity of 14,484 tons in the sugar season 1944-45 was exported to Afghanistan, South East Persia and certain Sheikdoms on the Persian Gulf. In the season 1945-46, 12,061 tons was exported to the same countries excluding Persia. No exports were allowed to the Far Eastern Countries or other countries of the Middle East.

(b) Yes.

(c) The shortage of sugar is due to a fall in sugar production in India and lack of imports from outside, coupled with increased demand for sugar not only from urban areas but also from the rural areas where a substantial demand has grown owing to increased purchasing power of the people and to the change in their habits due to the impact of war.

(d) Yes ; the Government of India have been pressing for an allocation of 200,000 tons of sugar but the International Emergency Food Council has so far been unable to give any quota. Efforts to secure some allocation for the next sugar season are continuing.

(e) The export of limited quantities of sugar to the neighbouring countries mentioned above has been considered necessary in the interest of good neighbourly relations.

THE HONOURABLE MR. HOSSAIN IMAM : What positive steps has the Government taken to find out from the sugar-producing countries if they have got any surplus sugar to dispose of ?

THE HONOURABLE SIR PHEROZE KHAREGAT : We cannot get the sugar from other countries directly. All the sugar is controlled by the International Emergency Food Council and allotments are made by them ; and we have been pressing them hard to make a suitable allotment to India.

THE HONOURABLE MR. HOSSAIN IMAM : Is it not a fact that the United Kingdom have got a contract to purchase all the sugar produced in the British colonies in South America ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I have no information on the point, but it may be perfectly true.

THE HONOURABLE MR. HOSSAIN IMAM : How can the United Kingdom make purchases outside the Food Council and the Government of India cannot ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I do not know whether the arrangements which have been made by the United Kingdom with other Governments are direct or effect is given to them through the International Emergency Food Council.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : May I know who issues licences for starting new sugar mills ? Is it the Central Government or the Provincial Government ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I think it is a combination of the two : that is, the actual licences are issued by the Provincial Government, but it is done in accordance with a plan which has been prepared by the Food Department.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : May I know if any quotas of new sugar mills have been allotted to the Province of Bihar ?

THE HONOURABLE SIR PHEROZE KHAREGAT : Yes, Sir. I find that out of 20 new sugar units, one is to be located in Bihar.

RECOMMENDATIONS OF THE AIRCRAFT MISSION

112. THE HONOURABLE F/LT. RUP CHAND : Will Government state :

(a) Whether the recommendations of the Aircraft Mission which visited India early this year have been accepted by Government in their entirety ?

(b) Whether any progress has been made in the production of aircraft in this country, including trainer aircraft ?

(c) Whether Government have considered the advisability of reducing this 20 year target, especially because the demand for more aircraft of different type for defence and for civilian needs is growing ?

THE HONOURABLE MR. M. W. M. YEATTS : (a) Apart from some points of detail, yes.

(b) Hindustan Aircraft Limited factory at Bangalore has been selected for the manufacture of aircraft. The Defence Department has already placed an order for 50 Percival Trainers. 20 of these will be assembled and 30 manufactured at Hindustan Aircraft Limited.

(c) Every effort is being made to reduce the duration of the transitional stages leading up to the manufacture of aircraft in this country.

THE HONOURABLE MR. HOSSAIN IMAM : Is the Hindustan Aircraft Company owned by Government ?

THE HONOURABLE MR. M. W. M. YEATTS : Two-thirds of the share capital is owned by the Government of India, one-third by the Government of Mysore.

PROVISION OF SAFEGUARDS FOR BRITISH OFFICERS IN THE INDIAN ARMY

113. THE HONOURABLE F/LT. RUP CHAND : Will Government state :

(a) Whether any "Safeguards" or special protection of interests are being provided to British officers of certain Brigades in the Indian Army under the new proposals for Indianisation ;

(b) Whether it is a fact that Mr. Arthur Henderson, Under Secretary of State for India, answering a question by Col. Duncan in the House of Commons on June 25, 1946, gave the assurance that "the question of providing special safeguards for British officers and others was receiving the sympathetic consideration of the British Government" and that the matter "was very much in their minds" ?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh), (a) There is no proposal for "safeguards" for British officers, but the question of compensation for those whose career may be interrupted is under consideration.

(b) The question to which the Honourable Member refers presumably relates to the future of the Gurkha battalions in the Indian Army. This is at present under the consideration of Government.

GOVERNOR OF THE NORTH WEST FRONTIER PROVINCE

114. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is it a fact that the Governor of the N. W. F. Province is not only the titular head of the Ministry and the Government in that Province, but also Agent to the Governor General for the tribal territory. In view of the incongruity of the two functions, do Government propose to relieve him of his responsibility for the administration of the tribal areas or any connection with it ?

THE HONOURABLE MR. A. V. PAI : It is a fact that the Governor of the North West Frontier Province is the titular head of the Government in that Province and also the Agent to the Governor-General for the tribal areas. Future arrangements will necessarily depend on the decisions of the Constituent Assembly.

THE HONOURABLE MR. HOSSAIN IMAM : May I ask what the Honourable Member means by "titular head" ? Has he not got any powers under the constitution ?

THE HONOURABLE MR. A. V. PAI : Titular means by virtue of title.

THE HONOURABLE MR. HOSSAIN IMAM : That is not the meaning of "titular". It means he has no functions.

THE HONOURABLE MR. A. V. PAI : He has functions.

VISIT OF THE HONOURABLE PANDIT JAWAHRARAL NEHRU TO THE TRIBAL AREAS

115. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government make a statement relating to the alleged complicity of the Political Department in the hostile demonstrations and incidents which took place in connection with the recent tour of the Honourable Pandit Jawahar Lal Nehru, in the tribal areas of the N. W. Frontier ?

THE HONOURABLE MR. A. V. PAI : It is evident that the references to the Political Department are not accurate. Probably what is meant is that some officials of the Local Administration both in the Frontier Province and the tribal areas are concerned. It is not possible to make a statement pending the result of an enquiry.

THE HONOURABLE MR. V. V. KALIKAR : Is the matter under inquiry now ?

THE HONOURABLE MR. A. V. PAI : Yes, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member give the amount of fine that has been imposed on those tribes for the incidents ?

THE HONOURABLE MR. A. V. PAI : I must ask for notice, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Did the Honourable Member read the speech of the Viceroy yesterday ?

(No answer.)

RIOTS IN NOAKHALI AND TIPPERA DISTRICTS IN BENGAL.

116. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether they are aware of the most disquieting reports of organized hoodlums and lawlessness resulting in arson, loot, abduction of women, forcible conversion and killing of the Hindus, men, women and children in the district of Noakhali in Bengal in the middle of October last ?

(b) Whether the incidents reported are not similar to those perpetrated by the Hurs in Sind ?

(c) If the answer to (a) is in affirmative, whether in the interest of peace, tranquillity and good government of the country at large they propose to make a thorough investigation into the affairs of the place through their secret service department ?

(d) Whether they rule out the idea that there must have been some powerful underground movement which had been working out all these blood-curdling devastations and depredations ?

THE HONOURABLE MR. A. E. PORTER : (a) Government have seen report of riots among other places in Noakhali and Tippera Districts in Bengal.

(b) I know of no evidence suggesting that the disturbances in the two provinces were parts of a coordinated plan.

(c) and (d.) The riots in Noakhali and Tippera are exclusively the concern of the Provincial Government.

THE HONOURABLE MR. HOSSAIN IMAM : Are the Government in a position to give any figure of the casualties in Noakhali and Tippera ?

THE HONOURABLE MR. A. E. PORTER : No, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Has the army at Noakhali and Tippera made any inquiries ?

THE HONOURABLE MR. A. E. PORTER : I presume the question is directed to the Honourable the Defence Member.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN : May I ask, Sir, whether the Government could give some information as to the steps that have been taken to restore the abducted women to their families ?

THE HONOURABLE MR. A. E. PORTER : Sir, I have had no report on that. This is a matter which I have indicated is entirely the concern of the Provincial Government.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Is the Honourable Member aware of the large number of conversions and forced marriages in Noakhali and Tippera districts ?

THE HONOURABLE MR. A. E. PORTER : I have seen statements in the press to that effect.

THE HONOURABLE MR. HOSSAIN IMAM : Have they been corroborated ?

THE HONOURABLE MR. A. E. PORTER : Again, Sir, I have no official authentic figures of either casualties or conversions or abductions or forced marriages.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Has it not been corroborated by the Minister of Bengal, Mr. Shamsudin Ahmad ?

THE HONOURABLE MR. A. E. PORTER : I have received no report of that, Sir.

MINISTERS AND CONSULS SERVING ABROAD

117. THE HONOURABLE PANDIT H. N. KUNZRU : (a) How many Ministers and Consuls, respectively, are serving abroad under the External Affairs Department ? What are the countries in which they are serving and how many of them are Indians ?

(b) What steps do Government propose to take to bring about a rapid increase in the number of Indian staffs holding such posts ?

THE HONOURABLE MR. A. V. PAI : (a) A statement of consular and diplomatic posts abroad staffed by officers of the Indian Political Service and others serving under the External Affairs Department is laid on the table of the House. There are 2 Ministers, 2 Charges d'Affaires, 3 Consuls-General, 2 Counsellors, 6 Diplomatic Secretaries, 11 Consuls and 8 Vice-Consuls. Out of these, 2 Charges, 1 Counsellor, 3 Secretaries, 5 Consuls and 3 Vice-Consuls are Indians. One Secretary's post, which is normally held by an Indian, is temporarily vacant.

(b) It has been decided that a separate Indian Foreign Service should be established. All new representative posts abroad are staffed exclusively by Indians.

Statement showing number of diplomatic and consular posts in various countries which are staffed by officers of the Indian Political Service and others serving under External Affairs Department.

Indian Embassy in the U. S. A.—

1. Charge d' Affaires, Washington.
2. First Secretary.
2. Second Secretary

Indian Embassy in China—

1. Charge d'Affaires, Nanking.
2. First Secretary (vacant).
3. Second Secretary.
4. Indian Consul, Shanghai

Indo-China—

1. Indian Vice-Consul, Saigon (Has not yet proceeded to his post).

Siam—

1. Indian Consul, Bangkok (Has not yet proceeded to his post).

Afghanistan—

1. H. M.'s Minister, Kabul.
2. Counsellor, British Legation, Kabul.
3. Secretary, British Legation.
4. H. M.'s Consul, Jalalabad.
5. H. M.'s Consul, Kandahar.

Iran—

1. Additional Counsellor, British Embassy, Tehran.
2. Additional Consul for Indian Affairs at Tehran.
3. H. M.'s Consul General for Khorasan.
4. H. M.'s Consul, Zahidan.
5. H. M.'s Vice-Consul, Zabul and Zahidan.
6. H. M.'s Vice-Consul, Meshed and Birjand.
7. H. M.'s Addl. Vice-Consul, Meshed.
8. H. M.'s Consul for Kerman and Persian Baluchistan.
9. H. M.'s Consul, Khorramshahr.
11. H. M.'s Consul, Bushire.
12. H. M.'s Vice-Consul, Bushire.
13. H. M.'s Consul, Bunder Abbas.

Saudi Arabia—

1. Indian Vice-Consul, Jedda.

Iraq—

1. Indian Vice-Consul, Bagdad.

Kashgar—

1. H. M.'s Consul General at Kashgar.
2. H. M.'s Vice Consul, Kashgar.

French Establishment in India—

1. H. M.'s Consul General, Pondicherry.

Portuguese Possessions in India—

1. H. M.'s Consul, Marmagao.

Nepal—

1. H. M.'s Minister, Nepal.
2. First Secretary, British Legation, Nepal.

PLANS FOR DEVELOPMENT OF THE NORTH-WEST FRONTIER.

118. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Is it a fact that in 1944 a Planning Commissioner was appointed for the N. W. Frontier Province and the tribal areas for the preparation and development of plans for the N. W. Frontier, covering six settled Districts of the Province and the adjoining tribal areas ?

(b) Is it a fact that in April 1945 a plan was printed for official use, but it was not published and kept secret ? Will Government lay a copy of it on the table or place it in the library of the House ?

THE HONOURABLE MR. A. V. PAI : (a) Yes, Sir.

(b) It was originally intended to publish this plan, and although it was later decided not to do so, most of the schemes and ideas contained in it have since been embodied in the "Five Year Post-War Development Plan for the North-West

Frontier Province and Tribal Areas" which was published at Peshawar in October of this year. A copy of this document is being placed in the Library of the House.

THE HONOURABLE MR. HOSSAIN IMAM : How is it compatible for the Frontier Government to plan for the progress of the tribal areas in the face of the declaration by the Viceroy that tribal areas are free countries ?

THE HONOURABLE MR. A. V. PAI : At present the Governor of N. W. F. P., as I have pointed out, is responsible for the tribal areas.

THE HONOURABLE MR. HOSSAIN IMAM : Would I be correct in saying that the liberty of the tribal areas is a myth ?

(No answer.)

AGREEMENT WITH THE U. S. A. ARISING OUT OF LEND-LEASE

119. THE HONOURABLE F/LT. RUP CHAND : Will Government state :

(a) Whether it is a fact that an Indo-U.S. Lend-Lease agreement was concluded last summer by Mr. A. A. Waugh, ex-Member of the Viceroy's Executive Council by way of adjustment of claims arising out of the war with the Government of U.S.A. without consulting the Central Legislature or Indian Public opinion ;

(b) Whether it is true that India was about 200 crores on the plus side with regard to Indo-U. S. Lend-Lease, but a cent per cent agreement has been concluded without any payment to India for her favourable balance.

THE HONOURABLE SIR CYRIL JONES : (a) It is a fact that a Mission headed by Mr. Waugh was deputed to, and did in fact, negotiate an agreement between the United States of America and India in regard to the claims of the two countries arising out of Lend-Lease and Reciprocal Aid and the disposal of surplus American property in India. The intention of Government to send such a Mission was made known to the Legislature and to the public in the Budget Speech.

(b) No. For an explanation of the settlement and the facts on which it is based I would refer the Honourable Member to the Press Communique issued by Government on 31st May, 1946.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member explain how India could be plus when the agreement, as we understood it, was that they were taking advances from the Reserve Bank and making transfer to the Reserve Bank for post-armistice expenses ?

THE HONOURABLE SIR CYRIL JONES : I am afraid I did not follow the question.

THE HONOURABLE MR. HOSSAIN IMAM : May I explain ? My question is that the Government accepts that there was a plus account in favour of India with regard to U. S. A. We were given to understand during all these years, especially during the last session, that all the arrangements for American advance expenses in India were privately put through the Reserve Bank and the Reserve Bank were given dollar exchange or gold or anything they liked. Was it Government account advance that was already made ?

THE HONOURABLE SIR CYRIL JONES : This agreement does not deal with the method of financing at all. It merely deals with the question of debits and credits on account of lease-lend, reciprocal aid and the taking over in bulk of the American surpluses in this country.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Will Government place on the table a statement of the main factors involved in the discussion of this question and the main items that were taken into consideration in deciding whether the U. S. owed anything to India or not ?

of her foodgrains *respectively*. I understand that that means that the figures for each of these three categories should be given separately.

THE HONOURABLE SIR PHEROZE KHAREGAT : I am afraid that is not possible because in various places rice and wheat and other foodgrains are interchangeable and the only way in which we can tackle the matter is to try and obtain whatsoever we can get.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I am not speaking of the requirements of the people or their customary diet. All that I have asked for is what is the total deficiency in respect of rice, wheat and other foodgrains. The figures of last year could be compared with those of the previous year. Government could easily answer that question. It has got nothing to do with the habits of the people.

THE HONOURABLE SIR PHEROZE KHAREGAT : I shall try and see if it can be worked out along these lines.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member state whether maize from Argentine and rice from Indonesia were also allocated to us by the Combined Food Board, and if not what was the quantity that has been received from these two independent sources ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I am afraid, Sir, I have not got the information with me. I must ask for notice.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Is it a fact that while the Honourable Member said that the total deficiency in respect of foodgrains was about 6 million tons the Food Member in his broadcast a few weeks ago stated that it amounted to 7 million tons ?

THE HONOURABLE SIR PHEROZE KHAREGAT : All these figures are merely rough estimates and no one knows the exact figure.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Who gave the figure of 6 million tons to the Honourable Member and who gave the figure of 7 millions to the Food Member ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I am afraid I have no information.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Does the Honourable Member realise that this suggests that the Food Department should at least see that the statements made on its behalf in public, no matter who makes them, are the same ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I shall bring the matter to the notice of the Food Department.

THE HONOURABLE MR. HOSSAIN IMAM : May I know whether the gross estimate of your deficiency which you prepared was on the basis of the rationing that you have introduced or on the normal diet ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I presume that was on the basis of the normal consumption under pre-war conditions.

THE HONOURABLE MR. HOSSAIN IMAM : And what will be the reduction from that on account of rationing ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I am afraid I have no information on that point.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : With regard to part (c) of the question, is the Honourable Member aware that some months ago difficulty was experienced in the transportation of food by rail in the Madras towns ?

THE HONOURABLE SIR PHEROZE KHAREGAT : If the reference is to the period during the strike on the South Indian Railway, that is a fact. There was some difficulty at that time.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I am referring to the month of June in which I do not think there was any strike.

THE HONOURABLE SIR PHEROZE KHAREGAT : I have no information on the point as to what those difficulties were.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : There were many difficulties, but in particular they related to the despatch of food to the Anantapur and Bellary districts.

THE HONOURABLE SIR PHEROZE KHAREGAT : I shall have the matter looked into.

INDIAN CIVIL SERVICE AND INDIAN POLICE

122. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : (a) What is the policy of Government with regard to the continuance of and recruitment to the I. C. S. and I. P. ? Is it proposed to abolish these services or only to transfer control over them to the Central Government ?

(b) In either case how do Government propose to deal with the existing members of these services ?

THE HONOURABLE MR. A. E. PORTER : With regards to part (a) of the question I would refer the Honourable Member to the reply given by me to the Honourable Raja Yuvraj Dutta Singh's question No. 44 on the 12th instant.

(b) The Secretary of State has not yet formulated proposals for the winding up of the Indian Civil Service and the Indian Police. In pursuance of the conclusions reached at the Premiers' Conference recently convened by the Honourable the Home Member, the Secretary of State has been requested to expedite his proposals in this respect, to terminate forthwith his connection with these Services and to fix a very early date for this purpose. His reply is still awaited. The question of re-employing officers now in these Services will arise only after the scheme of new conditions for the services is framed.

THE HONOURABLE SIR COPALASWAMI AYYANGAR : Are Government taking steps to formulate their plans for the organisation of these services to take the place of the I. C. S. in the future ? Have they done so ?

THE HONOURABLE MR. A. E. PORTER : Yes, Sir.

THE HONOURABLE MR. G. S. MOTILAL : What about Provinces which have elected to remain outside ?

THE HONOURABLE MR. A. E. PORTER : The Provinces of Sind, the Punjab and Bengal at present have said that, although they would agree to common standards of qualification and common training, they would prefer to have their own provincial service instead of an all-India service ; and in regard to the police all the Provinces are agreed that they would like to have their own police services, but they will be recruited on common standards very much in the same way as the Indian Police is at present.

ASSOCIATED PRESS OF INDIA

123. THE HONOURABLE MR. G. S. MOTILAL : Will Government state what aid is given to the *Associated Press of India* by Government ? For what purpose it is given ? To what other Press Agencies aid is given, if any ?

THE HONOURABLE MR. A. E. PORTER : I presume the Honourable Member desires to know whether any subsidy is being given to the *Associated Press of India* and to other News Agencies. If so, the reply is in the negative.

The second part of the question does not arise.

THE HONOURABLE MR. G. S. MOTILAL : Any aid given in any other shape ?

THE HONOURABLE MR. A. E. PORTER : Government subscribe to the services that all these agencies give to the public.

THE HONOURABLE MR. G. S. MOTILAL : What do the Government pay by way of subscription ?

THE HONOURABLE MR. A. E. PORTER : Government subscribe to seven such agencies.

THE HONOURABLE MR. G. S. MOTILAL : What do they pay to this particular agency ?

THE HONOURABLE MR. A. E. PORTER : They paid to this particular agency in 1945-46 Rs. 7,680 and they paid to Reuters and the Associated Press of India combined service Rs. 61,275.

THE HONOURABLE MR. HOSSAIN IMAM : What do they pay to the other news agencies ?

THE HONOURABLE THE PRESIDENT : Order, order. The time for asking questions is over.

THE HONOURABLE MR. M. THIRUMALA ROW : I think we may be allowed to finish this question.

THE HONOURABLE MR. G. S. MOTILAL : May I ask, with your permission, Sir, whether this statement will be placed on the table of the House ?

THE HONOURABLE MR. A. E. PORTER : Sir, I have no objection whatsoever if you so desire, and if the House so desires, to place this statement on the table.

THE HONOURABLE MR. HOSSAIN IMAM : Is it a fact that additional facility is given to the Associated Press by way of telprinters which have been handed over to it by the Posts and Telegraphs Department—which is not given to any other agency—and at a very cheap rate ?

THE HONOURABLE MR. A. E. PORTER : Sir, before the questions come to an end I would like to ensure that I have not misled the House by a careless statement. In a supplementary question to question No. 97, my Honourable friend Mr. Motilal referred to section 102 and asked whether it was a fact that the Government of India could issue a declaration of emergency. I am told that I said in answer "Yes", which, I am afraid, was a slip of the tongue. As the House knows perfectly well, the declaration of emergency is made not by the Government of India but by the Governor General in his discretion and if in fact I did say what I am alleged to have said I should not like this opportunity to go by without removing any misunderstanding which may have been caused in the minds of Honourable Members by my careless statement.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meeting held on the 18th November, 1946, namely :—

A Bill further to amend the Indian Tea Control Act, 1938.

A Bill to amend the Registration of Transferred Companies Ordinance, 1942.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE SIR PHEROZE KHAREGAT : (Agriculture Secretary) : Sir, I lay on the table the information promised in reply to questions Nos. 280 and 281 asked by the Honourable Raja Charanjit Singh on the 11th April, 1946.

DETERIORATION OF ATTA.

A statement is placed on the table of the House. The statement is based on information furnished by the Provincial Governments.

Statement showing the quantity of flour and atta in the custody of the Provincial Government reported to have become deteriorated and unfit for human consumption in 1944 and 1945.

Name of Province.	(In tons.)			
	1944		1945	
	Flour.	Atta.	Flour.	Atta.
1. Madras	Nil.	36	Nil.	1
2. Orissa	Nil.	Nil.	Nil.	12
3. C. P. & Berar	5	Nil.	0.5	Nil.
4. Sind	(Wheat 2224)	...	(Wheat 24)	...
5. Assam	0.74	63.6	1.4	66.0
6. Bombay	Nil.	Nil.	6.8	Nil.
7. U. P.	Nil.	6.8	Nil.	38.7
8. Bengal	7596.2	...	7880.5	...
9. Delhi	(Wheat products) 53	116.9	(Wheat products) Nil.	Nil.

DETERIORATION OF RICE.

A statement is placed on the table of the House. The statement is based on information furnished by the Provincial Governments.

Statement showing the quantity of rice in the custody of the Provincial Governments that got deteriorated and became unfit for human consumption in 1944 and 1945.

Name of Province.	(In tons.)	
	1944	1945
	Rice.	Rice.
1. Madras	Nil.	90
2. Bihar	13	1012
3. C. P. & Berar	76	2.5
4. Sind	275	Nil.
5. Assam	95.6	207.7
6. Bombay	25.1	7.1
7. U. P.	2.7	5.5
8. Bengal	518	3706.3

STATEMENTS, ETC., LAID ON THE TABLE

THE HONOURABLE SIR CYRIL JONES (Finance Secretary) : Sir, I lay on the table the following notifications issued by the Government of India in the Finance Department (Central Revenues) under section 37 of the Central Excise and Salt Act, 1944 :—

- (1) No. 3 Camp (Central Excises), dated the 9th February, 1946 ;
- (2) No. 3 Camp (Central Excises), dated the 6th April, 1946 ;
- (3) No. 6 Camp (Central Excises), dated the 20th July, 1946 ;
- (4) No. 1 Camp (Salt), dated the 2nd February, 1946 ;

- (5) No. 2 Camp (Salt), dated the 9th February, 1946 ;
- (6) No. 1 (Salt), dated the 9th March, 1946 ;
- (7) No. 2 (Salt), dated the 30th March, 1946 ;
- (8) No. 3 (Salt), dated the 1st April, 1946 ;
- (9) No. 4 (Salt), dated the 20th April, 1946 ;
- (10) No. 5 (Salt), dated the 14th September, 1946 ;
- (11) No. 6 (Salt), dated the 14th September, 1946 ;
- (12) No. 7 (Salt), dated the 14th September, 1946 ;
- (13) No. 8 (Salt), dated the 14th September, 1946 ;
- (14) No. 9 (Salt), dated the 19th October, 1946.

NOTIFICATION

CENTRAL EXCISES

No. 3—Camp, dated the 9th February, 1946—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely :—

In the Table set forth under sub-rule (2) of rule 176 of the said Rules for item (iii) in the second column against the entry (f) in the first column the following entries shall be substituted namely :—

“(iii) more than one hundred but not more than five hundred standard maunds	Two
(iv) one hundred standard maunds or less	Eight annas”.

NOTIFICATION

SALT

No. 1—Camp, dated the 2nd February, 1946—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the North Orissa Salt (Village Manufacture and Storage) Rules, 1943, namely :—

In sub-rule (1) of rule 10 of the said Rules, for the word “contractor” the words “Government if Orissa” shall be substituted.

NOTIFICATION

SALT

No. 2—Camp, dated the 9th February, 1946—In exercise of the powers conferred by clause XVII of sub-section (2) of section 37 of the Central Excise and Salt Act, 1944 (I of 1944), and in supersession of the notification of the Government of India in the Finance Department (Central Revenues) No. 27-Salt, dated the 1st October, 1927, the Central Government is pleased to remit the duty imposed under sub-section (i) of section 3 of the said Act, on salt manufactured in or imported by sea or land into the Province of Bombay, when such salt is used within the said Province or with the special approval of the Central Government in any other place, for any industries purpose other than the preparation of refined salt or as an ingredient or preservative in any article of food or drink subject to the following rules :—

1. Any person intending to use salt in an industrial process (hereinafter referred to as the manufacturer) and wishing to be admitted to the concession shall make an application to the Collector of Central Excise, Bombay, stating the process of manufacture in which he intends to use the salt and the approximate quantity of salt required in the year. If he wishes the concession to extend to more than one factory or works, a separate application must be made for each such factory or works, even if they are situated in the same premises.

2. Any person having his factory or works in an Indian State adjoining the territorial jurisdiction of the Collector and intending to use salt manufactured in or imported by sea or land into the Province of Bombay shall submit his application to the Collector through the Political Officer of the State concerned and all such applications shall be referred by the Collector of the Central Government for sanction.

3. The Central Government or the Collector while sanctioning an application may, if necessary, fix the maximum quantity of salt upto which refund of duty may be allowed in a year. The sanctioning authority may fix different maximum limits for different factories or works run by a manufacturer. The limit so fixed may be varied from time to time by the sanctioning authority.

4. If the application is sanctioned, the manufacturer shall forthwith execute and lodge with the Chief Accounts Officer, Central Excise Collectorate, Bombay, an agreement in Form B appended to these rules. He shall also pay to the aforesaid Collector a supervision fee of Rs. 100 to cover the cost of inspection and any other departmental expenses involved. Provided that if the concession is granted after six months of a financial year have expired, the supervision fee payable for the said year shall be Rs. 50 and that if the full annual fee of Rs. 100 has been paid and a concession is surrendered before the expiry of six months of a financial year or in the case of a new grantee, within six months of the grant, Rs. 50 shall be refunded.

5. The rebate of duty will be allowed on salt used on and from the date of payment of the supervision fee into the Treasury or from the date of execution of the agreement whichever is later.

6. After the execution of the agreement, the manufacturer shall in the first instance provide himself with duty paid salt either from (1) a Government salt-store, or agency depots in Gujarat or (2) a licensee of a private salt-works or (3) a firm of salt dealers approved by the Collector of Central Excise, Bombay. At the close of each quarter the manufacturer shall submit an application for the refund of duty on the salt used, supported by the receipt in Form C of the firm of approved salt dealers or the agency depot from which salt has been purchased or by the salt removal permit in Form D in the case of salt obtained from a licensee of a private salt-works or by the certificate in Form E in the case of salt obtained from a Government Salt-store. Forms “C”, “D” and “E” are appended to these rules.

7. No refund of duty shall be allowed unless an application for such refund reaches the officer of the Central Excise Collectorate appointed in accordance with rule 10 below, within three months of the close of the relevant quarter.

8. For the purpose of these rules, duty on salt purchased in the market shall be deemed to have been paid at the rate in force on the date of purchase.

9. (1) The application for the refund of duty shall contain the following particulars :—

(i) The balance of salt in store at the beginning of the quarter.

(ii) The quantity of salt purchased during the quarter.

(iii) The quantity of salt used during the quarter, and the quantity on which a refund duty is applied for ;

(iv) The balance of salt in hand at the close of the quarter ;

(v) The quantity, weight and such other details of products manufactured during the quarter as may be required by the Assistant Collector of Central Excise of the sub-division hereinafter referred to as the Assistant Collector.

(vi) A declaration stating the product manufactured and the name and situation of the factory or works, and that the salt on which a refund is applied for has been used *bona fides* by the applicant in the process of manufacture of such product at such factory or works.

(2) The particulars entered in accordance with clauses (i), (ii), (iii) and (iv) of sub-rule (i) shall distinguish between salt on which duty has been paid, or is deemed under rule 8 to have been paid, at different rates.

10. The application for the refund of duty shall be sent to the officer of the Central Excise Collectorate appointed in this behalf who shall after verifying the figures forward it to the aforesaid Assistant Collector for disposal.

11. The manufacturer shall provide and set apart, for the storage of the salt purchased for use in the factory, a store-room which shall be to the satisfaction of the Assistant Collector, securely constructed and fitted with a strong door capable of being locked. Salt manufactured in the Province and salt imported shall be stored separately in the store-room, as also shall salt on which duty has been paid or is under rule 8 deemed to have been paid at different rates.

12. Each consignment of salt procured under this concession shall be stored separately in the store-room and distinctively marked, and the applicant shall not use any goods from any such consignment until all the salt previously procured has been expended and entered as expended in his accounts.

13 (1). The store-room shall not be opened except between the hours of sunrise and sunset and then only for one of the following purposes namely :—

(a) for the receipt of salt into the store,

(b) for the preparation by grinding or for the issue of salt required for purposes connected with manufacture,

(c) to allow the stock of salt to be checked by weighment or otherwise by officers of the Central Excise Collectorate.

(2) The store-room shall not be opened except by or in the presence of the Manager of the factory or the store-keeper of the factory ; the latter shall retain the key of the store-room in his own possession provided that when the store-keeper is away from the premises of the factory or works, he shall leave the key with the Manager.

(3) The key of the store-room shall be available at the premises of the factory to facilitate inspection of the store-room by the officer of the Central Excise Collectorate, Bombay, not below the rank of Range Officer, at any time between the hours of sunrise and sunset, failing which the

manufacturers shall be liable to a fine not exceeding rupees one hundred for each occasion the inspecting officer has to return without being able to inspect the store-room.

14. All partly-used or other useless refuse containing salt shall be effectually destroyed on or near the premises in such manner as the Collector of Central Excise, Bombay, may direct.

15. The factory or works may be entered and examined at any time by any officer of the Bombay Central Excise Collectorate not below the rank of a Range Officer authorised by the Assistant Collector, or by any officer of the Central Excise Collectorate of a province other than Bombay who may be especially empowered in this behalf by the Central Board of Revenue or by an officer of the Baroda State empowered in this behalf by the Darbar in respect of factories or works situated within that States, and due facilities for examining the manufacturers salt register as well as for checking the stock of salt received, expended and in hand, shall be afforded by the Manager and all servants of the manufacturer. Salt shall be stored in the bags in which it is received from the salt-works or depot and the bags shall be arranged in tiers so as to facilitate checking and weighing.

16. The register referred to in rule 15 shall be written up daily and signed by the Manager or Store-keeper and shall be in Form A hereto annexed. Separate register shall be maintained for salt manufactured in the Province of Bombay and for imported salt.

17. The Manager of the factory shall furnish the Assistant Collector through the officer of the Central Excise Collectorate appointed by him for the purpose with a monthly statement to be posted by the 10th of each following month, showing the opening balance of salt at the beginning of the month, the quantity purchased during the month, the quantity expended during the month, the balance at the close of the month and the weight or quantity or other particulars required by the Assistant Collector of the production during the month of the article for which the salt was used. The manufacturer's book showing the weight or quantity of the article dealt with and of the product manufactured shall be open at any time to the inspection of any officer of the Central Excise Collectorate not below the rank of a Range Officer.

18. (i) On any breach of these rules by the manufacturer, or there being reason to believe that the concession of rebate of duty on the salt used by the said manufacturer is being otherwise abused, the Collector shall be competent to impose a preventive establishment at the cost and expense of the manufacturer, or to cancel or withdraw the concession granted under these rules, and to forfeit the amount of inspection fee deposited for the year, and the manufacturer shall on demand refund all duty, the remission of which shall have been wrongfully claimed and sanctioned.

Provided that in the case of persons to whom the concession has been granted by the Central Government under rule 2 of these rules, the Collector shall obtain the Central Government's previous approval before taking any action under this clause.

(ii) The manufacturer shall also be responsible for any loss or damage that may be occasioned by the breach of rules referred to in clause (i) above.

19. Any person who may be dissatisfied with an order passed by the Assistant Collector under these rules may appeal to the Collector of Central Excise, Bombay, and any person who may be dissatisfied with an order passed by the Collector of Central Excise, Bombay, under these rules may appeal to the Central Board of Revenue.

FORM "A"—SALT REGISTER

(See rule 16.)

Register of salt purchased, expended and in store together with the weight or quantity of products manufactured.

Date	Opening balance of salt	Quantity of salt received into Store	Total quantity of salt in hand	Quantity of salt used and expended	Closing balance of salt	Quantity or weight of products manufactured	Manager's signature	Remarks
1	2	3	4	5	6	7	8	9

FORM "B"

Agreement—(Rule 4)

AN AGREEMENT made the _____ day of _____ carrying on the trade or business of _____ at _____ (hereinafter referred to as "the manufacturer" which expression shall unless excluded by or repugnant to the context include his heirs

executors, administrator and assigns) of the one part and the Governor-General in Council (hereinafter referred to as "the Governor-General" which expression shall unless excluded by or repugnant to the context include his successors in office and assigns) of the other part.

WHEREAS the manufacturer has applied to the Governor-General for remission of the duty on salt used in the manufacture of _____ AND

WHEREAS the Governor-General has agreed to grant the said application in consideration of the manufacturer executing these presents and performing and observing the conditions hereinafter mentioned NOW IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:—

(1) The manufacturer shall be bound by and observe the rules for the time being in force for the remission of duty on salt issued for industrial purposes.

(2) The salt in respect of which a refund is claimed shall *bona fide* have been used for the purposes of _____ in the manufacturer's factory at _____ and shall not at any time be used for any other purpose.

(3) The manufacturer shall pay the sum of one hundred rupees (Rs. 100) on 1st April every year to the Central Excise Collectorate, Bombay, to cover the costs of inspection and other departmental expenses at such time and place and in such manner as the Collector of Central Excise, Bombay, may prescribe in this behalf.

Provided that if the manufacturer be admitted to a concession both in regard to imported salt and also in regard to manufactured salt, not more than a single such fee of Rs. 100 shall be payable for each factory at work.

Provided that if the concession is granted after six months of a financial year have expired, the supervision fee payable for the said year shall be Rs. 50 (Fifty only) and that if the full annual fee of Rs. 100 (one hundred only) has been paid and the concession is surrendered before the expiry of six months of a financial year or, in the case of new grantee within six months of the grant Rs. 50 (fifty only) shall be refunded.

(4) If in the opinion of the Governor-General any default in the performance of or breach of the conditions herein contained and on the part of the manufacturer to be performed and observed has occurred the Governor-General may require as a condition of the continuance of this agreement that the manufacturer shall in addition to the moneys payable under clause 3 pay such further sum as may be fixed by the Governor-General for the maintenance of a preventive establishment at the aforesaid factory and that the manufacturer shall refund any duty remitted for any quarter in which such breach or default shall have occurred or continued.

(5) On the determination of this agreement under the provisions of clause 4 the manufacturer shall not be entitled to any refund for the quarter in which such determination shall have occurred, and shall be bound to refund any duty remitted for any quarter in which any breach or default as aforesaid shall have occurred or continued and shall be responsible for any loss or damage incurred by reason of any breach or default as aforesaid.

The manufacturer performing and observing the conditions of this agreement, shall be entitled to a refund of salt duty to the extent and in the manner and on the conditions prescribed in the aforesaid rules for such period as the Governor-General shall choose to continue this concession.

IN WITNESS WHEREOF the said manufacturer hath hereunto set his hand and _____ Collector of Central Excise, Bombay, hath by order of the Honourable the Governor-General in Council set his hand and the seal of his office the day and yet first above written.

Signed by _____

Esquire,

in the presence of _____

1.

2.

Signed, sealed and delivered by _____

Esquire,

Collector of Central Excise, Bombay, for and on behalf of the Governor-General in Council in the presence of _____

1.

COUNCIL OF STATE
FORM "C"

[19TH Nov. 1946]

Form of Receipt in case of salt purchased from a firm of approved dealers or agency depot.

(Rule 6)

Received from _____ the sum of Rs. _____ in payment for
maunds of full duty paid salt purchased for use in his/their factory at _____

Date _____ Signature of Approved Dealer/Agent _____ Depot.

FORM "D"

Form of permit in case of salt obtained from private salt-works

(Rule 6)

Mr./Messrs. _____ concessionarie(s) is/are permitted to
remove _____ maunds of salt from salt-works for use in his/their factory at _____

Date _____ Divisional Officer.

FORM "E"

Form of certificate in respect of salt obtained from Government salt-stores.

(Rule 6.)

Certified that wagon(s) (_____ maunds) of salt has/have been
cleared on _____ against indent No. _____ dated _____
placed by Mr./Messrs. _____ concessionarie(s) at the
treasury. _____

Date _____ Officer in charge of the salt-store.

NOTIFICATION

SALT

No. 2, dated the 30th March, 1946.—In exercise of the powers conferred by clause (xiv) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to remit the duty imposed under sub-section (1) of section 3 of the said Act on salt obtained by the Director of Fisheries, Orissa, or by any officer authorised by him in this behalf, from any salt factory or depot in the Province of Orissa for use in any fish-curing yard controlled by the Fisheries Department of the Government of Orissa.

NOTIFICATION

CENTRAL EXCISES

No. 3, dated the 6th April, 1946.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made to the Central Excise Rules, 1944, namely:—

To sub-rule (1) of rule 181 of the said Rules, the following shall be added:—

"or has been convicted of an offence under section 161, read with section 109 or with section 116 of the Indian Penal Code".

NOTIFICATION

CENTRAL EXCISES

No. 6, dated the 20th July, 1946.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the Central Excise Rules, 1944, namely:—

A. In the said Rules:—

I. In rules 58, 60 and 61, for the words "splints and veneers", wherever they occur, the words "splints, veneers and composition for match head" shall be substituted.

II. In clause (a) of sub-rule (1) of rule 174, for the words "and of splints and veneers", the words "splints, veneers and composition for match heads" shall be substituted.

III. To item 2 of the Table annexed to rule 176, the following shall be added, namely:—

"(c) composition for match heads one hundred".

B. In Appendix I to the said Rules, in Form R.G.2 (Central Excise Series No. 39)—

(a) for the words "splints and veneers", wherever they occur, the words "splints, veneers and composition for match heads" shall be substituted, and

(b) for the word "Timber", the words "Timber/Composition for match heads" shall be substituted.

NOTIFICATION

SALT

No. 1, dated the 9th March, 1946.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944, (I of 1944), and in supersession of the notification of the Government of India in the Finance Department (Central Revenues) No. 5—Salt, dated the 14th February 1942, the Central Government is pleased to make the following rule—

Rule

Within the districts in Orissa to which section 37(2) (xix) of the Central Excises and Salt Act, 1944 (I of 1944) applies the transport of salt in excess of one maund in weight from any of the areas specified in the annexed Schedule into or over any part of the said districts other than the said areas is prohibited unless satisfactory proof—

(i) of the payment of duty has been adduced

or

(ii) is forthcoming that the salt in question is being transported to a ware house or 'hat' depot in accordance with the rules prescribed in the North Orissa Salt (Village Manufacture and Storage) Rule, 1943.

Schedule

Area lying in District—

1. Cuttack.—

(a) Union No. VII of Balikude Police Station.

(b) The whole of Essama Police Station, except Union No. I.

(c) Union Nos. V and VI of Tirtole Police Station.

(d) The whole of Mahakalapara Police Station.

(e) Union Nos. V viz., VII of Pattamundai Police Station.

(f) Union Nos. IV, V, VI, VII, VIII of Patkura Police Station.

(g) Union Nos. V and VI of Kendrapara Police Station.

(h) Union No. XX of Jaipur Police Station.

(i) Union No. IX of Aul Police Station.

(j) The whole of Rajanagar Police Station.

2. Balasore.—

(a) Union Nos. III, IV, and V of Baliapai Police Station.

(b) Union Nos. I, II, III, IV, V and VI of Bhograi Police Station.

(c) Union No. VI of Basta Police Station.

(d) Union No. V of Singla Police Station.

(e) Union Nos. VI and VII of Soro Police Station.

(f) The whole of Chandbali Police Station.

(g) The whole of Basudebpur Police Station except Union No. II.

(h) Union Nos. VII, VIII, IX and X of Balasore Police Station except the area licensed for the manufacture of salt to the Utkal Salt and Chemical Works, Limited, described in detail in Appendix 'A' annexed hereto.

3. Puri.—

(a) The whole of Krishna Prasad Police Station except the area licensed for the manufacture of salt to Messrs. National Chemical and Salt Works (India), Limited, described in detail in Appendix 'B' annexed hereto.

(b) The whole of Kakatpur Police Station except the area licensed for the manufacture of salt to the Astarang Salt Manufacturers' Co-operative Society described in detail in Appendix 'C' annexed hereto.

(c) Union Nos. XI, XII, XIII and XIV of Nimapara Police Station.

(d) The whole of Gope Police Station excepting the portion lying to the west of the road leading from Puri to Gope.

(e) The whole of Brahmagiri Police Station excepting Union Nos. IV and VIII and the area licensed for the manufacture of salt to (i) Bhuyan Shyam Sundar Mahapatra and (ii) Dr. Atal Behari Acharya described in detail in Appendices 'D' and 'E' respectively annexed hereto.

(f) The portion of Union Nos. IV, V, VI and VII of Banapur Police Station lying between Chilka Lake and the Bengal Nagpur Railway Line.

(g) The portion of Union Nos. I, II, III, IV and V of Tangi Police Station lying between Chilka Lake and the Bengal Nagpur Railway Line.

APPENDIX "A"

Where situated			Area		
Name of Factory	Village	Police Station etc.	Plot No.	Area	Limits (Boundaries)
1	2	3	4	5	6
Talpada	Talpada	Police Station—Balasore	From 682	8.70	North-Plot Nos. 674, 676.
			From 638	16.54	
The Utkal Salt and Chemical Works, Ltd.	District—Balasore		716	0.07	East—Orissa Coast Canal.
			715	13.35	
			From 681	35.40	South—Plot Nos. 540, 541.
			683	0.39	
			686	7.05	West—Portion of Plot No. 638.
			Total	81.50	Acres.

APPENDIX "B"

Where situated			Area		
Name of the Factory	Village	Police station etc.	Plot No.	Area	Limits (Boundaries)
1	2	3	4	5	6
National Chemical Salt works (India), Ltd.	Khatisahahi	Revenue Thana No. 312			
		Paragana-Parikud			
		Police Station—Krishna-Prasad	125	0.26	
			127	0.19	
			128	1.26	
			129	1.15	
			130	1.57	

APPENDIX "B" (Contd.).

1	2	3	4	5	6
			131	1.69	East—13 and 126 of Khatisahahi Mouja and Chilka Lake.
			132	0.83	
			133	0.73	
			134	1.00	
			135	0.48	South—298, 297, 281
			136	0.99	280, 279, 278, 277,
			137	3.72	276/610, 276, 275,
			138	0.49	274 of Gurubai
			139	0.87	Mouja.
			140	0.24	West—163, 122, 123,
			141	1.31	124 of Khatisahahi
			142	1.65	Mouja.
			269	0.84	
			270	0.79	
			271	0.80	
			272	0.70	
			273	0.63	
			274	1.08	
			275	2.84	
			276	0.81	
		276/610	0.64		North—Khatishahi, Plot
		277	0.79		Nos. 13 and 126.
		278	0.68		Chilka Lake.
		279	1.46		
		280	0.98		East—Chilka Lake.
		281	0.91		
		282	0.83		South—513 (Pada), 515.
		283	0.69		
		284	0.51		West—518, 420, 335,
		285	0.61		332, 331, 268, 609,
		286	0.53		177, 176, 168, 167,
		287	0.75		166, 165, 623/163,
		288	0.74		163 (all of Gurubai
		298	0.73		Mouza), 118, 122, 123,
		299	0.44		124 (all of Khatisahahi
		454	1.14		Mouza).
		455	1.40		
		456	0.99		
		457	0.51		
		458	0.35		
		459	0.97		
		460	2.13		
		300	1.78		
		301	0.97		
		302	1.13		
		303	0.96		

Where situated			Area						
Name of Factory	Village	Police Station etc.	Plot No.	Area	Plot No.	Area	Plot No.	Area	Limits (Boundaries)
1	2	3	4	5	6	7	8	9	10
National Chemical and Salt Works (India) Ltd.	Khatisahahi	Revenue Thana	043	2.01	461	1.14	446	7.53	
		No. 312	305	1.64	462	1.20	447	0.57	
		Paragana—	306	0.97	463	0.85	448	1.77	
		Parikud	307	0.63	464	1.07	449	1.52	
		Police Station—	308	0.70	465	0.24	450	2.06	
		Krishna	309	5.08	466	0.26	451	1.29	
		Prasad.	310	5.02	467	0.41			
			311	1.87	468	0.20	Total	230.27	
			312	1.71	469	0.46			
			313	1.54	470	0.35			
			314	1.01	471	0.67			
			315	1.05	472	0.94			
			316	1.64	473	0.83			
			317	1.22	474	0.84			

1	2	3	4	5	6	7	8	9	10
				318	1.17	475	1.02		
				319	0.98	483	0.56		
				320	0.60	484	1.24		
				330	0.91	485	0.08		
				421	0.65	486	1.23		
				422	1.32	487	4.33		
				476	0.91	488	2.59		
				477	1.61	489	1.22		
				478	1.02	490	0.03		
				479	1.56	491	1.76		
				480	1.61	492	1.00		
				481	1.52	493	3.55		
				482	0.55	494	3.28		
				423	3.13	495	2.73		
				424	3.79	496	1.87		
				425	1.79	497	1.79		
				426	1.44	505	2.36		
				427	2.42	506	1.46		
				428	1.29	507	1.36		
				429	1.24	508	1.48		
				430	1.16	509	0.78		
				431	1.00	510	0.63		
				432	7.21	511	1.38		
				433	1.40	512	2.51		
				434	4.11	289	0.65		
				435	2.61	290	0.65		
				436	1.19	291	0.73		
				437	2.02	292	0.64		
				438	3.95	293	0.94		
				439	0.52	294	1.08		
				440	3.05	295	1.43		
				441	1.41	296	1.24		
				442	0.50	297	1.58		
				442/					
				632	0.38	321	0.87		
				452	1.20	322	0.69		
				453	1.29	323	1.56		
				490	0.92	324	1.37		
				499	2.02	325	0.76		
				500	2.14	326	1.20		
				501	1.78	327	1.17		
				502	1.03	328	1.57		
				503	1.14	329	0.29		
				504	1.14	443	0.38		
						444	4.08		
						445	0.69		

As on
page
209

APPENDIX "C"

Name of Factory	Where situated		Area		Limits (Boundaries)	
	Village	Police Station etc.	Plot No.	Area	Plot No.	Area
1	2	3	4	5	6	7
Astarang	Astarang	Revenue Thana No. 191 Pargana- Asterang Police Station Kakatpur District Puri.	1077 1078 Portion	1.40 0.44 }		
						North—Plot No. 1068.
						East—Plot Nos. 1071 1072, 1076, 1081.
						South—Plot Nos. 1080, Portion of 1078.
						West—1039.
						North—Plot No. 1118
						East—Village Road adjoining to Plot Nos. 1020, 1198, 1197.
			1199	2.60		

STATEMENTS, ETC., LAID ON THE TABLE

1	2	3	4	5	6	7
						South—Portion of Plot Nos. 1199 1397, 1398, 1399
						West—Plot Nos. 1200 1201, 1202
Astarang— contd.	Astarang— contd.	Revenue Thana No. 191— contd.	1585 1586 1587 1594 1595 1596 2102 2103 2104 2105 2106 2107 2108 2109	0.25 4.80 6.00 1.18 4.20 6.03 0.25 2.15 0.50 0.50 8.10 0.47 0.45 12.30	2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2119/ 2142 2120 2121 2119/ 2149	1.10 24.10 0.85 10.70 0.46 1.90 8.40 0.17 1.31 1.87 4.63 0.44 2.10 1.87
						North—Plot Nos. of Village Astarang :— Portion of 1587 Portion of 1596 1904, 1934, 1935, 1938, 1939, 1944, 1945, 1946, 1951, 2101, 2100, 2099, 2098, 2097, 2094, 2093, 2091, 2090, 2089, 2088, 2087, 218, 2068.
						Plot Nos. of Vil- lage Damsun 1 6, 7, 8.
	Timor	Revenue Thana No. 189.	28 35 130 132 159 160 161 163 179 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199	3.74 14.58 0.52 0.74 0.95 0.63 0.21 0.78 8.80 1.64 7.65 3.51 7.60 4.68 1.97 8.25 0.60 0.96 0.42 0.38 0.76 0.83 18.65 0.64 1.72 8.14 4.43 0.44	200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 225 211/ 227 228 210/ 219/ 237	4.44 0.50 7.26 2.20 0.47 0.04 4.25 9.52 4.91 11.62 11.80 7.82 0.09 2.82 1.52 2.43 0.64 14.20 0.84 20.35 35.70 8.86 0.30 12.85 1.63 2.56 10.90 7.55
						East—Plot Nos. of Village Damsun :— 12, 13, 37, 36, 44, 43, 40, 41, 48, 51, 52, 53, 112, 810, 117, 118, 119, 120, 156, 157, 158, 159, 564, 354, 353, 770, 352, 767, 360, 361, 362, 391, 398, 399, 400, 401, 402, 410, 415, 416, 420, Plot No. 224 of Village Timor.
						South—Plot No. 226 of Village Timor.
						West— Plot Nos. of Vil- lage Timor :— 173, 177, 178, 176, 162, 129, 127, 126, 131, 123, 133, 134, 135, 158, 73, 72, 63, 62, 61, 39, 38, 36, 34, 33, 32, Portion of Plot No. 28, 6, 4, Plot Nos. of Vil- lage Astarang 1584, 1583, 1588 1589 (Portion).
	Damsun	Revenue Thana No. 190,	9 10 11 38 39 328 329 330 331 332 333 334 335 336 337	1.57 0.28 2.01 0.28 5.08 21.58 0.41 0.02 0.11 0.04 23.00 0.19 2.57 0.17 9.70	339 340 341 342 343 344 345 346 347 348 349 350 351 420 From	1.61 2.64 5.36 2.42 23.70 0.62 1.20 0.40 0.88 0.64 6.74 11.90 9.16 2.60

2	3	4	5	6	7	8
		338	2.60	574 808	5.38 0.80	
Astarang Timor —concl'd.	Revenue Thana No. 189.	74 76 76 77 78 79 155 156	1.18 1.00 1.22 2.00 0.39 0.27 0.36 2.20			North—Plot No. 73. East—Plot No. 73, 158. South—Plot No. 92, 153, 154, 157. West—Plot No. 80, 81, 84, 88 and Badanal Pada No. 187.
				Total	566.09	

APPENDIX "D"

Where situated			Area					Limits (Boundaries)
Name of Factory	Village	Police Station etc.	Plot No.	Area	Plot No.	Area		
1	2	3	4	5	6	7		8
Tua I	Tua	Revenue Thana No. 302 Touzi No. 50 Police Station- Brahmagiri District Puri.	77 78 79 80 81 82 83 84 85 86 87 88	0.011 0.006 0.006 0.006 0.006 0.005 0.006 0.005 0.005 0.006 0.797				North—Plot Nos. 37 238 (Portion), 167, 166/2, 164, 165, 160 161, 89, 64. East—Plot Nos. 76/1, 157, 193, 177, 176, 175, 172, 489, 487. South—Sedua River.
			From					
			76	0.231				West—Plot No. 33.
			163	0.010				
			166	3.158				
			168	0.200				
			170	1.897				
			171	154.079				
			169	62.968				
			173	0.018				
			36	2.010				
			37	58.877				
			174	0.865				
			34	0.474				
			38	0.560				
			35	81.914				
			Total	368.126				

APPENDIX "E"

Where situated			Area					Limits (Boundaries)
Name of Factory	Village	Police Station etc.	Plot No.	Area	Plot No.	Area		
1	2	3	4	5	6	7		8
Tua II	Tua	Revenue Thana No. 302 Touzi No. 50 Police Station- Brahmagiri Dist. Puri.	73 74 75 76 164 165 166 167 168 38 37 34 39	0.006 0.004 0.030 1.057 0.015 0.017 3.135 62.806 0.200 0.839 57.197 0.474 260.294				North—Sarkari. Out- side Chilka, Plot Nos. 160, 54. East—Plot Nos. 168, 173, 166/1, 163, 157, 160. South—Plot Nos. 37/ 1, 169, 38. West—Plot Nos. 33, 32, 29, 31, Kainbh- pur Nala.
			Total	386.074				

NOTIFICATION

SALT

No. 3, dated the 1st April, 1946.—In exercise of the powers conferred by sub-section (1) read with clause (XVII) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (II of 1944), the Central Government is pleased to make the following rule, namely :—

Rule

Salt removed from saltpetre refineries in the Punjab, the United Provinces, Bihar, Orissa, Delhi or Ajmer-Merwara, is hereby exempted from the duty imposed on salt by section 3 of the Central Excises and Salt Act, 1944, (I of 1944) read with section 2 of the Indian Finance Act, 1946—

(a) in the case of sitta (i.e. impure salt unfit for human consumption, to the extent of one rupee and eight annas per standard maund ;

(b) in the case of salt other than sitta, to the extent of one Rupee and one anna per standard maund.

NOTIFICATION

SALT

No. 4, dated the 20th April, 1946.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Finance Department (Central Revenues) No. 1—Salt, dated the 9th March, 1946, namely :—

In the said Notification, in column 1 of Appendix 'D' for the word and figure "Tua I" the words "Mahapatra Salt Factory" shall be substituted.

NOTIFICATION

SALT

No. 5, dated the 14th September, 1946.—In exercise of the powers conferred by clause (xvi) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following amendment shall be made in the rule

published with the notification of the Government of India in the Finance Department (Central Revenues), No. 2—Camp/Salt, dated the 9th February 1946, namely :—

In sub-rule (3) of rule 13 of the said Rules for the words “between the hours of sunrise and sunset” the words “during the normal working hours of the factory on working days” shall be substituted.

NOTIFICATION

SALT

No. 6, dated the 14th September, 1946.—In exercise of the powers conferred by clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues) No. 1—Salt, dated the 12th January 1935, namely :—

In sub-rule (3) of rule 8 of the said Rules, for the words “between the hours of sunrise and sunset”, the words “during the normal working hours of the factory or works on working days” shall be substituted.

NOTIFICATION

SALT

No. 7, dated the 14th September, 1946.—In pursuance of the notification of the Government of India in the Finance Department (Central Revenues), No. 3—Salt, dated the 25th March 1939, and of item No. 25(2) of the First schedule to the Indian Tariff Act, 1934 (XXXII of 1934), the Central Board of Revenue, with the previous sanction of the Central Government, hereby directs that the following further amendment shall be made in the rules published with its notification No. 5—Salt, dated the 25th March 1939, namely :—

In sub-rule (3) of rule 6 of the said Rules, for the words “between the hours of sunrise and sunset”, the words “during the normal working hours of the factory or works on working days” shall be substituted.

NOTIFICATION

SALT

No. 8, dated the 14th September, 1946.—In exercise of the powers conferred by clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Rules published with the notification of the Government of India in the Finance Department (Central Revenues), No. 5—Salt, dated the 4th February 1928, namely :—

In sub-rule (3) of rule 6 of the said Rules, for the words “between the hours of sunrise and sunset”, the words “during the normal working hours of the factory or works on working days” shall be substituted.

NOTIFICATION

SALT

No. 9, dated the 19th October, 1946.—In exercise of the powers conferred by clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), and in supersession of the notifications of the Government of India in the Finance Department (Central Revenues), Nos. 6—Salt and 7—Salt, dated the 7th March 1942, the Central Government is pleased to exempt from the payment of the duty leviable under sub-section (1) of section 3 of the said Act, salt manufactured in the Province of Madras, and exported by sea or by land to the States of Travancore and Cochin, subject to the following rules namely :—

Rules

GENERAL

(1) The salt shall be carried in sealed bags and weighed on arrival.

(2) No allowance shall be made for wastage in transit. Single duty at the rate in force in British India shall be levied on all short deliveries, the duty so collected being credited to the State concerned.

(Exports by sea)

(3) Where salt is exported by sea—

(i) the procedure laid down in the Madras Salt Transport Rules, 1943, shall be followed except that the duty shall not be pre-paid by the exporter who shall execute a bond for an amount equal to single duty, and

(ii) the salt shall not be landed at any place other than the specified destination in the state

DEFENCE CONSULTATIVE COMMITTEE

THE HONOURABLE THE PRESIDENT: With reference to the announcement made by me on the 15th November, 1946 regarding nominations to the Defence Consultative Committee I have to announce that the Honourable Mr. Khurshid Ali Khan has since withdrawn his candidature and that the following members have been duly elected to that Committee :—

1. Brigadier the Honourable Sir Hissam-ud-din Bahadur.
2. Lt. Col. the Honourable Sir Buta Singh.
3. The Honourable Mr. Hossain Imam.
4. The Honourable Pabdit Hirday Nath Kunzru.
5. The Honourable Mr. V. V. Kalikar.
6. Flt.- Lt. The Honourable Rup Chand.

FOREIGNERS BILL

THE HONOURABLE MR. A. E. PORTER (Home Secretary): Sir, the motion standing in my name is :—

“That the Bill to confer upon the Central Government certain powers in respect of foreigners as passed by the Legislative Assembly, be taken into consideration.”

The measure which, Sir, I am commending to the approval of the House is a small measure and it can be described appropriately as being not so much new legislation as continuing and consolidating legislation. It is based on the Foreigners Act, 1864, which is a somewhat antiquated Act and the main provisions of which come into effect only in an emergency. Even in times of an emergency those provisions have been proved to be inadequate. In 1939, a Foreigners Ordinance was passed to fill up the gaps which existed in the law as it then stood. That Ordinance had a life of only six months and when it expired it was replaced by an Act of this Legislature—the Foreigners Act, 1940. It was then thought that it was desirable to bring the law relating to foreigners up-to-date but for reasons which I need not go into it was decided that legislation, which even then it was considered appropriate to look upon in the light of permanent legislation, should be treated as emergency legislation only and it was given a life extending only to six months after the end of the war. When that Act expired it was extended by an Ordinance and what I am asking the House to approve of is an Act to replace the Foreigners Act of 1940 as a permanent measure on the Statute Book.

I think, Sir, that everything that is necessary to satisfy the interest of this House in the Bill has been stated in the Statement of Objects and Reasons. The present Bill confers upon Government power to make orders regulating the entry and departure of foreigners and their stay in the country, to provide for their eviction to ensure their compliance with restrictions on their residence and movements, to call upon them to execute a bond and in the last resort to arrest and detain or confine them. It makes provisions under which arrangements can be made for the segregation of foreigners, if necessary, in internment or parole camps and for dealing with “internees” with what have come to be known as “paroles” and what I am glad to see in the present law are described as persons on “parole”. It prohibits the change of name of a foreigner without authorisation and it makes it an offence for a foreigner, after the Act comes into force, to conduct business or trade under any name other than that under which that business or trade was conducted before the Act came into force. It lays certain duties upon masters of vessels and pilots of aircraft and upon keepers of hotels and boarding houses to furnish prescribed information in respect of foreigners, and it creates an obligation upon the foreigner himself to furnish the master, or pilot, or the keeper of a hotel or boarding house, with information which

[Sir Cyril Jones.]

of making the opening and removal of branches of banks subject to permission of the Reserve Bank. I would like to assure the House that it is in no way our desire to prevent the sound growth of banking in this country which taken as a whole is inadequate to its needs. There is no intention to stop the opening of new branches by well established banks in areas which are now short of banking facilities, nor is there any intention of preventing the opening of new branches by small banks provided they are financially sound. But this mushroom growth of branches, which are frequently concentrated in large cities where deposits might be expected such as Calcutta and other main towns of India which are already provided with ample banking facilities, is undesirable in the extreme. It leads to competition for deposits, forcing these new banks to offer sometimes as much as 4½ per cent. interest on current deposits, which in its turn forces these banks to resort to risky and speculative business in the utilisation of their assets in order to earn the wherewithal to meet their high charges. A number of these Banks have recently been wound up under order of the High Courts in this country and a number of such applications are still pending before the High Courts. This is a state of things which I think this House will readily agree is undesirable and I would ask for the approval of this House to this simple remedy of making the opening of new branches subject to regulation of the Reserve Bank of India.

Sir, I move.

*THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal : Non-Muhammadan): Sir, I rise to welcome this measure. We know, Sir, that some Banks both big and small, have opened their branches in hill stations and other important places when there is absolutely no scope for fresh business and provided residential quarters for the managing directors and other important persons in authority in the Bank thereby eating up practically the whole of their constituents' money. Some times they persuade some important personage to open the branch and they have lavish entertainments, and thus they attract the local people's money without the means of paying this money back when the time comes for payment. Sir, I support this motion.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras Non-Muhammadan) Mr. President, the Bill seeks to remedy a defect that is rampant in the country. But what I want to urge is that the matter has to be viewed in a more comprehensive manner and it has to be seen that banking legislation is based on broader foundations. Sir, it is true that banking affords a field for financial adventurers to come with a small capital and try to make capital out of it by collecting a large number of deposits from innocent depositors. I have seen branches springing up like mushrooms: We do not know where the head offices, nor is it possible for us to locate the geographical position of the head office. We see big sign boards springing up as "Branch of such and such office" in big cities. Even in places like Madras you see the branch of a Bank whose head office is located somewhere in the Punjab. The man takes a building on a rent of Rs. 250 per month and keeps it vacant for more than a year. He never shifts but in anticipation of the branch coming, he hangs a board and starts canvassing depositors in the city. In obscure places also we see boards of Banks which are not very familiar. The banking habit is not so well developed in the country commensurate with the needs of the people. Agricultural credit, credit for the small man, who is scattered all over the villages, has to be developed well. In the South we have got a system of what are called Nidhis which are one man's shows but nevertheless they have got a sound tradition behind them. The person who runs them has got some stake in the area in which he lives and operates his business and has got some reputation to lose. These things have been built up in a large measure especially in the Tamil and Malabar areas. We have got an agricultural wing of the Reserve Bank of India with an officer in charge of the development of agricultural credit. I am not aware, Sir, how far this section of the Reserve Bank of

*Not corrected by the Honourable Member.

India has been useful to the country except in giving us reports now and then. Agricultural credit of the country requires the help of the commercial banks also. The statutory report of the Agricultural Credit Department for 1937 said :—

"With regard to commercial banks we have little to add to what we have said that they are in the best position to finance the movement and marketing of crops by making short-term advances against produce."

The co-operative movement is not able to cater to the needs of the agriculturist and the primary producer to the extent to which credit is now offered to the poor man, there are a number of rules and regulations that are calculated to delay the disbursements. In the co-operative movement, a loan has to be sanctioned by the primary society, then it has to be recommended by the Union and then by the Bank directors. The Bank directors meet once in a month or once in six weeks to dispose of these loan applications and by the time the man who wants money gets his loan, the time for getting a fair price for his produce goes away and he is compelled to offer it at a stipulated price less than the anticipated price to the village money-lender. If you are to organise this credit and extend the usefulness of the banking system to the people that live in far off villages, then the commercial bank has to come to its aid. If commercial banking were to come to its aid, every taluk town must have a small branch of a decent bank whose position is sound. There is no use attracting not merely credit but deposits also from these areas and carrying them away to a central place to make money. We know the jugglery which some of the managers indulge in these big banks. A manager of a joint stock bank goes on carrying his private business in stocks and shares; I have known people who buy and sell and manipulate without all these transactions coming into the normal books of the bank; they make private profit out of public money. There are many other things to be controlled. As a measure to control and check unscrupulous adventurers who with a small capital go about extending their branches attracting large amounts of money by way of deposits and then wind up the business, this is a good measure. The machinery that is devised in this Bill is that the Reserve Bank of India will make a report to the Central Government and the Central Government will make a notification and then go on inspecting these branches and bring them to a close. I wish a general banking structure is raised with minimum rules and regulations before a branch can be started or before a bank can be started. As an interim measure, I offer my support to this measure.

*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa Muhammadan): Mr. President, I am afraid I do not find myself in the same mood as my two predecessors. I think the Hon'ble Member's measure is a halting measure. It should have been more strict and the public interests that have to be safeguarded are in greater danger than has been pointed out by the Honourable Finance Secretary. In India we have got three kinds of banking institutions. Firstly, the Scheduled Banks, which are comparatively more stable, better managed and more thoroughly examined. The second is the unscheduled banks, about which the Honourable the Finance Secretary recounted some stories. There is a third—

THE HONOURABLE SIR CYRIL JONES: Might I interrupt the Honourable Member? Some of my remarks apply to Scheduled Banks as well as to non-scheduled banks.

THE HONOURABLE MR. HOSSAIN IMAM: I am sorry to hear that even scheduled banks have stooped to these things. We thought they were a little better.

The third, and the worst in this group, are private bankers whose numbers are legion about whom we have practically no records. They are the persons who are working in the areas to which the Honourable Member from Madras referred in the countryside. They may have a certain amount of stake in the country, but the amount of money which they receive on deposits is considerably larger if they happen to be in the field for a sufficiently long time. My only suggestion is that if possible and if the Banking Bill does not get through quickly, there is a crying need that unscheduled banks must be restricted to a certain number of branches. I would suggest that the number of branches which an unscheduled bank may have should not in any case exceed four. Even four is a large number considering that they are unable

*Not corrected by the Honourable Member.

[Mr. Hossain Imam.]

to deposit the requisite amount of money which qualified them to become a scheduled bank, which is five lakhs of capital and reserves. I would also appeal to public men that they should not be callous but use their discretion in associating themselves with tanks which are on the face of it unstable. Every unscheduled bank I regard as unstable and absolutely unworthy of public trust, because it is too small to handle public money in larger quantities. Then, I think that the Reserve Bank ought to do a little more about agricultural credit than they have done so far. I know that we have in the Prices Sub Committee and in the Marketing Committee of the Agricultural Policy Committee made reports which are awaiting the consideration of the Government; but it will take too long for the measures to be adopted by the Government and given effect to in a legislative manner. In the meantime, which I think will be not less than 18 months, the Reserve Bank should more actively support the co-operative societies that are working in the countryside by means of cheap advances on securities which are not strictly speaking financially very sound. But due to the fact that they are a public organisation in which the interest of the money advanced by the creditor would be sufficiently guarded, we might make a beginning and make facilities and cheap credit available to agriculturists as well. Sir, I support the measure, though it is insufficient.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN (Madras: Non-Muham-madan): Mr. President Sir, perhaps I shall be guilty of temerity for venturing to speak on a subject which is considered technical. Though banking business is a matter for experts, it is also a matter of concern for the lay person, and I would like to give expression to my views on this Bill. As one who is in the habit of giving much thought to problems that concern the welfare of our country, I have studied this Bill with a certain amount of care and attention. I would first like to congratulate the Government on bringing forward this Bill, because I strongly believe that is necessary for the State to control banking in our country. But at the same time there are certain points which worry my lay mind and I should like to place them before this House as well as the Government for their consideration. One point which strikes me is that over-emphasis might be laid on the question of the financial condition of banks. The points that my Honourable friends on the left mentioned with regard to the opening of branches in large cities strengthen my fears that the richer banks are going to be richer and the poorer banks are going to be still poorer and may possibly go out of existence. I am glad that my Honourable friend, Sir Cyril Jones, admits that it is necessary that our country should have expansion of banking. If that is so, I think the Government should take care that the Reserve bank does not apply the control too severely so as to injure the small banks and thereby retard the expansion of banking in our country. As a villager, my concern is mostly for the welfare of the rural people and I know from personal experience that the interests of the rural population are neglected with regard to banking facilities. Most of the banks in our province which have got branches outside the capital of Madras are rich and top-heavy and do not care to have branches outside the headquarters of the districts, with the result, that the rural population have hardly any facilities for banking. No doubt there are Co-operative and Land Mortgage Banks; but, as the House very well knows, the activities are strictly limited. If the small banks which are not able to start branches in large cities and compete with the richer banks are not permitted to open branches at least in rural areas I am afraid banking will be seriously affected and also the rural population will not be benefited.

I would also like to point out most respectfully though I do not claim to know much about the banking business, that it is not sufficient if they attach importance only to the question of capital. I think equal attention should be given to what is called the turn-over of the bank, the annual turn-over. The capital might be small but the turn-over might be comparatively quite large and the bank might wish to increase its scope for good business. With regard to this point I think the Reserve Bank will have to be very careful in restricting the starting of branches by those banks which have capacity for extensive business and can profitably help the people as well as themselves. Therefore, Sir, I would request the Government to make

definite rules and issue clear directions for the Reserve Bank to follow when they apply control under the provisions of this Act.

Another point that worries me, Sir, is whether Government can take steps under this Act if not now at least in the near future, even before the elaborate Banking Companies Act is revised, to stop private money lending and usury. Private money lending is ruining our agricultural population which as we all know form the overwhelming mass of the people of our country. If the economic condition of our agricultural policy further deteriorates I am afraid the economic condition of our country will not improve. The House is aware that an Agricultural Debt Relief Bill was introduced and passed into law by the last Congress Government in our Province. It was intended to bring relief to the agricultural population. It failed its purpose to a certain extent for while it scaled down the debts of the agriculturists it made no provision to help the agriculturist to pay off the scaled down debts. I am also personally aware that during the war the ryots made large incomes because of the high prices of crops but they believed in the principle "Make merry while the sun shines". When they were advised to set aside something for the 'rainy day' they were afraid to deposit with the money lenders lest the latter cheat them of their savings. Their agreement was that as they did not know what they were to do with their money the best thing was to enjoy themselves when they had a little cash in their hands, with the result that now when crops are bad and also consumers goods are scarce they are in difficulties. Of course, certain people tell them that if landlordism is abolished their condition will improve but I doubt if that alone can help to solve their problems. Easy banking facilities must be provided for the rural population and I am and they should be encouraged to develop what is called a 'banking mind'. I trust that when this Act is being applied all these points will be kept in view by the Government.

THE HONOURABLE SIR CYRIL JONES: Sir, I am grateful for the response which this House has accorded to this Bill, though certain Honourable Members who have spoken are of the opinion that it possibly does not go far enough.

With reference to the remarks of the Honourable Mr. Thirumala Row my opinion is that this Bill will not effect the working of Nidhis in Madras. I agree with the Honourable Member, as I know, does the Government of India and the Reserve Bank, that the improvement and expansion of credit facilities to agriculturists in rural areas is of the highest importance and that there is scope for assistance in that regard from the commercial banks, but this Bill will in no sense work in a detrimental manner in that regard. It may not possibly work as a positive contribution towards expanding credit facilities for the agriculturists but that I would submit is rather outside the scope of this measure and is a matter—and indeed a very important question—which must be separately considered and for which special measures must be devised.

I was most interested in the suggestions offered by the Honourable Mr. Hossain Imam, whose reappearance in this House I personally welcome. I can assure him that his suggestions will be considered by Government in consultation with the Reserve Bank which is our expert adviser in such matters.

What I have already said partly covers the points raised by the last speaker, the Honourable Mrs. Subbarayan. I do not think that this Bill will result in making rich banks richer and poor banks poorer. The Reserve Bank, I am confident, will operate its powers under this Bill in no way to the detriment of the expansion of small banking, particularly in rural areas, which is an objective which the Reserve Bank Central Board warmly accepts. It is difficult to give hard and fast directives to the Reserve Bank, which is an autonomous body created by law to control credit and banking, as to how its power should be exercised; but I personally am confident, and I suggest that this House may assume, until the contrary is proved, that the Reserve Bank will exercise its powers wisely and with discretion and will do all it can to encourage the development of rural banking. I can speak from personal experience in saying that in the allied case of the control of capital issues by banks the Reserve Bank, while being opposed to the increase of banking facilities in over-banked areas—such as large cities like Calcutta—in particular has shown every willingness and desire to do what it can in favour of the development of new banks or the expansion of

[Sir Cyril Jones]

existing banks in areas which are at present under-banked. I think this House may confidently assume that the Reserve Bank will exercise the powers which this Bill entrusts to it with a wise discretion.

THE HONOURABLE THE PRESIDENT: The motion is:—

"That the Bill to restrict the opening and removal of branches by banking companies, as passed by the Legislative Assembly, be taken into consideration."

The question is that the motion be adopted.

The Motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

Title and Preamble were added to the Bill.

THE HONOURABLE SIR CYRIL JONES: Sir, I move:—

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

HINDU MARRIAGE DISABILITIES REMOVAL BILL

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN (Madras: Non-Muhammadan): Sir, I beg to move:—

"That the Bill to remove certain disabilities and doubts under Hindu Law in respect of marriages between Hindus, as passed by the Legislative Assembly, be taken into consideration."

Sir, I would like first to thank you and the Honourable the Leader of the House for allotting time for the consideration and passing of this Bill. It is a very important measure, because it removes certain disabilities which prevent Hindus from enjoying the full freedom of selecting their partners in marriage. The Bill is very short and simple. It has only two clauses, and deals only with two points. It contains no technical legal terms which are not intelligible to the lay mind, and I am sure that it is not necessary for me to make a lengthy speech in commending this Bill to this Honourable House, which has already dealt with legislation for social reform in the past.

Sir, all the world over there is an impression that the end and aim of a woman's life is marriage and the care of her home. This impression is so strong in our country that it has amounted almost to religious belief. It is hard enough when marriage which is an important factor in human life, is made compulsory, and it becomes more difficult indeed if there are certain restrictions about freedom in marriage. By freedom in marriage I mean freedom in regard to choice of partners in marriage. Therefore, it is very important that this Bill should become law as soon as possible. This Bill, as we all know, has been on the anvil of this Legislature for many years, but owing perhaps to the apathy of the Government of the past it has not become law. I am glad that as soon as our National Government assumed office steps have been taken to enact this legislation.

Sir, the removal of any disability is important for the welfare of the country. The removal of disabilities of this kind is particularly important because it affects the happiness of our homes. It is no exaggeration if I state that had this Bill been law long ago, several tragedies among our young women could have been averted. There have been sad instances when girls committed suicide because the problem of their marriage was causing acute anxiety to their parents. There have been instances when young married women committed suicide because they were unhappy after marriage or because their husbands were contemplating another marriage in order to get a larger dowry or for some other reason.

I am glad, Sir, that the principle of this Bill finds support from distinguished leaders and thinkers like Mahatma Gandhi and Mr. Rajagopalachari. Mr. Rajagopalachari, in his own inimitable way, made a most impressive speech in support of this Bill in the other House only a few days ago. Mahatma Gandhi wrote in the past

in "Young India" and later in "Harijan" in support of social reform. He stated in the course of his remarks:—

"In pre-British days there was such thing as rigid Hindu law governing the lives of millions. The body of regulations known as Smriti were indicative rather than inflexible codes of conduct. They never had the validity of law such as is known to modern lawyers. Hindu religion or Hindu shastras never had the changeless and unchanging character that is now being sought to be given to them. This very unsatisfactory state of things has to be, some day or other and somehow changed if Hindu society is to become a progressive unit in human evolution."

The origin of these customs and laws is more or less obscure, because opinions differ as to how they came into existence. It is quite clear, however, that they are not suitable for modern conditions, and as it is desirable to improve them. It requests this House to accept this Bill and help it to become law.

Sir, I move.

THE HONOURABLE MR. G. S. MOTILAL (Bombay: Non-Muhammadan): Sir, I rise to give my wholehearted support to the Bill which has been moved by the Honourable Member who preceded me. For a long number of years Hindu reformers have been feeling the necessity of legislation of this type and of reform of other branches of Hindu law. Government appointed a committee some time ago; it was known as the Rau Committee. It made its report. Then some Bill was introduced in the Assembly, but I do not know what has now happened to it. In the last session we had put some questions about the introduction of a comprehensive change in Hindu law, and, if I understood correctly, it was then said that legislation would be coming before this House in proper time. It has not yet come before this House. Now this Bill, although it is not a comprehensive Bill, and introduces changes piecemeal, has to be welcomed, because it is only by this method that improvements have been made.

As Hindu law now stands, it prevents marriage with *sagotra*, that is, within the *gotra*. The term is quite explicit, and I need not take more time of the House in explaining it. The origin of *gotra* or *pravara* is somewhat uncertain. There are different opinions as to what *gotra* is, but the general opinion is this, that *gotra* means a particular family. As lawyers will bear me out, a girl on marriage enters the *gotra* of her husband and thus she becomes a part of that *gotra*. So, *gotra* is regarded as a branch of a family. It is regarded as a brotherhood, and they do not like that there should be marriages in the same family. This might have been useful at one time. But now even the orthodox people have realised that it is no longer useful. The *gotra* is known only when they ask for the information at the time of marriage. They ask: "What is your *gotra*?" "My *gotra* is so and so." And marriages which had been fixed had to be given up if the parties happened to belong to the same *gotra*. Society has now outlived it. But it does not mean that any man can marry any woman. Restrictions are still there. There are other restrictions. If the parties are within seven generations on the father's side or five generations on the mother's side, they shall not marry. That restriction is there. But the restriction that they shall not marry if they belong to the same *gotra* is being removed by this Bill.

This Bill is only an enabling measure. If people belonging to the same *gotra* do not like to marry, there is nothing which compels them to marry within the *gotra*. This Bill will permit those who do not now want to observe this restriction to marry. Marriage within the *gotra* without this law is invalid. The High Courts have held that a marriage within a *gotra* is invalid.

THE HONOURABLE MR. A. R. NISHTAR: Void or invalid?

THE HONOURABLE MR. G. S. MOTILAL: The courts have held that it is invalid. This is the verdict of the courts. This invalidity is removed by this Bill. Within the *gotra*, if persons like to marry, they may marry according to this Bill and their marriage will not be void or invalid though subject to other restrictions which are still there. Some of these restrictions are, I think, healthy restrictions. You do not want to do away with them. But those restrictions which we can do away with are being done away with by this Bill.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: (Bihar: Non-Muhammadan): Sir, on behalf of my Party I wish to support this measure of Hindu reform. The only criticism perhaps that could be made on a measure of this modest kind is that it comes to us a little later than it should have come. Since this Bill was introduced I have had occasion to question many of my Hindu friends whom I met here in Delhi as to what their *gotra* was. Most of them answered that. But when I asked them what their *pravara* was, there were very few who could answer that question. Consequently, Sir, what I feel is that these restrictions are much too archaic in relation to the present state of Hindu society. Sir, I wish to make in this connection one or two remarks with regard to some other measures of this kind which have come before this House before. We had the Bill to modify or change or amend certain laws regarding Hindu marriage and another Bill with regard to intestate succession. When those Bills came up to us, they were referred to a Select Committee. Several of us sat on that Select Committee for months. I do not know, Sir, and I think very few of us in this House have information as to what has happened to those Bills. Those Bills had come up before us and we discussed them. It is lucky that we shall be able to pass this Bill today. But in some cases, the Bills seem to lapse in the Secretariat and never come back to us. I think the House should have some information with regard to the final fate of some of the Bills that were introduced before. I hope that the Member in charge of this Bill on behalf of Government will give us some information as to the present stage at which the Bill for the codification of the Hindu Law stands. A committee in relation to this was appointed presided over by an eminent person like Sir B. N. Rau. This house should be furnished with a statement each session regarding the progress or fate of measures that are debated here.

*THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS: (East Bengal Non-Muhammadan): Sir, I rise to support this motion because it is in keeping with the spirit of the times. I beg to differ from the view expressed by the Honourable Sir Sobha Singh that such piece-meal legislation is not at all called for. Sir, I rather wish that a much wider scope had been given to the Bill, and any man or woman living in any part of the world, professing the Hindu religion, irrespective of restrictions had been given scope for contracting marriages. Sir, with these words, I give my whole-hearted support to the motion before the House.

THE HONOURABLE MR. M. THIRUMALA ROW: (Madras: Non-Muhammadan): Sir, I do not want to detain the House much. I think we are not over-worked at any rate. This is an important measure in which my friend is interested. Marriage is not merely a question of physical comfort or physical convenience. I want to deal with it from that point of view. Sir, I was reading recently an interesting book on heredity. The Hindu society, as far as I can judge, is constructed on very scientific lines, and if it is to be developed on scientific lines you will have to control the production of the human race. The reason why our ancestors called marriage a sacrament is that it permeated every one of our activities from birth to death with an idea of religious sanction. That is the reason why our system of medicine is called Ayurvedic Procreation or improvement of population and maintaining it at a certain level have all an influence in keeping up society. When we refer to *gotra*, it means that many of these claim their descent from a high spiritual personage or *rishi* or a man of great eminence. Every one wants to have some ideal. Today, even in the West, we see that all these Generals and Army Officers and civilians claim to have descent from some great personality who had made his mark in history. There are also groups of people and family in India who try to look up to a highly spiritually developed person to be their ancestors. Therefore *gotra* has taken its origin or root in that. *Gotra* is taken to a bigger man and the *pravara* to two or three other *Rishis* who are associated with that *Rishi*, or who are his *Sishyas*. It is from that group consciousness or group development of individuals that this thing has taken its origin in the beginning; and the joint Hindu family system also, Sir, has its origin in that and you cannot allow an intensive inter-marriage in a limited family. I can give you the example of a village consisting of persons inhabited entirely of a few families of one community and they have never gone out of that village to marry. They have intensely inter-married and their stock has started deteriorating. The reason why

[Mr. M. Thirumala Row.]

they have taken such care is to see that the human stock is kept in its purity and in its efficiency in order to develop it. Even now a writer like Bernard Shaw has said that human stud farms must be started on modern lines if you are to keep the human race strong and useful for the future. On account of the communications and interplay of civilisations and political events of one country over another, we have very much changed now. Many educated people may not be able to tell us what their *gotra* is and some of them have taken a pride in forgetting their *gotra* and ancestors even. Customs have changed so much that in Madras a man can marry his on sister's daughter; that is marrying in very close quarters which is prohibited—sister's daughter or brother grand-children, daughter's daughter. Suppose some families are driven by the invading tribes into seclusion; then they are compelled to marry among themselves. Nowadays when society is changing, this small measure allows *sagotras* to marry. I know the instance of a prominent man in our part of the country. He had settled a marriage with one of his own family people and a few days before the marriage it was discovered that the parties belonged to the same *gotra*. There was no alternative for him but to go to a French Settlement and have the marriage done—

THE HONOURABLE THE PRESIDENT: This is only a permissive legislation. You are not bound to marry. You are now going into an extraneous matter. You are not speaking on the Bill.

THE HONOURABLE MR. M. THIRUMALA ROW: I will try to stick to *Sagotra* marriages. Hereafter people who want to marry within their *gotra* can marry. But for those who have done hitherto there is no remedy; things are going on as if the law does not exist for them.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: Sir, I do not want to take up too much time of this Honourable House in my reply to the points mentioned—

THE HONOURABLE MR. A. R. NISHTAR: The longer the speech the greater the delay in the passage of the Bill.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: Now that the Honourable Member has made some remarks, may I respectfully say that I am disappointed that no Member from the Government Benches spoke on this Bill? I am glad, Sir, that the Bill has received support from all sides of this House and I suppose the silence of the Government Benches may be considered as consent.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House): On a point of explanation, Sir. But for the remarks of the Honourable Member I would not have spoken and participated in this debate. I must make the position of the Government clear. This is a matter which exclusively concerns a particular community. There might be difference of opinion between people holding liberal views and orthodox people and therefore it is not for the Government to take sides in such matters. It is for this reason that no Member of the Government has taken part in the debate one way or the other.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: I thank the Honourable Member for the explanation that he has so kindly given us, Sir.

I will just reply briefly to the few points that have been raised by my Honourable colleagues during the course of their remarks. My Honourable friend Raja Motilal referred to barriers. I welcome the removal of these two barriers, because I think the wider the field for selection of bridegrooms for girls or brides for boys, the easier it is for parents to arrange marriages. My Honourable friend on the right expressed his fear about the word "freedom". By freedom I do not mean license. I use 'freedom' in the highest and best sense of the term, Sir, and let me assure this House that whenever I advocate any piece of legislation for social reform, I do it with the strongest conviction that it is in the best interests of not only Hindu society but also of the country in general. I believe strongly that we must hold on as firmly as we can to all that is best and noble in our Hindu culture and at the same time we must see how we can improve Hindu society by reforming the customs and laws that are hampering its progress. As my Honourable friend on the left said, there are certain absurdities in our Hindu customs. If a maternal uncle can marry his niece and two first cousins can marry, why should two people who belong to same *gotra* who have absolutely no blood relationship whatever be denied the freedom of marrying.

HINDU MARRIAGE DISABILITIES REMOVAL BILL

I can assure this Honourable House that parents, especially middle class parents, welcome this bill because the marriage of their daughters is becoming a very serious problem indeed. The dowry system is becoming a huge monster because of the narrow field from which bridegrooms can be selected for brides. I should have referred to this when I mentioned the tragic instances that have taken place because of the difficulties of getting daughters married. But as I wanted to make my remarks very brief, I refrained from going into this detail.

With regard to piecemeal legislation, when we realise that there is need for urgency for reform of a particular custom or law, I think we cannot wait for the codification of Hindu Law. Just now my Honourable friend, Sir Cyril Jones, introduced piecemeal legislation with regard to banking even though there is a comprehensive Banking Bill on the anvil. Similarly when we know that this Bill is absolutely necessary, we have to deal with it even though we are aware that the Hindu Code is being prepared and I heartily support the demand that the Government should give us some definite information with regard to the codification of Hindu Law. Sir, I again thank the Honourable House for giving its support to this Bill.

THE HONOURABLE THE PRESIDENT : Motion moved :

"That the Bill to remove certain disabilities and doubts under Hindu Law in respect of marriages between Hindus, as passed by the Legislative Assembly, be taken into consideration."

The question is that this Motion be adopted.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN : Sir, I move.

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

The Council then adjourned till Eleven of the Clock on Wednesday, the 20th November 1946.

COUNCIL OF STATE

Wednesday, 20th November, 1946

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

MEMBER SWORN:

The Honourable Shri Rajendra Prasad (Food Member).

QUESTIONS AND ANSWERS

ARMS LICENCES WITHDRAWN IN CALCUTTA

124. THE HONOURABLE MR. G. S. MOTILAL : (a) How many arms licenses have been withdrawn in Calcutta and for what reasons ?

(b) Is it a fact that some responsible persons, who held licenses, fired a few shots on an attacking mob, have been dispossessed of their arms and their servants have been arrested ? What action have Government taken ?

THE HONOURABLE MR. A. E. PORTER : (a) and (b). I have made enquiries and the information furnished by the Government of Bengal is as follows. No arms licences have been withdrawn in Calcutta since 16th August. Weapons have been seized for breaches of law from seventeen persons of whom three have been warned and discharged while cases against the others are under consideration.

THE HONOURABLE MR. G. S. MOTILAL : From whom and how many weapons have been seized ?

THE HONOURABLE MR. A. E. PORTER : I have not got that information. The only information furnished by the Bengal Government is what I have read out.

THE HONOURABLE MR. G. S. MOTILAL : Will the Honourable Member make enquiries about this ?

THE HONOURABLE MR. A. E. PORTER : Yes, Sir.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Will Government consider the repealing of the Arms Act so that a section of the community is not handicapped for want of arms when there is lawlessness and disturbance ?

(No answer.)

STATEMENT BY MR. GHAZANFAR ALI KHAN

125. THE HONOURABLE MR. G. S. MOTILAL : (a) Has Government's attention been drawn to a report in the *Statesman* of 5th November, 1946 that the Honourable Mr. Ghazanfar Ali Khan, a member of the Cabinet, while addressing a Delhi audience said that "It was the duty of every Muslim to invite people of other religions to embrace Islam. In fact they wanted all Indians to become Muslims." ?

(b) Are Government prepared to permit making of such statements by Government members ?

THE HONOURABLE MR. A. R. NISHTAR : (a) Government have noticed the different versions of the Honourable Member's Urdu speech, which appeared in different newspapers. It may interest the Honourable Member to know the main point of the speech, which I have ascertained from my Honourable colleague was as follows :—

"Allusions had been made by the previous speaker at the meeting to the allegation made in certain quarters that the Muslim League had given a seat out of its

own quota to a representative of the Scheduled Castes in order to win them over to the Muslim religion."

Referring to this allegation, my Honourable colleague, the Health Member, made it clear that conversion through coercion or bribery was forbidden by Islam and that it was entirely erroneous for anybody to suppose that the Muslim League was trying to convert the Scheduled castes by offering them the bribe of a seat in the Executive Council out of its own quota. My Honourable colleague went on to emphasise that while the method of coercion or bribery for purposes of conversions was forbidden to Muslims, it was the duty of every Muslim to invite every non-Muslim to accept the faith of Islam, which every true Muslim believed to be the best spiritual and moral code for the individual and collective lives of mankind. It was, he further said, the duty of every Muslim to extend this invitation not only to members of the Scheduled castes, but to every non-Muslim in this country and to all nations of the world.

(b) Members of the Government must be free to express their personal views on such matters.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Is this the reason why so many conversions have been made in East Bengal ?

THE HONOURABLE MR. A. R. NISHTAR : I would submit, Sir, that this has nothing to do with the question.

THE HONOURABLE MR. G. S. MOTILAL : May I put one supplementary question ?

THE HONOURABLE THE PRESIDENT : It might provoke other questions. I do not think the Council of State is the place for ventilating this sort of grievances.

THE HONOURABLE MR. G. S. MOTILAL : You will realise, Sir, that it will not provoke other questions. The question is, is this the Government's view or is it the view of the Honourable the Leader of the House ?

THE HONOURABLE MR. A. R. NISHTAR : So far as the speech is concerned that is the view expressed by my Honourable colleague who made the speech. So far as (b) is concerned, it ought to be the view of everybody. I would like on behalf of the Government to make it clear that it is a religious matter and so far as religious matters are concerned every person is free to express his personal opinions in his individual capacity, not as a member of the Government.

THE HONOURABLE THE PRESIDENT : I think this was quite apparent from your previous reply to the question.

ALLEGED MEMORANDUM TO THE CABINET DELEGATION BY HIS EXCELLENCY SIR OLAF CAROE ON THE TRIBAL AREAS

126. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Are Government aware that a memorandum believed to have been drafted by the Governor of the N.-W. F. Province, Sir Olaf Caroe, was presented to the British Cabinet Mission at New Delhi, in April last, pointing out the danger of handing over the administration of the tribal areas to the Congress members of the Government particularly Hindus ? If so, will Government place a copy of it on the table ?

THE HONOURABLE MR. A. R. NISHTAR : The Government of India have no information.

PARTICIPATION BY THE INDIAN DELEGATION IN THE DISCUSSION ON THE DANUBE QUESTION

127. THE HONOURABLE PANDIT H. N. KUNZRU : (a) Is it a fact that speaking at the Plenary Session of the Peace Conference on the 14th October, 1946, M. Molotov referring to the discussion on the Danube question in the conference said "What interest has India in this question.....for the sake of adding its voice to the voice of other delegations and following in the wake of Britain, the Indian

Delegation took an active part in the settlement of this question and in no way as an impartial country and in no way as a delegation animated by the desire to seek a correct solution of this question." ?

(b) Was the Indian Delegation under the control of the present Central Government or is it true as alleged by M. Molotov that the Delegation was subjected to "external pressure" ?

THE HONOURABLE MR. A. V. PAI : (a) Yes.

(b) The delegation was provided with a brief and received from time to time instructions on important points from the Government of India. After the inauguration of the Interim Government these instructions were sent by that Government. Inevitably a considerable measure of discretion was given to the delegation and it was not always possible to send instructions on every new point that arose. Government are not aware of any external pressure being brought to bear on India's delegation but it is usual in such conferences for various countries and interests to canvass for support of their respective propositions.

THE HONOURABLE PANDIT H. N. KUNZRU : With regard to part (b) of the question, have Government taken any steps to clear the position of the Indian Delegation from the charge brought against it by M. Molotov ?

THE HONOURABLE MR. A. V. PAI : Government did not consider it necessary to take any steps in that direction.

RE-UNION OF GOA, ETC., WITH THE MOTHER COUNTRY

128. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Are Government aware that the people of Goa, Damaun, Diu and of other foreign possessions in India, have expressed a desire for re-union with the mother country, on the principle of self-determination in the new constitution ? What steps are being taken, or are proposed to be taken to consider their claim and give them this right ?

THE HONOURABLE MR. A. V. PAI : Government are not in a position to say what the people of Goa, Damaun, Diu and other foreign possessions in India desire regarding a re-union with the mother country. They are aware however that some such sentiments have been expressed. They feel that the right time to consider the question of the foreign possessions in India will be at a later stage when the constitution of India takes shape.

REPARATIONS FROM GERMANY

129. F/LT. THE HONOURABLE RUP CHAND : (a) Will Government lay on the table a statement showing particulars of German machinery and equipments which are to be brought to India as reparations ?

(b) Will they state the approximate date when the equipment may be expected to reach India and the manner in which it is proposed to be utilised ?

THE HONOURABLE MR. Y. N. SUKTHANKAR : (a) The Honourable Member's attention is drawn to the answer given on the 7th November on the floor of this House to Part (b) of question No. 19 by the Honourable Raja Yuveraj Dutta Singh. It is not possible to say at present what further plants and machinery will be allocated to India against her share of reparations.

(b) Arrangements are being made for the inspection and taking over charge of the Wagner Plant at site but it is not possible to say now when the plant will actually be removed to India. Nor any decision has been taken by Government as to how the plant will be utilised on arrival in India.

TAXATION ENQUIRY COMMITTEE

130. F/LT. THE HONOURABLE RUP CHAND : Will Government state when they propose to set up the Taxation Enquiry Committee as proposed by the Honourable the Finance Member in the course of his speech while presenting the budget estimates for the year 1946-47 ?

THE HONOURABLE SIR CYRIL JONES : The matter is under consideration and Government have not come to a final decision.

TEXTILE MACHINERY

131. F/LT. THE HONOURABLE RUP CHAND: Will Government state:

(a) Whether arrangements have been completed for the import of Capital equipment for textiles from Britain into India and for the manufacture on a reciprocal basis of textile machinery parts in this country?

(b) Whether it is a fact that negotiations with regard to the proposals referred to in (a) above have been hanging fire since 1942; if so, the reasons therefor?

(c) Whether there has been opposition from Lancashire cloth manufacturers to the proposals for enabling India to produce more cloth and for importing new textile machinery on the ground that the export market for Lancashire would suffer thereby?

(d) The reasons for the delay in the arrival of textile machinery and equipment and the steps which the Government have taken to expedite its import in view of the urgent need of replacing and supplementing the worn-out machinery in India?

(e) Whether it is a fact that a considerable quantity of British-made cloth, including woollens, has arrived in India and more shipments are soon expected, while the allotment of shipping space to bring machinery is being delayed.

THE HONOURABLE MR. M. W. M. YEATTS : (a) The Government of India have decided, on the basis of the recommendations of the Post-war Planning Committee (Textiles), how much textile machinery should be set up in each Province and State, and import licences for all or practically all of this machinery have been issued. Negotiations regarding the manufacture of textile machinery parts in this country are in progress at present.

(b) No, Sir.

(c) The Government of India are not aware of any such opposition.

(d) The delay is due to the slow rate of industrial reconversion to peace-time production and to labour shortage. The Government of India have urged upon the Government of the United Kingdom the importance of India's requirements of textile machinery being met as quickly as possible. An important function both of the India Supply Commission in London and the India Supply Mission in Washington is to give all possible assistance to Indian industrialists in securing quick deliveries against their orders. There is at present a Textile Machinery Delegation in the U. K. who are doing whatever is possible to expedite delivery.

(e) Imports of British-made cloth are needed to relieve the shortage in India. There is no question of these imports ousting imports of machinery by reason of lack of shipping space. As already indicated, the impediment to imports of machinery is not lack of shipping space but lack of manufacturing capacity.

THE HONOURABLE MR. HOSSAIN IMAM : Has the Government taken any steps to reallocate the portion allotted to a Province which has refused to have textile mills?

THE HONOURABLE MR. M. W. M. YEATTS : No, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Does the Government propose to do something?

THE HONOURABLE MR. M. W. M. YEATTS : I cannot pronounce yet on Government's intentions.

132.*

ATOMIC RESEARCH COMMITTEE

133. F/LT. THE HONOURABLE RUP CHAND: Will Government state whether any steps have been taken to exploit atomic energy for industrial purposes in India, especially in view of the fact that most of the raw materials required to generate atomic energy are easily available in this country?

(Question No. 132 was withdrawn by F/Lt. the Honourable Rup Chand.)

THE HONOURABLE MR. M. W. M. YEATTS : Yes, Sir.

The Council of Scientific and Industrial Research have constituted an Atomic Research Committee for formulating proposals for the generation and exploitation of atomic energy in India from raw materials available in this country and to maintain liaison with similar bodies in other countries so that India may keep in touch with developments in more advanced countries like the U. S. A. and U. K. This Committee has further set up two Sub-Committees i.e. (1) a Sub-Committee for the geophysical survey of thorium bearing and associated minerals in Travancore, and (2) a Sub-Committee for formulating a plan for a geophysical survey of the uranium, thorium and associated minerals in the rest of India.

2. The Geological Survey of India have also deputed geologists to survey the raw materials likely to be of use in the generation of atomic energy. In addition, the Council of Scientific and Industrial Research have sanctioned a grant of Rs. 1,10,000 to Professor M. N. Saha for researches on nuclear physics in the Calcutta University and a grant of Rs. 32,000 to Professor H. J. Bhabha, Director, Tata Institute of Fundamental Research for the establishment of a betatron.

THE HONOURABLE MR. HOSSAIN IMAM : Is there any supply of the requisite kind of uranium 235 in India?

THE HONOURABLE MR. M. W. M. YEATTS : I do not know as such, but there are, of course, radiant minerals available in India. The object of this is to make a thorough study of every possible source.

THE HONOURABLE MR. M. THIRUMALA ROW : Is it a fact that the Council of Scientific and Industrial Research under the guidance of Sir S. S. Bhatnagar had deputed Dr. Parthasarathi to carry out investigations into atomic energy?

THE HONOURABLE MR. M. W. M. YEATTS : I could not say. It may be so.

THE HONOURABLE MR. M. THIRUMALA ROW : I want to know whether the Department is further utilising the services of this gentleman, who has already got some experience.

THE HONOURABLE MR. M. W. M. YEATTS : I think it is probable. The Council, as the Honourable Member knows, is a separate body which can pursue its own activities to a large extent.

THE HONOURABLE MR. M. THIRUMALA ROW : Is it not working under the guidance and control of the Member in charge and the Secretary of the Industries and Supplies Department?

THE HONOURABLE MR. M. W. M. YEATTS : No. The Member in charge of that Department is the President of that body. I have no administrative connection with it. It conducts its own activities.

THE HONOURABLE MR. M. THIRUMALA ROW : Will the Honourable Member see to it that the experience already gained by Dr. Parthasarathi is not wasted by entrusting this department to another gentleman?

THE HONOURABLE MR. M. W. M. YEATTS : I shall certainly make a note of that.

RELEASE OF RAILWAY ROLLING STOCK

134. F/LT. THE HONOURABLE RUP CHAND: Will Government state:

(a) Whether it is a fact that the military authorities have released for civilian use only about 15 per cent of the Railway rolling stock taken by them in war-time?

(b) Whether Government are aware that there is still great overcrowding in trains?

(c) The steps which Government propose to take to get a large quantity of rolling stock released from the military at an early date in view of the great inconvenience being suffered by railway passengers?

THE HONOURABLE MR. D. D. WARREN : (a) No. Up to 1st November, 1946, the Defence Department have released approximately 46 per cent of the stock loaned to them during the war.

(b) Yes. Government are aware that there is still, unfortunately, overcrowding in trains.

(c) The Defence authorities are being constantly pressed for the release of stock at a quicker pace for civilian use.

THE HONOURABLE MR. G. S. MOTILAL : What percentage of locomotives have been released ?

THE HONOURABLE MR. D. D. WARREN : I have not got the information with me but I am under the impression that all the locomotives have been released.

THE HONOURABLE MR. M. THIRUMALA ROW. Can the Honourable Member give us the probable time by which normal conditions can be restored on railways ? When is it likely that we can get back all the rolling stock that has been loaned out to the military ?

THE HONOURABLE THE PRESIDENT : That is a hypothetical question.

THE HONOURABLE MR. HOSSAIN IMAM : We want to know when the Defence Department propose to release all the stock ?

THE HONOURABLE THE PRESIDENT : The Honourable Member (Mr. Thirumala Row) put the question in a different way.

THE HONOURABLE MR. D. D. WARREN : I am not able to make any forecast, but as I have already stated, we are constantly pressing the Defence authorities for the release of stock.

PRODUCTION OF CERTAIN VARIETIES OF CLOTH

135. THE HONOURABLE PANDIT, H. N. KUNZRU: (a) What was the total production of (i) cloth, (ii) dhoties, (iii) shirting and (iv) longcloth in the country in 1938-39 and 1945-46, respectively

(b) What steps have been taken by Government to increase the supply of cloth, particularly of dhoties, shirting and longcloth.

(c) Have Government considered the desirability of reducing the varieties of cloth now manufactured and providing for the increased production of dhoties, shirting and longcloth? If so, with what result?

THE HONOURABLE MR. M. W. M. YEATTS. (a) A statement giving the available information is placed on the table of the House.

(b) Government have taken the following steps :—

(1) Promulgation of the Textile Industry (Control and Production) Order, 1945, the main provisions of which are (a) devotion of 60 per cent of mills' capacity to the production of the most popular types of cloth and (b) imposition of restrictions on mills in respect of the number of counts of yarn to be spun and the types of cloth to be manufactured from those counts.

(2) Imposition of a 17½ per cent limit on the production of dyed and printed cloth.

(c) Yes, Sir, Government have always had this in view and have gone as far as seems practicable at present.

THE HONOURABLE MR. G. S. MOTILAL : How many varieties have been reduced ?

THE HONOURABLE MR. M. W. M. YEATTS : I cannot give the number off-hand ; but quite a number.

THE HONOURABLE MR. G. S. MOTILAL : Are not there as many as 4,000 varieties ?

(No Answer.)

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Is my Honourable friend aware that a large quantity of drill and dyed cloth is sent to the villages and lies unused there ?

THE HONOURABLE MR. M. W. M. YEATTS : That may be so. But the Government of India's function is to make a block allocation to a Province or State

what is done within that Province or State is the distribution concern of its own Government.

THE HONOURABLE MR. G. S. MOTILAL : Have not goods accumulated with the mills ?

THE HONOURABLE MR. M. W. M. YEATTS : I do not know.

THE HONOURABLE PANDIT H. N. KUNZRU : Will Government take steps to find out whether the quantity of drill that is manufactured is more than what the country needs ?

THE HONOURABLE MR. M. W. M. YEATTS : Certainly.

Statement showing the production of certain varieties of cloth in 1938-39 and 1945-46

(All figures in million yards.)

Year	Total production of cloth	Dhoties	Shirting and longcloth
1938-39.	4,269	1,455	1,040
1945-46 (April-November-8 months only)	3,160	792	810

NOTE :—The term 'Dhoties' includes 'Sarees, Lungis, Angochas, Dupatas, etc,

SALE OF YARN AND CLOTH IN THE BLACK MARKET

136. THE HONOURABLE PANDIT H. N. KUNZRU: Are Government aware of complaints as regards the sale of yarn and cloth by the cotton mills in the black market? Have they enquired into the matter? If so, what are the conclusions which their enquiry has led them to?

THE HONOURABLE MR. M. W. M. YEATTS : I can well believe that some mills show their production somewhat less than it is, and sell the balance in the black market. But Government have received only a few complaints of this black marketing by mills. In one case the Bombay Government have been asked to prosecute a mill, but the case has not yet come into court. The Madras Government have launched a prosecution against a mill. Two other cases are under investigation.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member name those mills against which action is proposed ?

THE HONOURABLE MR. M. W. M. YEATTS : I do not think it will be proper to name the party to a case in this House.

THE HONOURABLE MR. G. S. MOTILAL : Is it only one mill in Bombay ?

THE HONOURABLE MR. M. W. M. YEATTS : One prosecution. There have been other cases. In 1944 Government took over some mills in Bombay and elsewhere and worked them because of this sort of thing.

THE HONOURABLE PANDIT H. N. KUNZRU : Is it a fact that some time ago the millowners of Bombay said that they had sold a certain proportion of their yarn to hand-loom weavers and that Government found that the quantity actually received by the hand-loom weavers was substantially less ?

THE HONOURABLE MR. M. W. M. YEATTS : I do not know of any actual report to that effect but something of that sort undoubtedly is one of the channels of leakage which exist in this rather big, complicated, difficult and thankless control.

THE HONOURABLE MR. M. THIRUMALA ROW : Are Government aware that some of the accused in these cases are contending in the Courts that since the Ordinance has expired, they are free to do whatever they like ?

THE HONOURABLE MR. M. W. M. YEATTS : They may contend that, Sir, but I do not think they will contend with any success.

THE HONOURABLE MR. HOSSAIN IMAM: What steps have Government taken to keep a watch on these mills which were taken over in 1944 due to their mis-management and propensity to black-marketing?

THE HONOURABLE MR. M. W. M. YEATTS: These mills are no longer under control. After being run for some months by Government they were handed back in 1945.

THE HONOURABLE MR. HOSSAIN IMAM: Were they handed back because the mis-management had reformed?

THE HONOURABLE MR. M. W. M. YEATTS: I think, Sir, that it was probably to give them a chance to show a change of heart.

THE HONOURABLE MR. HOSSAIN IMAM: Are Government satisfied that they are not now indulging in those activities which caused their being taken over?

THE HONOURABLE MR. M. W. M. YEATTS: It is a most difficult thing. We would need to have not only a hundred arms and a hundred eyes but we would need something like a million. We do our best. It is really a case of putting your ear very close to the ground and if you hear a fairly continuous sound you feel something is there and then you have to specially go after that.

INDIANS IN MALAYA

137. THE HONOURABLE PANDIT H. N. KUNZRU: (a) Have Government chartered any ships or otherwise provided any facilities to enable such Indian labourers in Malaya as want to return to India to do so?

(b) What is the number of such labourers who have returned to India since the conclusion of the war and the number of applications by Indian labourers for passages to India?

THE HONOURABLE MR. A. V. PAI: (a) The Government of India have directed a ship on the Indian register to ply between Madras and the Malayan ports from 18th November. A press Note regarding this was issued on the 6th November, 1946; a copy of it is laid on the table of the House.

(b) The number of Indians who returned to India during the period April to September, 1946 is about 8,000. There is no information as to how many of them were labourers. The number of applicants for passages to India is reported to be about 27,000.

THE HONOURABLE PANDIT H. N. KUNZRU: How many people will the ship that is on the Indian register and that has been chartered by the Government of India be able to bring in each trip to India?

THE HONOURABLE MR. A. V. PAI: 1,800, Sir.

THE HONOURABLE PANDIT H. N. KUNZRU: Who will pay for the passages of the Indian labourers?

THE HONOURABLE MR. A. V. PAI: The passages of destitute labourers will be paid out of the Indian Immigration Fund, Malaya.

THE HONOURABLE PANDIT H. N. KUNZRU: What about the others who have practically lost their all during the war?

THE HONOURABLE MR. A. V. PAI: In such cases the Government of India's representative has discretion to provide free passage at the expense of the Government of India.

THE HONOURABLE PANDIT H. N. KUNZRU: Can Government state what proportion of the labourers who have so far returned been able to avail themselves of this concession?

THE HONOURABLE MR. A. V. PAI: I am unable to give an answer to that particular question now.

PRESS NOTE

INDIAN REPATRIATES FROM MALAYA.

The Government of India have directed the S.S. GALAGOPAL to proceed to Singapore and other Malayan ports from Madras to bring Indian repatriates who are waiting for passages to India. She is expected to make four round voyages between Madras and Malaya during the period November 18, 1946 to January 18, 1947.

Evacuees and others who are in possession of Passage Registration Certificates for Malaya issued by the Civil Passage Priority Controller for the Far East, Government of India, Commonwealth Relations Department, New Delhi, and who wish to avail of this opportunity are advised to contact the Agents at the Scindia Steam Navigation Co. Ltd., 109, Angappa Naicken Street, George Town, Madras.

SHORT NOTICE QUESTIONS AND ANSWERS

THE HONOURABLE THE PRESIDENT: Honourable Members, I have duly received notice of three Short Notice Questions. One of them, question No. 138 has been already circulated among all the Honourable Members and I therefore need not read it. Of the other two questions, one is from the Honourable Pandit Hriday Nath Kunzru and the other from the Honourable Raja Motilal. I am bound to read those to you as they have not been circulated. Under our procedure it is usual for the President to read them. The Honourable Pandit Kunzru's question runs as follows:—

"Will the Honourable Dr. Rajendra Prasad be pleased to make a statement on the situation in the Province of Bihar which he visited recently and where he toured extensively and spent several days?"

The other question is by the Honourable Raja Motilal and runs as follows:—

"Will the Honourable Dr. H. N. Kunzru be pleased to make a statement on the situation in the Province of Bengal which he visited and toured recently?"

I have already given great consideration and examined the Rules and Standing Orders. I have admitted the Honourable Mr. Hossain Imam's short notice question. I am also pleased to state that I will admit the question of the Honourable Pandit Kunzru. But I regret very much that I am unable to accept the Honourable Raja Motilal's question, as I see that it offends against Standing Order 13 (2). But if the Honourable Raja Motilal desires to put any question to the Honourable Member, I shall allow him to do so. I cannot officially admit this short notice question and make it a precedent.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR (Madras: Non-Muhammadan): May I raise to a point of order, Sir, as to the interpretation of the rules which you have just now given? I am only putting it on the ground of a correct interpretation of the rules. You have admitted two questions, Sir, addressed one to the Leader of the House and the other to the Honourable Dr. Rajendra Prasad.

THE HONOURABLE THE PRESIDENT: They are Government Members of the House. Standing Order 13(1) governs such questions being put to Government members of the House, not to non-official members of the House.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: I will put this point to you for consideration. You must have admitted the questions, Sir, under rule 8 which says:

"A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the member to whom it is addressed".

You draw a distinction between a non-official member and a member of the Government. May I draw your attention, Sir, to clause (1) of Standing Order 13 which says:—

"A question addressed to a member of the Government must relate to the public affairs with which he is officially connected, or to a matter of administration for which he is responsible".

I take it, Sir, that the members of the Government to whom the questions have been addressed could not be brought under either of these categories. If you admitted the questions addressed to them merely as members of the House under rule 8, I want you to reconsider your decision about the third question. Would you not

allow Dr. Kunzru also, a member of the House, to make a statement on a matter of public concern which is specially within his cognizance because of his recent tour in Bengal? If of course the member of the Government answered that question which was within his sphere of duties, I have nothing to say. If both the Leader of the House and Dr. Rajendra Prasad can answer questions on this particular matter, only because of the special knowledge they have as members of the House and not as members of Government, of happenings in East Bengal and Bihar, I think, Sir, on the Rules and Standing Orders, both a non-official member and any other member of the House stand on the same footing under rule 8 and also under Standing Order 13.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras : Non-Muhammadan) : Before you proceed further, Sir, I want to know what has happened to my Short Notice Question couched in identical terms as the question of my friend Raja Motilal. I sent that question day before yesterday. I do not find even mention of it by you.

THE HONOURABLE THE PRESIDENT : I over-ruled that question on the same ground on which I have over-ruled Raja Motilal's question.

THE HONOURABLE MR. M. THIRUMALA ROW : Should I not know what has happened to this question?

THE HONOURABLE THE PRESIDENT : This is not the forum for that enquiry.

THE HONOURABLE MR. M. THIRUMALA ROW : This is the place where I can demand an answer. I am entitled to a reply from the Chair. I protest against the way in which my question in identical terms has been treated. It was due to me that a reply should have been sent by the office.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA (Bihar : Non-Muhammadan) : On a small but totally different point of order, Sir. A few days ago two members of this House gave notice to you of a question, Haji Syed Muhammad Hussain and Syed Mohamed Padshah Sahib Bahadur. They were numbered as question No. 129. They were circulated. Later on we got a notice cancelling that circulation. Now I find that you have admitted today a question put by Mr. Hossain Imam. When I read and compare these two questions, I find they are both addressed to the Leader of the House; and if Mr. Hossain Imam's question can be admitted, the first question can also be admitted; or if that has been rejected, Mr. Hossain Imam's question stands on no different ground. Certainly we are rather anxious to know how Mr. Hossain Imam's question has been treated differently by you.

THE HONOURABLE THE PRESIDENT : Your objection is practically the same as that of Sir Gopalaswami Ayyangar.

THE HONOURABLE MR. HOSSAIN IMAM : May I make a submission? I have nothing to say except that Standing Order 13 is specific and I think you were right in accepting it *in toto*.

THE HONOURABLE PANDIT H. N. KUNZRU : I do not think that the interpretation put by my Honourable friend so speciously on rule 13 can be supported by others.

THE HONOURABLE THE PRESIDENT : May I remind Honourable Members that they cannot discuss these matters? When a question is placed before me and my ruling is given, it will decide it one way or the other.

THE HONOURABLE MR. GHAZANFAR ALI KHAN : (Health Member) : Nobody can question your ruling.

THE HONOURABLE MR. G. S. MOTILAL (Bombay : Non-Muhammadan) : You said you are going to decide. Certainly you will not shut out discussion whether the question is admissible or not, and you will hear the member before you decide.

THE HONOURABLE THE PRESIDENT : I have already said so before. This question is under discussion. I will allow anybody who wants to put a supplementary question to do so, if I allowed the original question.

THE HONOURABLE MR. G. S. MOTILAL : Before you finally decide, you will allow us to have our say on the Point of Order and consider what will be urged by some members of this House. My question is in identical terms as the question of the Honourable Dr. Kunzru, and rule 8 is very clear on that point—

THE HONOURABLE THE PRESIDENT : Sir Gopalaswami Ayyangar has read that rule.

THE HONOURABLE MR. G. S. MOTILAL : I should like to know why this question is to be disallowed. Some reason should be assigned so that we can understand the reason for your ruling.

THE HONOURABLE MR. HOSSAIN IMAM : A matter of public concern within his special cognizance.

THE HONOURABLE THE PRESIDENT : The difference between 13(1) and 13(2) is very important. It is a marked distinction which Honourable Members have overlooked and which probably they have not correctly interpreted. The distinction between clause (2) and clause (1) lies in the fact that the member should be responsible; the most important word in clause (2) is "responsible". I will read 13(2).

"A question addressed to a non-official member must relate to some Bill, resolution or some other matter connected with the business of the Council for which that member is responsible".

If it is a Bill or a Resolution or any other such motion then he is certainly responsible for that Bill or Resolution or Motion. Therefore this difference has been made.

THE HONOURABLE MR. G. S. MOTILAL : May I draw your attention to part (1) of this Order 13? If it is addressed to a member of the Government it must relate to the public affairs with which he is officially concerned. Now the Leader of the House is not concerned with the particular affair on which he is to be questioned; and independent of this the legislative rule provides that a question may be asked of any member of the House. The rule does not say that it should only be addressed to a member of the Government. It can be addressed to any member of the House. It is for you now to give the ruling.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : I want to submit one point. This—

THE HONOURABLE THE PRESIDENT : It is not usual for a member who has already taken part in the matter to stand up again to make a reply.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : I hope you will give me that little piece of indulgence.

THE HONOURABLE THE PRESIDENT : I have been giving the House considerable indulgence this morning.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : A question can be put only to a member. Either he is an ordinary member or he is a member of Government. If it is an ordinary member, the question can be allowed only under the terms of rule 8.

THE HONOURABLE THE PRESIDENT : You have said all that before and you are repeating the same thing.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR : There is no answer to rule 8.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : May I respectfully remind you that you have not answered my point—the disallowance of the question of Mr. Padshah Sahib and Muhammad Hussain and acceptance of the question of Mr. Hossain Imam?

THE HONOURABLE THE PRESIDENT : Will you allow me to do so? The same argument has been advanced by Sir Gopalaswami Ayyangar and Raja Motilal. According to you both, clause (2) would be wholly redundant and there was no necessity for framing that clause. I do not read it in the way in which you read it. The Honourable Pandit Kunzru on this occasion is not responsible for any Bill or resolution or any matter connected as a member of the House and I therefore disallow the question. That is my interpretation of Standing Order 13(2).

THE HONOURABLE PANDIT H. N. KUNZRU : May I put a further question? Is my Honourable friend the Leader of the House answering a question?

[Pandit H. N. Kunzru.]

relating to the public affairs with which he is officially connected or a matter of administration for which he is responsible?

THE HONOURABLE THE PRESIDENT (to the Honourable Mr. Hossain Imam): Will you please put your question?

138. THE HONOURABLE MR. HOSSAIN IMAM: Will the Honourable the Leader of the House be pleased to make a statement on the situation in the Provinces of Bihar and Bengal which he visited with his colleagues from the 2nd November to 10th November?

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House): Sir, I feel considerable diffidence in making a statement on the subject to which the Honourable Member's question relates. Some of the reasons are obvious. The Government are not yet in possession of full details about the happenings that have formed one of the saddest chapters in the history of this country. It is not yet possible to give any accurate idea of the damage that has been done to life and property in various parts of the country. Besides, one of the Provincial Governments affected has appointed an Inquiry Commission, whose members include some of the most eminent men in the judiciary of this country, to enquire into the disturbances, and I should naturally hesitate to say anything which may possibly embarrass those engaged in this enquiry. One must also cautiously avoid saying anything that may start a controversy and further accentuate bitterness which it should be the object and endeavour of all of us to remove. Since, however the Leader of the other House made a statement the other day in reply to a short notice question of a similar nature, it would, I think, be unfair to the Honourable Members of this House if I refused to answer the present question.

As Honourable Members are aware, a conflict between strongly cherished political ideologies caused a certain amount of controversy resulting in strained relations between the two communities. In July last the growing tension manifested itself in the form of communal rioting in Ahmedabad in the Bombay Province. This proved to be the first of a series of tragic events, some of them of colossal magnitude. After a few more incidents at various places there occurred the unfortunate tragedy of Calcutta resulting in huge loss of life and property to all sections of the population. A disturbance on a big scale soon followed in Bombay and still continues in the form of murderous attacks on individuals. Then came news of serious trouble in Baniabad in the Muzaffarpur District of Bihar, a Province which had already attracted the notice of leading and responsible public men, including Mr. Gandhi, for its growing spirit of general lawlessness. Towards the middle of October disturbances broke out in Noakhali in Eastern Bengal. One cannot but feel extreme pain over the happenings in that area where it is estimated that between 200 and 300 innocent persons lost their lives. This was bad enough; but unfortunately certain news agencies and a section of the press indulged in such gross exaggerations and presented their exaggerated versions in such a lurid light that even responsible leaders of public opinion were misled and some of them issued panicky and inflammatory statements making matters much worse. This propaganda had the effect of increasing tension throughout the country, leading soon after to killing, looting, arson, forced conversions, rape and abduction of women on a big and organised scale over a wide area in the Bihar Province. At this stage, as Honourable Members of this House are no doubt aware, four Members of the Interim Government, including myself, decided to visit the riot affected Provinces of Bengal and Bihar. In Calcutta we met the representatives of the Bengal Government and influential leaders of both the communities and an effort was made to set up a peace committee to advise the Bengal Government with regard to the measures necessary for the restoration of peace. A general strike was threatened at Calcutta during those days but fortunately better counsel prevailed and before we left we were informed that the idea had been given up. What we saw in Bihar was beyond our imagination. The tragedy that has occurred in that province is unparalleled in peace time. We had originally planned a very brief visit to Patna; but the conditions we saw made it imperative that at least two of us should prolong our stay in Bihar and tour the countryside. Accordingly the Honourable Pandit Jawahar Lal Nehru and myself stayed behind and did what we could to help in checking the prevailing lawlessness.

There are various estimates about the loss of lives and property during this mass uprising of one community against another in Bihar. For obvious reasons it is impossible to give any accurate figures, but reliable evidence indicates that the number of those killed is somewhere in five figures and the damage to property would amount to several crores. The situation in Bihar is reported to be improving, though fresh outbreaks of violence have occurred in certain parts of that unhappy province.

A few days back and not very far away from Delhi there occurred another instance of communal frenzy when a huge mob of villagers turned a religious fair at Garhmukteshwar in the U.P. into a scene of mass murder, arson, loot and abduction of women. Another Member of the Interim Government, the Honourable Mr. Ghazanfar Ali Khan, visited Garhmukteshwar and other affected areas.

A serious aspect of this long chain of tragic events is the problem of rehabilitation. In East Bengal the task of rehabilitating the unfortunate victims is reported to be proceeding with the cooperation of the Bengal authorities and Mr. Gandhi. The immense problem of the refugees and rescue of abducted women in Bihar and elsewhere has, however, yet to be tackled. It is reliably stated that there are over a hundred thousand homeless persons huddled in refugees' camps—in some cases without a roof over their heads—and in the houses of some private persons in Patna and a few other towns of Bihar. Food, clothing, medical help and proper shelter are their immediate needs. When these have been provided, this mass of refugees will present quite a difficult long term problem.

This is, in short, a tale of tragic happenings which have brought shame on this country in the eyes of the civilized world. It is time that all those who are in a position to influence the public made a serious and whole-hearted effort to impress on the people of this country the basic fact that no party can secure its political objective by killing, looting and arson. It would be sheer madness for any one community to think that it can wipe off the other by resorting to such methods. As Qaed-e-Azam Mr. Jinnah emphasised in a recent public appeal we may have our political differences but it will help neither party to try to resolve them by killing innocent neighbours and their women and children or burning and looting their houses. The most important contribution that we all can make towards the restoration of peace in this country is to refrain from doing or saying anything that may further create controversies or embitter feelings. I appeal to the Honourable Members of this House, the elder statesmen of the country, to use their great influence in putting out the flames of this orgy and restoring peace and goodwill in the country. We in this country claim to be the inheritors of great and noble civilizations and it is up to us to see that by our deeds we do not bring disgrace on our traditions of culture, humanity and chivalry. It is only by adhering to these noble traditions that we can ever hope to reach our cherished goal of true freedom. May God guide us to the right path.

THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal: Non Muhammadan): Where from did the Honourable Member get the figure of 200 only as killed in East Bengal and why has he not said anything about the thousands of conversions and forcible marriages and abductions of women in East Bengal as was reported by Miss Muriel Lister?

THE HONOURABLE THE PRESIDENT: The Honourable the Leader of the House has expressed himself in a general way on the matter which includes every form of crime.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: But he has not said anything about the forcible conversions and abductions of women and forcible marriages in East Bengal.

THE HONOURABLE MR. HOSSAIN IMAM: I think supplementary questions are not allowed on statements.

THE HONOURABLE MR. G. S. MOTILAL: The Honourable the Leader deprecates as much the abductions and conversions as murders.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: But he has not said anything about them.

THE HONOURABLE MR. A. R. NISHTAR : I, Sir, without any hesitation and with all the emphasis at my command condemn all the happenings—whether murder, forcible conversion or abduction—and that should be the duty of everybody. They have been condemned so many times before and I would condemn them again as many times as my Honourable friend wants.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I put a question ? Why has he omitted all reference to the Tipperah district in his statement ?

THE HONOURABLE MR. A. R. NISHTAR : As the Honourable Member knows I had no opportunity to visit that area.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Did my Honourable friend visit Ahmedabad, to which he has referred ?

THE HONOURABLE MR. A. R. NISHTAR : No, that is why I have not gone into details concerning Ahmedabad.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Can the Honourable Member tell us what is the number of refugees in Eastern Bengal ?

THE HONOURABLE MR. A. R. NISHTAR : It is a large number; but the actual number is not available to me.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Has he any knowledge to the effect that responsible persons think that the number is between 50,000 and 100,000 ?

THE HONOURABLE MR. A. R. NISHTAR : I am not in a position either to confirm or to contradict it.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will Government take steps to inquire whether it is a fact that 50 Harijan houses were burnt down and looted in Bhagalpur district, and that 576 Hindus were killed by stabbing and gun-shots in Bihar ?

THE HONOURABLE MR. A. R. NISHTAR : So far as these two allegations are concerned, at any rate for my own information I shall try to inquire into them.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that the disturbances started in Bihar on the 25th October and that the Prime Minister of Bihar demanded military help on the 28th ? When was he afforded military assistance ?

THE HONOURABLE MR. A. R. NISHTAR : I want notice of the question.

THE HONOURABLE MR. HOSSAIN IMAM : May I give this information, because I was present when this demand was made ? This demand was made on the 31st October, at 6 P.M.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : When was military aid given ? The Honourable the Leader of the House will make inquiries about that.

Another supplementary question. Will the Government of India find out whether it is a fact that the Bihar Government are spending today Rs. 40,000 a day in Patna alone in maintaining refugee camps and feeding refugees ?

THE HONOURABLE MR. A. R. NISHTAR : If my Honourable friend wants it, I shall have no hesitation in making inquiries about it.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Would the Honourable the Leader of the House kindly inquire ?

THE HONOURABLE MR. A. R. NISHTAR : I know that they are spending some amount. The very fact that they are spending a huge amount, as my Honourable friend puts it shows that the number of refugees to be provided for must be very large.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : May I therefore take it that the Government of India think that the amount which the Bihar Government are spending on refugees is commensurate with the requirements of the refugees ?

THE HONOURABLE THE PRESIDENT : That is what the Honourable Member thinks : that is not a question.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : What I said was this. May I take it from the reply given to me by the Leader of the House that the amount spent on the maintenance of the refugees by the Bihar Government is commensurate with their needs ?

THE HONOURABLE MR. A. R. NISHTAR : I am not in a position to answer that question affirmatively.

May I, Sir, on a point of explanation, state that I am prepared to answer as many supplementary questions as my Honourable friends want to put, but let me point out that no question should be put which will in any way create difficulties in the way of the Government of that Province. That is why I do not propose to enter into a discussion of certain matters, because it will embarrass the Provincial Government and we should not do anything to embarrass them. Subject to this, I am prepared to answer as many questions as the Honourable Members want.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : I am not putting questions in that spirit, but I feel that suppression of facts will lead to more trouble. Virus and poison always breeds in the shade. May I therefore ask the Government of India to inquire of the Bihar Government whether it is a fact that a large number of lethal weapons were brought from outside Bihar and that numerous mosques were turned into arsenals ?

THE HONOURABLE MR. A. R. NISHTAR : I have been to Bihar but nobody ever mentioned that to me.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : My request is : would the Honourable the Leader of the House inquire ?

THE HONOURABLE MR. A. R. NISHTAR : If it had been a fact, it would certainly have been brought to my notice. I was in constant touch with the members of the Bihar Government and other influential people, and they would certainly have referred to it.

(Several Honourable Members rose to ask supplementary questions.)

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Mr. President, I come from Bihar, and I am the only elected non-Muslim member representing Bihar, and on this occasion I should be permitted to put a few questions.

THE HONOURABLE THE PRESIDENT : The Honourable Member has already put many questions as regards Bihar, and they have been answered.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : The whole question refers to Bihar, and we cannot help it. I am only putting these points to the Leader of the House so that inquiries can be made. I do not expect that he has ready answers with him. I think it will help if the Government of India make inquiries. It is in that spirit that I am asking my questions.

Is it a fact that a League M. L. A. was caught by the police while taking delivery of lethal arms at Darbhanga railway station ?

THE HONOURABLE MR. A. R. NISHTAR : That is not a fact so far as my information goes. I am sorry to say that if such questions are put and I am forced to refer to the conduct of certain individuals, it would be very distasteful to my Honourable friend. We should avoid that.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Have the Government of India found out why so mysteriously the Governor of Bihar was absent from the province of Bihar from 28th October to 5th November ?

THE HONOURABLE MR. A. R. NISHTAR : We were told that he went to receive his wife.

THE HONOURABLE MR. HOSSAIN IMAM : The number of days which my Honourable friend gave is wrong.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Apart from the number of casualties, what is the amount of damage suffered in Calcutta ?

THE HONOURABLE MR. A. R. NISHTAR : May I refer the Honourable Member to the following sentence in my statement :—

"After a few more incidents at various places, there occurred the unfortunate tragedy of Calcutta, resulting in huge loss of life and property to all sections of the population."

What else does the Honourable Member want ?

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS (East Bengal : Non-Muhammadan) : As one hailing from East Bengal, I would request you, Sir, to allow me to put a few questions to the Leader of the House in connection with the outrages in East Bengal. The Honourable the Leader of the House was pleased to state that the Government was taking steps for rehabilitation. May I know from him what steps have been taken by the Government in the matter of the return of abducted women in Eastern Bengal ?

THE HONOURABLE MR. A. R. NISHTAR : So far as this matter is concerned, my information is based entirely on the reports in the Press, which are available to Honourable Members also. Officially I have no information about it.

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS : Second question. Is the Honourable the Leader of the House aware that an I. C. S. officer deputed by the Bengal Government to inquire into rape cases reported—according to a report published in *The Hindustan Standard* of Calcutta on the 5th November—that in the Chandpur sub-division of Tippera there were 800 cases of rape and 400 cases of outrages on young girls ?

THE HONOURABLE MR. A. R. NISHTAR : As I have already pointed out, unless I have personal or official information, it would not be desirable on my part to confirm such allegation. I have already warned Honourable Members, and I will request them again, to be very careful in accepting press reports, whether they relate to Bengal or to Bihar.

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS : My third question is : Has the attention of the Honourable the Leader of the House been drawn to to-day's *Hindustan Times* of Delhi as to the difficulty which Mahatma Gandhi and other members of the peace committee are meeting with in bringing about peace and normal conditions, due to the obstinacy of the aggressive community in not allowing the return of these women to their homes ?

THE HONOURABLE MR. A. R. NISHTAR : My previous reply covers this question.

THE HONOURABLE MR. M. THIRUMALA ROW : Has the attention of the Honourable the Leader of the House been drawn to the statement in the press that unless orders from the Muslim League High Command issue, it will not be possible for the majority community in East Bengal to allow Hindus to return and settle down peacefully in that area ; and if his attention has been drawn to it, will he do all that is possible for him to see that the Muslim League policy is changed in the proper direction ?

THE HONOURABLE MR. A. R. NISHTAR : There is no question of changing the policy of the Muslim League ; and, replying to my Honourable friend as a member of the Muslim League, I may tell him that the highest personage in our organisation is Quaide-Azam Mahomed Ali Jinnah, and he has emphatically and in very strong terms condemned these happenings and appealed to everybody to help in the restoration of peace. I think this is the final word, and the strongest word, that can be said from the Muslim League side.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I will put a question which will not embarrass him. He said that to the best of his knowledge rehabilitation of the sufferers in East Bengal was proceeding smoothly.

THE HONOURABLE MR. A. R. NISHTAR : I did not use the word "smoothly".

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I thought he used it. It was proceeding, shall we say, and I thought from his manner that he thought that it was satisfactory. May I know from him what steps have been taken by the Government of Bengal in connection with the rehabilitation of the people who have

suffered there in East Bengal and also what steps have been taken to enable the thousands of Hindus who have been forcibly converted to Muhammadanism to return to their faith as this must be an essential part of rehabilitation and the restoration of law and order ?

THE HONOURABLE MR. A. R. NISHTAR : As for details I have already said that I am not in a position to give the details. But the information that I have got so far is that the Bengal Government, in co-operation with Mr. Gandhi, who fortunately happens to be there, are proceeding with the scheme of rehabilitation of the refugees. Whether that scheme will ultimately succeed or whether it will proceed smoothly or not, it is not for me to say and I cannot vouchsafe it. I can however, say this much that the rehabilitation question is being tackled by the Government of Bengal in consultation and in co-operation with Mr. Gandhi.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : It means that for weeks after this tragedy in East Bengal occurred the Government there really took no steps to rehabilitate them and I am in a position to say from my own personal knowledge that this is a fact.

THE HONOURABLE THE PRESIDENT : Pandit Kunzru, will you now put your short notice question ?

THE HONOURABLE MR. HOSSAIN IMAM : The Question hour is over now.

139. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Will the Honourable Rajendra Prasad be pleased to make a statement on the situation in the province of Bihar which he visited recently and where he toured extensively and spent several days ?

THE HONOURABLE SHRI RAJENDRA PRASAD (Food Member) : Sir, it was not my intention to make any statement at this stage which would lead to any controversy or counter-questions and in that respect I fully reciprocate the feelings of the Leader of the House that we should not make any statements or say anything which leads to further acerbation of feeling which is bad enough all over the country at the present moment. I would also have followed the Leader of the House in not making any statement of my own which would add to the difficulties but, unfortunately, statements have been made even on the floor of this House which lead to an impression, which is certainly left on my mind, that things have happened in Bihar which are not of all proportion to, and beyond all comparison with, things which have happened in other parts of the country, particularly in Bengal. Knowing Bihar as I do and knowing what has happened there, I cannot subscribe to that statement and I must say that things, bad as they are, regrettable and deplorable as they are—and I condemn all these things with the greatest emphasis that I can command—I cannot say that things there are any worse than what they are in Eastern Bengal or what they have been there for the last more than 4 or 5 weeks. In the first place, the situation there was brought under control within 3 or 4 days or 5 days at the most, and I believe the situation could have been brought under control earlier still if military aid had been available sooner and if the attention of all people all over the country, including Mahatma Gandhi, had been drawn to it earlier and he had announced the fast which he did announce after getting information about events there which had a great salutary effect on the people in that province. In the second place, I desire also to say that at the present moment things are perfectly quiet, and although we received a telegram yesterday that some trouble had arisen in another corner of the province, Government have received information since then from the Government of Bihar which says that everything is quiet there. So, this isolated incident which has occurred after 10 or 11 days since the last events in the worst affected districts has not affected the province as a whole and I hope it is only an isolated incident which will have no repercussions or any bearing in other parts of the province.

As regards rehabilitation, there is a large body of refugees concentrated in various camps in the towns of Bihar and also in some villages and I say this on the authority of what I saw there that they are taking all possible steps to give them food, to give them clothing, and to give them shelter so long as they are there and the next step will be to ask them to go back, and I hope the influence of all members here as well as outside will be exercised in favour of inducing the refugees to go back to their

THE HONOURABLE THE PRESIDENT: We will now proceed with legislative work which is very little. I will adjourn the Council after a few words of farewell from myself.

INDIAN TEA CONTROL (AMENDMENT) BILL

THE HONOURABLE MR. Y. N. SUKTHANKAR (Nominated Official): Sir, I beg to move:

"That the Bill further to amend the India Tea Control Act, 1938, as passed by the Legislative Assembly, be taken into consideration."

Sir, this is a simple Bill whose examination need not detain the House unduly long. As Honourable Members are aware, India is a party to the International Tea Agreement and cannot export anything more than the total export allotment agreed upon from year to year, nor could a pound of tea be exported unless it is covered by an export licence. Each estate registered with the Indian Tea Licensing Committee, which is a statutory body, receives an appropriate quota and that quota has to be translated into an export licence which relates to a particular financial year before tea could be exported. Suppose I am a proprietor of a tea estate and my quota is 100,000 lbs. I obtain an export licence, which is valid for 1946-47 if I wish to export my tea this year. Suppose I am unable to ship all that tea and a balance of 50,000 lbs. is left. I do not lose my right to export the balance. But I go to the Indian Tea Licensing Committee before the 14th April of the following year and apply to them for a special export licence which enables me to export tea in the following year. Now in prewar days the special export licence was valid only for a period of two months, namely, during April and May, but on account of the war conditions and in order to such difficulties connected with freight and shipping the special export licence was made valid for full twelve months and it is the arrangement which we want to change now. We want to go back to the prewar arrangements as the freight and shipping position has eased very considerably.

Honourable Members may well ask me if, apart from this desire to go back to the conditions existing before the war and the easing of the situation as regards shipping and freight, there are any practical difficulties involved in the existing arrangements or any practical advantage arising from this Bill. My answer to that is "Yes". As Honourable Members are aware, at the moment, all the exportable surplus often is purchased by the Ministry of Food under the bloc purchase scheme but the question of terminating this scheme and permitting private export is under the active consideration of Government under the existing arrangements we find that much more export quota is kept alive than the actual quantity often available for export. Unless we reduce the period of validity of the Special export licences from twelve months to two months there is a definite risk that private exporters may utilise the special export licences to draw upon tea reserved for the internal market.

Sir, I consider that this is a salutary Bill, in so far as it ensures return to normal conditions and safeguards the internal market. I therefore trust that the Bill will receive wholehearted support from the House.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. Y. N. SUKTHANKAR: Sir, I move:

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

REGISTRATION OF TRANSFERRED COMPANIES (AMENDMENT) BILL

THE HONOURABLE MR. Y. N. SUKTHANKAR (Nominated Official): Sir, I beg leave to move:—

"That the Bill to amend the Registration of Transferred Companies Ordinance, 1942, as passed by the Legislative Assembly, be taken into consideration."

Sir, this again, is a simple Bill, which signalizes a return to normal conditions. The Registration of Transferred Companies Ordinance, 1942, was promulgated in that year in order to enable Companies operating in different parts of the Empire to come over to and be registered in India so as to operate effectively from here as some of those parts were overrun or in danger of being overrun by the enemy. After the termination of hostilities some of these Companies wanted to go back to where they came from and others wanted to continue in here. As far as the Companies which were registered under this Ordinance and wanted to stay on in India were concerned the position was free from difficulty. There is registration under the Ordinance subject to certain conditions produced in some legal effect as if they were registered under the Indian Companies Act, 1913, but as regards Companies which wanted to go back, they could do so only if the Ordinance was cancelled. The Companies registered under it and wanting to continue in India lost all the advantages accruing from the Ordinance. On the other hand, if the Ordinance remained those companies which wanted to serve India would continue to be registered in British India as well as become Companies registered elsewhere, which would create an awkward position. This Bill, therefore, seeks to cancel the registration of such Companies under certain conditions. I may add for the information of the Honourable Members that due care will be taken to safeguard the position and the interests of the creditors to the various Companies whose registration would be cancelled. I may also add for their information that a similar amending Bill in exactly similar circumstances has been passed in the United Kingdom.

Sir, I move.

The Motion was adopted.

Clause 2 and 2A was added to the Bill.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. Y. N. SUKTHANKAR: Sir, I move:

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

FAREWELL ADDRESS BY THE PRESIDENT.

THE HONOURABLE THE PRESIDENT: Honourable Members, as this is the last time I am presiding in this Council before I adjourn the House *sine die*, I would like to address a few words of farewell. For 14 years I have held the office of President of this Council—the longest period on record—due to circumstances necessitating extension of the life of the House from time to time. I have during these 14 years had my lips closed and took no part outside or in this Council in political matters, except performing my duties as President.

As many of you—old friends—are aware, I commenced my public career 58 years ago and have been in the Central Legislature for the last 38 years of which the last 14 years have been in the capacity as President of this Chamber. During these years I had opportunities of meeting and working with great men and great politicians like the Rt. Honourable Srinivas Shastri, Sir Sivaswamy Iyer, Mr. G. K. Gokhale, Sir Surendranath Banerjee, Pandit Madan Mohan Malaviya and Sir Dinshaw Vachha. They were all men of distinction, great ability and representative status from all parts of India. I had during this long period, as a Member of the Supreme Legislative Council, and later during the last 22 years in this Council, exceptional opportunities of learning many things concerning the progress and advancement of our country.

Nearly 60 years ago, when the Congress held its first Session in Bombay, few realised that they would see the beginnings of full independence of India within such a short space of time. Through the untiring efforts of His Excellency Lord Wavell, who has already distinguished himself as a great Viceroy and Governor-General of India, we are able to see in this House and in the Assembly during this Session leader

[Mr. President.]

and representatives of various parts of India forming a Coalition Interim Government and who will in the not distant future participate in achieving the consummations which every Indian has aspired to see for many years—and that is a free and independent India. It is a matter of sincere gratification that through the efforts of our popular Governor-General as well as the exercise of sound judgment by Mr. Jinnah, the Muslim League has also joined the Interim Government. The work and progress in both the Houses which during the last few years were not marked with any great measure of harmony, are, happily, now conducted in an atmosphere of mutual trust and concord. This is indeed very welcome for after the last few weeks' distressing events, which unfortunately are still continuing, the two major communities and even minority communities have fully realised that for achieving our full freedom we must be united in a sincere spirit of give and take and thus earn the respect and attention of the great nations of the world.

The responsibility of every class and community is all the greater in the background of the dark tragedies witnessed in Calcutta, Noakhali, Dacca, Bombay, Bihar and other places which incidentally have plunged the whole country into a state of social and economic disorganisation. Not a day has passed without our hearing of the sorrowful news and distressing tales of murders, looting, arson and other horrible crimes. But I have not the smallest doubt that the sagacity of our new administrators who have taken charge of their office will soon find a solution of this grave and distressing division of opinion between the two major communities and that their efforts will succeed in a short time, with the assistance of His Excellency the Governor-General and the aid of the loyal Police and Military, to restore peace and tranquility will effect re-union between them. The task before our administrators is a serious one, but with tact and courage, I have no doubt they will be able to form an everlasting union of friendship between the two great communities of India. The minority question is a very important one, depending on the treatment accorded to them and if it is handled in the right manner, the Interim Government will receive their unqualified support as well as win their affection and approbation.

Honourable Members, I do not propose to deal with the past history of the Indian Legislature, nor with important periods during which from time to time reforms were introduced by the British Government, which have all collectively contributed to test the ability and skill of our Indian politicians in the matter of successful governance of our country. I desire, with your permission, to refer only to two important subjects today. During the last few years there has been a division of opinion in many parts of India as regards the advisability of bicameral Legislature—the Lower and Upper Houses—in India at the Centre. Whatever may be the opinion about having or not having two Houses in the Provinces, I am definitely of opinion that at the Centre there should be two Houses, both the House of Representatives and the Senate, or whatever you may choose to call them. In the Parliaments of all great nations there have been two Houses, each having separate and individual entities and functions, the Upper House generally consisting of elder and mature statesmen enjoying powers of revision or alteration, on many important questions. Its necessity and propriety have been impressed upon us by the events of the last few years; and whatever else may happen in our march towards democratic freedom, I trust India will not recede from the position it has consistently taken up so far as bicameral legislature at the Centre is concerned. I also pray that you and your successors in office always maintain the prestige and great traditions of this house. The many years that I have occupied this chair, I have contributed my humble efforts towards that ideal.

The other question I wish to refer to is whether on the advent of full Responsible National Government, India should remain within the British Empire or secede from it. I am fully aware of the feeling among many young politicians about it; and it is also true that the British Government have given option to India to remain within the Empire or to get out of it. But I trust you will permit me to say a few words on this point. I am referring to it because not only in the present state of affairs, with the pronounced division between the two great parties, marked with the absence of mutual distrust and a spirit of toleration, but also because of the trend of affairs in and around Asia, it would be better to remain within the Empire. We have embarked

on governance of our country whose component parts are not yet quite integral or well-knit. India is still a Subcontinent with diverse populations, living in different areas with different religions and conflicting habits. Moreover, the resources of our country are out of proportion to the needs and requirements of an extensive Empire. These have to be augmented in various directions in order to make our country self-supporting, so that the different Provinces become economically wholly self-sufficient and self-reliant. It is true that India today is a creditor country, but our resources are more illusory than real. And what is going to take place in the near future one cannot envisage with equanimity. It is, therefore, absolutely essential that we must fully build up our economic resources in all directions, industrialise the country, expand our trade and commerce widely, make our farmers and agriculturists prosperous, happy and contented and enable every Province to exist on its own resources before we contemplate severance of India from the Empire.

You are aware of the past history of India, how different dynasties came into existence and how different communities governed in succession. Our foremost effort should therefore be to obtain our sterling balances in order to expand industrially and to make failures of crop as events of the past. Let us not be in a hurry to go in for ambitious and expensive schemes of development which the Western nations adopted only after many years of stewardship of Government. Let us lay the foundations of our Government on financially sound basis and be also assured of a stable national income. As the Honourable Sardar Vallabhbhai Patel wisely and pertinently observed the other day, "We must govern or learn to govern before we enter into hazardous undertakings. We must put our foot on solid ground before we rush into dangerous waters." I commend these observations to the peoples of India generally through their leaders and representatives who are Members of the central Legislature. When we have laid the solid foundations of the Indian Empire in matters of industrialisation and economic advancement, when we have created a truly national army by giving our boys suitable and adequate Military training, and equipped them with weapons required for the protection of our country, it would then be time for us to consider the question whether India should remain within or walk out of the British Empire.

One more word and I have done. I say farewell to this House and to everyone of you. The hour of parting is always sad, but I have the consolation that my health with the support and indulgence of my colleagues permitted me for so many years to preside over their deliberations. I stand before you for the last time, with my memories spread back for much over a generation, but I assure you that as long as I live I shall continue to watch with deep interest the proceedings of this House and the work done by you and your successors. Now, I need only remind you, that as elder statesmen the older we grow the wiser we must act, act not merely in the service of the present but for the good of the future, and again not merely for the India of today but for the India which we all fervently look forward to a United Nation, sensitive to her own self-respect and sensible of the respect of the great nations of the world.

I must also tender my grateful thanks to the entire staff including my Secretaries past and present and the Assistant Secretary, Rai Sahib Asit K. Gupta, all of whom have for many long years given me loyal and valuable help. I am also under deep obligations to the Press generally, headed by their indefatigable unofficial leader, Sir Usha Nath Sen, for giving true and wide publicity to the labours of my Honorable colleagues in this House.

With these few words, I now adjourn the Council sine die.

Honourable Members, as I may not meet many of you again, I will request you to shake hands with me before we part.

(Honourable Members then shook hands with the Honourable the President.)

The Council then adjourned sine die.

D

V2, 32, 1946

1946-2

