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LEGISLATIVE ASSEMBLY DEBATES

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FIRST SESSION

OF THE

SIXTH LEGISLATIVE ASSEMBLY,
1946



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LEGISLATIVE ASSEMBLY

President

THE HONOURABLE MR. G. V. MAVALANKAR.

Deputy President

SIR MUHAMMAD YAMIN KHAN, M.L.A.

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CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions

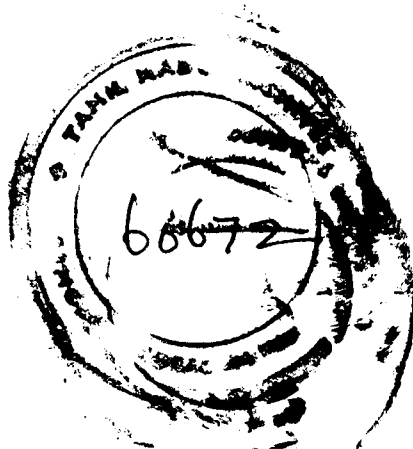
SIR MUHAMMAD YAMIN KHAN, M.L.A. (*Chairman*).

SYED GHULAM BHIK NAIRANG, M.L.A.

SHRI SRI PRAKASA, M.L.A.

MR. T. CHAPMAN-MORTIMER, M.L.A.

SARDAR MANGAL SINGH, M.L.A.



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LEGISLATIVE ASSEMBLY

Monday 1st April, 1946.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBERS SWORN :

The Honourable Dewan Bahadur Sir Aroot Ramaswami Mudaliar, K.C.S.I (Leader of the House); and

Mr. Alfred Charles Turner (Government of India : Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

CANCELLATION OF ARM LICENCES IN DELHI

1422. *Shri Sri Prakasa: Will the Honourable the Home Member be pleased to state:

(a) the number of Arm Licences granted in the Province of Delhi during the year 1945;

(b) if it is a fact that any licences were cancelled at the time of their last inspection and renewal; if so, how many, and for what reasons; and

(c) who is the authority in the Province of Delhi for the granting of licences, and if his decision in the matter is final?

The Honourable Sir John Thorne : (a) 4016.

(b) Yes. At the time of the last inspection and renewal 174 licences were cancelled as the licencees had not purchased any cartridges (or had purchased less than 50) during the last five years and consequently appeared to have no need for their weapons.

(c) The District Magistrate and the Additional District Magistrate are both empowered to grant licences and an appeal against their orders lies to their immediate superior officers i.e. the Chief Commissioner and the District Magistrate, respectively.

Shri Sri Prakasa : With reference to the Honourable Member's reply to part (b) of the question, is it a condition of grant of licence that a certain number of cartridges must be purchased during the year?

The Honourable Sir John Thorne : I am not sure whether it is a formal condition, Sir, but it is generally understood that licences which are not used are not entitled to continue.

Mr. Mann Subedar : May I know why Government have put this consideration on the non-purchase of cartridges. I possess a Colt since burglars visited my house. I have not purchased any ammunition for the last fourteen years, but I would still consider it a great hardship if that was taken away from me. Why do Government put what I call a very mischievous interpretation? An arm is to be used when an occasion arises; otherwise it is not to be used.

The Honourable Sir John Thorne : An arm cannot be used unless there is ammunition to be put into it.

Mr. Mann Subedar : But if the previous stock of ammunition is there and is adequate, why should a licencee be compelled to purchase further stock unnecessarily?

The Honourable Sir John Thorne : Ammunition does not last for ever. I should advise my Honourable friend to test the ammunition before he uses his Colt on burglars.

Shri Mohan Lal Saxena : May I know if any notice was given to these persons before cancelling their licences?

The Honourable Sir John Thorne : I am not sure. I have no information on that point.

Mr. K. C. Neogy : Is it for the first time this year that this particular condition, was enforced or this particular consideration was borne in mind for the purpose of cancelling the licences?

The Honourable Sir John Thorne : I am not sure whether it has been applied in Delhi for the first time, but from my own district experience I can say that it is a matter which every licencing authority has for many years past in mind.

Shri Sri Prakasa : Is it necessary in the opinion of the Honourable Member that arms must be recklessly used before licences for them can be renewed? Does he not know that arms cannot be used within municipal areas, and there are many people who keep arms for purposes of show and for use only when an occasion arises and do not believe in going about shooting without any rhyme or reason?

The Honourable Sir John Thorne : So far as I could follow the part of my Honourable friend's speech.....

Shri Sri Prakasa : It is a question, not speech.

The Honourable Sir John Thorne :.....in which a question was implied, it is a matter of opinion.

Mr. Ahmed E. H. Jaffer : Is it a fact that stock of ammunition was frozen and the dealers had no cartridges? If so, how can the Honourable Member say that the licencees have not purchased cartridges?

The Honourable Sir John Thorne : I think there is a question further down on the paper which relates to that.

Mr. K. C. Neogy : Is no distinction made between arms in respect of which licences are granted for the express purpose of self-defence and arms in respect of which licences are granted for port, in regard to the enforcement of the condition that the Honourable Member has mentioned?

The Honourable Sir John Thorne : No distinction for what purpose?

Mr. K. C. Neogy : In the case of arms which are necessary for the purpose of self-defence, there would be no occasion for using any cartridges unless there is an occasion for self-defence.

The Honourable Sir John Thorne : I think that consideration would be before the licensing authorities.

Mr. President : Next question.

PROSECUTION OF MR. KANDALKAR BY RAILWAY POLICE INSPECTOR, MANMAD

1423. *Sjt. B. S. Hiray : (a) Will the Honourable the Home Member be pleased to state whether one Mr. Kandalkar, the then Excise Sub-Inspector at Manmad was prosecuted in the year 1944-45, under Section 120 of Railway Act in the Court of the Resident Magistrate at Manmad?

(b) Is it a fact that the then Railway Police Inspector of Manmad ordered the prosecution?

(c) What was the decision of that case? Is it a fact that the learned Magistrate passed very severe strictures against the said Police Inspector of Manmad?

(d) Is it a fact that the said complaint was lodged after two and a half months after the happening of the alleged offence and after the said Police Inspector had learnt that Mr. Kandalkar had made written complaint against him for unmannerly behaviour to his superiors?

(e) What expenses the Department had to incur for this trial including the Travelling Allowances of the witnesses?

(*) What action Government have taken or propose to take against the said Railway Police Inspector?

The Honourable Sir John Thorne : I cannot undertake to make enquiries about a criminal case which is the concern of the Provincial Government.

REMUNERATIVE PRICES FOR PEASANTS TO PRODUCE FOOD PRODUCTS

1424. *Prof. N. G. Ranga : Will the Honourable Member for Information and Arts be pleased to state:

(a) whether it is the Government policy to assure peasants remunerative and adequate prices to encourage them to produce more and more food products, including food grains, oil seeds, roots, and fruits;

(b) if the answer to (a) is in the affirmative, why Government have not included it in their list of Fundamental Reforms included in their article on Better Villages published on page 24 of Speakers Digest of March 1946, published by the Field Publicity Organisation and why, when Government are prepared to exhort peasants to organise themselves for Co-operative effort on page 25, they do not exhort peasants to organise themselves to secure adequate prices and also to produce more food grains; and

(c) what steps are being taken by the Field Publicity Service to help peasants to obtain remunerative and adequate prices and also to protect them from the rapacity of middle men and Food Procurement Staffs of Government?

The Honourable Sir Akbar Hydari : (a) The question should be addressed to the Food Secretary.

(b) and (c). As the organisation is being wound up consequent on the recent vote of this House the questions hardly arise.

Prof. N. G. Ranga : This is rather a strange position. In regard to part (a). I have asked for information with regard to the Government policy. How am I expected to address the Food Department on this question when every Department of the Government is expected to know what the Government policy is in regard to a specific matter which is brought to the notice.....

Mr. President : Order, order. This means that it will be automatically answered by the Food Department.

Prof. N. G. Ranga : That is not necessary because this gentleman....

Mr. President : That has been the convention of the House.

Prof. N. G. Ranga : I am not talking about the convention of the House. Here is the Department concerned which should know what is the policy of the Government of India on this question.....

Mr. President : Any other question?

Prof. N. G. Ranga : The Honourable Member's reply relates to the present and the future. My question in regard to the particular pamphlet to which I have referred is why is it that they have not done so in the past?

The Honourable Sir Akbar Hydari : Sir, I only wanted to save the time of the House by not entering into further explanation; but if my Honourable friend will read lower down the pamphlet under the heading 'Fundamental Reforms', it says:

"In addition to these, conditions must be created to enable the agriculturist to speedily market his produce at a cheaper cost."

And then again lower down it is stated:

"It will also be necessary to maintain during the coming years a certain level of price for agricultural produce, which would enable the producer to secure a fair return."

Surely that means that it is the intention that the cultivator should get remunerative prices.

Prof. N. G. Ranga : You do not give it sufficient prominence.

Babu Ram Narayan Singh : Sir I want to know one thing from you. As the Honourable Member says that the matter does not relate to his Department, why was not this question transferred in time to the Department to which it relates ?

Mr. President : The position has already been explained in this House and needs no further explanation.

STOPPAGE OF PROPAGANDA BROADCASTS FOR MIDDLE EAST AND FAR EAST COUNTRIES

1425. *Prof. N. G. Ranga: (a) Will the Honourable Member for Information and Arts be pleased to state in how many non-Indian languages, other than English, broadcasts of news and commentary are being carried out by the All-India Radio?

(b) How many of them are directed to the Middle East and Far East countries?

(c) In view of the fact that India is still a subject country without any foreign policy of its own, what is the purpose of these broadcasts?

(d) Does any of the Middle East or Far East countries specifically direct any of their broadcasts to India?

(e) Are Government aware that this propaganda is being carried on for and on behalf of the British Government?

(f) Are the guidance and direction for these broadcasts being received from time to time from that Government?

(g) What is the cost of the broadcasts conducted and directed to the Middle East and Far East countries?

(h) Do the British Government pay any thing towards this expenditure? If not, why not?

(i) In view of the fact that many linguistic areas such as Bihar, Andhra Central Provinces, Sind, are not provided with radio stations, do Government propose to take immediate steps to utilise the transmitters that will become available by stopping Middle East and Far East broadcasts and erect them in these areas?

The Honourable Sir Akbar Hydari: (a) 13.

(b) Nine to the Far East and three to the Middle East.

(c) The purpose of these broadcasts is to encourage the people of these countries to listen to India and so promote goodwill and cultural and commercial relations.

(d) Yes.

(e) and (f). No. During the war the broadcasts in non-Indian Languages to the Far East were conducted by the Government of India on behalf of His Majesty's Government, but since 1st February, 1946, the Government of India has assumed sole responsibility for them. The broadcasts to the Middle East have always been the responsibility of the Government of India. Information on international affairs is received from His Majesty's Government.

(g) A statement giving the figures of expenditures on Far East and Middle East broadcasts (over the last four years) is laid on the table of the House.

(h) All expenditure on broadcasts conducted by the Government of India on behalf of His Majesty's Government was met by His Majesty's Government. This arrangement was terminated on 1st February, 1946, when His Majesty's Government ceased to control these broadcasts.

(i) The transmitters used for these broadcasts are not technically suited for regional and local broadcasts. The question of expanding internal broadcasting is separately under consideration.

Middle East countries during the last four years is as under:—

Year.	Middle East.		Far East.	
	Rs.		Rs.	
1942-43.	.	1,06,708	.	Nil.
1943-44	.	1,72,671	.	1,09,000
1944-45	.	1,84,391	.	2,50,000
1945-46 (till 31-1-46)	.	2,16,194	.	2,73,000

Prof. N. G. Ranga: Has there been any reduction in the number of broadcasts put out to these countries after the end of the war?

The Honourable Sir Akbar Hydari : Not that I am aware of.

Prof. N. G. Ranga : Has there been any change since in the kind of broadcasts that are being sent out?

The Honourable Sir Akbar Hydari : I should think so but I should like notice of that question.

Prof. N. G. Ranga : What is the material advantage which the Honourable Member thinks that India has derived from these broadcasts? The Government must have had knowledge of the advantage derived when they came to the decision that they should shoulder the whole of this responsibility.

The Honourable Sir Akbar Hydari : The advantages are imponderable. You can find out only after a lapse of time what advantage or disadvantage results from such broadcasts.

Mr. Manu Subedar : May I enquire whether there is any other country in the world which is reciprocating the courtesy and sends out Indian broadcast except Great Britain?

The Honourable Sir Akbar Hydari : Certainly. I have got here a list of such broadcasts. Daily news in Urdu from Bandoeng (Java), news broadcasts daily in Hindustani from Kabul, broadcast news and talks in Urdu from Melbourne and news round up in English. Moscow news in Bengali and news in Hindustani, Rangoon news in Hindustani and the B. B. C. have about six talks.

Mr. Manu Subedar : May I know whether we are reciprocating the Moscow broadcasts in the Russian language?

The Honourable Sir Akbar Hydari : No, Sir.

Mr. Manu Subedar : Are we then reciprocating to all the other countries mentioned or have we still got the Japanese and the Chinese broadcasts and also the Iranian?

The Honourable Sir Akbar Hydari : We have all three.

Mr. Manu Subedar : Why are we continuing the expenditure on these broadcasts in this country?

The Honourable Sir Akbar Hydari : I am willing to place the matter before the Advisory Committee of this House so that they may consider whether these broadcasts should continue or not.

Shri Mohan Lal Saksena : Why was not the question placed before the Standing Committee before taking over the responsibility?

The Honourable Sir Akbar Hydari : Because there was no Standing Committee in existence at the time.

Shri Sri Prakasa : With reference to the Honourable Member's reply to part (a) of the question, may I know what non-Indian non-English languages does the Honourable Member patronise in the matter of these broadcasts?

The Honourable Sir Akbar Hydari : French, Cantonese, Cochin-Chinese, Chinese, Malay, Amoy, Tai and Japanese.

Prof. N. G. Ranga : Why does the Honourable Member make these broadcasts if he has to broadcast to all these countries the British material they receive on foreign affairs.

The Honourable Sir Akbar Hydari : I did not say it.

Prof. N. G. Ranga : Is it not a fact that the Honourable Member said that they receive certain information or papers in regard to international and foreign affairs from the British Government and then they use that material?

The Honourable Sir Akbar Hydari : I said merely that information on international affairs is received from His Majesty's Government. If my Honourable friend would like to provide me with some further information I shall be glad to have it.

Prof. N. G. Ranga : Are we to understand that the Government of India have no information of their own at all in regard to foreign affairs?

The Honourable Sir Akbar Hydari : No, Sir.

Prof. N. G. Ranga : Why are we depending upon Great Britain for this information and why should we broadcast their information through the Indian radio station at the cost of the Indian taxpayer?

(No answer was given.)

NON-ACCEPTANCE OF DIRTY SMALL NOTES AT GOVERNMENT TREASURIES

1426. *Sri R. Venkatasubha Reddiar : Will the Honourable the Finance Member be pleased to state :

(a) whether Government are aware that the one rupee and two rupee currency notes are not accepted at Government Treasuries, Sub-treasuries and Banks, if they are dirty;

(b) if there is any provision to that effect;

(c) if it is a fact that the paper on which these notes are printed easily lends itself to get dirty; and

(d) if the Honourable Member proposes to issue necessary instructions to accept notes which are dirty?

Mr. B. C. A. Cook : (a) Government Treasuries, Sub-Treasuries and Branches of the Imperial Bank of India conducting Government business are required to and do, accept all soiled and worn notes (including Re. 1/- and Rs. 2/- notes) tendered to them by the general public for exchange. Government are not aware of the practice followed by other banks but it is to be expected that they would also accept such notes readily to maintain good relations with their constituents.

(b) and (c). No, Sir.

(d) No further instructions are necessary as the facilities already afforded for exchange are ample and have been widely circulated.

Mr. Ahmed E. H. Jaffer : Will the Honourable Member be good enough to issue instructions to banks to accept one thousand rupee notes whether they are dirty or not?

Mr. B. C. A. Cook : That is a different question.

Prof. N. G. Ranga : Our peasants in the villages are not able to go to distant headquarters and present their dirty notes to the Imperial Bank of India. Will the Honourable Member issue fresh instructions if necessary to all the treasuries to pay cash for these dirty notes whenever they are presented by the rural folk?

Mr. B. C. A. Cook : Instructions were issued as recently as 20th June last year.

Prof. N. G. Ranga : Did not the Honourable Member receive any complaints in regard to the non-compliance of their local treasuries with these instructions?

Mr. B. C. A. Cook : I am not aware of any specific complaints.

Mr. Manu Subedar : Have Government got adequate arrangement for the recall of dirty notes when the dirt exceeds a certain point and for their replacement with new notes?

Mr. B. C. A. Cook : I think the general condition of the small denomination notes compares very favourably with those current in any other country in the world.

Shri Sri Prakasa : Will the Honourable Member make arrangements in the post offices for the issue of new notes in exchange for dirty notes in the rural areas?

Mr. B. C. A. Cook : I must have notice of that.

Prof. N. G. Ranga : Now that we have given notice of that today will the Honourable Member consider the advisability of that?

Mr. B. C. A. Cook : That is a large question which needs thinking over.

NUMBER OF VICTIMS OF I. N. A. BRUTALITIES

1427. *Mr. Ahmed E. H. Jaffer : Will the War Secretary be pleased to state :

(a) the approximate number of Indian soldiers who died as a result of torture, flogging, starvation and other brutalities inflicted by officers and other Ranks of the I. N. A.;

(b) the number of those who were the victims of these brutalities but who survived death;

(c) the total number of (i) Muslims, (ii) Hindus, and (iii) Sikhs who suffered in the like manner; and

(d) the reasons for the Government's decision to bring those responsible for brutalities inflicted against prisoners of war to stand their trial in India—though the action took place chiefly in Malaya and Burma?

Mr. P. Mason : (a) and (c) Reports received so far indicate that probably 26 Indian soldiers died as a direct result of the treatment they received at the hands of the members of the so called Indian National Army. Of these, 14 were Muslims, 5 Hindus, 3 Sikhs and 4 have not been identified.

(b) and (c). As regards the victims of starvation, it is more difficult to apportion the blame exactly but it will be recalled that one quarter of those who remained faithful died while prisoners of war.

In a similar manner the names of 338 Indian soldiers have been reported as victims of brutalities which did not have fatal results. Of these 338, 255 were Muslims, 70 were Hindus (including 30 Gurkhas) and 10 were Sikhs.

(d) Because, Sir, in view of the decision that the policy should be one of clemency except in cases of brutality, it seems preferable that the confirming authority should be the Commander-in-Chief in India rather than an officer not subject to the orders of the Government of India.

Mr. Ahmed E. H. Jaffer : Do Government realize even at this late stage that trying these prisoners in India is amounting to a farce, and if so will they stop further prosecutions in India?

Mr. P. Mason : The reply to the first part of the Honourable Member's question is that it is a matter of opinion. The second part does not arise out of the question put down on the paper.

Mr. Sasanka Sekhar Sanyal : May I know from the Honourable Member whether he is aware of the fact that some persons in the I. N. A. trial in their examination-in-chief stated that they were tortured but later on admitted that they were tutored to say so?

Mr. P. Mason : Tortured by whom, Sir?

Mr. Sasanka Sekhar Sanyal : By the I. N. A. officers.

Mr. P. Mason : They did make such a statement.

Mr. Sasanka Sekhar Sanyal : But in the Cross-examination they stated that they had been tutored to say so.

Mr. P. Mason : As far as I recollect the evidence it did not amount to tutoring. What they said was that they had discussed the evidence before they came into court. That is what they said.

Mr. Sasanka Sekhar Sanyal : Is it or is it not a fact that persons who gave information of such torture were in the custody of the Britishers at the time when such statements were made?

Mr. P. Mason : Necessarily. They had to be in custody.

Mr. Sasanka Sekhar Sanyal : Will the Honourable Member please state whether, in view of the fact that the persons who made such statements were in British custody and at their mercy, and in view of the further fact that there were revelations from them that they were tutored, he would consider the desirability of having this information examined by an expert committee?

Mr. P. Mason : There is no use of its being discussed by an expert committee. But I would point out that this question is down for discussion later on in the day.

Mr. Sasanka Sekhar Sanyal : Is the Honourable Member in possession of any information as to how the I. N. A. people were put to similar torture by British officers?

Mr. P. Mason : I have seen some rather wild statements, but no confirmation of them.

Mr. Ahmed E. H. Jaffer : In view of the feeling existing in the country will the Government consider the abandonment of these trials in India?

Mr. P. Mason : This would be a matter for discussion in debate and not in answer to a question.

Mr. Sasanka Sekhar Sanyal : Is the Honourable Member aware of the public opinion that the I.N.A. and connected people outside India should have been brought to India and tried?

Mr. P. Mason : That is another point. As far as I am concerned, no I. N. A. military personnel have been tried outside India.

FRIDAY PRAYER HOLIDAY FOR MUSLIM STAFF OF H.M.I. DOCKYARD, BOMBAY

1428. ***Mr. Ahmed E. H. Jaffer :** (a) Will the War Secretary please state if it is a fact that the Muslim staff of H. M. I. Dockyard, Bombay, applied for half an hour off on Fridays only for prayers, and that their request had been turned down? If so, why?

(b) Who is responsible for interfering in the religious affairs of the Muslims, and injuring their feelings?

Mr. P. Mason : (a) Yes, Sir. It is a fact that some of the Muslim staff applied for leave on Fridays. Permission was not granted because Government orders on this subject were not clearly understood at that time. The officers concerned have been informed of the Government orders which enable Muslims to have adequate time for prayers, and these will be observed in future.

(b) There was no intention of interfering with the religious affairs of the Muslim employees.

NUMBER OF BRITISH AND INDIAN OFFICERS OF R.I.N.

1429. ***Mr. Ahmed E. H. Jaffer :** (a) Will the War Secretary please state, separately, the number of regular Commissioned Officers of the R. I. N. as on the 1st January 1946, the number of Reserve Officers as on the 31st July 1945, the number of European and Indian Officers in both the categories on both the dates and the number of Muslim Officers in both the categories on both the dates?

(b) Is it a fact that Government have decided to select sixty-six Indian officers and Forty European officers from amongst the Reserve officers for the post-war cadre of the R. I. N., or have Government now decided to revise this number?

(c) What is the number of Muslim officers to be appointed out of the sixty-six Indian officers?

(d) Is it a fact that, while selecting permanent officers from amongst the reservists, British officers of higher ranks are being selected in order that British officers should continue to be at the top ladder?

(e) What is the number, rankwise, of British and Indian officers of the regular R. I. N. Cadre?

Mr. P. Mason : (a) Yes, Sir. A detailed statement is placed on the table which gives the number of officers, Europeans, Asiatics, and Muslims (Muslims being included in the Asiatic total numbers) for the 31st July, 1945, the 1st of January 1946, and the 1st of March, 1946, for R.I.N. officers; and for R. I. N. R. and R. I. N. V. R. officers.

(b) Yes, Sir. Proposals for a revision of these numbers are now being considered.

(c) As I have previously said no account of caste or creed is taken in selecting officers for the R.I.N. Up to the 15th of March four Muslim officers are amongst those who have been selected.

(d) No, Sir. Up to the 15th of March nine British officers have been selected for permanent commissions compared with 35 Indian officers.

In the senior ranks the proportion of officers transferring in the rank of Lieut. Commander is Europeans 5 out of 9, and Indians 6 out of 35. Rank on transfer is determined by age and length of service.

(e) Details of the regular R.I.N. cadre of officers on the 1st of March, 1946, are given in a second statement placed on the table.

Statement I.

(a) Number of .

	On 31st July 1945			On 1st January 1946			On 1st March 1946		
	European	Asiatic	Muslim	European	Asiatic	Muslim	European	Asiatic	Muslim
(i) R. I. N. Officers.	164	66	9	160	68	10	158	77	10
(ii) R.I.N./VR Officers.	1271	1278	232	927	1242	229	564	1169	219

NOTE.—Asiatic Column includes Muslim figures.

Statement II.

(e) Regular R. I. N. Cadre on 1st March 1946.

	Rear Admiral	Commodore	Captain	Commander	Lt. Commander	Lieut.	S/Lieut.	Midshipman	Cadet	Totals
Europeans	1	5	15	28	30	65	4	9	1	158
Asiatics	..	..	..	4	10	37	8	1	17	77
Totals	1	5	15	32	40	102	12	10	18	235

Mr. Manu Subedar : May I know whether it is not true that a large number of Indian officers of the R.I.N. have been sent away after 4½ years of good work?

and that a considerable number of British officers are being taken in their place; if that is so why Government do not stop this practice of taking in further British officers from the reserve of the British Navy; and why they do not take the more outstanding Indians from among those whom they are going to send away?

Mr. P. Mason : I feel an apology is due from me, if not from the Honourable Member, to this House for repeating so often what I have said. I have spoken a considerable length on a number of occasions on this. The first part of the Honourable Member's question is whether a large number of British officers are not being taken in. As I just explained, nine British officers have been selected for permanent commissions. As I also said we have asked for 270 and not 500 or 600, as is often said, officers on secondment from the Royal Navy. That is actually to the advantage of the junior Indian officers coming into the R. I. N. because those who come from the R. N. will go back again to the Royal Navy after a short time and will not therefore block the promotion of their juniors. As I also explained, naval officers have to be specialized very considerably. Some of them are trained in communications, navigation and many other branches, and it is necessary to fill the various branches with men who have had the training. It was therefore necessary to try to get certain British officers in certain of the high ranks. This is partly on account of the specialization and partly because so many of the Indian officers are very young. It was therefore necessary to get a certain number of slightly older British officers. As I say, help is given by this to the promotion of the junior Indian officers who have come in by the regular course, in future.

Mr. Manu Subedar : Notwithstanding the frequent explanations of the Honourable Member—he has repeated today what he said before—does he not realize the intense feeling in the country that we do not want the British officers in the Royal Indian Navy; did not this Government give an assurance categorically to the effect that no further recruitment of British officers or non-Indians will take place in the Royal Indian Navy; and in view of the great feeling on this subject will he not put this to the Defence Consultative Committee or any other Committee of this House in order to see in what manner those Indians who are being sent away now could be fitted for the positions for which British officers are being taken?

Mr. P. Mason : As regards (a) the feeling in the country, I do recognize it. As regards (b) the categorical assurance, no categorical assurance was given. What we said was that no permanent commissions will be given in the R.I.A.F. or in the Indian Army, but in the Royal Indian Navy up to 40 commissions would be given. Nine have been so far given and the position is being considered. As regards (c)—I think that is the final question—whether this question will not be put to the Defence Consultative Committee, I quite agree. It can be considered.

Dr. G. V. Dashmukh : Are these British officers who are going to be appointed not the rejects from the British Navy?

Mr. P. Mason : No, none of them are from the British Navy at all. They are all members of the R.I.N.R. and R.I.N.V.R. None are to be appointed from the British Navy. They are at present serving in the reserves. Those who come from the Royal Navy, if they do come, will be seconded, but I think it very doubtful whether the Admiralty will let them go.

RECOVERY FROM U. K. AND ALLIED GOVERNMENTS OF COMPENSATION PAID FOR BOMBAY EXPLOSIONS

1430. *Mr. Manu Subedar : (a) Will the Honourable the Finance Member please state the final figure of the amount paid out as compensation to (i) private parties, (ii) Bombay Port Trust, and (iii) Bombay Municipality, in respect of the Bombay explosion which took place on the 14th April 1944?

(b) Were representations received by Government from public bodies that the amounts paid out by the Government of India should be recovered from (i) the United Kingdom and or (ii) the Allied Governments?

(c) What progress has been made in the representations, which the late Finance Member promised to make to His Majesty's Government on this subject, and what reply has been received?

(d) Has the money been already recovered? If not, why not?

Mr. B. C. A. Cook : (a) There are still some claims which have not yet been disposed of and the final figures are not therefore available. The latest figures are as follows:

(i) payments to private parties—Rs. 15,86 lakhs,

(ii) the Bombay Port Trust's claim is still under expert investigation by a firm of Indian architects and surveyors. A provisional sum of Rs. 2 crores has been included in this year's estimates for this payment,

(iii) payment to the Bombay Municipality—Rs. 14,75 lakhs.

(b) Yes.

(c) and (d). The matter is under the active consideration of His Majesty's Government and an early decision is expected.

Mr. Manu Subedar : May I know how long these active considerations will continue, because this was exactly the reply given to us one year ago, and the explosion is now two years old, whereas the responsibility of the allied arms through whose mistakes this explosion took place is so obvious to us? May I know how long Government propose to take in active consideration of this matter?

Mr. B. C. A. Cook : It is not entirely in our hands; but we have heard recently that we may expect a decision soon.

Mr. Manu Subedar : May I know why the Finance Department are so slow in collecting what is due to India from the Allied Nations as well as from the United Kingdom, when the United Kingdom and America and others have already settled most of the accounts outstanding between them? May I know why this poor country is kept behind in this very obvious claim?

Mr. B. C. A. Cook : It is a very complicated matter: it has very difficult legal issues.

Mr. Manu Subedar : Will the Honourable Member then inform this House what is the reply of His Majesty's Government on this representation which has been sent to them?

Mr. B. C. A. Cook : That will be considered when the reply is received.

Mr. Manu Subedar : Do I take it that no reply has been vouchsafed by His Majesty's Government and that this Government is sitting tight and idle and not reminding His Majesty's Government to give a reply on this subject?

Mr. B. C. A. Cook : We have had an interim reply.

Mr. Manu Subedar : May I know the gist of that interim reply?

Mr. B. C. A. Cook : That efforts are being made to expedite a decision.

Seth Yusuf Abdool Haroon : On a point of order, Sir: the other day I raised a point of order in this House that when the Honourable Member in charge is a Member of this House, he should answer questions, and you were kind to the Treasury Bench by saying that the secretary may answer. But now when there are important questions the Honourable Finance Member who happens to be a Member of this House is not even present at question time, although previously the practice in this House was that Members responsible to the Department—it was the convention—were answering the questions. Afterwards, another practice was laid down that dates were allotted to different Departments, so that Members may not be present in the House at all and for their convenience different dates were given for different Departments for asking questions; but now we find this morning that Finance Member is not even present in the House although there are important questions and decisions of importance have to be taken.

Mr. President : I think I have to say the same thing as I said last time. In order to be able to supply the information or reply to the question, it is not this or that Member or his importance or status in the service that we should be guided by, but we must look to the Member who possesses the best information to be given. All

subjects obviously cannot, I believe, be fully studied by one and the same Member and he will have to rely upon his subordinates for getting the information. But that is a different matter. In the present case, the question that has arisen was not a question of the policy of Government, which the Honourable Member was asking for, but information as to whether the Government of India was merely expediting the disposal and settlement of a debt, and he was asking for the gist of the correspondence between different Governments, a number of Allied Governments being indebted to the Government of India : that is common ground for both the questioner and the person who answered. Under the rules, the Chair cannot compel a particular Member of Government to remain present to answer all replies : he has got the power of delegation under the rules.

Seth Yusuf Abdoolah Haroon : May I respectfully submit that the Leader of the House should make a note that when Honourable Members are Members of this House they should not treat the House with contempt ; they should resign and go away and let others take their place ; but if they are Members of this House they should at least treat this House with a little more courtesy ; and let me request through you, Sir, the Honourable Leader of the House that Members responsible for their Departments should at least be present when questions are put : the secretaries may answer the questions, but let them be present.

Mr. President : I am afraid I am not able to see eye to eye with the Honourable Member, that absence necessarily implies want of courtesy or no courtesy. It does not imply that at all, because if that were to be the standing rule of interpretation, I am afraid many Members of the opposition can be charged with the same thing. That should not be our point of view at all. Even in Parliament, I believe, there is a practice of parliamentary secretaries answering questions.

Seth Yusuf Abdoolah Haroon : But they are responsible to some one.

Mr. President : Here also they are responsible to some one. This point is sufficiently debated now and we will not take further time from the question hour.

Mr. Manu Subedar : May I ask why Government in a year in which they are carrying such a heavy deficit, continue to neglect the collection of 20 crores of rupees from the Allied Governments whose responsibility in this matter is very obvious ?

Mr. B. C. A. Cook : I can assure the Honourable Member that we are doing our very best.

Shri D. P. Karmarkar : May I invite your attention, Sir, to rule 42 at page 9 of the Manual where it is said ;

" If any question placed on the list of questions for answer on any day is not called for answer within the time available for answering questions on that day, the member to whom the question is addressed shall forthwith lay, etc."

And in another circular, Members are advised as to whom to address a particular question. This seems to imply that in such a case the member to whom the question is addressed should reply ; this is a matter for which specific provision is made and so it appears from the rules that the particular Member to whom the question is addressed should reply.

Mr. President : I may invite the Honourable Member's attention to the definition in rule 2, which says " Member of the Government " means a Member of the Governor General's Executive Council, and includes any Member to whom such Member may delegate any function assigned to him under these rules.

UTILISATION OF DEFENCE FORCES IN FIGHTING FOOD FAMINE

1431. ***Prof. N. G. Ranga :** Will the War Secretary be pleased to state :

(a) if he has read the booklet called " Food Problem " published by the Institute of International Affairs through the Oxford Press on India's Food problem ;

(b) whether he has noticed that the pamphlet refers to a number of activities of the Defence Services calculated to help rural reconstruction activities such as anti-erosion fighting malaria, distribution of food, organising rural people for production and distribution of food ;

(c) whether he has also noticed Mahatma Gandhi's suggestion to the private Secretary to His Excellency the Viceroy that the Defence Services should be placed at the disposal of the public in tackling and solving the food famine and the reply given to him by the Private Secretary ;

(d) whether Government have considered, since that correspondence has taken place, how best to utilize the military for this purpose ; and

(e) whether Government propose to consider the advisability of making available the services of the Defence Forces for the Civilian authorities both official and non-official in tackling this food famine ?

Mr. P. Mason : (a) No Sir. I have been unable to obtain it.

(b) I am afraid does not therefore arise.

(c) Yes Sir.

(d) Yes Sir.

(e) Yes Sir.

I do not however wish to take advantage of the way the question has been drafted to refuse information. But I will give my friend the following information as to the steps which have been taken to increase food :

(i) All units have been told to grow as much food as possible. Troops may work on the cultivation of crops for three days a week, even at the expense of training.

(ii) All suitable military land will be cultivated.

(iii) Military camping grounds will be handed over for cultivation to anyone who will take them.

(iv) Produce of Military Farms Department is being increased.

(v) Storage space is being placed at the disposal of the Provincial Governments.

(vi) Stocks of food have been released for Provincial administration.

(vii) Stores and plants are being released for anti-famine measures and will be moved from point to point by Army arrangements.

In addition to the measures above, which are designed to increase food stocks, the following steps have been taken to reduce consumption.

(i) Reduction of the basic ration.

(ii) Reduction of the animal ration.

(iii) More attention to cooking.

(iv) Steps for the prevention of waste. Commanders have been instructed to visit food stores, depots and installations more frequently.

(v) Austerity in entertaining.

(vi) Reduction of the export of foodstuffs.

(vii) Export of food parcels has been stopped.

(viii) And finally a cut of 25 per cent of the flour ration and 50 per cent of the sugar ration which is supplied to contractors has been made.

Shri Mohan Lal Saxena : May I know what instructions have been issued about the leasing of camping grounds ?

Mr. P. Mason : They are to be handed over to cultivators who wish to cultivate them themselves under their own arrangements.

Sardar Mangal Singh : May I know whether the prisoners of war located in India are being sent away.

Mr. P. Mason : I am not quite sure whether it arises out of the question. We are sending them away as fast as we can.

Mr. Manu Subedar : Has the ration of these prisoners of war been reduced in conformity with the revision of the ration for the whole population of India ?

Mr. P. Mason : The ration of prisoners of war is governed by the Geneva Convention. They are bound to get the same ration as the troops of the holding country and as I have explained several times the ration of the troops has been reduced.

Sardar Mangal Singh : There are tube wells in the aerodromes which have been temporarily constructed. I am informed that these tube wells are being dismantled. Will the Honourable Member direct that these tube wells should be used for the grow more food campaign.

Mr. P. Mason : That is an entirely new point. I will look into the question. The probability is that if any one desires to use those tube wells and if they are so situated that they could be used for growing food, they will be handed over.

Prof. N. G. Ranga : What facilities will Government provide to make water supply available to those who are willing to take over their lands in the cantonment areas for producing vegetables and other products.

Mr. P. Mason : That will depend upon the locality.

Prof. N. G. Ranga : Where water is available, will the military authorities in the concerned area take the necessary steps to make water supply available to these producers?

Mr. P. Mason : If there is water under military control in the neighbourhood this arrangement may be possible but camping grounds generally are at a distance from cantonments when troops used to camp while marching from one cantonment to another.

Prof. N. G. Ranga : What steps are being taken to bring this fact to the notice of the local producers so that the vacant lands in cantonment and military areas will be made available to them for cultivation?

Mr. P. Mason : Local arrangements are made. That is notices are made in the local papers. It may also be by beat of drum. I cannot say exactly what the steps are.

Shri Mohan Lal Saksena : What will be the condition of the leases? Will it be for a number of years or for a short period only?

Mr. P. Mason : I should require notice of that.

Seth Govind Das : Will the Government see that these camping grounds are made fit for cultivation and then given on lease?

Mr. P. Mason : I don't think so.

CANCELLATION OF WARRANTS AGAINST MR. PRATIVADA V. BHAYANKAVACHARI

1432. *Prof. N. G. Ranga: Will the Honourable the Home Member be pleased to state:

(a) if it is a fact that Mr. Prativada V. Bhayankavachari was arrested on the occasion of the Madras Governor's visit to Guntur on the 11th December, 1942, and that after that the Madras Government had imposed on him an internment orders;

(b) whether it is a fact that he went out of internment thereafter and a warrant has been issued for his arrest;

(c) whether it is also a fact that all warrants except the one against Mr. P. V. Bhayankavachari have been cancelled by the Madras Government;

(d) why this warrant against Mr. P. V. Bhayankavachari is not withdrawn; and

(e) the policy of the Government of India in regard to these matters of issuing and cancelling warrants against the so-called underground workers since 1942 August?

The Honourable Sir John Thorne : (a) to (d). I have no information.

(e) So far as the Central Government and Chief Commissioners are concerned there are no warrants of arrest pending in respect of offences connected with the 1942 disturbances.

Prof. N. G. Ranga : Are we to understand that whatever warrants there were have been withdrawn so far as the Centrally administered areas are concerned?

The Honourable Sir John Thorne : Yes, Sir.

Prof. N. G. Ranga : Will Government bring this particular fact to the notice of the Provincial Governments also so that they may also take the same action?

The Honourable Sir John Thorne : I have already explained that after the war the policy in regard to political prisoners was reconsidered by the various Provincial Governments concerned and the same applies to persons who were not prisoners but against whom warrants were pending.

Shri Sri Prakasa : In view of the fact that the Provincial Governments took action originally at the desire or the order of the Central Government who made these laws and passed those orders, would not the Honourable Member consider the desirability of informing the Provincial Governments that the policy of the Central Government has changed and that they should take the same action as the Central Government?

The Honourable Sir John Thorne : Without admitting the assumption made in the first part of the question I will repeat that the Provincial Governments have been informed of the change of policy.

REPATRIATION AND TRIAL OF I. N. A. OFFICERS IN SINGAPORE CAMP

1433. *Sri R. Venkatasubba Reddiar: Will the War Secretary be pleased to state:

(a) if it is a fact—

(i) that Col. Chatterjee, Major Alvi and other officers of the I. N. A. in the Singapore camp are not allowed tooth paste, brush, soap, oil, clothing and other necessities of everyday life;

(ii) that even their own clothing has been taken away; and

(iii) that their personal belongings such as watch, ring, etc., have been taken away from them and that no receipt was granted to them;

(b) why they are not given any allowances, even though they are men of the Indian Army; and

(c) why they are not repatriated and tried here, if not released?

Mr. P. Mason : (a) I have called for a report with regard to minor luxuries and shall lay a statement on the table in due course. Clothing and necessities such as soap are of course supplied.

(b) Subsistence allowances equivalent to 19 dollars a month are paid in kind to each.

(c) Lt.-Col. Chatterjee is now back in India and 2/Lt. Alvi is on the way. The delay in sending them back to India was due to lack of shipping space.

ARREST OF COMMANDERS OF CONGRESS SEVA DAL, DELHI

1434. *Shri Mohan Lal Saksena: (a) Will the Honourable the Home Member be pleased to state if it is a fact that Mr. Radha Raman and some commanders and instructors of the Congress Seva Dal, Delhi, were arrested in February 1946? If so, on what grounds?

(b) Is he aware that the Congress Seva Dal Volunteers do not wear any distinctive uniform resembling military and police uniform; nor do they perform any military drill?

(c) Is he aware that such action by the Delhi Authorities has been greatly resented by the Delhi Provincial Congress Committee and is regarded as unwarranted interference with day to day activities of the Congress as well as the civil liberties and elementary rights of the people?

(d) Does he propose to consider the advisability of withdrawing the order or orders under which action is being taken?

The Honourable Sir John Thorne : (a) to (c). Mr. Radha Raman and some others were arrested and are being prosecuted for contravention of the Camps and Parades (Control) Order, 1944. The case is *sub judice* and it would not be proper for me to make any statement on it.

(d) No.

Shri Mohan Lal Saksena : When was this order passed and for what reasons ? Have not the grounds on which those orders were passed already expired ?

The Honourable Sir John Thorne : In 1944. It cannot be said that the reasons which led to the passing of that order have ceased to exist.

Shri Mohan Lal Saksena : What were the reasons ?

The Honourable Sir John Thorne : They were fully explained at the time. Briefly there was a tendency to raise what can be called private armies for political parties.

Shri Sri Prakasa : In view of the fact that the war is over today even officially, will the Honourable Member consider the desirability of withdrawing those orders under which action has been taken against these men ?

The Honourable Sir John Thorne : I do not think that this matter can be very closely related to the termination of the war.

MAINTENANCE OF ORGANISATION FOR ENTERTAINING MILITARY PERSONNEL

1435. *Seth Govind Das : Will the War Secretary kindly state:

(a) whether there is an organisation by the name of "Fouji Dilkhush Sabha" or the like in India maintained to entertain military personnel by dances and other kinds of amusements;

(b) the monthly expenditure involved in each of such troupes or groups of entertainers;

(c) the number of such organisations functioning to entertain military personnel now, and the total cost per month; and

(d) the reason for maintaining such organisations at such expense at these times after the war conditions are over?

Mr. P. Mason : (a) Yes, Sir.

(b) Varying costs from Rs. 1,500/- a month to Rs. 8,000/- a month according to size and quality of the party and whether performing in India or overseas.

(c) Forty six. Their cost per month is Rs. 4,26,800.

(d) Although active service conditions have generally ceased a number of R.I.N. Indian Army and R.I.A.F. Units are still located in isolated stations in India or overseas where there are little or no facilities for recreation and amusement. It is necessary to provide for the entertainment of Indian troops in the same way as for British troops. The scale of the "Fouji Dilkhush Sabha" is being reduced as troops become concentrated and can make use of local entertainments.

Shri Sri Prakasa : In view of the fact that in the British method of dancing men and women concerned dance themselves and in the Indian system other women are commandeered to dance for men, will the Government consider the advisability of stopping this system according to which women are thus brought and made to dance before these men.

Mr. P. Mason : I am not quite sure of the relevance of the early part of the question as regards the latter part, there is no question of constraint whatever. These are professional artists, professional dancers and they are brought and paid for by the army instead of being hired and paid by somebody else.

Mr. Manu Subedar : May I know whether any method is adopted by the army authorities to ascertain from the soldiers themselves what form of entertainment they would want and whether this particular form selected by the higher commands was imposed on the soldiers for their amusement ?

Mr. P. Mason : We have welfare officers who are continually touring round and they are continuously making enquiries and it is always a question of balancing the various kinds of entertainments, some prefer cinemas, others prefer this dancing.

Mr. Ahmed E. H. Jaffer : Will the Honourable Member arrange shows by the Hindu Mahasabha for Members of this House in which case I can assure my Honourable friend that he will not be bothered by such questions ?

Mr. President : Order, order. Next question ?

APPOINTMENT OF DOCTORS IN THE I.M.S. AND I.A.M.C.

1436. *Seth Govind Das : Will the War Secretary kindly state:

(a) the number of doctors who were given Emergency Commissions in the Indian Medical Service and Indian Army Medical Corps since the War started;

(b) the number of doctors released up to the end of February 1946;

(c) the number of doctors, Indians and Europeans, who were granted Emergency Commissions and who are due for release in accordance with their service and age groups, but who have not yet been released and have been provided with jobs;

(d) whether it is a fact that Europeans are being provided with jobs in preference to Indians and Muslims in preference to Hindus;

(e) the number of Royal Army Medical Corps officers imported into India after the defeat of Japan and cessation of hostilities;

(f) the number of Indians in the Indian Medical Service and Indian Army Medical Corps who are holding Staff jobs, and also the number of the Royal Army Medical Corps officers holding Staff jobs; and

(g) whether it is a fact that the Indian Army Medical Corps officers are being transferred to provide staff appointments for the Royal Army Medical Corps officers ?

On account of a certain slip, certain portion of Question No. 1436, which I did not want to put has remained. I want to delete in part (d) the words "and Muslims in preference to Hindus."

Mr. President : The House is in possession of this question.

Mr. P. Mason : The answer is the same in either case.

(a) 3,504 doctors have been given emergency commissions in the I.M.S. seconded I.A.M. and 2,796 in the I.A.M.C. since the war began.

(b) 678 doctors were released up to end of February 1946.

(c) The number of doctors who were granted emergency commissions and are ordinarily due for release in accordance with their service and age groups (1 to 28) but have not yet been released is 1,714. Out of this number 1,542 are Indians and 172 are Europeans. I am not clear what the Honourable Member means by "provided with jobs". All these officers I have mentioned are employed.

(d) The answer to this whether the second part is included or not is : "No, Sir".

(e) 467 R.A.M.C. officers have arrived in India since the defeat of Japan. I may, however, mention that 1,324 R.A.M.C. officers have returned to the U.K. during the same period.

(f) The number of Indian I.M.S. seconded I.A.M.C. and I.A.M.C. officers holding staff appointments in the India Command is 54. The number of R.A.M.C. officers holding staff appointments in the India Command is 42.

(g) No, Sir.

Diwan Chaman Lal : May I ask what is the policy of the Government in respect of these 467 R.A.M.C. officers who have returned to India since the defeat of Japan ?

Mr. P. Mason : As long as there are British troops in this country these R.A.M.C. officers would be necessary to be employed.

Diwan Chaman Lall : Is there any policy of employing R.A.M.C. officers in preference to these men ?

Mr. P. Mason : No, Sir.

Mr. Manu Subedar : What steps are being taken to reduce the number of British troops in this country so that R.A.M.C. officers would automatically be reduced in numbers ?

Mr. P. Mason : I submit that that question does not arise.

Mr. Manu Subedar : The Honourable Member said that so long as British troops are in India, these R.A.M.C. officers would be required. I am asking what steps are being taken to reduce the number of British troops in this country in order that medical officers attached to them may also be automatically reduced ?

Mr. P. Mason : I do submit that the rule is plain which says that supplementary questions should be asked to elucidate facts. The facts I gave were that 467 R.A.M.C. officers have returned. I then gave the reasons for their remaining in India and I do not think any supplementary question will arise out of those reasons.

Mr. Manu Subedar : What steps are being taken to reduce the number of R.A.M.C. officers who are being employed after their return to this country from Japan ?

Mr. P. Mason : I suggest that is a new question.

Mr. Manu Subedar : That arises out of this part (e) that 467 R.A.M.C. officers have arrived in India. The Honourable Member then said that they will continue to be employed while British troops are here. I say what steps are being taken to reduce this number of 467 R.A.M.C. officers ?

Mr. P. Mason : It is not possible to reduce the number of persons who have come into this country. That they have come in is a fact.

Diwan Chaman Lall : May I know whether it is not possible to reduce their number by employing Indian doctors from the Indian Medical Service in place of these 467 R.A.M.C. officers ?

Mr. P. Mason : I take it what the Honourable Member means is not how I can reduce the number of men who have actually come into this country. That such a number has come into this country is a fact. What he wants is that I should endeavour to reduce the total number of R.A.M.C. officers employed in the country. That will gradually be done. It does not arise out of this question.

Diwan Chaman Lall : Is it or is it not a fact that 467 R.A.M.C. officers who have come back to this country from Japan are being employed for British troops here and is it not a fact that their services can be dispensed with by the employment of Indian personnel of I.M.S.

Mr. P. Mason : No, Sir. There are not enough I.M.S. men for one thing.

Diwan Chaman Lall : Is it not a fact that 678 I.M.S. officers have already been released ?

Mr. P. Mason : Yes, Sir.

Diwan Chaman Lall : How does my Honourable friend then say that there are not enough men to be employed ?

Mr. P. Mason : It is a process of movement one way and the other. As I already explained there has been a considerable reduction in the number of R.A.M.C. officers. 1,324 R.A.M.C. officers have returned to the U.K. and 467 are coming in. This is a gradual process which is continuing.

Mr. Manu Subedar : The usual reply of Government regarding every service is that Indians are being sent away and Britishers are being taken, either retained or freshly taken. Will the Honourable Member consider the feeling of this House that such a process should not go on and that Indians should not be sent away.

Mr. P. Mason : This question seems to be somewhat irrelevant to the original question asked. I, would, however, like Honourable Members to consider for a moment what their attitude would be if we fail to release any doctors from the army for the civil population whose need I am informed is much greater than the army. I certainly know that every British doctor in the army is anxious to get

away into private practice. That is also the case with a large number of Indian doctors. I have not got available the figures as to the number of those who were released who wished to go into private practice but I think it was quite considerable and I think they ought to be realised.

Mr. President : Next question.

CANCELLATION OF FIREARM LICENCES IN DELHI

1437. *Shri D. P. Karmarkar : Will the Honourable the Home Member be pleased to state:

(a) whether his attention has been drawn to a news item in the *Hindustan Times*, dated the 15th March, 1946, regarding the cancellation of firearm licences in Delhi;

(b) whether it is a fact that a number of firearm licences have been cancelled by the Deputy Commissioner, Delhi on the ground that the licences have not purchased any ammunition for the last five years; if so, what the number is;

(c) whether it is a fact that ammunition was not readily available during the war, and that the authorities had made an appeal to the general public to use ammunition sparingly; and

(d) what steps Government propose to take to restore the licences thus cancelled ?

The Honourable Sir John Thorne : (a) I have seen the article.

(b) Yes : 174.

(c) No : Not altogether. Until 1942 ammunition was available in sufficient quantity. No appeal was made by the authorities requesting the general public to use ammunition sparingly.

(d) None.

Shri Sri Prakasa : A large number of licences are taken out only for display purposes. Would the Honourable Member insist on such licencees to purchase ammunitions ? 'Display' is distinctly mentioned in the arms licences.

The Honourable Sir John Thorne : I think the measures taken by the Delhi Administration would apply to those licences as well as to others.

Shri Sri Prakasa : In view of the fact that a person like myself who uses his gun only to shoot snakes when they appear in my garden and in view of the further fact that snakes appear only four or five times in a year, would the Honourable Member insist on taking away my arms simply because I do not purchase 200 cartridges every year ?

The Honourable Sir John Thorne : I should not myself interfere with my friends hobby of shooting snakes.

Shri Mohan Lal Saksena : What was the object in taking away these licences ? Was it to push the sales of munitions or to have the arms for auction for some other officers or persons wanting them ?

The Honourable Sir John Thorne : I do not think for either of these purposes. But it is generally recognised that so long as there is control of arms and ammunition in India, so long as that necessity continues, it is necessary to scrutinise licences yearly as has been the practice for very many years to keep the number of these licences down and to give them where really required.

Mr. President : Order, order. The question hour is over.

(b) WRITTEN ANSWERS

CONVEYANCE ALLOWANCE FOR ORDNANCE INSPECTION DEPOT STAFF

1438. *Diwan Chaman Lall : Will the War Secretary be pleased to state:

(a) if it is a fact that the staff of the Master General of the Ordnance Branch of the General Headquarters, New Delhi, are allowed to draw a monthly

conveyance allowance of Rs. 5, Rs. 10, and Rs. 15 for residing between 3-4, 4-5 and beyond five miles, respectively;

(b) if it is also a fact that the Ordnance Inspection Depot, at present situated at Anand Prabat, Karol Bagh, Delhi, is directly under the Master General of the Ordnance Branch;

(c) whether he is aware that the Ordnance Inspection Depot draws the conveyance allowance only for those clerks who reside beyond five miles, and not for those who reside within 3-4 and 4-5 miles;

(d) if the reply to (c) be in the affirmative, why this differential treatment exists between the staff who are virtually under the same Master General of the Ordnance Branch; and

(e) whether Government now propose to issue suitable instructions to enable the staff of the Ordnance Inspection Depot, to draw the monthly conveyance allowance, with retrospective effect; if not, the reasons therefor?

Mr. P. Mason : With your permission, Sir, I will answer questions Nos. 1438 and 1439 together.

My Honourable friend has drawn attention to differences in the conditions of service of clerks employed in establishments under the Master General of the Ordnance in Delhi and those employed in the M. G. O. Branch of G. H. Q. in the matter of compensatory house-rent and conveyance allowances. The reason for these differences is that irrespective of the Branch in which they are employed, the clerks of G. H. Q. are subject to terms and conditions of service which are related to those for civil departments of the Government of India and are different from those for clerks employed in establishments under the M. G. O. which are scattered all over India. In respect of accommodation, the clerks of the Ordnance Depot are not entitled to Government accommodation and therefore no question arises of compensation in lieu.

Government do not propose to extend the same terms of pay and allowances to two different categories of clerks.

This answers parts (d) and (e) of Question No. 1438 and parts (b) and (d) of Question No. 1439. The reply to the remaining parts of the two questions is in the affirmative.

HOUSE RENT ALLOWANCE FOR ORDNANCE INSPECTION DEPOT STAFF

1439. *Diwan Chaman Lal: (a) Will the War Secretary be pleased to state if it is a fact that the persons working in the Master General of the Ordnance Branch of the General Headquarters, New Delhi, who have not been allotted any Government accommodation, draw the compensatory house-rent allowance in lieu thereof?

(b) Is he aware that the compensatory house-rent allowance is admissible to all those Government servants whom Government cannot provide with any residential accommodation?

(c) Is he also aware that no house-rent allowance has ever been given to the staff of the Ordnance Inspection Depot, Karol Bagh, Delhi, although that office is under the Control of the Master General of the Ordnance Branch?

(d) Do Government now propose to issue instructions in order to give the benefit of the compensatory house-rent allowance with retrospective effect, to the staff of the Ordnance Inspection Depot, Delhi? If not, why not?

PUBLICATION OF ADMINISTRATION REPORT OF DELHI PROVINCE

1440. *Pundit Thakur Das Bhargava: Will the Honourable the Home Member kindly state:

(a) the year for which the last Administration Report for the Province of Delhi was published;

(b) why full details of the working of the various Departments and statistical figures are not given in the Delhi Province Administration Reports; and

†For answer to this question, see answer to question No. 1438.

(c) whether Government propose to publish the Administration Report for the Delhi Province for the last few years for which no report has been published by incorporating the same in the report of the last year; if not, why not?

The Honourable Sir John Thorne : (a) 1939-40.

(b) Statistics were omitted from reports after that for the year 1915-16 with the object of rendering the report more readable and attracting more public attention.

(c) No. Detailed annual reports were not compiled during the war in order that effort might be concentrated on the immediate problem of winning the war.

PERMISSION FOR SALE OF SHARES TO BANK OF BIHAR

1441. *Mr. Ramayan Prasad: (a) Will the Honourable the Finance Member be pleased to state if it is a fact that a large number of Banks of India have been given sanctions for sale of fresh shares?

(b) What are the conditions required for such sanctions?

(c) Why was not sanction given to the Bank of Bihar which is one of the oldest Banks of India and the premier Bank in Bihar with good reputation and credit?

(d) Does he propose to reconsider this matter and give sanction to this Bank? If not, why not?

Mr. B. C. A. Cook : (a) Yes.

(b) and (c). The governing consideration in this particular case was the adequacy or otherwise of the capital of the bank in relation to its deposits.

(d) The Bank's fresh application has been referred to the Reserve Bank of India for advice.

WITHDRAWAL OF BAN ON 'FORWARD BLOC'

1442. *Mr. Sasanka Sekhar Sanyal: Will the Honourable the Home Member be pleased to state:

(a) how long the 'Forward Bloc' has been under ban;

(b) why the ban has been continuing;

(c) when the ban is likely to be withdrawn;

(d) what stands in the way of withdrawal of the ban; and

(e) whether Government are aware of the feeling in the country that such withdrawal of the ban will be conducive to a peaceful atmosphere in the country at a time when the British Cabinet Mission are exploring the possibilities of a peaceful settlement between India and Great Britain on the basis of transfer of power?

The Honourable Sir John Thorne : (a) Since 22nd June, 1942.

(b) and (d). Its continuance has been necessary in the interests of the public safety and maintenance of public order.

(c) The necessity for continuing the ban is under consideration, but I cannot undertake to give any date for its withdrawal.

(e) I am not aware of any unanimous or general feeling of the kind.

TERMINATION OF SERVICES OF EMPLOYEES OF AUXILIARY FIRE SERVICE, CALCUTTA

1443. *Mr. Sasanka Sekhar Sanyal: Will the Honourable the Home Member be pleased to state:

(a) if he is aware that about one thousand employees of the Auxiliary Fire Service of the Calcutta Fire Brigade who were subjected to strenuous work and responsibility during the War period have been served with notice terminating their tenure of service with effect from the afternoon of the 31st March, 1946;

(b) if such termination is due to the fact that the Government of India have omitted to make any provisions for grant to the Government of Bengal in the next year's budget; and

(c) the needs of the public which these employees were supposed to be fulfilling while they have been in service?

The Honourable Sir John Thorne : (a), (b) and (c). The Auxiliary Fire Service was organised to supplement the regular services in view of the increased danger of fire resulting from liability to hostile attack. It was one of the Civil Defence Services which, when the threat to India of air attack from the East was removed, were to be withdrawn by 31st August, 1945. The Government of India's contribution has naturally ceased with the closing down of the service, and although I have no information on the point it is to be expected that the staff employed will be reduced in numbers. The strength to be retained is a matter exclusively of Provincial concern.

DECISION OF LAHORE CANTONMENT BOARD RE JAIN TEMPLE

1444. *Sjt. N. V. Gadgil : (a) Will the War Secretary kindly state whether it is a fact that the Cantonment Board of Lahore in its meeting held on the 31st January, 1946, on the motion of Captain Mohammad Ashraf, Military Estates Officer, Lahore Cantonment, upset the unanimous decision of the Bazar Committee, and has refused sanction for the construction of steps of the Jain Temple in R. A. Bazar?

(b) Is it a fact that all the elected Members present in the Cantonment Board meeting mentioned in (a) above voted against the motion of Captain Mohammad Ashraf?

Mr. P. Mason : (a) Yes, because the steps of the Jain Temple were to be constructed on B. 4 land (i.e., vacant Government land) and it would have been irregular to permit its use without a lease. If application is made for lease, it will be granted.

(b) Yes, it is a fact.

DEFENCE OF INDIANS CHARGED WITH COLLABORATION WITH JAPANESE IN ANDAMAN ISLANDS

1445. *Sardar Mangal Singh : Will the Honourable the Home Member please state:

(a) whether it is a fact that over a dozen Indians are being tried in the Andaman Islands for alleged offences of collaboration with Japanese; and

(b) whether, in view of the fact that there are no lawyers easily available in the Andaman Islands, these Indians will be tried in India or whether Government propose to make arrangements for their defence at Government expense?

The Honourable Sir John Thorne : (a) No, but 16 persons are being prosecuted for charges of offences against the ordinary criminal law committed during the Japanese occupation.

(b) There is one law graduate in the Andamans who will be engaged if necessary for the defence as Crown counsel. Upon production of each accused before the court he will be asked whether he wishes to engage counsel or to be defended by counsel provided by the Crown; in the first alternative, an adjournment will be allowed to secure the attendance of the lawyer selected by the accused who, if willing to accept the case, will be given facilities to proceed to the Islands and conduct the defence.

RETENTION OF TEMPORARY PERSONNEL OF WAR DEPARTMENT

1446. *Mr. Ramayan Prasad : (a) Will the War Secretary please state whether Government are aware of the discontent prevailing among the temporary staff of the offices of the War Department on account of Government's silence as regards their (temporary personnel's) retention for the post-war establishment, while the retrenchment is in progress?

(b) What are the considerations for retaining certain members of the present temporary staff of the War Department for post-war establishment? Are higher educational qualifications given no weight for that purpose?

(c) If the answer to (a) is in the affirmative, do Government propose to consider the advisability of taking similar steps as is done in the Army to select suitable candidates from the present temporary staff whose services have also been declared as "War Service" for retention in the post-war establishment of the various offices of the War Department?

Mr. P. Mason : (a) Yes, Sir. Wide publicity has, however, been given in Defence Headquarters to the method of selection of temporary personnel for retrenchment from temporary posts. All temporary personnel are being informed of their position for retrenchment.

(b) The order in which temporary staff will be retrenched and the filling of post-war vacancies are separate questions. The order in which temporary staff will be retrenched was decided as far as Defence Headquarters is concerned after very full discussions, at which every branch in the Headquarters and the main clerical interest were represented. The system is based on a combination of efficiency and length of service. It was decided not to give special marks for the mere possession of academic educational qualifications, because if a man had made good use of his education, he should receive higher grading for efficiency.

The filling of post-war vacancies is a matter for the Home Department. I understand that the position is that temporary Government servants in the ministerial subordinate and inferior services are being given special facilities to compete for post-1945 vacancies by being allowed to deduct their temporary service from their age for purpose of satisfying the maximum age limit. Orders have also been issued providing for the registration of retrenched Government employees in the Employment Exchanges set up by the Labour Department and directing that recruitment to all posts not filled through the Federal Public Service Commission or as a result of a competitive examination should be made through the Exchanges.

(c) The final method of selection has not yet been decided.

COST AND NUMBER OF HINDI AND OTHER BROADCASTS

1447. *Mr. B. P. Jhunjhunwala : (a) Will the Honourable Member for Information and Arts be pleased to state if it is a fact:

(i) that the number of school going boys and girls who read Hindi is far in excess of those reading other languages;

(ii) that in the United Provinces 83 per cent. of the boys and girls read Hindi, in Bihar 81 per cent., in the Central Provinces 76 per cent., in Ajmer 93 per cent. and in Delhi 45 per cent.; and

(iii) that the population of the United Provinces exceeds the population of Delhi, the Punjab and the North-West Frontier Province?

(b) What is the number of Hindi programmes, and the number of programmes of other languages broadcast from day-to-day?

(c) What amount is spent every month over these programmes?

(d) During the last twelve months, how much money was paid for Hindi programmes and how much for programmes in other languages?

The Honourable Sir Akbar Hydari : (a) (i) and (ii). The information is being collected from the provinces and will be placed on the table of the House in due course.

(iii) Yes.

(b), (c) and (d). No separate statistics are kept which enable me to give the information asked for. The collection of such information will involve an amount of time and labour which will not be commensurate with the usefulness of the results,

NUMBER AND QUALIFICATIONS OF URDU AND HINDI PROGRAMME ASSISTANTS IN ALL INDIA RADIO

1448. *Mr. B. P. Jhunjhunwala: (a) Will the Honourable Member for Information and Arts please state how many persons out of the persons appointed as Programme Assistants know Hindi, and how many know other languages giving the number of persons and the languages they know and use?

(b) What is the maximum and minimum amount paid per talk? Is there any difference in remuneration paid to an English, Urdu and Hindi writer? If so, what, and why?

(c) What is the total number of persons employed in this Department, and from which Provinces have they been recruited, giving their list province-wise?

(d) Has the All India Radio a panel of literateurs? If so, who are the persons on it, and what qualifications do they possess? How many of these persons know Hindi?

The Honourable Sir Akbar Hydari: The information is being collected and will be placed on the table of the House in due course.

APPEALS PENDING WITH APPELLATE ASSISTANT COMMISSIONERS OF INCOME-TAX

1449. *Sri T. V. Satakopa Chari: (a) Will the Honourable the Finance Member be pleased to state the number of appeals pending with the Appellate Assistant Commissioners of Income-tax for one year and over one year, giving the name of each Appellate Assistant Commissioner and the places from which these appeals arise?

(b) What is the strength of the present staff of the Income-tax Directorate, and the number of Directors of Inspection (Income-tax), Assistant Directors and Deputy Directors of Inspection (Income-tax)?

(c) How many inspections have these officers made during the last two years? Have they been able to discover any concealed incomes? If so, in how many cases, and of what amounts?

Mr. B. C. A. Cook: (a) I lay on the table a statement giving the required information. It is not possible, without an examination of the relevant appellate records, to indicate the particular places from which these appeals arose. The number pending has, therefore, been shown by Appellate Assistant Commissioners' Ranges in which they were filed.

(b) I lay another statement on the table showing the strength of the staff referred to by the Honourable Member.

(c) Inspection of assessment records is done mainly by the Headquarter Office of the Directorate which, in addition, also controls and directs the investigation and collation work done by the branch offices. In all about 930 assessments and 109 inspection reports have been examined. In the majority of cases examined, instructions were issued by the Directorate for the enhancement of the income to be assessed to tax; but the amount of 'concealed income' cannot be readily ascertained partly for the reason that it is not known whether these assessments have yet been finally accepted by the assesses and partly because in a large number of cases the income had to be estimated (in the absence of reliable accounts) and the question of discovering 'concealed incomes' did not arise.

The investigation and collation branches of the Directorate were instituted with the sole object of enabling the assessing officers to detect concealment of profits at the assessment stage, i.e., before the Inspection stage.

I. Statement showing the number of appeals pending with the Appellate Assistant Commissioners of Income-tax for one year and over one year on the 1st January 1946

Appellate Assistant Commissioners Ranges	Name of the Appellate Asst. Commissioner	Appeals pending for more than one year, i.e., filed in				Total	Appeals pending for one year, i.e., filed in 1944
		1940	1941	1942	1945		
Madras							
1. Madras 'A'	Mr. J. S. A. Raju			2	47	49	80
2. Madras 'B'	Mr. T. L. Shastri		4	17	67	88	28
3. Bezwada	Mr. T. Arumukham				5	5	19
4. Trichinopoly	Mr. P. D. Swaminathan		5	18	37	60	21
Total			9	37	156	202	148
Bombay							
5. Bombay 'A'	Mr. P. D. Deshpande	1	1	14	14	29	96
6. Bombay 'B'	Mr. H. P. Singh		3	50	106	160	158
7. Bombay 'C'	Mr. C. D. Amin		1	1	22	24	122
8. Bombay 'D'	Mr. V. M. Kaikini		2	24	31	57	148
9. Belgaum	Mr. C. A. Entee						13
10. Ahmedabad	Mr. M. H. Variava		2	4	13	19	140
11. Ahmedabad Additio- tional.	Rao Sahib V. T. Shah						9
12. Karachi	Mr. R. U. Alim		2	6	44	52	62
Total		1	11	99	230	341	748
Bengal							
13. Calcutta 'A'	Mr. M. Ameen		1	26	39	66	102
14. Calcutta 'B'	Mr. S. C. Chaudhuri						1
15. Dacca	Mr. N. K. Paul			4	1	5	9
Total			1	30	40	71	112
U. P., C. P. & Berar							
16. Lucknow	Mr. Sudarshan Dayal			3	7	10	226
17. Agra	Mr. Avtar Krishna			2	28	30	201
18. Cawnpore	Mr. B. L. Vaish		1	16	18	35	81
19. Nagpur	Mr. B. M. Pandit				9	9	34
20. Nagpur Addl.	Mr. K. C. Avalia				1	1	41
Total			1	21	63	85	583
Punjab, N.W.F. and Delhi Provinces							
21. Lahore	Mr. Sardar Bahadur	16	4	4	14	38	81
22. Lahore Addl.	Mr. Kishan Singh				18	18	74
23. Lahore 2nd Addl.	Mr. M. Aslam	6	2	2	11	21	69
24. Amritsar	Mr. Dalip Singh				13	13	62
25. Amritsar Addl.	Mr. Chand Singh				3	3	52
26. Rawalpindi	Mr. Bakhshi Chaman Shah			1	18	19	71
27. Rawalpindi Addl.	Mr. U. C. Khanna		1		12	13	38
28. Delhi	Mr. S. P. Jain		4		43	47	3
29. Delhi Addl.	Mr. A. Hasan				45	45	7
30. Delhi 2nd Addl.	Mr. Balwant Rai Bahal				2	2	74
Total		22	11	7	179	219	531
Bihar & Orissa							
31. Patna	Mr. H. M. Pattaniak				1	1	24
32. Patna Addl.	Mr. K. P. Sinha						9
33. Muzaffarpore	Mr. P. K. Sen Gupta				1	1	20
34. Purulia	Mr. Shambhu Dayal			1	1	2	5
Total				1	3	4	58
GRAND TOTAL		23	33	195	671	922	2,180

II. Strength of Staff of the Income-tax Directorate

Designation	Headquarter office	Investigation and collation branches	Total
Director	1		1
Senior Deputy Director	1		1
Deputy Director		2	2
Assistant Directors	1	2	3
Assistants	3	5	8
Clerks	5	54	59
Stenographers	2	3	5

NUMBER OF EXCESS PROFITS TAX ADVISERS

1450. *Sri T. V. Satakopachari: Will the Honourable the Finance Member please state how many Excess Profit Tax Advisers have been imported from abroad? What was the original term of appointment of the first Excess Profit Tax Adviser? Has it been extended since then? If so, why was an Indian officer not appointed in his place after the expiry of the first term?

Mr. B. C. A. Cook: An excess Profits Tax Adviser was first recruited from the United Kingdom for a period of three years from July 1940. His services have been extended twice by two years on each occasion and will now be available till July 1947. A Deputy Excess Profits Tax Adviser has recently been recruited from the United Kingdom on a three year contract commencing from November 1945. No officer was available who was considered to possess the ability and the necessary experience equal to the British Officer appointed.

SUPERSESIONS OF ASSISTANT COMMISSIONERS OF INCOME-TAX

1451. *Sri T. V. Satakopachari: Will the Honourable the Finance Member please state if it is a fact that numerous Assistant Commissioners of Income-tax have been superseded by junior officers in making the recent appointments of Commissioners? If so, is it true that the present Commissioner of Income-tax in the Province of Bihar is junior to some Assistant Commissioners of Income-tax in the Bihar Province? If so, why were the claims of the latter not considered?

Mr. B. C. A. Cook: It is correct to say that some of the officers, who have been selected for appointment as Commissioners, have not put in the length of service that others not so selected have put in and that the present Commissioner in Bihar has put in less service than some of the Assistant Commissioners in that Province. Appointments to posts of Commissioner are, however, not made on a provincial basis or on the basis of seniority. They are made on the basis of selections, the most suitable officer from amongst the senior Assistant Commissioners all over British India being selected.

EXTENSIONS OF SERVICE TO ASSISTANT COMMISSIONERS AND COMMISSIONERS OF INCOME-TAX.

1452. *Sri T. V. Satakopachari: (a) Will the Honourable the Finance Member please state how many Assistant Commissioners and Commissioners of Income-tax have been granted extension of service after superannuation? What is the period of extension in each case? Are Government aware that this policy is creating a serious discontent among the junior officers?

(b) Is it a fact that some Assistant Commissioners of Income-tax were made to retire without granting to them any extension of service? If so, why this invidious distinction?

Mr. B. C. A. Cook: (a) Four Assistant Commissioners of Income-tax and one Commissioner of Income-tax have been granted extensions of service for periods of four years nine months, one year eleven months, two years, two years and one year

eleven months respectively. Government are not aware of any serious discontent among junior officers. Considering the large expansion that has taken place in the Income-tax Departments in recent years and the vastly increased opportunities for promotion that have arisen in consequence that and extensions of service have been granted only in exceptional cases where the retention in service of the officers concerned has been essential in the public interest, there being no officers with the requisite ability and experience readily available to replace them, there are no grounds for discontent.

(b) Yes; this is inevitable, for, as I said in reply to part (a), extensions of service are granted only in exceptional cases, after taking into consideration the qualifications of the officer and the administrative needs of the Department.

TRANSFER OF APPELLATE ASSISTANT COMMISSIONERS FROM ADMINISTRATIVE CONTROL OF C. B. R.

1453. *Sri T. V. Satakopachari: Will the Honourable the Finance Member please state whether any representation was made by the Federation of Indian Chambers of Commerce or any other body requesting the Government of India to transfer Appellate Assistant Commissioners from the administrative control of the Central Board of Revenue to the Law Department of the Government of India? If so, what action have Government taken thereon? If none, why? Are Government aware that there is a widespread discontent among the assesseees? If so, do the Government of India propose to consider the advisability of taking prompt action in the matter?

Mr. B. C. A. Cook: Yes, representations to this effect have been received from some commercial bodies.

On a careful consideration of these representations Government came to the conclusion that no case had been made out for placing the Appellate Assistant Commissioners under the Legislative Department. Although the Appellate Assistant Commissioners are officers of the Income-tax Department their independence of the Central Board of Revenue is adequately secured by the proviso to section 5 (8) of the Indian Income-tax Act, 1922. The Board have also categorically announced that the Appellate Assistant Commissioners should make their decisions to the best of their judgment and that their promotion and prospects will not depend on whether their decisions go against the revenue or not. I am not aware that there is any widespread discontent among the assesseees on this score but having regard to the legal and the factual position there is hardly any justification for taking any action in the matter.

INCREASED DEARNESS ALLOWANCE OR PENSIONS TO PENSIONERS

1454. *Sardar Mangal Singh: (a) Will the Honourable the Finance Member be pleased to state whether any representation has been made to the Government by the Pensioner's Associations in the Punjab etc. for increase in dearness allowances or pensions, in view of the prevailing high prices of foodgrains and other necessities of life? If so, what action have Government taken or propose to take on the aforesaid representations?

(b) Do Government propose to grant the dearness allowance and increase in pensions to one and all the pensioners (and not only to those drawing pension up to Rs. 100 as done at present) and on the same scale as sanctioned for the present Government servants?

Mr. B. C. A. Cook: (a) Yes. But Government are unable to grant any further increase in pensions beyond the scales already sanctioned.

(b) Attention is invited to the reply given to starred question No. 481, given on the 16th November, 1944, to which I have nothing to add.

R. T. O. OFFICERS' RUDE BEHAVIOUR TOWARDS PASSENGERS ON RAILWAY STATIONS

1455. *Mr. Manu Subedar: (a) Is the War Secretary aware that Sergeants and other officers employed by the R. T. O. at Railway stations are rude to ordinary passengers including Indian women?

(b) Do Government propose to take suitable action against such conduct and behaviour of their military personnel on the platform when specific complaints are made to them regarding such behaviour?

Mr. P. Mason : (a) No, Sir.

(b) Certainly, Sir. If any specific case is brought to my notice, I will see that enquiries are made.

UNSTARRED QUESTIONS AND ANSWERS

SECRET SERVICE EXPENDITURE

168. Sri M. Ananthasayanam Ayyangar : (a) Will the Honourable the Home Member please state on what items the secret service expenditure of nearly seven lakhs was spent during the current year, and for what purposes the present budget of nearly five lakhs has been made?

(b) Is it a fact that any portion of the amount has been given as subsidy to any newspapers or to any private individuals?

(c) Was an Employment Selection Bureau constituted as also a Civil Selection Board?

(d) What are their functions? Why cannot those functions be discharged by the Federal Public Service Commission, and have they been approved by the Standing Finance Committee?

The Honourable Sir John Thorne : (a) and (b). It is not in the public interest to give any information on secret service expenditure.

(c) and (d). The Civil Selection Boards have been set up to conduct the preliminary testing of candidates for recruitment to war-reserved vacancies in the Indian Civil Service and Indian Police and in the Central and Provincial Services. The Employment Selection Bureau has been constituted to perform the following functions:

(a) To investigate and advise the Government of India, the Federal Public Service Commission and Provincial Governments on the application of technical methods of selection for the purposes of recruitment to the various branches of the public service and for more general employment purposes such as suitability for industrial and vocational training or for any particular form of employment.

(b) To train and maintain a Selection staff for the purpose of carrying out these methods of selection.

(c) To superintend the technical work of the selection boards set up by the Government of India for the testing of candidates for war-reserved vacancies in the Indian Civil Service, the Indian Police, the Central and Provincial Services.

The functions which are being performed by the Civil Selection Boards could not be undertaken by the Federal Public Service Commission because of the very large number of candidates involved. A written examination of an academic nature having been ruled out, it was necessary to adopt some form of preliminary test before final selection by the Commission. The Presidents of the Selection Boards have been appointed additional members of the Commission.

As regards the Employment Selection Bureau its function in broad terms is the application of these modern methods of selection to civil needs generally. The Commission could not itself use these methods without technical staff. Moreover, the Commission is concerned with recruitment to the All-India and Central Public Services but the Bureau's functions cover a wider field.

The Standing Finance Committee has recommended the acceptance of expenditure on the Bureau and Boards.

CANCELLATION OF REVOLVER LICENCE OF SAHU RAMESHWAR NATH OF PILIBHIT

169. Sjt. Seth Damodar Swroop : (a) With reference to his answer to my starred questions Nos. 523 and 524, dated February 26th, 1946, will the Honourable the Home Member please state if he has received the necessary report regarding the cancellation of revolver licence of Sahu Rameshwar Nath of Pilibhit?

(b) If the answer to (a) is in the affirmative, will the Honourable Member please lay a copy of the report on the table of the House as promised?

The Honourable Sir John Thorne : (a) and (b). The information called for has been obtained and the statement promised is laid on the table.

Statement

Circular letters appealing for investments in war loans were issued by the Sub-Divisional Magistrate who, however, has neither any record nor recollection of having written individually to Sahu Rameshwar Nath.

No subscription to the loan was received from him but no communication indicating his grounds for not subscribing is in the Collector's Office.

His arms licences were cancelled; but his refusal to subscribe to the war loan was not a ground for cancellation of his revolver licence.

The revolver was forfeited under section 16 (2) of the Indian Arms Act as transfer had not been made or intimated within the prescribed period. He informed the District Magistrate that he had transferred his other arms but, though they have not been forfeited, transferees have not appeared to take delivery or produced their licences.

STATEMENTS LAID ON THE TABLE

Information promised in reply to supplementaries to Starred Question No. 1595, asked by Sri K. B. Jinaraja Hegde, on the 4th April, 1945

EXCESSIVE REQUISITION OF FOODGRAINS FROM CULTIVATORS IN CERTAIN DISTRICTS.

(a) The Madras Government has reported that apart from some stray cases of criticism against minor matters connected with procurement which were raised at the District Food Council meetings and fully discussed, there had been no press agitation worth the name.

Information promised in reply to part (c) of Starred Question No. 158, asked by Sri R. Venkatasubba Reddiar, on the 11th February, 1946

MANUFACTURE OF TRACTORS AND FERTILIZERS

Three factories for the manufacture of bonemeal were started in the Central Provinces and Berar and six in Madras.

Information promised in reply to part (a) of Starred Question No. 162, asked by Seth Govind Das, on the 11th February, 1946

FREEZING ACT VIS-A-VIS PEGGING ACT

(a) Separate statistics about Indians and the names of persons who have acquired and occupied property under the Pegging Act are not available. The provision with regard to permits issued since the Pegging Act came into force upto 31st January, 1946 is as follows:—

- (i) Under Section 5 (1) (a) (acquisition)—304 applications were approved and 91 refused.
- (ii) Under Section 6 (1) (occupation)—72 applications were approved and 69 refused.
- (iii) Under Section 6 (2) (new buildings)—16 applications were approved and 4 refused.

Information promised in reply to Starred Question No. 556, asked by Pundit Thakur Das Bhargava, on the 27th February, 1946

PERSONS CONVICTED OF HOARDING AND PROFITEERING OFFENCES

(a)	b (i)	b (ii)
Number of persons convicted in connection with the Hoarding and Profiteering Prevention Ordinance during 1943, 1944 and 1945	Number of officials proceeded against during 1943, 1944 and 1945 in connection with Hoarding and Profiteering Prevention Ordinance and for corruption generally	Number of officials [from b (i)] convicted
Delhi	376	14
Ajmer-Merwara	10	6*
Baluchistan	19	Nil
Coorg	4	Nil
Panth Piploda	Nil	Nil

*NOTE.—3 cases of corruption in connection with offences relating to Hoarding and Profiteering Prevention Ordinance are under trial in court.

Information promised in reply to Part (b) of Starred Question No. 798, asked by Shri Satya Narayan Sinha, on the 8th March, 1946

TREATMENT OF CIVIL MEMBERS OF AZAD HIND MOVEMENT IN BRITISH JAILS IN EUROPE

Government of India have made enquiries and are informed that 9 Indian Civilian collaborators are now in detention in Germany. They are being held for security reasons at a civil internment Camp in the British Zone in Germany. The Camp is not a prison but a large enclosed area where the inmates live together with complete freedom of association and with ample opportunity for exercise. They are not kept in cells and they receive rations on exactly the same scale as other detenus in the Camp who are mostly Germans. There have been no complaints of ill-treatment.

Information promised in reply to Starred Question No. 925, asked by Shri Mohan Lal Saksena, on the 13th March, 1946

PAY AND QUALIFICATIONS OF MRS. KHIN ZAW OF ALL-INDIA RADIO

(a) No. Mrs. Khin Zaw is employed as News Editor and as the senior News Editor working in the Africa and East Asia Section of the External Services, is given some of the responsibilities attaching to the post of Special Officer, Far East Broadcasts, which is at present vacant. The Africa and East Asia Section broadcasts in English, Hindustani and Tamil for Indians Overseas, and in French, Burmese, Tonkinese, Cochin-Chinese, and other Chinese dialects for non-Indian residents of East Asia. Mrs. Khin Zaw is a B. A. First Class (Hons.) of the Rangoon University where she was working as a Lecturer in English before she came to India with her father in 1942. In India she has worked as Burmese Translator Monitor and Assistant News Editor and Reference Officer, before her appointment to her present post. The bulk of the broadcasts from this section are directed towards Burma and the Far East. She is a Burmese and knows Burma and other Far Eastern countries. Her present pay is Rs. 725.

(b) No. She has been entrusted with the general responsibility for arrangements for broadcasts to Africa and East Asia, because there was no one else available at the time with adequate knowledge of Burma or the Far East.

(c) Her qualifications have been stated in reply to part (a).

(d) She was appointed Reference Officer on a selection made by a Selection Committee consisting of the Joint Secretary, Information and Broadcasting Department, the Director-General, All-India Radio, and the Director of News, All-India Radio. Opportunity was given also to other members of the staff to apply for this post and their applications were also considered by the Committee. She was subsequently promoted to the post of News Editor.

(e) First part: Yes.

Second part: No.

(f) No.

Information promised in reply to Starred Question No. 1127, asked by Sri M. Anantha-sayanam Ayyangar, on the 20th March, 1946

CONTROLS ON PRICES AND MOVEMENTS OF CHARCOAL, WOOD AND OTHER FUEL

(a) No definite period has been fixed or proposed for the control on the prices and movements of charcoal, wood and other fuel into Delhi. Controls will be necessary so long as the supply and transport situation is such that minimum demands cannot be met. It is likely that price control may have to be continued for some time even after control on distribution has been withdrawn.

(b) The controls were imposed on account of shortages as well as the imposition of export bans from sources of supply in other provinces on account of shortages there. The situation remains practically the same as last year and it is unlikely that by the 1st of April, 1946, it will have improved to such an extent that the controls become unnecessary. The position is, however, being examined from time to time and action to abolish or relax controls will be taken as early as possible.

(c) The staff sanctioned is as follows:—

1. Gazetted Officer	1
2. Inspecting Staff	63
3. Clerical Staff	36
4. Menial staff	10

The cost incurred during 1945-46 amounts to Rs. 1,71,000.

(d) No, Sir.

SHORT NOTICE QUESTION AND ANSWER

REPRESENTATIONS FROM WOOL MERCHANTS RE CONGESTION OF WOOL IN INDIA

Seth Yusuf Abdoola Haroon : (a) Will the Honourable the Commerce Member please state whether he has received representations from the Wool Merchants in India about the heavy congestion of wool in India?

(b) Is the congestion the result of the export of wool being banned, if so, what steps do Government propose to take in order to remove this congestion?

(c) Is the Honourable Member aware that, if the congestion is not removed, the Indian Merchants will be put to a great loss?

The Honourable Dr. Sir M. Azizul Huque : (a) Yes, Sir.

(b) Export of wool is not banned, but is allowed subject to certain quantitative restrictions, the total quantity exportable every year being the estimated surplus remaining after meeting essential internal requirements. There is no congestion of wool in the country, but stocks have been piled up in Karachi in the expectation of early removal of controls. Press note issued by the Government explaining latest orders applicable to exports of wool is placed on the table.

(c) It is expected that, in view of the liberalisation of the control policy, there will be no undue accumulation in future.

PRESS NOTE

EXPORTS OF GREY AND BLACK WOOLS DECONTROLLED

New Procedure regarding exports of White and Yellow Wools

The Government of India have decided to decontrol the exports of grey and black wools.

As regards exports of white and yellow wools, the 'established exporter' principle has been abolished. Any one will be allowed to export white and yellow wool to any permissible destination provided that for every three bales sought to be exported, he offers to sell to one of the purchasing agents of the Industries and Supplies Department of the Government of India two bales of wool for use in India.

The offer to sell wool to the Agent should be open for six weeks and at prices fixed by the Industries and Supplies Department. If the purchasing agent certifies that he has purchased a certain quantity of wool from a particular exporter, that exporter will be allowed to export one and a half times the quantity purchased by the Industries and Supplies Department. If such agent certifies that the wool has been offered at the prescribed price but is not required, then two and half times the quantity offered for sale to the Industries and Supplies Department will be allowed to be exported by the exporter concerned. Thus for every three bales exported, two bales will be available for consumption in India.

The purchases to be made by the Industries and Supplies Department are intended to ensure adequate supplies of raw wool to the local woollen manufacturers.

(Commerce Department.)

New Delhi, March 29, 1946.

Seth Yusuf Abdoola Haroon : May I know from the Honourable Member as to what decision the Department has taken in this respect ?

The Honourable Dr. Sir M. Azizul Huque : I may tell the Honourable Member that wool is divided into two particular categories, white and yellow and grey and black. So far as grey and black are concerned, they are being decontrolled. So far as white and yellow are concerned, we are abolishing the system of established quota. Anyone will be able to export white and yellow wool and they will be able to export to any permissible destination, provided that for every three bales sought to be exported, he offers to sell two bales to one of the purchasing agents of the Industries and Supplies Department. The offer to sell would be open for six weeks and at prices fixed by the Industries and Supplies Department. If within that time the wool is not taken, the exporter will be free to export that quantity also.

Seth Yusuf Abdoola Haroon : May I know from the Honourable Member what does he mean by a permissible destination ?

The Honourable Dr. Sir M. Azizul Huque : To places where under the regulations and controls things can go and having regard to the shipping difficulties things can be sent.

Prof. N. G. Ranga : In view of the cloth shortage, why does the Government of India allow these exports of wool from India ?

The Honourable Dr. Sir M. Azizul Huque : That is because my friend has never been to Karachi and knows nothing of the wool situation. It is to help the growers for which my friend is most anxious that these quantities should be exported.

Prof. N. G. Ranga : Are the Government of India not doing enough to enable our own manufacturers to have all the wool here ?

The Honourable Dr. Sir M. Azizul Huque : We are doing all we can.

Mr. Ahmed E. H. Jaffer : Is there great shortage in other parts of India and if so why not transfer that wool from Karachi ?

The Honourable Dr. Sir M. Azizul Huque : This is the first time that I am aware that there is shortage of wool in other parts. Those who are engaged in the wool business are circumspect and the fact that they are not taking the wool leads me to the conclusion that they do not require it or my friend does not know the facts.

MOTIONS FOR ADJOURNMENT

BURNING OF MILITARY LORRIES IN CALCUTTA

Mr. President : I have received notices of as many as five adjournment motions. The first is from the Honourable Member Seth Govind Das and Shri Satya Narayan Sinha. They wish to discuss a definite matter of urgent public importance, namely, the burning of military lorries in Calcutta.

I do not know how many lorries were burnt and how the matter is of public importance or urgent.

Seth Govind Das (Central Provinces Hindi Divisions : Non-Muhammadan) : Everytime we hear of certain lorries being burnt and only yesterday it appeared in the papers that certain other lorries.....

Mr. President : How many ?

Seth Govind Das : Two or three.

Shri Satya Narayan Sinha (Darbhanga cum Saran : Non-Muhammadan) : Previously more than eight lorries were burnt.

Mr. President : We are not concerned with "previousy."

Seth Govind Das : There must be something wrong with this Government if such things are taking place in various parts of the country. Therefore I want to raise this question, namely, whether Government should not be censured for their attitude on account of which such outbreaks are taking place in various parts of the country.

Mr. President : The matter seems to be very vague in that light.

Shri Mohan Lal Sakrena (Lucknow Division : Non-Muhammadan Rural) : If you may remember, the last time when a number of military lorries were burnt it was given out that a man was run over and killed and then the mob got infuriated and again there is news that there was another accident. It is because of this rash driving that the people are angry. These military lorries are being driven recklessly and unmindful of the passers-by and something has to be done if these accidents are to be stopped. Therefore I think it is a matter of urgent public importance because some directions have to be issued by the military. We know from our experience in Delhi how recklessly these military lorries are being driven and at a very fast speed.

Mr. President : The Honourable Member means that it is negligent driving on the part of the military.

Dr. G. V. Deshmukh (Bombay City : Non-Muhammadan Urban) : It leads to riots and other public disturbances.

Mr. President : At best it is a very exaggerated picture of the situation.

Shri Mohan Lal Sakrena : Will the Honourable the War Secretary issue instructions ? I do not want to press the matter for adjournment. But I want an assurance that something is being done.

Mr. P. Mason (Government of India : Nominated Official) : Well, Sir, on the question of adjournment, I think you have said all that is necessary to say. I take it that it is not intended to censure the Government for their own lorries being burnt but to censure them because they have not taken steps to prevent the feeling in the minds of the people who have resorted to this method of expressing themselves. I would suggest that there is nothing particularly urgent or recent in the growth of feeling on this subject, because I am aware of the fact that for some years there has been considerable feeling on the subject, and in fact I was speaking in another place on this subject a year ago. We have issued constant and frequent instructions and we are constantly having action taken by the military police to put a stop to this.

Mr. President : I do not think I can give my consent to this motion.

FAILURE OF THE GOVERNMENT OF INDIA TO OBTAIN THE FOOD QUOTA DEMANDED BY THEM FROM THE COMBINED FOOD BOARD

Mr. President : The next adjournment motion is in the name of Diwan Chaman Lall. He wishes to discuss a definite and urgent matter of public importance, namely:—

"The announcement that the Government of India have failed to obtain the food quota demanded by them from the Combined Food Board."

What has Diwan Chaman Lall to say ?

Diwan Chaman Lall (West Punjab : Non-Muhammadan) : This is within the rules laid down for similar motions. The matter is of public importance and relates to the subject of food. The matter is of urgent importance, namely, what steps we can now take to supplement the food that is not obtainable from the Combined Food Board, and it is of recent origin. My Honourable friend, who I am glad to say has come back to this House after his trip to America and Europe, in his statement has announced that 60 per cent. is the portion granted to us out of the total demand made by him from the Combined Food Board for the second quarter. We do not know what we will get for the third quarter. It is necessary therefore in the interests of the country and the public and the Government and this House, that this matter should be debated on the floor of this House.

Mr. President : I understand that this is not meant as a censure motion.

Diwan Chaman Lall : No, Sir. Adjournment motions, as you are perfectly well aware, are of two kinds,—one being in the nature of a censure motion and another which merely seeks to discuss a matter of urgent public importance. My motion is of the latter kind.

Mr. President : It seeks to know what happened at the Combined Food Board and how the situation in India was placed before them and how further representations can be made to that Board for more supplies.

Diwan Chaman Lall : You are quite right, Sir.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House) : Sir, I welcome this opportunity of discussing the subject and I shall be very glad if it is admitted.

Mr. President : Then it will be admitted and it is for the House to decide when it will be taken up. The ordinary time is 4 p.m. but today being a non-official day, if it is desired to have it earlier, it is possible to do so.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural) : I suggest that it may be taken up at 3 p.m.

Mr. President : Is that the general desire of the House?

Shri Satya Narayan Sinha : Let it be taken up at 4 p.m. as usual.

Mr. President : Then the motion will be discussed at 4 p.m.

MESSAGE FROM THE COUNCIL OF STATE

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

"The Council of State at its meeting held on the 30th March, 1946, agreed without any amendment to the Bill to give effect to the financial proposals of the Central Government for the year beginning on the 1st day of April, 1946, which was passed by the Legislative Assembly at its meeting held on the 28th March, 1946."

RESOLUTION RE RELEASE OF INDIAN NATIONAL ARMY MEN AND POLITICAL PRISONERS—*contd.*

Mr. President : The House will now resume discussion of the Resolution re the Indian National Army and the release of political prisoners, moved by Pundit Govind Malaviya on the 4th February last and further discussed on 11th February. A number of amendments were moved, and there is also one received later from Mr. Karmarkar. I think, before Colonel Himmatsinhji, who was in possession of the House, resumes his speech, it will be better if Mr. Karmarkar formally places his amendment before the House, so that speakers may speak on his amendment also.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural) : Sir, I move :

"That at the end of the Resolution the following be added :

'With a view to facilitate an early settlement of the political problems.'"

Mr. President : Amendment moved :

"That at the end of the Resolution the following be added :

'With a view to facilitate an early settlement of the political problems.'"

Colonel Himmatsinhji will now resume his speech.

Col. Kumar Shri Himmatsinhji (Nominated Non-Official) : Sir, much has happened since I began my maiden speech nearly eight weeks ago and which had to be postponed till today. I ask for the indulgence of the Chair and of the House to allow me a few minutes to finish my speech today. I do not intend to raise any controversies on this subject as a friendly atmosphere prevails in the country today; an air of hope and expectancy prevails all round. Both British and Indians are advocating the dictum of forgive and forget. Very soon India and Britain will be on an equal and, let us hope, a permanent friendly footing. Therefore it is vital that no bitter memories linger on in the future between the people of our two countries. Sir, it is for this reason that I advocate clemency for all the I.N.A. personnel and security prisoners. The British Commonwealth and her allies have won this great war. The whole complexion of things have now changed. Let Government employ all the wisdom at its command and release the prisoners. Sir, it would be a contradiction in terms for India to attain political freedom on the one hand while keeping people behind the bars on political grounds on the other hand. I therefore appeal

to Government to synchronise along with the prevailing circumstances, by generously announcing amnesty to all I.N.A. and other political prisoners, say, on the same day as they announce that India is a free country and can count herself along with other nations of the world which have their destinies in their own hands. Such generous action will be befitting British statesmanship and will be in line with past British history.

Sir, If this appeal of mine is not accepted in the spirit in which it is made, then I would be inclined to agree with some of the Honourable Members who have often said that this House is nothing but a democratic farce. This appeal which I am making is not only in accordance with the wishes of my Indian brothers in this House but hope of every Indian outside. Even I feel that my English friends on my right will also wish that we close this sad episode. I should like to go further and say that if the voice of this House is not heard, then the House serves no better purpose than another Chamber which is housed in this building. That Chamber in its annual function of a two days' session, commences its session by passing Resolutions of condolences on those Members who had died in the past year and finishes its session by passing Resolutions of congratulations to new members who have succeeded them.

Lastly, Sir, let me appeal to the Mover of the Resolution that both in the interest of the prisoners and in the hope that Government will receive our appeal in a favourable light, he will not ask the House to vote on this Resolution.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural) : Sir, if there is one matter on which not only in this House but also outside all sections think as one man, it is the matter of those persons who are imprisoned in connection with the Azad Hind Government. Before I come to the general questions involved I would invite the attention of the House to things that have happened and that are still happening outside India. A large number of persons—it does not matter whether they are of the Indian Independence League or of the I.N.A.—have been persecuted, and a large number of them are still kept in prisons in Malaya, Singapore and other places. The first thing that this Government ought to have done was to have asked for the repatriation of all these Indian nationals in Malaya and neighbouring places who are very insecure and unsafe there. Even the civilian population have been reduced to abject poverty and misery on account of previous vindictiveness there. When the civil population is not safe, how is it that confidence should be available which is a *sine quo non* for a fair and impartial judicial trial.

There is another aspect of the thing. The British policy with regard to these trials which was announced by the Under Secretary, Mr. Arthur Henderson, is that people will not be tried merely for collaboration, but there should be an additional factor of brutality or atrocity. If there is one thing which is clear, it is that this policy has been departed from in Malaya and the neighbouring places, and I will give you one example. There was one prisoner—I am sorry, Secretary, External Affairs Department is not here at the moment—who was persecuted do you know for what atrocity or brutality? He was connected with the Grow More Food campaign and while he was cultivating sweet potatoes three rubber trees had to be uprooted, and he was persecuted on the charge that he was collaborating with the Japanese by removing rubber trees. This is the nature of offence for which people are persecuted there. Of course I must say that after the very strong public opinion that has made itself vocal in India, things have improved a lot, but even then it is extremely unsafe and undesirable that trials should be held in an atmosphere where Indians are neglected and do not feel at home. Today a large number of eminent persons are in prisons. For example, there is no less an eminent person than Mr. Thivy who had the unique pride and privilege of being for some time the Secretary of Netaji Subhas Chandra Bose. There is one Mr. Sahay, one Pritam Singh, there is one Major Abid Hossain, one Major Gopalswamy and one Dhillon, and several others.

They have been in prison for quite a number of months. I may tell you that no charges are framed against them and even today in the name of 'interrogation' these people are detained in detention camps where life is very miserable. My grievance is that the Government of India do not take steps either to bring them

[Mr. Sasanka Sekhar Sanyal]

here so that they could be tried here, or do something which will inspire confidence in the minds of these helpless people and show that their Government has after all not forgotten them. No pressure has been exerted by the Government of India in this connection. The position of law is very clear: If these people are once brought here, they will be tried—if they are triable at all—under the ordinary law of the land. As my Honourable friend, Mr. Jaffer said with regard to those who were serving in the Army, that if they are brought into this country and once they are on the soil of India they are within the law of the land. Therefore it is a question of diplomatic obligation; it is a question of diplomatic propriety. The Government of India ought to have brought them back.

Sir, I want to give some information to the House regarding a large number of people who are now rotting in jails and do not know what the authorities are going to do about them. I refer to Siam. They joined in the activities of the Indian National Army, and after the defeat of Japan they were put into jail. Persistent efforts to obtain information regarding those people have not been fruitful. My good friend, Secretary of the Commonwealth Relations Department tried to get information, but nothing was made available. Why this imbecility? After all the Government of India is not in a subordinate position. We send our labour to Malaya and to neighbouring places, and it is on Indian labour that their industry flourishes. If this Government could hold out a threat that unless our nationals are treated fairly and squarely, we shall refuse to send labour to that part of the country, I am sure it will produce some effect.

Then, Sir, I give you some more information. At one time about 350 prisoners were 'loaded' on boat in Siam and they were given an assurance that they would be brought to India. But on the way they were unloaded at Singapore. They were unwilling to land at Singapore, but the Government of India had given instructions that they should not be allowed to come to India because their arrival was not considered desirable by them. Instructions were also given that if necessary force and violence might be used for detaining them at Singapore. This is the conduct of the Government of India with regard to our nationals abroad. Therefore Sir, through my amendment, I have sought the mandate of the House to give a direction to the Government to bring back these people from abroad and if they are to be tried, they should be tried in this country.

Do you know, Sir, that information regarding the brutal treatment of these 350 prisoners was published by a correspondent of the *Hindu*. This correspondent could not get passage by land, but as soon as this information was published he was all of a sudden given passage by air, and he was told to leave the place.

Then, Sir, we come to the fundamental question: why should these people be tried at all. What have they done which even Englishmen in the same circumstances would not have done? The story of the formation of Azad Hind is not a story but it is history. What was the position with regard to these people who joined the I.N.A., whether they were civilians or whether they were in the Army. When the Japanese invaded Malaya, the civilians wanted to be afforded the opportunity of defending themselves, but the British Administration, on the ground of prestige, not only declined to give them arms but they even declined to give them sticks. In these circumstances all those small countries fell to the Japanese. And what the representatives of the British Crown, who are now claiming sovereignty and are now claiming the right to try these civilians and the I.N.A. men, do? They threw the entire Indian population to the mercy of wolves, but every Britisher got every bottle of whisky, even the last cigarette case, was given a comfortable exit by land and sea and by air. Even their dogs were allowed to come by air, but as against that these unfortunate Indians were not only not given any facilities when they came to air ports and sea ports, but they were forced back. In these circumstances what could they have done? There were two courses open—either to be absorbed by the Japs or to have an independent existence, and as a matter of fact the instruction which was given by the British authorities was to toe the line of the Japs. I will give one example of T. P. Coe. He tried to come away but Sir Shenton Thomas, the Governor of Malaya gave him instructions to fall in line with the Japs and to obey their orders. Another instance is one Captain Pritham Singh. He is now in prison.

was in the I.M.S. He was given instructions to serve the Japanese and he obeyed. But a large number of people instead of getting absorbed by the Japanese preferred to take a more honourable course, namely, to have an independent existence. They found dangers on either side. They saw that the British had failed in their duty and that the condition of India was insecure. On the other side they saw that the Japs were casting their greedy eyes on India. They were between two dangers and they took the honourable and brave course of trying to ward off the danger from either side. They made up their minds that the Japs must not enter their land, and they also made up their minds that the British must leave their land. It was in this state of psychology that the Azad Hind Government came into existence. They found in Netaji Subhas Bose, a man of destiny. They rallied round this great statesman and patriot. In the course of a short time they had territory of their own, their own exchange and currency and their own military resources and they had every right to see that the Japs did not succeed in penetrating into their homeland of India. And at the same time they had every right to see that the British power was expelled from this land. Sir, this is the context of the case. If anybody ought to have been prosecuted, I submit and maintain, that the British Army officers who were responsible for the safety of the people in their care and who abandoned them at the critical moment and retreated only for purposes of their own safety. These people ought to have been prosecuted, and if anything could and should have been done in respect of these brave Indians they ought to have been given the highest honour that our country could have given. What is more, I was submitting that sovereignty is not a one-sided affair. It carries with it its own obligation just as you have in the ordinary legal language the relationship between the landlord and the tenant is a mutual affair. Similarly the relationship between the Crown and the subject is one of mutuality. If the Crown abdicated, i.e. the representatives of the Crown let down the subjects, the subjects were free to choose their line of action and they did it honourably. Their status, after October 1943, when they declared war upon the British, was recognised as a sovereign state by at least some first class powers of Europe and Asia. If they failed in their mission it was only a matter of chance. If today by some more favourable circumstances they had succeeded in expelling the British out of India, what would my friend, Mr. Mason, and his European comrades expect? They would expect not to be treated as ordinary criminals under the Penal Code. They would certainly have expected treatment as prisoners of war. So as the Englishmen put it: Do unto others as you would have others to do unto you. If you wanted such treatment it is only just and proper that these people should be given similar treatment. My friend, Mr. Mason, the other day in a very well put speech raised the plea of brutality. As a humble student of law, this expression brutality or atrocity is very vague to me. On one occasion I wanted to ascertain from the Government whether there was any description or definition of brutality or atrocity. There is none. And if a man can be accused of brutality or violent collaboration when rubber trees were removed, then everything can be brought into the category of brutality. Even in today's *Hindustan Times* there is a message from *Reuters* published that His Majesty's Government has made it clear that only collaborators will not be put on trial and such cases will be withdrawn but if such collaboration has led to the commission of brutality or atrocity by others, it will come within the category of brutality for him. This is spiritual brutality and the sin of one must be visited upon the other. Then look at the matter from one important aspect. You have been a lawyer. I am glad that you have been. So far as the question of evidence is concerned, who is giving evidence of brutality? They are persons who were accomplices with the accused but somehow or other have become weak before British power and now wish to purchase their safety or their promotion. They are the persons coming as witnesses to alleged brutality and the trial in certain cases has brought in the revelation that what these persons have said are not their voluntary statements in all cases. They have made statements which are the result of the brutality and tutoring by their British prosecutors here. What is the good of pursuing this matter with such high-sounding phrases? It is a fundamental conception of British jurisprudence that an accomplice is not worthy of credit unless his words are corroborated by independent testimony or evidence.

May I have your permission to speak a little more? My party will adjust the time accordingly.

[Mr. Sasanka Sekhar Sanyal]

What is the good of bringing this. I will just give an example. When there were allegations of torture by Ram Manohar Lohia, when there were allegations of torture by Mukunda Lal Sarkar, and Sisir Bose, Aurobindo Bose and Dwijen Bose and when there were allegations of torture by a large number of political prisoners, why was this matter not brought before a court of law? After all a man can be convicted upon the testimony of one man. There the policy of the Government was that here is the version of the prisoner on the one hand and here the version of the jail authorities and the police on the other. Therefore high policy required that the matter should not be brought for trial before a court. Where is that policy here? A man who was a comrade of another, one who has bravely stood the trial saying that we wanted our country to be free and we felt that we were relieved of all obligations to the Crown, against that man who has been demoralized by temptation, he comes and says that such was the torture. Is that consistent with British policy? Is it consistent with British jurisprudence which stands out as one of the finest pieces of jurisprudence in the whole world? Therefore I submit that this brutality story is a tell-tale story. Then consider the matter from the practical point of view. After all a battle-field is not a married man's chamber. A battle-field is what it is. Feelings run high and nerves are high strung in people who are looking to the liberation of their country with fire in one pocket and with death in another. These were the people who did not like to line up with the others in the same place. Therefore if there were some technical errors here and there it is not right that they should be given a monstrous proportion for purposes of a trial. It is vindictiveness, it is brutality. Lord Morely, an ex-Secretary of State, said after Charles I was dethroned and put on trial that this procedure was in itself an act of war and it was just as indefensible and as assailable and on the very same grounds as war itself. If that is applied to these trials, prosecutions and presecutions, these are more brutal than the alleged brutalities in the battle field of persons who were fired with the zeal for the liberation of their country.

My friend, Mr. Mason, gave a homily on integrity. He had also a fling on Indian nationhood. He asked us to look back to the past history of India. He said that it would be bad for the future Government of India to overlook this betrayal of the army. May I invite the attention of my friend Mr. Mason to the history of his own country? What was the position when the English people went against Charles I? What was the morality behind the Protestant Revolution? Is he prepared to say that the British people including the civil and military condemned themselves by going against Charles I, who was the King of England at that time? What was the position in the American War of Independence? Is it betrayal? Whom did they betray? The Americans were the British cousins across the Atlantic. I say however that our position is much better. The Americans thought that the Stamp Act exceeded the limits of British authority and the Americans considered it unjustified. What did James Otis of Boston say? He said that the British certainly were in the wrong and the Americans were in the right. What did the famous English historian Mr. Freeman say? He said that Hobbs and Bacon gave the idea of democracy. The Puritan Revolution gave shape to those ideas and George Washington expanded it across the seas. We want to go a step further....

Mr. P. Mason (Government of India : Nominated Official) : I did not really have a fling at Indian nationhood. What I did say was that it might be a good thing to look back to the past and consider how many battles might have been won which were in fact lost owing to inability to depend on fidelity on the part of their comrades on the field of battle. But none of the points raised by my friend relate to that.

Mr. Sasanka Sekhar Sanyal : If the Honourable Member objects to the word 'fling' I withdraw it. If there is any precedent or parallel with which to test this case, it is there on all fours in the American War of Independence. We are on stronger grounds. The Americans were of the same race. They were of the same blood. If we accept Mr. Freeman's verdict that George Washington extended it across the seas, we go a step further. Our Netaji Subhas Chandra Bose extended the ideology much further.

My friend Mr. Mason was speaking of betrayal. Whom were these people betraying. If they were guilty of betrayal, they were guilty of betrayal of the foreign power over them, the power which also failed in its ultimate obligation to protect the army and civilian population under them. When these people were let down, when they were handed over to the enemy, they had every right to take steps to get rid of this unwanted and undesired foreign rule in India. Therefore the story of betrayal and integrity is an idle story and the less said about it the better both for this side and the other side.

Coming to the question of brutality I will not refer to the brutality of our British administration in the past. These people were fighting for their country. They were even courting death for the liberation of their country and as such there was some justification for their being violent. But what is the justification of this armed Government here being brutal to the unarmed civilians of this country. I will not go back to the old history and detail the circumstances in which Sirajuddaula was killed and Nand Kumar was executed. I will not refer to Jallianwalla bagh or to the atrocities of 1942 which is the subject matter of another resolution. I will not even refer to the recent happenings of shooting from the air upon innocent and unarmed crowds whose only fault was that they wanted to have their voice heard. I will make a present to the people and this House some other atrocities of this Government and those who do not know about it will shudder after hearing it. There was one coastal battery, battery No. 4 in Cochin. There were young men of all provinces there. General Auchinleck, who was not then Commander-in-Chief at that time was so much satisfied with their conduct that he recorded his appreciation of the performance and efficiency of this coastal battery. Then the rub came. The Britishers in the regiment grew jealous of the Indians. The Indians on the other hand thought that since they had the appreciation of General Auchinleck they were entitled to be treated on equal terms with the Britishers. Even the ordinary constables would try to lord over these V.C.O.s. These V.C.O.s. wanted to be treated equal with the Britishers of the same rank. This was interpreted as mutiny. I want Mr. Mason to hear me. Every word that I say is full of responsibility. This was interpreted as mutiny and somehow or other in this context one British officer was condemned (I will not name him but if the Honourable Member wants the name, I will give him afterwards. He was degraded for inefficiency and loss of integrity—I use the very words used by Mr. Mason namely integrity) he came back and proclaimed that he must teach these Indians a lesson. All of a sudden there was some firing in some palmleaf hut. These Indians were put on trial and I will tell you how the trial was conducted. A person who was degraded and who was accused of pilfering came forward as the most important witness. I do not know whether there was a court martial or anything like that. These people were between the ages of 19 and 21. Ten of these persons were put on trial. Nine were sentenced to death. *They were tried in St. Andrew's Church at Bangalore and executed in Madras. These people wanted to have their defence. They were not allowed any defence. One incompetent Indian military officer was appointed as a defence counsel or lawyer and as he tried to do his best, he was degraded from his rank and even the show of defence fell. Ultimately these nine unfortunate young men were hanged.

Mr. P. Mason : May I ask when all this took place?

Mr. Sasanka Sekhar Sanyal : In the year 1943. May I ask the Honourable Member if he has any information to the contrary? The trial took place at St. Andrew's Church, Bangalore, and the execution took place in Madras. I can also give the names if my friend wants. In an Army Order dated the 29th October, 1943, the execution was published. These are the names : Jem. Thakar, Hav. N. K. Dey, Hav. D. D. Roy Chaudhury, Hav. N. Bawa, Hav. C. R. Mukherjee, Nk. T. Chakravarty, Gr. S. K. Mukherjee, Gr. K. P. Aich, Hav. N. M. Mukherjee, Gr. R. N. Ghosh, Gr. M. Rahaman—the last two were given transportation for life. And there was one A. C. Dey. He was given seven years R.I. on the ground that he was aware of the contemplation of a conspiracy for a mutiny which, however, never took place, and it was said that he did not disclose the information. Persons who refused to give tutored evidence and who wanted to be defence

[Mr. Sasanka Sekhar Sanyal]

witnesses were terrorized. But, for the version they gave to the Military Department they were accused of perjury and they were kept in a small cell which is eight feet by six feet. About twenty or twentyfive persons were put there. It was Belsen or Black Hole, whatever you might call it. They were starved and humiliated on the ground of perjury, and imprisoned. Some of them have been recently released, and the British people have not had the elementary sense of obligation to publish even a grain of this information. That is what we find on the score of brutality.

And do you know, Sir, how these people were trapped? So far as this N. M. Mukerjee is concerned, as soon as he heard that he was prosecuted on this ground, he wrote to his men in Calcutta, and his brother ran up to the military authorities with a lawyer D. M. Sen. The military authorities did not allow an interview. They said that when charges were framed, the charges would be forwarded to the lawyer, and the address was taken. Subsequently, when he wrote from Calcutta again, he was told that the charges were not ready. I have got the correspondence here, but I will not go through the correspondence as that will take time. I simply want to assure my friend that I am speaking from dependable papers, and if he wants to peruse them I will hand them over. He was told then that the charges were not ready. Then, after some time, a wonderful telegram came to this lawyer. "Civil lawyer's assistance not required". Sir, English is their language. But as regards the use of that language, "Civil lawyer's assistance not required" is different from "Civil lawyers not allowed". These people naturally thought that either the proceedings were going to terminate or that the proceedings were not of such a serious nature as to require the assistance of a civil lawyer from outside. Then, Sir, will you be surprised to hear what handy piece of information came thereafter? A letter was sent to the unfortunate widow mother that he was found guilty and that he was executed on the 27th of September. The unfortunate mother was also told that he applied for mercy but mercy could not be given. My friends who are now trotting out all sorts of brutality of prisoners in the war field, and depending upon the doubtful evidence of tutored persons, I say, their hands are coloured by the blood of brutality. Let us not hear all these things. My friend, Mr. Mason, and my good friend, Mr. Griffiths, also, made a plea that when power is transferred to Indian hands let us not allow treachery or betrayal of these people. Beware, future India, if power is really coming to us, we want our own army and our own military, and if we have to fall back upon somebody or some group it is exactly these I. N. A. people who have suffered in the first instance. They have been through fire and blood. They have done for the liberty of the country what others could not do in spite of their desire. They have among themselves solved the Hindu Muslim tangle. They have experience abroad and they have now come. These are the persons who will give first-class nucleus for our national Indian Army's composition and for that narrow reason also we want them to be free and to be in our midst.

Today we are on the eve of changes. It is the desire of everyone that nothing should be done which is bitter and that nothing should be said which is bitter. Let us agree not to say anything bitter. But then I would appeal to the European Members of the Government, if they desire that their performance on the platform of brutality should not be remembered or discussed, is it not equally desirable that technical errors on our side should also have to be written off. After all, if we examine the balance sheet of our performance and the balance sheet of their performance, Sir, it will be just like a mole hill below a mountain. If it is really, as I have heard and understood Mr. Griffiths the other day, that they are anxious to see transfer of power to Indian hands and that they will be glad to settle down as traders with Indian capitalists, if that is so, Europeans must purchase goodwill, and for purchasing goodwill they must take their own share in the slogan of 'Jai Hind'. They must make us feel that they also feel like us. After all, if they want to stay in India they must share our sentiments. Even today I have a suspicion. The Ceylon Government succeeded in getting the release of people who went against the British power. The Burmese Government also succeeded. But our Indian Government is not doing that. Why? My suspicion is that they are haunted by the halluci-

nation of Subash Chandra Bose. It is their uncertainty. They sometimes think that he is alive. They sometimes think that he is dead. If he is dead, my European friends ought to understand that "Long live Subash Chandra Bose" is the Indian cry today, and that it will continue to be so far some time to come. If he is alive, the future Government of India, for peace and prosperity, for the peace and prosperity of the whole of Asia, will have to recall Netaji Subash Chandra Bose. That being the attitude of India as one man, if Mr. Griffiths wants to extend his hand of fellowship, he must take his share in the slogan of 'Jai Hind' and he must take his share in the struggle of Indians. If we have to clear our accounts of past regrets and look to the future, here we on all sides of the House, and outside, have to cry "Jai Hind" and "Netaji Zindabad", for that is the way to peace, that is the path to goodwill. Sir, I move.

Sardar Sampuran Singh (West Punjab : Sikh) : Sir, the Malayan warfare and the march of the Japanese through Burma is a most unfortunate episode in the history of this war. It was a very badly managed affair, and from the very beginning everywhere the persons of the Indian Army were let down. As soon as the Japanese entered into Bangkok and warfare started, the British armies were receding and were leaving small portions of the Indian army behind; so much so that they left Singapore all of a sudden. I am not sure whether they have so far been able to attribute the fault of mishandling of that episode on any General. But this is true that the British army were always receding and were leaving the Indian part of the army at the Japanese front, not only to fight but to surrender also. So much so, that when they actually retired and left the shores of Singapore and other ports in that neighbourhood, they took jolly good care, that all the British army and women and children should be taken with them to India or other parts of the empire, but mainly the Indian soldiers and officers were left behind. The march into Burma was still worse.

I P. M. so much so that when the enemy reached Rangoon and Mandalay and other places, not very far from India, the Indian families and small children and girls and boys had to walk bare footed without any rations for hundreds of miles to India. They were not given any facilities to get out of the country. The conduct of Col. Hunt when he handed over those prisoners to the Japanese was also objectionable because his advice certainly encouraged demoralisation which had set in in the Indian Army which he left behind. Eventually they organised themselves into the Indian National Army. But soon after there was a quarrel between the Japanese and the officers of the Indian National Army, purely on the ground that the Japanese wanted to have things in their own way, but the officers of the Indian National Army who had organised that army to protect themselves and the Indian nationals in that part of the world would not submit to their orders. The result was that our best men, like Mohan Singh and Niranjan Singh had to rot in jail up till the last day of the war when they were rescued and brought home by the British Army. So, if under such circumstances these people organised themselves to save themselves their countrymen and countrywomen in that part of the world, in the midst of that confusion, I think, today to blame them would not only be wrong but a sin and a crime. I would ask the Government that when they had left Burma and Malaya, when the Japanese were all powerful there, and the Japanese wanted the Indian National Army to accompany them and attack India under their own conditions, and the Indian National Army refused to do so and a very large number of responsible people went into jail, and British India was quite unprepared to fight against the Japanese on the eastern front what was there to stop the Japanese to enter India if it was not the good faith of the Indian National Army who refused to work under their orders? I think those people who behaved in that way and tried to do all they thought was good for their country,—to treat them like you are treating them today, is I think very wrong. You adduce evidence and accuse the members of the Indian National Army for having committed brutalities on some of their men, in the name of disciplinary actions. But after all, from what we have read about the evidence which has been adduced to prove their brutalities, I would request the Government to see if there is anything that can be compared with the brutality committed on the Indian Army in Burma and Malaya and on the Indian nationals whoever you left there, while you left the country as you did in Burma, Malaya and Singapore. I think that was downright betrayal of the Indians who lived in those places. If you do not call that brutality, I am afraid I do not know what it is; and if

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you compare that with the alleged brutalities of the Indian National Army people, you will find that the acts of your officers were far worse than any committed by those people.

Shri D. P. Karmarkar : Mr. President, much has been said from different sides of the House regarding the advisability of the immediate release of the brave men of the Indian National Army and the political prisoners who are wrongly rotting behind the prison bars in India. It is more than eight months that His Excellency the Viceroy in his broadcast following the release of members of the Working Committee of the Indian National Congress uttered those memorable words "Forgive and forget". That admonition and suggestion we all hoped, was not for one side only, namely, the Indian National Congress; we had thought that that advice applied also to the Government of India. But up till now we have not had any the least evidence that the Government of India has seen reason and has learned to forget, much less to forgive. When we hear that the members of the Indian National Army will not be indicted with the offence of waging war against the King, we do not give very great credit to them for that as an act of clemency. The reason was very obvious; the Englishman of all persons is a very practical being; he knew full well that the circumstances attendant on the foundation of the Indian National Army, their sacrifice, their valour, their patriotism and their love of their countrymen had deeply stirred the hearts of those people even in the Indian Army; and as a measure of practical expediency they dropped the charge against the Indian National Army of waging war against the King. I am sorry they did not drop the whole charge as a measure of expediency. To justify their action in the eyes of the world, they fell back upon another expedient. As one of their own gifted authors put it very nicely, George Bernard Shaw said that an Englishman may be wanting in anything else, but will never be wanting in principles: he will crown a King on loyalist principles and cut off another King's head on republican principles. So at the present moment they are trying some of these brave Indian National Army men on the principle of punishing brutalities. It strikes me as very anomalous that this Government of all things should find itself encouraged to run on with these trials without examining its own moral credentials. This is not the time to enter into any details regarding the atrocities committed under the auspices of the Government which is trying these brave men for alleged brutalities. There is one instance coming from my own Province, which has come up before the courts, in which evidence has been recorded and which the Government themselves will not be able to dispute. I refer to the case of one sincere worker who had the privilege of being one of the 78 followers of Mahatma Gandhi in the Dandi march, whose name is held in admiration not only in our own ranks but also in the ranks of our opponents, the police. Every policeman in the Karnatak has a word of admiration for his non-violence. Some how the authorities decided that this man who had gone underground and was supposed to be responsible for many offences must be done away with. When I narrate these facts, I speak not merely on indirect hearsay evidence but I have had the privilege of having had this confirmed when I was a detainee in the police headquarters at Dharwar, from the mouths of the people who participated in this nefarious affair. Now, Sir, what happened was this. They decided to do away with this man. At a small conference where the senior police officer was present, he exhorted his men and told them 'Every mother's son who is here will try to do away with this man.' Ten policemen were made to form an armed guard at Hosaritti and when this man came there, they shot at this man, and afterwards killed him. And, Sir, what greater brutality can there be than to kill a man after he is down. Even military laws and international laws recognise that when a man is already wounded, no more injury shall be inflicted upon him. Now, this man was unarmed, undefended and according to the version of one of the highest police officials in our presidency which he himself gave, this man was bare armed. He was shot down and after he was wounded he was killed. He is Mahadev Mailar and his name is held in great affection and admiration in all hearts.

The Honourable Sir John Thorne (Home Member) : On a point of order. I was under the impression that this Resolution is about the I.N.A. and political prisoners. I would ask how far a statement of this kind about some one who has not been a prisoner, as far as I can make out, is relevant to the discussion.

Mr. President : I may bring to the notice of the Honourable Member that there is an amendment by the Honourable Member, Mr. Mason which says that the words 'except those charged with brutality' be added at the end of the Resolution, meaning that the prosecution of those charged with brutality should not be dropped. That is the amendment; and the point, as I have been seeing even during the last speaker's speech, is that the evidence as to brutality, on which these people are being charged or are likely to be charged is of a doubtful character, coming from accomplices. It seems to make out that the police are manufacturing evidence. That seems to be the point. That is why I was just hearing what the Honourable Member has to say. I do not know if he has any other object in mentioning that.

Shri D. P. Karmarkar : One more object is that the Government of India in conducting these trials are by their action trying to create a moral effect on the people, and that sort of effect will not follow. I have finished with that point. I could give many instances of that kind. The Government of India in the eyes of the people have been clearly guilty of brutality of a far more serious character than the ones with which they are charging members of the I. N. A. and in view of the fact that these trials are not likely to carry any moral sustenance or support to the Government, I think it is extremely improper that the Government of India should proceed with these trials.

Mr. President : The Honourable Member can continue his speech after Lunch. The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

***Mr. Sasanka Sekhar Sanyal :** Sir, with your permission, I should like to correct a mistake which I made in my speech this morning. I said that the trial took place in St. Andrews Church, Bangalore and execution also took place there. It was a mistake. The trial took place in St. Andrews Church, Bangalore but the execution took place at Madras. I request that this correction may be made in my speech.

Shri D. P. Karmarkar : Sir, when the House rose for Lunch, I was about to finish the point that the present Government with a long record of the type of things they usually do are far worse than what the I. N. A. accused have been charged with and that the Government have no moral right to proceed with these trials. It is not my purpose this afternoon to bring into this debate things which might be very really relevant in another debate when it comes to a question of enquiry into the atrocities of 1942 movement. It is not my purpose to refer to this point, otherwise there are plenty of incidents from Behar, from U. P., from Andhra and from other parts of India, practical instances of a kind which had not disfigured the annals and the history of any other nation in the whole world but it is not my purpose to bring into this debate details of the atrocities for which this Government is bound to be held guilty by any impartial tribunal. I referred to one incident only for the purpose of showing partly that this Government with that record to its credit has really no moral right in the eyes of the world to proceed with the trials of men indicted with offences which compared with the deeds of this Government are almost innocent.

The second point which I should like to invite the attention of the House to would be this. What was the situation in 1942? What was the part that these brave men of I. N. A. played in those eventful days. Time was when not only I. N. A. men but also largely the Indian National Congress was blamed for having pro-Japanese tendencies. At a very discreet hour, at an earlier stage, they withdrew the charge against the Indian National Congress and Mahatma Gandhi that they had any inclination towards the Japanese. Now as the elucidation of events has it, it is now proved beyond all doubt that the I. N. A. men were never in any sense of the word pro-Japanese forces in the sense that they wanted to sell India to the Japanese. It has been proved by evidence brought before proper tribunals—or perhaps shall I say improper tribunals—that the one object of I. N. A. was to achieve

[Shri D. P. Karmarkar]

the independence of India and their programme did not have as one of its parts, any idea of handing over the country to the Japanese. Who would be a safer man to rely upon? Who would have been a safer man to rely upon in those dark days of 1942? The I. N. A. men or the present Government that is in power today and which was also in power then? What was the attitude which the present Government that exists in this land adopted in those days? What were the instructions given by them to civil officers. For instance, one among others of the instructions which they issued to the District Magistrate of 24 Pargannas was that if the Japanese were to advance, that that particular officer was to remain behind and serve the Japanese quietly. Was it not also part of the instructions further that if he chose he was at liberty to retreat with the British army. Who would be a safer guide at that moment? In the eyes of history who would be the persons fit to be indicted at any trial before a proper tribunal? Was it the I. N. A.? In those difficult times, at the cost of stern opposition, the I. N. A. men objected to the Japanese landing on Indian soil. The I. N. A. men did not want to surrender an inch of Indian soil to the Japanese. In those dark days, the Government of India instead of fighting every inch of Indian soil, instructed the civil officers to abandon Indian territory if it came to that as a measure of discretion. In my respectful submission to this House, my suggestion would be that if any one is to face a trial for incompetence and untruthfulness and ingratitude to Indian people, it is not the I. N. A. men but those who were in charge of the Government of India in those critical days of 1942. Much has been said by my esteemed colleagues who have preceded me with regard to the noble part played by I. N. A. men in those hard days.

I now pass on to another type of persons also included in this Resolution, and that is political prisoners, non-military political prisoners, if I may so term them. Now with regard to that type of men, part of them belong to the pre-1942 days and most of them are prisoners who were convicted for taking part in August 1942 disturbances. There has been a lot of controversy carried on between high quarters, between Mahatma Gandhi on the one hand and the Government of India on the other as to the primary responsibility for the incidents of 1942. For those incidents which followed after August 1942, history will be the best judge. I will not attempt at this stage to make an analysis of the whole events as they occurred. But this much is true. If any responsibility is to be fixed on anybody's shoulders primarily for what happened during August 1942 and after August 1942, even a cursory glance of events will show that the responsibility does not lie with any organisation in this country, it does not lie even on the shoulders of those people who have been convicted for offences for things that happened during 1942, but the primary responsibility lies very heavily on the shoulders of the Government of India who precipitated the whole thing by arrest of the one leader who could have delivered the goods, namely Mahatma Gandhi at that time when he was almost supplicating for an interview with the Viceroy. On that point and about the events that were part of those disturbances, much has been said. Really some regrettable incidents have occurred. Some deaths did take place. A few deaths on the official side and a larger number of deaths on the popular side. The number of deaths that were caused on the popular side were largely due to indiscriminate action taken by the military in shooting down people on the pretext of rooting out unruly mobs from the scene. Official casualties have been far less. If you properly scan the events, you will find that innocent men were shot down due to indiscriminate action on the part of authorities to try to bring the situation under control. I will not cite instances to show that. Otherwise I should have taken the House through the events which occurred at Nandurbar, where students were fired upon, in Behar, in U. P. and other parts of the country where simple procession of boys, even of girls were shot at, when peaceful processions were shot at in order to disperse them, when perhaps a more tactful and a more humane and a much quieter attitude on the part of the authorities would have saved the situation without loss of lives. The authorities know only the bullets as the sole method of pacification under these circumstances. The country rose in what the official side was pleased to term as rebellion, but largely thanks to Mahatma Gandhi a very peaceful rebellion indeed. History has no similar record to show where a non-violent people in order to defend their primary rights as citizens, braved all the horrors of Government might by laying down their lives. There was an instance of another

kind about 25 years ago in Ireland when the British put a prize on the head of Michael Collins for being captured alive or dead. We all know the events which ended in violence in that country. Happily in India thanks to Mahatma Gandhi there was only peaceful resistance and in view of the abnormal situations that existed, in view of the fact that on their own admission it was not a case of a few individuals committing heinous crimes, but a whole people incensed in wrath against what they termed repression of Government, in view of the abnormal circumstances at that time, in view of the fact that the Government were pleased to term it a rebellion, they should have applied to these events also the rule that is usually applied to political prisoners, prisoners of war for the time being and instead of that many people have been convicted to long terms of imprisonment, some five years, some seven years and some to 14 years for offences committed during those troublous days. I am coming to my last point and the point underlying my amendment. Months ago His Excellency the Viceroy said we should forget and forgive. We have tried to forget and forgive. Mahatma Gandhi has tried to bring in an atmosphere where forgiving and forgetting would be encouraged. But the Government of India should respond likewise and demonstrate not only to the people of India but to the whole world that they are also in a reciprocal mood to forgive and forget. That is the one little thing they can do, because they know from past experience that those prisoners who are behind the bars are not going to be frightened by long-term imprisonments to which they may be relegated. They are not going to shed their principles: if at all, these people who undergo long-term imprisonment come out stronger in their faith than before. It is just that type of good gesture that this Resolution is inviting Government to make. And in order that the present political talks may lead to the fruition of something constructive, as we all hope, and something which will be well for both Britain and India, my amendment seeks to add the words "with a view to facilitating the solution of the political problems." Sir, whatever may have happened in the past—and I speak in no apologetic mood because the prisoners themselves resent any terms of apology and are prepared to suffer for whatever they have done in the best of their convictions—it is not in a mood of asking them to exercise their clemency because we on this side of the House refuse to talk of clemency from a Government which is not responsible to the people: but it is in a sportive manner of inviting Government to do the right thing at the right time. No doubt when the provincial Governments come into power they may release the prisoners. But just at this time when three senior Ministers of the British Cabinet are here trying to effect a conciliation between Britain and India, nothing would be a better prelude to these talks than an unconditional release of political prisoners including I. N. A. men who are today for no fault of their own but on account of the situation created by British imperialism in India rotting in jail. Sir, I commend the Resolution and my amendment to the acceptance of the House.

Shri Sri. Prakasa : (Benares and Gorakhpur Divisions: Non-Muhammadian Rural) : Sir, in rising to support the Resolution and the amendments moved from my side, I am fully sensible of the extreme gravity and delicacy of the situation: and I am most anxious that I should say nothing that should in the least add to the bitterness and unhappiness of the days in which we live. It seems to me that the problem before us can be easily and more fully comprehended, if we accepted two axiomatic truths. One is that a Government must govern. However it may come into power—by force or fraud or vote—it has got to govern to fulfil its responsibilities. The other is that a subject people must struggle to be free. No doubt in the mutual adjustment of these two truths, there are clashes and conflicts; and from time to time occasions arise when there is much bitterness and much controversy. But from time to time occasions also arise when both sides have to sit down and take stock of the situation; and to learn to forgive and forget; when the victors and the vanquished alike have to shake hands over what has passed before; to give each other credit for good intentions; and to proceed forward as friends. The principle that is involved in this is not vitiated either by success or by failure. Some conflicts, some revolutions may succeed; others may fail; but the principle underlying the conflict is the same; and I see no reason why when England can shake hands with America despite the war that took place between the two countries and that wrested from England the freedom of the American continent; she cannot shake hands with us also even though we happen to have failed at the moment. We feel that this is the time when we could

[Shri Sri Prakasa]

all sit down, take the conflict that has ended in the right perspective; and look forward to a less unhappy time.

Sir, before proceeding further I should like to dispose of the main amendments to the Resolution. The first was moved by my amiable and Honourable friend Mr. Mason. He has said that only those men should have relief who are not accused of brutality. The Indian National Army—and I am sorry that he referred to it this morning with an adjective of “so-called”—has elicited a great deal of sympathy from all quarters, and still even in accordance with the principles that have been enunciated by my Honourable friend opposite there are large numbers of persons who should have been free but who are still in prison. I have got a long list of officers of the Indian National Army who have been brought from Rangoon and are today in prison in Delhi. There are Captain Ahmad, Captain Saleem and about 16 others who arrived on the 20th May 1945. Then a week later arrived Captain Jivan Singh, Flight-Lieutenant Latiff and about 12 others who have all been interrogated and who are not being proceeded against for any brutality or impropriety; but who are still being kept in prison. There is another list of 16 persons,—Major Nagar, Lieutenant Khan and others,—who came from Bangkok and Singapore on the 11th December 1945; whose interrogation was finished in the second week of January; but who are still in jail. On behalf of these men I should say to the War Secretary that it is time that in accordance with his own principles and the principles that have been published and broadcast, they should be immediately released. But that is only by the way.

The main contention of my Honourable friend is that those who are guilty of brutality should not be released. Brutality is a word that can be interpreted in many ways. But one thing is certain, and that is that when a conflict is on, many things are done which are apparently brutal and which decent people would not do in normal times. Care has to be taken of the circumstances in which certain incidents occur before we can condemn the perpetrators thereof outright. I could bring a long list of proved actions of brutality on the part of authority. Some of my friends have done it. I do not want to mention many incidents which we have ourselves investigated and which happened in Ballia, in Azamgarh, in Benares in the days of 1942. I am sure that my Honourable friend, the kind-hearted Mr. Mason is bound to regard them as brutal if I were to relate to him the incidents of murder, of shooting, of arson, of pillage, and even of rape that then occurred. But I will not burden either the speech or vitiate this evening by describing in detail all that happened. They got publicity in the press also. The Government forfeited the security of the papers that published them, but did not proceed further or bring them to trial before a court of law. These papers to my knowledge had armed themselves fully with evidence.

I will also come to the amendment of my very dear and Honourable friend, Haji Abdus Sattar. He is one of the kindest of men, perhaps the most popular Member of the Assembly, a gentleman as to the manner born; and I can tell him that if he would only see to the implications of the amendment that he has moved—not granting amnesty to political prisoners he would be the first to withdraw it.

To another Resolution on the order paper today, an amendment has been tabled that investigation should be made into the atrocities that were committed by Congress volunteers. Personally I welcome the amendment; and I have absolutely no objection to full investigation being made in any atrocities that I or my friends might have committed. The fact however remains that these have already been fully investigated into; that men are undergoing long sentences of imprisonment because of such investigation as the Government was pleased to make at the time into the alleged atrocities of Congressmen; that some of them have been already hanged. I do not understand what further investigation is necessary, but I would welcome any further investigation and also invite punishment upon myself and upon all others who were guilty of misconduct. I may add that the officials guilty of misconduct have all been granted amnesty while we have been severely punished. What I should like to say to my Honourable friend, Haji Abdus Sattar and others who think that no amnesty should be given to political prisoners, is that these political prisoners are undergoing imprisonment for an atrociously long time and that many of them are in prison without charge or trial. I am sure my Honourable friends will realise

the extreme impropriety of putting men in prison without charge and without trial for the unduly long period of six years and more. Many men are in prison as detenus since 1940 and it is time that they were released.

Sir, the 1942 convictions too were conducted in a most peculiar manner. There were many instances in Benares, my home town, where men acting as Magistrates convicted people although they had really no authority to do so. There were many Magistrates who got the persons, against whom they passed sentence, whipped in their presence. The law requires that such men should receive their strokes in jails, under special conditions; but the magistrates in their enthusiasm got them caned immediately in their own presence. For very small offences, men were sentenced to long terms of seven years and more. There are many in my province who are under sentence of sixty years and more. It is time that the cases of these persons were carefully looked into; and I have no doubt that when my Honourable friend, Haji Abdus Sattar, knows exactly what the situation is, he would join hands with me in asking that these persons should also be released. It is possible that my friend is angry with anything that I might have said or done or any other congressman might have said or done; but let him not condemn the whole lot of Congressmen or those who acted under peculiar impulses in 1942 because I or some other individual has done something which has rightly roused my friend's anger. Let us be punished and not they. We know that in 1942 our warrants were out on August 5 and we were put into jail on August 9. I was hauled up a few days later, not being in Benares on the 9th; and the Jailor was quite surprised why I was late in coming. He told me that he had orders to receive me on August 5. It is not that the Congress had organized anything because to most of us our arrest came as an utter surprise. It was the Government that had planned before hand how various persons were to be caught at various places. So the pre-determination was on the part of the Government and none on our part. But, Sir, as things are, it is useless to think that it would be possible for any of us to convince the other. We have all got closed minds although our mouths are open.

It is particularly difficult for a man like me to argue with my Honourable and very esteemed friend the present Home Member of the Government of India. Of all the thousands of men I know, Sir, he is absolutely the most innocent. Despite his having been a Magistrate, perhaps a Judge—I have no dossier of his as he has of mine—Despite his having risen step by step very properly to his present position, he does not even know what handcuffs are; because he says, he never put them on himself. He does not know what a chain is by which a prisoner is held by the policeman when in handcuffs. There are two types of handcuffs. We on this side of the House know them all. My Honourable friend ought also to have known them for I have no doubt that even if he had not had them on himself—human nature being what it is—he must have sometimes felt that he ought to have known them for something that he might or might not have done! Handcuffs are given by the Superintendents of Jails to prisoners which are called night-handcuffs. These have no chains. The prisoner is manacled at nights and put in his cell. Then he cannot even brush off a fly or a mosquito. These have no chains. But has not my Honourable friend ever seen a person with handcuffs being held on by a policeman with the help of a chain. They must have been brought before him while he was a Magistrate. He must have in the course of his duties visited jails and surely have seen handcuffs. I was amazed to-day to know that my Honourable friend has not seen or heard of handcuffs or chains. It is absolutely.....

Mr. P. Mason: May I ask on a point of order, to which amendment this is relevant?

Shri Sri Prakasa: The relevancy is to the presence of my Honourable friend, the Home Member, in the House, to argue with an innocent man like this is very difficult. But I should tell him that things are happening in the land for which he is morally responsible even if he is not personally so. I beg him, Sir, to consider the situation in all its bearings with his usual sympathy and understanding, and if he does so, I have no doubt that he can come to one and only one conclusion at the end, namely, that all the political prisoners too must be immediately released. He may speak of many things; of reports from jail which he trusts better than our own statements. I do not know, Sir, whether he would believe

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me more than those who held me in prison. I have no idea or desire to tell this House my own experiences, and of the absolutely wrong statements that were given by prison authorities about me to the world at large when questions were put to them. Sir, I may only tell him this, that it is not that all his subordinates are always truthful and all of us always liars.

The Honourable Sir John Thorne : Or vice versa !

Shri Sri Prakasa : Or vice versa ! or vice versa !! I am human enough to say ditto to that statement of my Honourable friend. We, Sir, are not angels. We are human. We make mistakes ; and I am glad we make mistakes because we do not pose to be either super-human or sub-human. We are just human. Mistakes have to be made in order that men may learn how to correct themselves for future conduct. In any case, I feel that we have all had our innings. We have all played our game. We have fought ; we have won and we have lost. But there is no doubt that the motives on either side—I make no exception—were good ; and both sides were trying to do their duty as they understood it. That there was a difference in the conception of right and wrong between them, is a mere accident, and an incident of life—inevitable and undeniable. I feel, Sir, that at the stage at which we stand, it is best for us on both sides of the House to finish the bad job ; for the other side to release our prisoners whom they hold in captivity ; and for us on this side to excuse all that had been done by the other and to desist from being vindictive, so that all may start once more on a clean state.

Mr. Krishna Chandra Sharma (Meerut Division : Non-Muhammadian Rural) Much has been said about the release of I. N. A. prisoners and their innocence and the public pressure for their release. It is a fact, Sir, that this question has been in the fore throughout the entire land for a fairly long time. It is also a fact that the pressure of public opinion has been recognised by the Government, inasmuch as Mr. Mason has no other amendment but, that except those who are charged with brutality the cases against others might be dropped. This amendment of those charged with brutality is a curious one. The word brutality has nowhere been defined in law. The other day we were talking about the release of political prisoners. It was said that the word political prisoner finds no place in law. Much less the word brutality finds a place in law. So to adjudge brutality in a certain case is not possible in accordance with the definition in any book of law and it is to be judged in context with certain facts. When war is going on—and war is nothing else but an organized brutality. In such an atmosphere and under such conditions in which man's passions are aroused, his sentiments are appealed to and his manhood is exploited to murder his fellow-men in cold blood. They may call this a victorious war, a holy war, a war in the cause of nobility and humanity, but all the while it is nothing else but brutality spiritualised for purposes of certain people who happen to commandeer the machinery of war and control the fate of men. In this context, to talk of brutalities is something that does not appeal to common sense. It is something that is not adjustable with the noble words of the noble soldier, Forgive and forget.

To mention some facts. I come from that unfortunate province about which Mr. Sri Prakasa has spoken so much about the atrocities committed there. I talk of brutality. What about the innocent women who were raped in public streets ; what about children being held on fire before their mothers. What about burning of houses and freely looting of people. The men who are responsible for the inhuman atrocities were not called by the Government as villains, they are not penalized for their acts of brutality, but they are hailed as conquerors of Balia. The charge of brutality in the case of I. N. A. prisoners and the acclamation of U. P. heroes for their inhuman atrocities can not go side by side.

Then, Sir, the release of detenus, the political prisoners and I. N. A. men, must be considered from a wider view point. The question, Sir, is whether we have a future wherein peace, goodwill and prosperity are envisaged ; wherein the wishes of the people are to be realized by peaceful means and the power from those on the other side is to pass to the accredited leaders of the country. If this is the picture, there is no reason to keep the persons behind the prison bars, whom people love and admire and whose release the country wants. It is not possible to have a peaceful atmosphere for negotiation with these people in jail.

If the Government want a favourable atmosphere. If they want patience, goodwill and reason—an atmosphere of sweet reasonableness, so very necessary to discuss things so delicate and so difficult, the problems of a land so vast, the problems so complex, the affairs so complicated, there should be nothing left which will leave behind bitterness and excitement and create an atmosphere of suspicion and disgust. If, on the other hand, my friends have another picture in view and all this is simply a show, then they are welcome to keep these people behind prison bars. As a matter of fact, then, the Government have no other option but to keep these people in jail and perhaps add to their number, in no time, a much greater number. That would be a picture of chaos, anarchy, bloodshed, starvation and death. There would be rebellion, there would be chaos, there would be disorders. And in that atmosphere of misery, starvation and death, they may expect somebody on his bended knees would approach them to remain in India. But the events will not permit them to stay any longer.

So, in this context of facts as they are today, I again submit that there is no other alternative but to release these prisoners and earn the goodwill of the people of this country.

About detenus. These people were arrested, as my friend Mr. Sri Prakasa said, on warrants which were issued on the 5th August 1942. Most of them were arrested on the 9th August and sent to jail and the law under which they were arrested was declared *ultra vires*. They were arrested under Rule 26 of the D. I. R. The Ordinance No. 14 of 1943 is a piece of law which validates an invalid act, an act permitted under no law whatever, because according to the judgement of the highest tribunal of the land, Rule 26 was declared *ultra vires*, meaning thereby that Rule 26 did not exist at all. It has no place whatsoever on the statute book. Action taken under that rule should not have been persisted in and the natural course of justice would have been that all those prisoners who were arrested under the old rule 26 D. I. R. ought to have been released. Another Ordinance was passed in similar terms, Ordinance No. 3 of 1944 validating the invalid acts. This law has no parallel in any civilised country. Bad as that law was even that law was abused. We had a time of tyranny, of police rule, a time of putting hands on anybody, arresting him and sending him to jail. This was a strange sort of experience which we had in 1942 and under those circumstances these people were arrested under a bad law and that bad law was being abused by irresponsible people and these innocent persons are still detained behind prison bars. Now that the war is over there is no need of keeping them under detention, if you want goodwill, peace, compromise and co-operation for a mission that is likely to solve the great political problems. At such a moment it is necessary that those people who are under detention should be released at once.

Then there is the question of political prisoners. My friend said the other day that there was no such term as political prisoners in any law whatever. There might or might not be any such term but everybody knows that the District Magistrate when he visits a jail he calls upon the jailor and asks him how the political prisoners are behaving. There are special reports to be sent to the local Government about the political prisoners. There are special hardships to be inflicted upon the political prisoners. For reference I would cite the case of the Allahabad High Court Crown vs. Jhabwala, wherein it is laid down by the Honourable Judges that it was no use inflicting long sentences upon political prisoners because the punishment is not meant as punishment, for its own sake, but it has some nobler end in view, namely, either it is to be deterrent or it is for the prevention of the crime or it is for the reform of the offenders. A political prisoner commits a crime for political ends. In history he has always paid the price and the price has not been less than giving his neck for the noble cause. Those who are behind prison bars would be willing and ready to pay that price. The question is not of the safety or freedom of those who are behind prison bars. The question is one of solving the political problems which you are facing today in a proper atmosphere. The world is changing and so too India. India is to evolve its future whether you willingly co-operate with it or not. If you do not you will create circumstances and conditions over which neither you nor we would have any control. A change has to come whether you like it or not. If you lend your support you would create an atmosphere of patience, goodwill and compromise. We can then bring in a new and more brilliant future for India with credit to yourself and credit to ourselves and create a new atmosphere for a new world. These political prisoners have suffered in the noble cause for which they stood. If you

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admit that the changes are bound to come you should make efforts to bring in those changes. Once having admitted that, that somewhere there was some lacuna, some mistakes on account of which so many troubles have arisen; and now that the difficult times have passed there is no reason why these political prisoners should not be released whatever their offences might be and whatever the conditions in which those offences were committed. It would not be a bit derogatory to the administration. Most of them, I say 99 per cent., have been convicted under circumstances and in a way which cannot be called judicial, impartial or a fair trial. They have been thrown behind prison bars in a most tyrannical and atrocious way. Nobody can deny this. This is true and these are facts. Therefore I appeal to the Government to rise to the occasion and create circumstances in which the fate of the country might be decided in a way which would bring credit to them and solve the problem without any trouble whatsoever.

Shrimati Ammu Swaminathan (Madras City: Non-Muhammadan Urban): Sir, in rising to support this motion moved by my Honourable friend Govind Malaviya there is one aspect of the question which I would like to put before the House today. We are hearing all the time, these days, about bringing a calm and harmonious and peaceful atmosphere in the country when the three eminent Cabinet Ministers are here and who have come, or are at least going to try, to settle the question of giving India her freedom. I ask you, Sir, how are we going to have this calm and peaceful atmosphere if so many of our people, whose only crime happens to be that of patriotism—and it is very strange that this is the only country where patriotism as a crime—are behind prison bars? How do the Government expect to have a calm and peaceful atmosphere? We have been hearing a great deal about those two words of His Excellency the Viceroy "Forget and forgive". Is that meant only for us, or is it meant also for the Government? If it is meant for us alone, we are trying our very best to forget and forgive. We can forgive, Sir, but we cannot always forget. How can we forget when we still have all these people behind prison bars? The War Secretary has told us so many times that the cases are going to be brought up against these I.N.A. men who are charged of brutality. A little while ago Mr. Sri Prakasa said that so many men of the Indian National Army—and may I tell the War Secretary it was not the "so-called" Indian National Army but it was an Indian National Army fighting for the freedom of this country against the Japanese and other aggressors with a view to free the country and to have it for ourselves—are still kept behind prison bars, though there are no charges of brutalities against them, not only in Delhi but also in other parts of India, in Malaya, some in Bangkok, and some in Europe. We hear so little about those civilian members of the Indian National Army who were in Germany and in France. The report came in the press the other day with regard to certain members of the Indian National Army being killed in France, but we have not heard anything further about that incident. We have also been hearing a little from the press with regard to those of our men who are in Germany. Some say they have been taken to England. Some say they have been taken to other places. The relations of these people have no news at all. We do not understand why they are still kept away in foreign lands and why they cannot be brought back to India. How are we going to get this peaceful atmosphere when our people are treated like this? In Delhi Fort, I know there are so many including Col. Chatterjee, Col. Loganathan, Alagappan and some other doctors. And we hear from the Bhor Committee Report and from those on the Government Benches that doctors are so badly needed in this country. If you keep doctors behind prison bars, where there is no case of brutality against them, if you are still going to keep them in prison, how are we going to benefit and how can India benefit with the help of these doctors when we are facing such a calamity as we are facing today? I don't understand this talk about brutality. Why don't the Government look into the acts of brutality by Government people? There have been so many cases reported in the press, and reports and statements made by those men who have now come out of the Red Fort about the brutalities practised there. There was one particular case against one Lt. Warran of the C.S.D.I.C. and I saw a report in the press by Col. Sahgal concerning the brutalities committed by that particular officer. How does the Government not deny the particular brutality and how is it that no action has been taken against this individual? I cannot understand why brutality

is brutality only when it is practised perhaps under very abnormal conditions. Mr. Sri Prakasa said that there were certain times when certain things are done. When some people do something at normal times it is all right. But if others do it, that is taken as brutality practised by brutal men. This is not the way that Government is going to bring about a peaceful atmosphere in this country. I don't quite understand whether they really want a peaceful atmosphere. I sometimes feel that the way they talk and the things they do are very contradictory. I have my own doubts whether they really want a peaceful atmosphere. I feel that they are wanting an atmosphere of tension. They are wanting an atmosphere of bitterness that is really existing in the country today to be kept up rather than a peaceful atmosphere to be brought in. If it is to be brought in, the Home Member as well as the War Secretary must see that it is absolutely necessary to release all those prisoners who were taken in 1942, and many of them who have not been tried. Many of them are just kept behind prison bars without any trial. With regard to the I.N.A. men, in spite of the stories that have come out, in spite of the statements made about the atrocities committed by the officials in the jails, nothing has been done, and the I.N.A. people are kept under lock and key. In the case of some people, they are those who have been released, like Raghavan of Singapore. He has been released without having real freedom. I do not know whether the situation has changed since these last two days, but he has not been allowed to come to India where he wants to come. When are these persons to be repatriated? At least those who are released should be repatriated to India when they show a wish to come back to their own country. Why are they still being kept back? Is it because that will bring about a peaceful atmosphere in the country that the Government is keeping them far away from India? People like Mr. Raghavan and Mr. Nambiyar are all known to be men of great influence, and men who will be able to help in solving this great problem that is facing us in India today. If really Government mean what they say about a peaceful atmosphere, they should see to it that all these men are released and no more trials take place. I do not understand the farce of these trials. What do they gain and whom are they pleasing, England or America? The Leader of the House has just come back from America. I would like to know from him what they think about these things in America. I know the people of America are in full sympathy with the Indian question and I am sure they cannot be feeling happy about the situation. Perhaps the War Secretary might say that this has nothing to do with the motion today. But it has to do something, because public opinion should also be taken into consideration. When we are asked to forget and forgive, we should also have our say, and we should tell the Government that they should also act so that these two things can happen so that a peaceful settlement can be made, and harmony, good-will and friendship can again come back into this country and to the people of this country. With these few words, Sir, I support the motion.

Miss Maniben Kara (Nominated Non-official): I have listened to the various speeches on the question of the release of I. N. A. prisoners and I cannot help making one or two observations on this subject. To begin with, I must say that I dispute—and very strongly dispute—the authority of the present Government to charge anybody for treason, because the question arises as to "treason against whom"? They have not derived that authority from the people of this country to try anybody on a charge of treason. But at the same time, even though it may look as if I am sounding a discordant note to the various arguments that have been put forward on the floor of this House, I would be failing in my duty if I did not bring certain facts before this House. The I.N.A. officers had the best of motives for the freedom of this country. I am not here to dispute the motives of a few young misguided youths of this country.....

Mr. Sasanka Sekhar Sanyal: Properly guided.

Miss Maniben Kara: But let us see certain hard facts. It will be a very right thing for us always to see facts, not with prejudice but in the right light. If these I.N.A. officers had succeeded in what they thought would free the country, what would have been the result? The victorious Japanese army would have marched into this country, with the result that we will not be sitting in this House and India would have been thrown back hundreds of years and the question of freedom of India would not have arisen at all for the next many years. (Interruptions). It is

[Miss Maniben Kara]

not merely a question of India being under the domination of the fascists or Japanese as a result of India being under the domination of the Japanese, we would have been responsible for the dark ages engulfing the world. We must not forget that in the dark days of 1942 every Indian who called himself a nationalist was rejoicing at every victory of the fascists, thinking that the freedom of India was coming closer. I am not here to dispute the motives of those friends; but at the same time I may answer my friends that I had a most clear vision on this question; and as a member of the Radical Democratic Party, I had always taken up the position that the Japanese should be defeated. I was not one of those who said "I have no quarrel with Japan." I have always said that I have a quarrel with Japan and I would do whatever lay in my power to defeat Japan.

Whatever can be done was done by my Party.....

Seth Yusuf Abdoola Haroon (Sind : Muhammadan Rural) : On a point of explanation, Sir; is the Honourable Member charging our party also?

Miss Maniben Kara : If the victorious Japanese army had marched into India, as many of our friends wanted them to do, the result would have been that in spite of the best of their motives to free India, India would have been not only in darkness herself but would have had the sin on her head of making the entire world thrown into darkness and slavery for ever. Fortunately they did not succeed. But I am really wondering at the attitude of the present Government which today wants to penalise these very handful of people who were nothing but the victims of the continuous propaganda of those very elders who wanted a victory for the fascists and for Japan. Not only that but what I am still more surprised at today is the attitude of the present Government who are willing to transfer power to those very people and want to penalise this small handful. If that is the position, I certainly cannot have any sympathy and I cannot understand the logic of the position taken up by the War Secretary in wanting only to penalise these few people. With these words I would certainly support the resolution moved by my friend from the opposite side. I had absolutely no intention of speaking. I know that mine is a solitary voice and may sound a discordant voice, but I take my stand on the principles for which I have always stood, and I am proud of possessing those principles.

***Chaudhri Srichand** (Nominated Non-official) : Mr. President, I feel exceedingly pleased when I see the Congressites who, a few months ago, were in the habit of calling the Indian soldiers as mercenaries, are now calling them not only heroes but star-heroes. Mr. President, the poor long more for the freedom of their country than the rich. The rich who earn a lot of money from rents of their properties can easily afford to go to jail but the poor who have no such sources of income—may rather have to work hard for their and their families' livelihood—do not find it easy to go to prison. From this the Congressites must not conclude wrongly that they alone are lovers of the freedom of their country. The freedom of India was as much desired at the time when you branded the *faujies* as mercenaries as now when you call them star-heroes. There is not one Indian who does not desire to see India free.

Mr. President, the conditions under which these youngmen joined the I.N.A. are such that nobody could hold them blameworthy for their action. The Britishers, who, on account of war, could not find passage to go back to England, were appointed on Boards of fortune-tellers. It is said about Officials, who used to interview and select candidates for Emergency Commissions, that they were so experienced that they could tell after a few minutes' interview that the candidate would become a successful officer. These fortune-tellers would find out the candidates' capabilities by looking at his forehead. In fact these Selection Boards made the knowledge of English as their basis of selection and by-passed the experienced Viceroy's Commissioned Officers. The result was that tea-planters and shop-keepers were recruited to the Army and sent to the battlefield. These people, at the first appearance of danger, left their men fighting and ran away from the battlefield.

* Th^e Honourable Member spoke in Urdu.

I asked an officer of the 2/9th Jat Regiment, who had escaped from Singapore, as to the condition in which he left his Regiment. He admitted that at the time he escaped his Regiment was fighting but its British Officers had run away to India. Under these conditions if these youngmen joined the I. N. A. they committed no crime. On being told that the I. N. A. was being formed for the freedom of India they joined it.

Mr. President, we have not so advanced in politics that one brother may serve as an Inspector of the C. I. D., the other as a Congress leader, another as a member of the Communist Party and yet another may boast of loyalty to the Government and live peacefully and comfortably in the same house and under the same roof. We are yet in a condition that if one member of the family joins a movement all other members follow him. In the present war 4 to 5 sons of a father enlisted in the Army. Out of them 3 or 4 have faithfully served the Government on different fronts. One of them joined the I. N. A. Now if this one is sent to jail I assure the Government, that the others will not remain loyal.

Atrocities and non-violence are terms whose meanings nobody has understood. Government has conceded that the mere act of joining the I. N. A. does not make a cause for prosecution of a person; only those of the personnel of the I. N. A. will be prosecuted who have been accused of atrocious acts.

Mr. President, no case will be instituted against men and officers of the I. N. A. who fought against the allied armies but those of its personnel who, in the interest of discipline, in the I. N. A., caned or punished some of the offenders under them, will be punished. This, on the face of it, appears improper and nonsensical.

In view of these circumstances I most strongly appeal to the Government not to institute any cases against the men and officers of the I. N. A. and withdraw those that are pending in the court.

Shri Sarat Chandra Bose (Calcutta : Non-Muhammadan Urban) : Mr. President, after my release from detention, speaking at Bombay, I said that I demanded the British imperialist Government in India that not a hair on the heads of I. N. A. officers and men must be touched. In saying so, I was not speaking for myself alone; I was voicing the demand of the entire Indian people, irrespective of race, religion or creed. Sir, I was surprised, I was almost staggered, to hear certain words that came out of the lips of my Honourable friend, Miss Maniben Kara. I did not expect, that in the year of grace 1946 any one in this vast land of ours would have the temerity to describe I. N. A. officers and men as misguided or misled. I know, that in the year 1942 and in the succeeding years propaganda was carried on at the instance of or under the inspiration of my Honourable friends opposite to the effect that I. N. A. officers and men were Quislings, were traitors, were misguided, were misled, were of slavish mentality and all the rest of it. But time has had its revenge and those who came to curse the I. N. A. and its officers and men in 1942, 1943 and 1944 have remained to bless them. I say, Sir, with the utmost conviction that Shah Nawaz, Sahgal, Dhillon, Abdul Rashid, Burhanuddin, Alagappan, Lokanathan, Chatterjee and thousands of others who followed them will always be remembered and will be recorded in the history of India as fighters for the freedom of the country. In our eyes there is no difference whatever between Shah Nawaz on the one hand and Abdul Rashid on the other. In our eyes, there is no difference whatever between a Dhillon on the one hand and a Burhanuddin on the other. Each and every one of them is today looked upon, I will go further and say, worshipped, as a high priest of nationalism and a lover of his country.

My Honourable friend, Miss Maniben Kara, also talked about fascists. The I. N. A.—I prefer to describe them in our own words the "Azad Hind Fauj"—were not fascists or supporters of fascists. When I was listening to the speech of Miss Maniben Kara I was wondering in my own mind whether she was making any distinction between fascists on the one hand and imperialists on the other. If anything, Sir, imperialists are the parents of fascists. I know it has become almost the fashion—and I know at the same time it is safe—to condemn fascists and to leave the imperialists alone. As we are living under imperialist domination it becomes sometimes dangerous to condemn imperialists and imperialism. The last world war, Sir, was a war between the parents of fascism on the one hand and neo-fascism on

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the other or, if I may use the words of George Bernard Shaw, between Anglo-American fascism on the one hand and Italo-German fascism on the other. What difference Miss Maniben Kara makes between the old fascists and the new ones I for myself fail to comprehend.

Now, Sir, as I said a few moments ago in the year 1942 and in the succeeding years propaganda was carried on at the instance of the British imperialist Government in India that our own men across the borders had allied themselves with the fascists. That propaganda went on almost until the close of the last world war but since then other facts, disconcerting to British imperialists and their supporters, have come out and today I claim that I am right in saying that those of our own kith and kin who were fighting outside India's borders were doing two things at the same time. They were out to resist any possible aggression, I mean new aggression, on the one hand and to rid the country of old aggression on the other. Sir, I have never been a supporter of any kind of new aggression, but at the same time I shall say quite plainly that I have always been a sworn enemy, and God willing, till the last breath of my life, I shall remain a sworn enemy of the old aggression that still maintains itself in India. If anything, the old aggression is worse than any threatened new aggression because time makes us forgetful and makes us acquiesce in the old aggression. The I. N. A. officers and men have shown by their example that they were not prepared to acquiesce in the old aggression any longer. There was a call to the whole country to stand up, to rise and to free the country from the old aggression from which it has been suffering for the last 200 years. I know that point will be made by Government Benches that some of these officers and men of Azad Hind Fauj belonged to the British Indian army and in fact, a warning has been given to us by Mr. Mason that we should always be careful about the discipline and loyalty of the Army. Sir, I am aware that some officers and men of the Azad Hind Fauj were officers and men of the British Indian army and I very much regret it. But they were men in whom had been lighted the spark of patriotism. They were torn between two conflicting loyalties, one the smaller loyalty they subscribed to at the time they joined the British Indian army, and the other, the bigger loyalty that they had subscribed to from the dates of their respective births, loyalty to the country of their births or of their adoption as the case may be. The Honourable the War Secretary has spoken of the tradition in military matters. He has appealed to that tradition. But I appeal to a tradition, older, wider, nobler far, the tradition that was created by subject peoples in some other lands and in other times and which it was time for us to create in our own land, the tradition which enjoins the laying down of our lives for the freedom of our country. It is because I. N. A. officers and men created that tradition in this country that we love them, it is because of that, we adore them, it is because of that, we worship them. Now, Sir, the propaganda that was carried on in 1942 and in the succeeding years having failed, recourse had to be had to something else. And what was it? Talk of brutalities and atrocities was resorted to. Sir, who has talked of brutalities and atrocities? Descendants of those who exhumed the body of the Mahdi from its resting place, descendants of those in whose eyes, in the year 1857-58 and the succeeding years, it was a crime to be a Muhammadan, descendants of those in whose eyes, since the last fifty years, it has been a crime to be a Hindu! When a Muhammadan in 1857-58 struck a blow for liberty, every Member of his community committed a crime in the eyes of those whose representatives are sitting on the Treasury Benches today. If in 1905 a Hindu struck a blow, every member of that community was condemned as a terrorist and a revolutionary. Sir, we have seen through that game; that game will not succeed any more in this country. I ask, what is the evidence in support of these charges of brutalities and atrocities? Sir, I venture to say, and if I get an opportunity at any time in my life, I am prepared to prove it to the hilt, that it is all tainted evidence on which the War Secretary or the Honourable the Home Member or any other Member on the Treasury Benches is compelled to rely. It is all tainted evidence, tainted evidence coming from those whom they have kept in detention either in peril of their lives or in peril of lifelong imprisonment or some other peril. In those circumstances, it is easy to bring forward either documents or words in support of faked charges of brutalities and atrocities. Sir, I would ask Honourable Members on the Treasury Benches who

have levelled these charges of brutalities and atrocities, I would ask them, would they dare to bring forward these charges before the ordinary court of law in this country? I know it is easy enough to bring them before court martials and special tribunals. We have had ample experience of such tribunals in the past and we are still going through the same experience today. The Honourable the Home Member or the War Secretary has not the courage to bring these men before the ordinary courts of the land for trial.

Mr. P. Mason : May I ask the Honourable Member whether he has read the statement of Dr. Katju, who, with his experience of 40 years at the Bar, has never seen a trial with greater fairness than these Courts Martial?

Shri Sarat Chandra Bose : I have been at the Bar for the last three decades and I also claim to have some experience of trials, civil, military and otherwise. Coming from the province of Bengal—and I say so with great respect to Dr. Katju—I have had more experience of special tribunals and Courts Martial than what Dr. Katju has had. I know what they are. And I know that Government are so hard pressed today that they have to rely on certificates from men belonging to our ranks.

Sir, coming back to the subjects of special tribunals and Courts Martial, the justice that they deal out, I make bold to say, is a travesty of justice. We all know under what circumstances evidence has been collected. And knowing them, I would ask those Honourable Members on the Treasury Benches who are making such a lot of charges of brutalities and atrocities to remove themselves from this country, with "their pedlars' pack of garbled evidence and surreptitious affidavits"—to use the words of Richard Brintley Sheridan. Even if there are charges against 25 or 50 of the I. N. A. officers and men,—I am reminded in this connection of a communique which appeared not very long ago that the Government of India intended to put up not more than 50 I.N.A. officers and men for trial on such charges—what happens to the remainder? My Honourable friend, Shri Sri Prakasa, has given the names of some of the I.N.A. officers and men who have been in this country since June last year. Ten months have elapsed and yet nothing has been done for their release. There are thousands of officers and men still rotting in detention. It is obvious that no charges of brutalities and atrocities could be made against an overwhelming majority of these officers and men. Then, why are they in prison today?

Mr. P. Mason : There are not so many. A number of them have been let out.

Shri Sarat Chandra Bose : I am speaking only of those who are in prison. Not all have been let out. Thousands are still in prison today. Can the War Secretary deny it?

Mr. P. Mason : I have been anxious this afternoon to speak and place the real facts before the House, but I had no opportunity to do so.

Shri Sarat Chandra Bose : I say thousands are still in detention camps today, whether it is the Red Fort in Delhi or the Kabul Lines or military hospitals or elsewhere. Is that denied?

Mr. P. Mason : I want to give the figures, but I have no time.

Shri Sarat Chandra Bose : Are not the figures running to thousands? Why are they still in detention?

Mr. President : It being four of the clock, the House will now take up the Adjournment Motion. The Honourable Member can resume his speech on the next Resolution day.

MOTION FOR ADJOURNMENT

FAILURE OF THE GOVERNMENT OF INDIA TO OBTAIN THE FOOD QUOTA DEMANDED BY THEM FROM THE COMBINED FOOD BOARD

Mr. President : The House will now take up the motion for adjournment. Looking to the importance of the subject as also the peculiar nature of the information which is wanted, it is suggested that the Honourable Member, Mr. Chaman Lal,

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may just move his motion formally and, instead of making a speech now, may allow the Leader of the House, who is in possession of all the facts, to speak first and give the facts which will give the House the basis for the debate. Then the Honourable Mover may make his speech by way of reply. The Honourable Leader of the House will, of course, have an opportunity of speaking again. I hope the House is agreeable to that.

Diwan Chaman Lall (West Punjab : Non-Muhammadan) : Yes, Sir.

Sir, I move :

" That the Assembly do now adjourn "

Mr. President : Motion moved :

" that the Assembly do now adjourn "

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House) : Sir, I am glad I have such an early opportunity of explaining to the House some of the facts relating to the most heavy charge and responsibility which was placed on me by the Government of India during the last few weeks. No task that I have undertaken on behalf of Government, no mission that I had headed during all my seven years of official life in connection with this Government had oppressed me with such a heavy sense of responsibility than the one which at very short notice I was asked to take charge of. I had hoped with the help of my colleague the Food Member in London, when he came over as Leader of the Delegation, to represent the full facts with reference to the Indian situation and to demand from those who are in a position to supply, such quantities of foodgrains as we required to meet the direct needs of this country. Not having been in charge of the Food Department myself I confess that I felt rather tremulous at the idea of taking such a heavy responsibility when I knew what the consequences of my failure to discharge my functions satisfactorily would be. Previous experience of what had happened in this country during the ghastly year of 1943 did not make me any more courageous in undertaking the mission. But when I realised that there was no alternative for me but to assume responsibility I had to take it, but with the comforting thought that in the discharge of those responsibilities I would have the active help and co-operation of several colleagues, members of the Food Delegation, officials and non-officials alike. It was only that thought that emboldened me at long last to assume that responsibility.

Sir, about the end of January I was warned that the food situation in this country was going to be critical in the coming months, that on the top of a cyclone in one portion of the Madras Presidency and floods had come a prolonged drought which had blasted the hopes of the Governments of the southern provinces including the Indian States and had made the position extremely precarious for the continued food supply on any adequate scale to the population of these provinces in particular. I was warned that a food delegation may have to come over and place the case of India's food supplies before such persons as were in a position to deal with that problem. About a fortnight later the Food Delegation arrived—I believe on the 11th February—and I had an opportunity of acquainting myself at first hand with the position from the report particularly of the officers of the various provinces and States. Sir Ramamurti from Madras, Mr. Madhav Rao, Dewan of Mysore and Mr. Gorwala, Adviser to the Bombay Government had complete facts before them as regards the position, and we had various discussions in London and I was made fully acquainted with the position. It was also fortunate that just at that time the food position in various parts of Europe had become so acute that in the General Assembly of the United Nations the representatives of the five permanent powers in the Security Council presented a Resolution calling upon all nations with surplus foodstuffs to do their level best to save the threatened acute famine and starvation in several parts of the world. Honourable Members are aware that the Foreign Secretary of the United Kingdom, Mr. Bevin, moved the Resolution urging on the nations which had surplus crops to do their level best to supply to the deficit areas, particularly to the starving European and the South-Eastern Asiatic countries, the surplus that they could so well spare. I had an opportunity to take part in that discussion. I will not go through what I said at the time because I believe

it has been fairly extensively publicised in this country. But I will make only one short comment on what I said which afterwards bore some fruit. I had come to learn both through the press and otherwise that Soviet Russia had sufficient supplies of food and that in fact the Generalissimo Marshal Stalin had stated in his electioneering speech just a few weeks before that rationing which had been continuing in Russia since 1941 would be revoked in view of the excellent food situation in the country; and I made a personal appeal to the Soviet delegation from the rostrum of the General Assembly and afterwards had talks with some of the delegates of the Soviet Russian delegation that the time had come when they should play their part in supplying out of their surplus the starving population in some parts of the world, including India.

Now, Sir, after the discussion of the resolution in the General Assembly, which was of course unanimously adopted, we started serious work as a delegation in London. I must first explain the process by which the allotment of surplus foodstuffs is made. There is in London a Council called the London Food Council, shortly called L. F. C. That Food Council represents all the dominions, Great Britain and the colonial possessions through the colonial departments, and meets regularly to discuss the food situation in what may be called the British Commonwealth area. The London Food Council first discusses what might be given to these various dominions and colonies and what might be got from these dominions which are surplus. There is then the Washington Combined Food Board which is the real authority for suggesting what wheat may be allotted to various countries and what rice can be allotted to the different countries. Before the London Food Council the delegation appeared—normally the High Commissioner for India in London is the representative of India on the London Food Council—but on this particular occasion the delegation itself appeared, and I and other members of the delegation took part in the discussions, placed our views before the London Food Council, showed to them how the shortage occurred and what the minimum is that we would require to meet that shortage. I might at once, to clarify the position, state what our demands were. We said, under instructions from the Government of India, that till the end of June of this year 1946 India would require about two million tons of wheat and five hundred thousand tons of rice, and that for the next six months—July to December—we would require a further two million tons of wheat and rice combined, so that our total requirements for the whole of the year 1946 would be 4.5 million tons. We divided it into two parts for more than one reason : In the first place, we felt that the European harvest would be coming in the month of July and that if the whole of the year's allocation was now to be suggested, the position of the European or the Northern hemisphere harvest would not be known and to over assure themselves those countries would ask for more than they would really need at a later stage and therefore it was advisable, though our own requirements would not change in any way, that we should divide our demands into these two categories : Up to the 1st of July 1946 2½ million tons in the proportions of wheat and rice that I have suggested, and from the 1st of July to the 31st of December a further 2 million tons, that further 2 million tons being of course subject to re-evaluation as time progressed and as the result of the June crop and the later small October crop came to be known.

In the London Food Council itself our rival claimants were the various Colonial possessions and to a certain extent South Africa. In South Africa there had been a similar drought. The two million population of coloured people—let me say, the native people, the local inhabitants—were short of food because the maize crop had failed, and the South African Government had put in a demand for over a million tons of wheat and maize combined. In Malaya, in Hongkong and other places there was also demand for rice and of wheat.

In the London Food Council itself there was not much difficulty in getting most of our requirements passed and indeed Honourable Members will easily realize the reasons for it. We were cutting down all those who were not represented at the London Food Council zone, all those who were outside the British Commonwealth—the European Nations, Japan, occupied Germany, and various other parts. South American countries were all claimants for what was available as a total world surplus but we were cutting them down to very narrow figures and

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we were able to push through our claims. But we realized that there would be a different position when we went to Washington and faced the Combined Food Board.

On the Combined Food Board the three Governments that are represented are the United States of America, the United Kingdom, and Canada. These constitute the Members of the Combined Food Board. Under the Combined Food Board there are two committees established—the Rice Committee and the Cereals Committee—the Rice Committee dealing only with rice allocation, and the Cereals Committee evaluating the needs so far as wheat and other crops—barley and maize—are concerned of all those countries which ask for those. The Combined Food Board had only these three Governments on it, but in these two other Committees various claimants are represented. Many of the European Nations are there who have been claimants for a period of years. The United Nations Relief and Rehabilitation Association is also represented on these committees. India is not represented on either of these Committees. The claimants are there, but India was not a regular claimant and in any case it was not represented. The delegation took up the position in London itself that we had seriously suffered in the past owing to the fact that India was not represented on these Cereals and Rice Committees and that our position should first be argued before these Grain Committees whose recommendations came up finally for confirmation, approval or amendment before the Combined Food Board, and we later took up the same position in Washington. When we went up to Washington, the Combined Food Board first received us, and we argued our case before the Combined Food Board. The Chairman of the Combined Food Board is the Secretary for Agriculture of the United States Government, Mr. Clinton Anderson. I had the opportunity through the introduction of our Agent-General, Sir Girja Shankar Bajpai, to have a private talk with Mr. Clinton Anderson before the official meeting and to explain to him the position. At the official meeting itself we explained the position,—the reasons why India fell short of these things—and our requirements or demands for the quantity that I have already mentioned. After this the Combined Food Board suggested that the position may be examined by the two Committees that I have already mentioned. I might say here that in December and January the Combined Food Board had just finished the allocations for the next six months up to June 30th, 1946. What we were trying to do was to reopen allocations that had been made only a few weeks earlier by the Combined Food Board. According to the allocations in January, four hundred thousand tons of wheat and no rice was allocated to India for the six months from January to June 1946. We had put forward a claim for 1½ million tons earlier. It had gone through the post and through the Secretary of State and His Majesty's Government to the Combined Food Board. Part of it of course was required as a sort of reserve. This demand was put forward in August and October of last year before the situation had so developed that the December crops were practically complete failure in many parts of South India, and therefore before the new demand had arisen for more of these supplies of wheat and of rice. The Delegation realized the difficulty of reopening these negotiations and at this stage I would like to say that after our discussions in London with the London Food Council, of which Sir Ben Smith, the Minister of Food, was the Chairman, we felt that unless a person of high authority and Ministerial rank from the United Kingdom attended the meetings of the Combined Food Board, where the three Governments alone were represented, and where at the stage of coming to decisions and conclusions only those three Governments were present, we felt that unless the United Kingdom was represented at Ministerial level, it may be possible to get satisfaction. The Delegation, therefore, approached the Prime Minister of the United Kingdom and suggested that on this occasion Sir Ben Smith, who had just returned to London, after the December-January allocations, should go back to Washington, and press our case as it had been approved by the London Food Council. We could not directly take part at the decisive and conclusive stages of the Combined Food Board's discussions. I am glad to say that the Prime Minister readily responded to our request and the Minister of Food, Sir Ben Smith, came to Washington to attend the meetings of the Combined Food Board. I said that the question of our demands along with the demands of other countries, was placed

before these two Committees—the Rice Committee and the Cereals Committee. A great deal of prejudice we had to contend with at the first instance. It was so easy for them to point out that we had come at a very late stage that we are virtually asking them to reopen allocations which had already been made, that the demands of various countries had already been accepted, that promises had been made to those countries, that the supplies of certain amounts would be going to them, and that it would be very harsh to reduce their supplies and that there was no visible sight of increased surplus which could be freely allocated in view of the new demand that India had made.

Mr. President : The time limit of fifteen minutes in the case of speeches during the course of adjournment motion has been fixed by the Standing Order, but looking to the importance of the subject and the volume of information that the House would like to have from the Honourable the Leader of the House, if it is the unanimous desire of the House that the operation of the Standing order should remain suspended, I should be glad to suspend the same and give the Honourable the Leader of the House such time as he may require to give a full statement to the House.

Some Honourable Members : Yes, yes.

Mr. President : He can take his own time now.

If it is the unanimous desire, then he can take his own time.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar : I am grateful to the House that I have been given time to explain the case fully.

Mr. M. Asaf Ali (Delhi : General) : I would like to point out that although it is fortunate that the House has agreed to hear Sir Ramaswami Mudaliar on this very important subject, there is no precedent for such a suspension of the standing Order.

Shri Sarat Chandra Bose (Calcutta : Non-Muhammadan Urban) : I think we may solve the difficulty by saying that this will not create a precedent.

Mr. President : I am told that here are precedents, but I may assure the House that I do not like to exercise this power unless I feel that the House is substantially unanimous.

Nawabzada Liaquat Ali Khan (Meerut Division : Muhammadan Rural) : It is—very substantially.

Mr. President : Very substantially.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar : I was referring to the criticism with which we had to deal that we had come late on the stage and that we were upsetting the calculations already made very carefully by the Combined Food Board. We replied that the course of nature was not under our control, that the situation had arisen owing to a prolonged drought which we could not foresee and that day after day the Government of India and the people of India were looking at the skies in the hope that some cloud may break and bring in the necessary showers which, even if it were three or four inches, would have redeemed the situation and it would have made for better crops. In fact our late coming was a signal proof of the earnestness with which we had come and the genuineness of the demand that we were now making. After we had gone through those preliminary hurdles, they constituted two Working Committees of these two Committees—the Rice Committee and the Wheat Committee, and they were asked to go through the various demands or claims and try to allocate against these demands. It proved impossible to come to any agreement in either of these Committees. The demands from various committees were such that they could not all be met and very few were willing to reduce their demands. For our part we had said that the Government of India had made a most careful calculation, that if they erred they erred in trying to minimise as far as possible their requirements, because they knew the world situation was grave and there was no use of putting impossible demands before the Combined Board. We also argued that the rationing system is fairly satisfactory, particularly in the Provinces where this distress had arisen, that Bombay, Madras and Mysore had been working this system carefully, that all the urban areas had been rationed strictly, that in the Madras Presidency, by a quantitative restriction even the rural areas had come under a similar system of

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rationing, and calculated on this basis we put forward our demands. Moreover at the instance of His Excellency the Viceroy, only a few weeks earlier, I believe on the 12th February, the Government agreed to cut the rations to 12 ounces, which is only 1,200 calories, and seeing that the people had little else than rice, wheat or maize, by way of additional food to make up the required calories, that it was the minimum demand we were presenting.

Let me explain the position with reference to rice first. There is very little rice in the world outside the South-East Asia zone. Burma, Siam and Indo-China were the main rice producing areas with surpluses. There is a little rice in some of the South American countries. But most of the South American countries were themselves short of rice like Brazil. The Philippines was one of those again short of rice and so was Porto Rico, these being the special responsibility of the United States administration. We had claims to meet not merely from the European countries, which were liberated and came under the umbrella of UNRRA, but we had claims from enemy territories also, and I should like to explain briefly what these claims were.

In Germany there were three zones, each of which was managed by one of these powers. There was the Russian zone, the United States zone and the British zone. The United States zone in particular wanted a certain amount of rice because the German workers had to be kept on their work. These zones being under military commanders, the demand came to the Combined Food Board from the Military Commanders and they said that unless such and such requirements were fulfilled they could not be responsible for keeping law and order in those zones. General MacArthur from Japan put forward a claim of one million tons of rice for Japan. He could not fulfil his responsibility unless he got the one million tons of rice. I was informed, though not at a public meeting of this Board that General MacArthur insisted that he must either have one million tons of rice or that he must have so many hundred thousands more troops to keep law and order, if the rice was not forthcoming. The argument was advanced that these were responsibilities which had to be shared by the United States and by other Governments and that having taken upon themselves the task of feeding the civil population of the enemy countries they could not well deny themselves the responsibility of finding the food for these populations. If any one of these demands had been met, not fully, but even partially to any considerable extent, there would not have been any wheat or rice left for India and some of the other countries.

We contested this demand on the ground that though legalistically it was their responsibility, there was the higher responsibility by the United States and by other Governments similarly situated towards those people and nations who had been their allies in this war and whose present position was directly due to what the enemy had done towards devastating and sabotaging most of the areas which were producing foodstuffs necessary to feed the people. After a great deal of argument along those lines, I am glad to say that very substantial reductions were made in the demands which these military Governors made. We of course reinforced our argument by the statement that the calculations which the Military Governors had made and what the military administrators had made, could not by any stretch of imagination be compared with the meticulously exact calculation which Governments like the Government of India or other Governments which the machinery for the purpose were in a position to make and had actually made. At the best they were guesses or they were figures based on information gathered by the military administrations at the instance of those civil officers of the enemy territories who were in charge of supplies. As I said, neither in the Rice Committee nor in the Wheat Committee was there any possibility of coming to a complete agreement on this matter. Then we went to the Combined Food Board and argued our case before them. The Combined Food Board had finally to make its decision. The Combined Food Board made this decision: With respect to rice that India would get up to the end of June, 145,000 tons of rice; with respect to wheat that it would get up to the end of June for the six monthly period, January to June, 1,400,000 tons of wheat, and a little of maize included in that 1,400,000 tons. Now it should be remembered that by the time we got our decision in the Combined

Food Board, virtually three months had elapsed and that therefore much of this quantity of 1,400,000 tons of wheat and about 145,000 tons of rice would be coming into the country in the months of April, May and June. With regard to the second instalment of what we wanted, which would be spread over the third and fourth quarters of the year, no decision has been made. The position will be examined towards the end of May when India's case will be presented again and in view of the then situation we would have an allocation of what would be available to us. I might explain in this connection that there is a difference between the position of rice and the position of wheat. Rice whatever is obtained, being under the control of the South East Asia Command is absolutely allocated. That is the only rice available from Siam. Therefore the detailed allotments are sent out as allocated. With reference to wheat the technical position is that no allotment is made but a recommendation is made to the surplus countries that they will be well advised to give such and such quantities to various countries. Australia, Canada, the United States and to a certain extent the Argentina are the four countries which are surplus in wheat and the Combined Food Board recommends to these countries that they should send wheat of such quantities to such and such countries. These recommendations—the countries concerned being members of the Combined Food Board (Canada and the United States particularly and Australia and Argentina having agreed to abide by the decision of the Combined Food Board) are as good as allocations, though technically they are not allocations.

With reference to the Siam rice I ought to explain the position a little more in detail. At one time it was estimated that Siam had over one million tons of rice. This was about September or October last year as soon as they had entered Siam and found the granaries full. Unfortunately as I considered then, and as it has been recognised later, unfortunately the victorious armies suggested that an indemnity of one million tons of rice should be given by Siam for the part she took in the war. The result of that was that most of the rice was driven underground and when procurement operations were begun it was found difficult, almost impossible, to get any rice from Siam. I heard about it in December, long before the position with reference to India had arisen and knowing that the part of the country from which I come was specially interested in rice I had to interest His Majesty's Government in the question and put it before them that the question was not one of indemnity but of getting the rice and that payment was no consideration in regard to this matter. The main thing was to get the rice and indemnity was a forlorn proposition, if that was the main purpose. I am glad to say that His Majesty's Government revised that matter and that whatever rice is being got out of Siam is being paid for. Unfortunately the mischief had been done to some extent and we are now trying to remedy that position. I may also add that the Siam Government has now entered into an agreement whereby a United States and British Mission will be there to get the rice out of Siam. It had been dispersed into various hands. There are certain technical difficulties that arise in the procurement and I suggest and I hope the Government of India will accept the suggestion (it has been backed by the Food Delegation) that the stage has come when a representative of the Government of India, a non-official and commercial man with the proper staff should himself go to Siam and see that the procurement is properly carried out and that Siamese rice is paid for by way of various consumer goods being exchanged for the rice which we can get out of Siam.

I should like to mention one other fact. The Delegation went to Canada first. They went to Ottawa before going to the Combined Food Board in Washington, because we wanted to enlist the sympathy of the Canadian Government and the representative of the Canadian Government on the Combined Food Board in our favour, so that our battle may be fought by him as well as by the British representative on the Combined Food Board. I am bound to state with gratitude that the Canadian Government treated us with the utmost and cordial sympathy and with the closest co-operation. I had myself the honour of a long interview with the Prime Minister, Mr. Mackenzie King, whom I had the advantage of knowing on more than one occasion and especially at San Francisco. The Prime Minister said that he would do everything in his power to help India to get what she needed especially from his own country and from other places as well. The Canadian

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representative on the United Nations Organisation had also generously supported me when I made an appeal to the United Nations. I told the Prime Minister that from all that I had gathered from unofficial sources in Canada, the best way in which he could help us was not merely to give the surplus which was disclosed in the elevators, which was under the control of the Canadian Wheat Board, but to see to it that what little further surplus there was in the hands of the farmers come into the elevators, so that the surplus may be greater and therefore the allotment may be greater. I told the Prime Minister that I had learnt that farmers were keeping back some of their foodgrains and not transferring it on to the elevators on the simple ground that the more wheat they sold the more excess profits tax they would have to pay during the year. The Finance Department again came in the way in that country as in many other countries to stop and arrest the free flow of foodgrains to those who are most in need of it. Mr. Mackenzie King noted the point immediately and said that he would consider it with his Cabinet and I am happy to say that only last week I heard the announcement that the Canadian Government had provided that their farmers could freely sell their wheat, that they could take the profits over a period of three years, at any time during that three year period, that they need not account for it in this year or even in the next year as profits which would be subject to excess profits tax. That is to say, if next year the Canadian wheat crop was not as good or even in the following year or the third year, they could adjust the amount that they had received this year out of the surplus stocks, and that it could stand to their credit in any of the following years. I am hopeful, knowing the situation as it has been explained to me by Canadian farmers, that that would produce a surplus larger than was anticipated. The present allocation is on the basis of surpluses which have been realised and stated to the Combined Food Board. Any further surpluses that come in would have to be allocated even in this period as a further instalment.

Having had this decision by the Combined Food Board we wanted to see that as far as possible whatever we got was absolutely secure. In the first place we had pressed for a membership on the Cereals and the Rice Committee and in Washington we pressed that India should be represented on those committees. And I am glad to inform the House that this has been agreed to and Sir Girja Shankar Bajpai, our Agent General, will normally be our representative both on the Rice Committee and on the Cereals Committee and in his absence we have suggested that the Chairman of our Supply Mission, Mr. Vesugar or his alternate may take his place and be a full member of both these committees, so that whenever these questions come up for consideration the position with reference to the Indian food situation will be known to them and will be pressed before it.

Apart from the quantities that we have obtained we wanted to ensure that, in the period up to June 30th, the shipments were made so that those quantities really reached the country. There is no use of paper allocations, if later on we found that for one reason or other (and we have had such experiences before, as indeed most other countries have had) the quantities are not really forthcoming. I was assured in London and the assurance was repeated in Washington that this time there would not be any question of steamer shortage, of shipping shortage, that there was enough of ships and that His Majesty's Government and the United States of America would between themselves take the responsibility of seeing that adequate shipping was available. But in spite of that we have asked the India Supply Mission to keep daily and weekly contact with the shipping authorities and the Combined Food Board and watch the programming of the shipments both of wheat and of rice, so that the quantities reach this country at the time stated and in time to meet the desperate needs of the country itself.

Now, Sir, there is only one more word that I should like to say. I have been careful enough to say all through that it is not a question whether the Food Delegation was successful or not. The responsibility that we had did not admit of evaluating what we have done except in terms of our need. We asked for 2 million tons of wheat and 500,000 tons of rice. We have got a fair amount of wheat but we have been most disappointed about the amount of rice that we have got and

knowing the people of my Province and knowing that they have been accustomed to 100 per cent. rice consumption that it is already hardship for them to turn over from rice to wheat, except in moderate quantities I do feel that the position is not at all satisfactory. That we got 145,000 tons of rice whereas we wanted 5,00,000 tons is not a satisfactory position. Our own minimum demand was 200,000 tons of rice and as against even that minimum demand, which I was assured by the Adviser from Madras Sir S. Ramamurthi, would go a little way towards redeeming the situation, we have been given only 145,000 tons. China was one of the contestants. Malaya was another. Hong Kong was a third. Philippines and Porto Rico, fourth and fifth. Ceylon got what she wanted and under those circumstances none of us got what we wanted except Ceylon which applied for a small quantity. Under these circumstances, though we may have the reflection that others also have been badly hit, it is no consolation to realize that only 145 thousand tons, instead of the 200 thousand tons that we wanted, has been given. It means that more and more of wheat or maize has to be given to the population and that rice will have to be cut short. That is a disturbing feature which I personally feel with reference to the South Indian provinces and States whose position I know so well. On the other hand, so far as wheat is concerned, owing to the steps that have been taken, I do feel that there is a possibility of a further increase in the allotment that has been made.

I have already referred to Sir Ben Smith's visit and the help he gave us and our gratitude to him. I must make a special reference to the help which the United States administration gave us. There was no lack of sympathy on their part, but there was lack of administrative machinery as they had disbanded their control staff. According to many, according to all European claimants, it was a rather hasty step that they had taken. Having disbanded a staff of several hundred thousand which was required to run the control during the war, the administration felt that it was impossible to restore all that staff again. They had their own troubles with the Congress as most other Governments have with their respective Congresses. And therefore this was quite clearly stated to me, that it may not be a practical proposition to have rationing introduced in the country.

I stated already that so far as Canada was concerned, rationing has been continued by the Prime Minister and his Cabinet and that so long as the European and the world food situation is what it is at the present day, that Government is willing to continue the rationing system and the people have accepted that as a necessary sacrifice.

I had the opportunity and the rare privilege of stating the case of India before President Truman, and I would like only to state what I have already stated to the press, namely his last statement as I took leave of him. I asked him whether he had any special message to give to India. President Truman, a most kindly man, one of the best gentlemen that one can think of said: "We shall do all that we can and more than we promise: and let that be my message to your country". He has made a special appeal for voluntary saving in various ways. Those who have been in America know that if voluntary saving can really be effective, a great deal can flow into the elevators and granaries. The waste that takes place in American consumption is something appalling to those of us who have faced situations of semi-starvation in this or any other country. There has been a great deal of stirring up of the American conscience on this matter and you would see from time to time hereafter, now and in the coming weeks, a great deal of agitation and appealing to the American public to ration.

I would only like to say a word of the great and enthusiastic support and help that I had from the delegation. The officials—Sir Ramamurthi, Mr. Gorwala and Mr. Madhava Rao from provinces and States and the officials of the Central Government—had knowledge of facts and figures which made a deep impression before every committee and every audience whom they addressed. The non-official representatives were equally helpful. Sir Nazimuddin had a first hand knowledge of the conditions which obtained in Bengal during the 1943 famine. Mr. Rahimtoola had a great deal a knowledge of commerce in this matter. Sir Manilal Nanavati, once Deputy Governor of the Reserve Bank, had a special knowledge because he was a Member of the Bengal Famine Inquiry Commission, and his contacts with

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the Federal Bank in Washington and other places helped us a great deal. My friend Sardar Sant Singh, as many of his friends know, created a great impression and, though it came as a great surprise to me, he enlisted feminine sympathy for our cause. To all of them I owe my thanks, and whatever has been done by the Food Delegation has been done by these non-official and official representatives whom I had the honour of chaperoning both in Washington and London.

One last word. I had referred to the Canadian Government's system of rationing. I had referred to the appeals made by the United States towards similar voluntary rationing. I would like to make only this point. Various countries, including India and the Food Delegation, appealed to the surplus countries to make sacrifices, if necessary to tighten their belt to save humanity itself, that nothing but ill-will could be bred if some countries were full and more than self-sufficient and were living in clover while others were starving and literally dying. I have come back to my own country and may it not be appropriate, or rather would it be inappropriate, for me to suggest that surplus provinces and deficit provinces should have a common aim, that the appeal that we made to foreign countries should not be any less relevant in our own country—in fact much more relevant—and that all areas which are in a surplus position should not attempt to over-insure that position for themselves and feel absolutely secure, that no one should adopt the position that so far as their own people are concerned they should have no worry, whatever happens in other parts of India. Whether India is a geographical entity, or an administrative entity, or any other entity, one fact is certain that we cannot face starving millions in different parts of this country. Therefore I would like to appeal, if that appeal were necessary—I personally believe it will not be necessary—that those provinces which are for the time being more fortunately situated should make some sacrifice and will be prepared to make that sacrifice if conditions which are so distressing and which threaten to be even more distressing should not arise from the situation and the horrors which nobody who has had any experience could ever forget after the Bengal famine. I venture to think that that appeal is not necessary and that there will be a ready response, and when I contemplate that within the next two or three days every province will have its own responsible Ministry working. I feel that it is doubly unnecessary to make that appeal. I venture to hope that what we have stated to foreign governments and foreign nationals, to sacrifice a little so that the whole world may be safe, would be quite unnecessary to be repeated with reference to our own Indian nationals. That, Sir, is the short story of the work that was entrusted to me by the Government of India.

Mr. M. R. Masani (Bombay City : Non-Muhammadan Urban): Mr. President, I am sure we have listened with the closest attention and appreciation to the statement made by the Leader of the House with the clarity and lucidity which have so impressed his audiences abroad.

[At this stage Mr. President vacated the chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

If, therefore, I rise to support the adjournment motion moved by my friend—Mr. Chaman Lal, it is not, as Mr. Chaman Lal made clear in the morning, as a censure against this party or that, against this Government or that, but rather to show our deep concern and disappointment at the result of the Food Mission that went from this country. There can be no doubt that we in this country fully appreciate the world-wide nature of the shortage. And this country, with all its traditions, is not one which wants that its people should be fed while others starve. We don't want food to be diverted from starving mouths in China to starving mouths in India.

Having said that, Sir, and also expressing my agreement with Sir Ramaswami Mudaliar that it is not today a question of evaluating the success or failure of this Mission, the fact stares us in the face that our worst apprehensions have been justified. Speaking on 30th January in this House I pointed out that we were 1 million tons behind in the import programme which has been laid down by the Gregory Foodgrains Policy Committee Report. As a result of the and hue cry raised, as a result of the grim prospect that faces this country of famine in many Provinces

—particularly in the south and west—this Mission has now been able to secure about 1½ million tons, and I would like to point out to this House just what this means. It means that if you add up the 1½ million tons which we had secured in the 27 months that had passed since the Gregory Report and add this 1½ million tons to that, you get a total of 3½ million tons. By the time these imports come in, 33 months will have passed since the Gregory Committee reported and if that programme had to be fulfilled in normal times, without the drought and the famine with which we are faced, the Government of India should have imported by then exactly 3½ million tons. In other words, all that the Mission led by my Honourable friend has achieved is to make up for the time lag, to make good the shortage which had already accrued through the failure of the Government of India to keep up to its own declared programme and policy. That, Sir, is the net result, and I am afraid nobody can congratulate themselves—neither this country, nor this Government can congratulate itself—on having secured this very very inadequate and very unsatisfactory result.

My Honourable friend has pointed out that, as against their original demand of 4½ million tons for the year 1946, we have secured 1½ million tons. Now, it is necessary to point out that this demand of 4½ million tons was not made on the basis of any ambitious ration; it was made on the basis of a 12-ounce ration, giving 1,200 calories a day; it is against this ration that our demand for 4½ million tons was made. The question therefore arises how far we are going to maintain even this starvation ration which is today enforced in this country? I for one feel that we have come to a stage when we may adopt that Irish slogan, Sinn Fein—Ourselves Alone. It really looks as if this country must depend essentially on itself to help itself out of this mess into which it has been landed by the war into which we were dragged. But while we must no doubt turn our efforts in the future months to meet our deficit with our own efforts, the fact remains that we cannot help casting glances at certain other countries. The Leader of the House mentioned Japan. I do not think he mentioned that General MacArthur's demand for food for Japan was based, not on a ration of 1,200 calories as in India, but on 1,500 calories. In other words, even compared with this defeated nation, this pariah among the nations of the world today—and I for one do not want to associate ourselves with a policy which reduces either Japan or Germany to that status—even compared to that nation, our ration is smaller. General MacArthur gave the choice of more food or more troops to keep the Japanese down. May I remind the House of Pandit Jawaharlal Nehru's words—that if we in this country have to die, we shall die like men and not like rats in a hole? If necessary my Honourable friend may consider whether it is only Japan to which extra troops would have to be sent to keep down a starving people.

Another country with which we may compare ourselves is the United States of America; the ration there is 3,500 calories for the civilian; it was 4,500 calories for the troops. Leaving the army aside, it means that an American civilian today has three times the nutrition that an Indian can get today if he can buy his ration. That is a tragic contrast among members of the United Nations Organisation; and President Truman's conscience seems to have awakened at this ghastly contrast. He said the other day to the Women's National Organisation that a great many Americans are too fat anyway and they can afford to lose a bit of weight if it means the sustenance of the lives of other nations.

The third country to which I would draw attention is Russia to which my Honourable friend referred. In the year 1944, according to a League of Nations publication on Food Rationing and Supply, the Russian ration was 1,830 calories, and since then, as Marshal Stalin has reported, Russia has been in an excellent food position. It has relaxed rationing and it is now abolishing rationing and therefore presumably the Russian ration also is well above 2,000 calories.

This is the situation, and we have come to realise now, in view of what my Honourable friend has said, that membership of the Combined Food Board or audience at the Combined Food Board is not the last word in international affairs, so far as food is concerned, because there are countries like Russia or Argentina which took no account of what the Food Board desires or wishes. If we were masters in our own country, if the delegations we send were led by national statesmen of the greatest eminence in our own country—with the weight of public opinion

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behind them, I venture to think that the response we would get from the countries of the world would be different. When France wants to send any one to America for finance and food, it chooses an eminent statesman of the stature of Leon Blum. If India can do something of that kind, there is no doubt that—without saying anything against those who constituted the present Delegation—the result is bound to be different. That is our tragedy.

It is true that we may not expect complete equality in rations overnight between different countries; just as in our own country we have different levels in different Provinces and among different strata of society, there will be for many many years to come differences between the different nations and their standards of life. But just as my Honourable friend made an appeal that surplus provinces must disgorge and reduce themselves to a rough equality with those who are suffering and just as we expect the upper classes to forego part of their ration so that the poorest in our land may not die of starvation, so it is time that, if the vision of "One World" which has been held before us and of a world order which the United Nations Organisation tries to symbolise are to have any meaning and are not to be a mere mockery to the millions of China and India, then some greater approximation in living standards and standards of diet have to come about. So long as an American can have a diet three times as rich as the Indian, all talk of international friendship and harmony and amity, all talk of a world order, is a mockery. It is a challenge to the world's conscience, and I do hope that any efforts that this or any future Government of India makes in the future, whether in the month of May or later as mentioned by my Honourable friend, those efforts will have a better response than this very disappointing response that has come from the Combined Food Board on the one hand and from the Russian Government and from Argentina on the other. As I said, we in this country do not want to eat at the expense of others; we do not want that others should starve so that we should have a fat diet, but we do have a responsibility to our people and that responsibility we must admit to ourselves neither the Government of this country nor this Assembly is today in a position to fulfil.

Mr. C. P. Lawson (Bengal : European) : Mr. Deputy President, I will not keep the House very long with the few words I have to say. I followed Mr. Masani in the food debate that took place in this House at the beginning of this session and I follow him now at the end; and as then, I thank him for emphasising the seriousness of the situation and at the same time pointing out that as a result of the efforts of our deputation and in particular of their leader, our old friend Sir Ramaswami Mudaliar, we may not have secured all we wanted, but in my opinion we have secured just about all we can expect. When I spoke last on this subject, I emphasised that we would not be the only people demanding a share of the world's grain, and indeed that has obviously proved to be the case. I think it is a matter for congratulation that we have secured as much as we have and on behalf of my group, I will most certainly tender to Sir Ramaswami Mudaliar and his colleagues our grateful thanks for their efforts on behalf of this country. I would also say that I think from the press reports and from our own experience of Sir Ramaswami we can well realise the eloquence and the sincerity with which he pressed the case of this country. Sir, I do not intend to detain the House very long and my main purpose in rising was to express our thanks and to express moreover the fact that we do not share the disappointment that has been expressed by Mr. Masani. I personally expected no more. Indeed, I thought it possible that we might get less.

Now, Sir, as Mr. Masani said, it is our job now to help ourselves. I am not going through the various items upon which I have already touched as regards the methods by which we could help ourselves. I hope to find another opportunity

5 P. M. for doing that at greater length in another place. I would however like to point out at this stage that this country every year loses something like $3\frac{1}{2}$ million tons of grain in storage. We are talking now of getting million and a half tons, $2\frac{1}{2}$ million tons or perhaps $4\frac{1}{2}$ million tons if our full demands were met. Are we at the same time realising that $3\frac{1}{2}$ million tons as compared with our demands is lost every year in storage? I am not suggesting for one moment that that figure could be reduced to nothing. Of course it could not, but at the same time

it can be reduced and I think it is up to us to get to work on it. We have been told that something like 5 per cent. of loss occurs even in Government storage. From my experience I can say that village storage is generally very good. The cultivator himself knows how to keep the grain that he keeps in his village and he usually manages to keep the rats and the insects away. Where there are extremely heavy losses is in the godowns of the middlemen and there I should think the loss sometimes goes up to 10 per cent. These are all problems which we can set ourselves to tackle and if we could have even 50 per cent. of success, think of the saving of grain that there might be. Indeed the amount that Sir Ramaswami and his friends have secured to us might easily be equalled by a satisfactory drive in storage conditions. We have rats and weevils and other insects which do as much damage in a smaller way. We are using second hand bags that are already infested and in fact infest the grain that is put into them for the second time.

Then, Sir, I fear I must once again remind the Government about my old demand regarding fish. 150 million people in this country are habitual eaters of fish. 650 thousand tons of fish is the normal amount consumed yearly in this country. To give the fish eating population alone of this country half a pound of fish a week we would require two million tons of fish to be brought in. That figure, large though it sounds, is only half the amount of fish consumed in Japan before the war. Those are my grounds for saying that there is no force in the excuse that has been put forward to us for a mere increase of something like 40,000 tons over previous war years. These are all points that time and time again I shall continue to raise and press and I hope most sincerely that they will be taken notice of but that does not detract from the great help and the important, indeed utterly important necessity of getting help from outside to take us over the next few months ahead. I think with what we have got and with a strong and sincere effort on our own part we can get ourselves through what is going to be a most difficult year. Sir on behalf of my Group I welcome and thank Sir Ramaswami Mudaliar.

Prof. N. G. Ranga (Guntur cum Nellore : Non-Muhammadan Bharat) : I am not surprised at the attitude displayed by Mr. Lawson because even if my Honourable friend Sir Ramaswami Mudaliar had come to this country with even a more woeful story of failure on the part of our delegation as well as the British Government in regard to this mission and said that he has been promised only 500 thousand or 250 thousand tons my Honourable friend would have found it possible to stand up in his seat and to congratulate the Government. The same speech he has made now he would have made and also the two points about rats and fish. I know my friend Sir Ramaswami Mudaliar for the last 17 years and I have liked him very much in his private capacity. As Ramaswami Mudaliar he is certainly a great friend of mine but as Sir Ramaswami Mudaliar going about from one country to another as the agent of British imperialism he is certainly no friend of mine. Therefore I find it difficult to congratulate him or the other gentleman who is not here, Sir Jwala Prasad Srivastava. I cannot congratulate him also on the earlier mission on which he had gone when he had the opportunity of making friends with Mr. Mackenzie King at San Francisco and various other places. If he had gone as the representative of a free India, with his ability, experience and his eloquence, he would, I am sure, be able to show a better result than he has been able to show now. That is the gravamen of my charge. I am here to express censure on this Government in so far as this delegation is concerned and the terrible plight in which we find ourselves. I warn this Government that if it does not make up its mind to quit, and its master also, the British Government, there is going to be much greater trouble in this country than what General MacArthur and the unknown warrior of the United States of America in Germany imagine. Why is it that we have no place on the Combined Food Board? As a result of my Honourable friend's persuasion we have been able to achieve a membership of these two cereals and rice sub-committees. Is it not because India is not a free country? Why is it that my Honourable friend has been able to get even this quantity? Is it because General MacArthur and the unknown warrior of the United States were also pressing their claims or is it because of Sir Ben Smith or the various other people who

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were also pressing their claims? My friend has not told us, I do not know whether he has told them that if no proper supplies come from abroad our people will be brought face to face with starvation. Seven millions of them have died like rats in Bengal. But this time it will not be so. They are going to die, if at all, shouting, crying and as one of my revered leaders, Sardar Vallabhai Patel has put it, looting, killing and destroying everything.

Sir, we are living in very eventful days. I am not speaking figuratively—we are living in—revolutionary period—and within the shortest possible compass of time we must be prepared to come to grips with the constitution. There certainly will be revolution, it will be a revolution of not only Congressmen, it will be caused by the Muslim League also, it will have to be led and engineered by various parties in this country. Whichever party is not going to take part in this revolution, it will go to the wall, it will go to the gallows at the hands of the masses. My Honourable friend Mr. Lawson has put it very nicely—let us help ourselves. We should have done it long ago. My Honourable friend Mr. Masani has also said it. We asked for 3½ million tons of grain from outside, but we do not get more than 1½ million tons. Whose fault is it? Have they put it up in time before the Combined Food Board? They did not put their case properly. It seems they did not put their case early enough. They had previously asked for one million tons but they got only 500,000 tons. The Food Administration of the Government was so inefficient that they did not concern themselves with what was happening. They did not realise the position in India. Why did not the Government of India ask for more? Why did they rest satisfied with 500,000 tons only? The Viceroy went in the air and prayed for rains from Indra, the Lord of the Clouds.

Nawabzada Liaquat Ali Khan : But no rains came.

Prof. N. G. Ranga : Except a few drops on the wings of the aeroplane. Nothing more. Why did you not go to Argentine and lay your request before them? Argentine has her own grievances against U.S.A. on account of her politics. But Argentine cannot be angry with us if only we place our case properly. If only free India had gone there in the name of an agricultural country that she is, if she had appealed to Argentine as an agricultural country, just as one peasant appeals to another peasant, just as one agriculturist talks to another agriculturist, and not as an industrialist talking to an agriculturist in the relation of an exploiter talking to the exploited, then it would have been possible to get some help from Argentine and get some food to our country.

Haji Abdus Sattar Haji Ishaq Seth : (West Coast and Nilgiris : Muhammadan) : Why did you not go?

Prof. N. G. Ranga : If India were free, I would go. Not till then. Now, Sir, my Honourable friend prefaced his speech that he made an appeal to Soviet Russia. Why did he not follow it up by flying to Russia? Has not Soviet Russia helped the French by giving them foodstuffs? They placed nearly 500,000 tons at the disposal of France and they were shipped in American bottoms from the Black Sea. It is unfortunate that England and Russia are now quarrelling. That is the difficulty. Then, Sir, it was said that we are going only to Combined Food Board and not to U.N.R.R.A. He said if we get it from Combined Food Board, it would be just as good. But he forgets the fact that Argentine is a Member of the U.N.R.R.A. and not a member of the Combined Food Board. We should have gone to Argentine through U.N.R.R.A. Soviet Russia is not a member of either U.N.R.R.A. or the Combined Food Board. If a free India had gone to Soviet Russia, her response would have been different. These people are talking of one world. My Honourable friend referred to their responsibility. Here is a quotation from one of the Secretaries, Mr. Philip Noel-Baker and he preaches a homily to other countries and asks them to make sacrifices. He says, "unless we can give the peoples a hope of food and work, no other institution of the United Nations can possibly succeed". This is all tall talk, in the same strain like any other commissions and conferences speak in our country. Here is what the *London Times* says :

"The distribution of supplies among the hungry people is not determined simply by an impartial estimate of needs. Invaluable though U.N.R.R.A. work has been, it has not been able to rise to the full level of its opportunities."

There is politics also coming in. Soviet Russia is not friendly with England, politics comes in there. Argentine is not friendly with U.S.A., politics is coming in there. Politics comes in with regard to various other countries also. They have given up discharging their responsibilities. Still America says she believes in one world. At the same time she has given up her rationing administration. She is keeping up various other administrations because she is thinking of the good of her own peoples. Whatever happens to the rest of the world, she does not care. My Honourable friend has told us that the President of the American Republic is very much concerned about the Indian situation. I would be satisfied if America proves her concern for India by introducing rationing in her own country, not at 1,200 calories but at 2,500 calories and releases her foodstuffs to a considerable degree and places her surplus at the disposal of the rest of the world. Otherwise all her talk of United Nations Charter and the four freedoms can only sound hollow in our ears.

Now, I come to the concrete question, how are we to help ourselves? Has Government done all that is possible? Two suggestions have already been made, but the main hurdle is always the price. Are our people paid the proper price for their grains? When they find that the consumers are not able to pay the price that the farmers have got to be paid, what steps have Government taken? The Honourable the Finance Member has not provided any money in his budget for financing these schemes for paying proper price to the farmers. It would cost not less than 100 crores if all our people are not allowed to die in privation and hunger. No provision is made in the budget or in the Food Department plans. I do not know what sort of story the Honourable the Leader of the House gave to the world about India. Mahatma Gandhi has told us what my Honourable friend has not been able to tell us in his half an hour speech. My Honourable friend says "I have gone round the world with a begging bowl along with other beggars, I elbowed out some beggars, I argued with them better than any other beggar, but in the end I have come back with a half empty bowl and nothing more". We are really ashamed to have to go to the rest of the world for our food. As I said once before, this country is capable of producing all the food that is required. Even the pamphlet issued by the International Institute about which I raised a question this morning at question hour, even that pamphlet makes it clear that within the next ten years, even with increase of population, which India may be faced with, it would be possible for India to feed all her people with her own resources provided the Food and the Agricultural Departments go about their business properly.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : We can do it within ten months.

The Honourable Sir Archibald Bowlands You can do it in ten minutes.

Prof. N. G. Ranga : There is no uniformity in rationing so far as towns and rural areas are concerned. There is also great difference in rationing between one Province and another, between one class of people and another. Look at the towns. Look at the rural people. The rural people are given much lower rations. So the first thing we have to do is to put our own house in order. You will not be able to tide over this crisis even if this 1½ million tons were brought over here to this country. What about transport? That is our greatest bottleneck. The Honourable Food Secretary assured us the other day that all the machinery of his Department is working in full strength. Let us wait and see for the results. Unless you are prepared to run 10 to 15 specials every day for transporting foodstuffs from one place to another, I am afraid you cannot tide over this crisis.

In conclusion I would only say this. We have had a full statement from the Honourable the Leader of the House, for whatever it is worth. I am also glad we are going to get 1½ million tons. As Mr. Lawson already put it, we want much more. It is going to be very serious if we do not go about the business in proper way. We must go to rural areas and appeal to people not to hoard which they do to safeguard themselves against the vagaries of the Procurement Department. If we carefully plan and execute it, it will not be impossible for us to wade through this crisis. If we are not careful, if we are not prepared to respond to popular appeal, we are up against real trouble. Eminent people are here and I am prepared to treat them as

[Prof. N. G. Ranga]

eminent, provided they make it clear not through words but through deeds that they are here only to quit so that an independent India, a Swaraj India, or whatever you call it, can be enabled to come to grips with this crisis so that the country will be able to tackle this situation before it becomes too late, or too serious.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : Sir, I believe the House appreciates the elucidation of the position which has been made by the Honourable Leader of the House, Sir Ramaswami Mudaliar, who was the Leader of Food delegation. It is true India could not get what she claimed and what she deserved, but we cannot say that the delegation did not do what was expected of them. My Honourable friend Mr. Masani said that France could send her top class of people. In India invitation was extended to us as well but the Congress refused to participate in the delegation. Muslim League nominated their best man suitable for the purpose and it is idle to say now that the delegation did not represent the country.

One fact I want to impress on the House is that the present situation in food has come in an unexpected manner, but at the same time a long-range policy has to be adopted to make this country self-contained and self-sufficient in the matter of food. I will refer to Government records which give the position of food production in this country as it compared with population. The 1920 census shows the population to be 31 crores and 89 lakhs, the total area under cultivation then was 267 million acres and the total production of grains was nearly 57 million tons and we had to import nearly one million tons wheat from outside. Then the 1930 census report shows a population of nearly 36 crores of people and the area under cultivation rose only to 277 million acres and production in 1930 went down by 1 million tons—it was about 56 million tons—and two million tons of wheat and rice had to be imported from Australia and other places. In 1940 the population went up to 40 crores, the area under cultivation increased only to 281 million acres and the total production went down to 55 million tons, because some areas were being used for jute and cotton which proved more lucrative to the farmer. Then the 1945 report shows the total area under cultivation as 291 million acres whereas the total production was about 54 million tons only. That is to say, we were short by about 5 million tons in 1945. The records for 1946 are not of course available. From this it appears that with the rise of population there has not been any appreciable improvement in the production of foodgrains. In this country there are millions of acres of land lying barren which could be put to use. I do not know the exact area but I understand that about 140 million acres are lying waste in places like Ajmer-Merwara, Chota Nagpur and Assam; and in some provinces people are willing to put these lands under cultivation but for some reason or other Government of the province does not agree to lease them out. This year we have been of course reduced to a bad position by some providential circumstances but my point is that we may be in this position every year if we do not improve our resources.

Sir, I will not deal with the point as to why the delegation did not go to Argentina or to the U.S.S.R. of which my Congress friends are so fond. But I must ask why the delegation did not receive that reciprocation which it deserved because the responsibility for the famine was on the war condition and the people who thrust a world war deserve no sympathy. There could have been no reason to lay claims of Germans and Japanese and other people on the lines of India; it could have been argued on humanitarian lines that they had also deserved sympathy; but we were friends in adversity and we could not have been neglected, and we should not have been given the small share that has been allotted to us at the moment. That is my grievance. I want to impress on Government that the policy of depending on foreign imports will not lead us anywhere. We must become soon self-contained and be in a position to compete with world production on world parity prices for export from this country to other party. We should be in a position to feed other people through our agriculture and not depend on these other countries for our own food. I will not say like my Congress friends that it was no use going with a beggar's bowl here and there; if we have nothing here that was the only thing to be done. But I must say that this kind of

thing should not occur in future. Government must adopt a long-range policy and the only hope of our salvation lies in larger areas being put under agriculture, and that can be done if only Government sets about it.

Sardar Mangal Singh (East Punjab : Sikh) : Sir, I congratulate the Honourable the Leader of the House for his eloquent speech, but I wish to remind him that eloquence will not fill the empty stomachs and it is food that is required. The disquieting position is that we are not sure of our statistics. During the Bengal famine no one knew what our requirements were, no one knew where the food lies and how it could be transported to the famine area. I suspect that our figures are most unreliable. The Leader of the House, whom I call a successful beggar, has gone out to other countries and come back again. He is begging from the Provinces now but I would request him to be sure of his figures; figures of acreage, figures of production, figures of requirements and procurement, etc. These are very vital factors in planning and meeting the threat of famine. If a general does not know his army and does not know the weak points of the enemy, however efficient he may be he will fail in planning. If he has no reliable data with him he will find it difficult to meet the position. In the days of the Bengal famine we found the Food Member making one statement here, the Secretary of State making a different statement in the House of Commons and the Bengal Governor making another different statement. When the Food Member was questioned as to the source of these different statements he professed ignorance and when he was further questioned as to who was responsible for preparing the statistics he said he did not know. That is the position. If we do not know our own requirements, our figures of production and consumption, the time may come when it will be too late for the Honourable Member to get up and say 'I regret that millions have died'. I therefore request him to make sure of his position. The country will not forgive him if he makes wrong calculations.

An Honourable Member : They never calculate.

Sardar Mangal Singh : Yes, and that is why they bungle.

Secondly, I agree with him that in this matter the surplus areas should generously come to the help of the deficit areas. So far as my province is concerned, we spared a good deal at the time of the Bengal famine, but I would like to remind the Honourable Member that at that time much of the grain was destroyed while lying at Railway Stations. There were no wagons available. I would therefore request him to ginger up the War Transport Member and ask him to be ready with his wagons for the transportation of food from surplus to deficit areas. It is no use quarrelling with one another. In those days the Punjab Ministers were quarrelling with the War Transport Member, but the fact was that several lakhs of human lives were lost in Bengal. I am again reminded of the correctness of figures. Even up to this time we are not sure how many lakhs of Bengalis died as a result of the last famine. The official figure quoted in those days was about one million. Then the Enquiry Committee quoted a different figure. Somebody calculated in Bengal and he quoted quite a different figure; and so, up to this time, we are not sure how many people died by the direct effects of famine; and how many died as a result of the diseases which were caused by the famine. I therefore beg of him to calculate his figures correctly and to warn his Statistical Department in this respect. Sir, I do not know which Department of the Government of India deals with statistics—whether it is the Health Department, or the Food Department, or the Finance Department. In any case I would request him to be sure of his ground before he plans to meet this great threat.

My third point is, irrespective of what may be imported from other countries, we should look up to our own country for maintaining our population. As Mahatma Gandhi has said, we must be self-sufficient in our own home, and therefore we must begin to grow more food not on the files of the Agriculture Department in the North Block but actually on the fields. In this respect I support the remarks of my Honourable friend, Mr. Mohammad Nauman, that there is sufficient land at present lying vacant waiting for more food to be grown on it. In my own Province, although it is said to be one of the best irrigated Provinces in India, there is a lot of land lying fallow where food can be grown in great quantities.

Seth Yusuf Abdoola Haroon (Sind : Muhammadan Rural) : Ask your Ministry to do it.

Sardar Mangal Singh : The resources of the Punjab Ministry are limited. I therefore beg of the Government of India to plan a well-thought-out Grow More Food campaign so that we may not again feel the necessity of sending 'a good team' to America where some of them might attract the attention of the feminine sex. The Honourable the Leader of the House has given us a very charming description of his team, but he forgot to tell us whether he himself attracted any feminine sex..

Prof. N. G. Ranga : He has no beard.

Sardar Mangal Singh : Next time when he goes he will be careful enough to grow.

Shri Sri Prakasa (Benares and Gorakhpur Divisions : Non-Muhammadan Rural) : Or borrow from some one !

Sardar Mangal Singh : Turning to 'Grow More Food' Campaign, our chief necessity is water. Of course canals cannot be dug in a day. But surely the Department can provide tube wells which can be put up within a comparatively short time. In this respect I interrupted the War Secretary this morning when I said that his Department was dismantling tube wells which had been sunk in the aerodromes during the war. While the Agriculture Department are trying to put up tube wells for their 'Grow More Food' campaign, the War Department is dismantling them. I hope the Leader of the House will make note of this fact, and see that all those tube wells which are now being used for bathing tanks and are going to be dismantled, are offered to the surrounding villages, or, if necessary, they are transplanted to other areas with the help of the military and re-sunk where they are required.

Another source of food is fish. Now that the war is over, our Indian Navy and, if necessary, His Majesty's Royal Navy, can be used for fishing in which case fish can be sent to the Province of my Honourable friend the Law Member who relishes fish so much and the rice he will spare can be sent to the Province of the Honourable the Leader of the House. This Navy can be used without any further expense. It should spread itself on the Deep Seas to collect large quantities of fish. Fish is quite a nutritious food.....

Nawabzada Liaquat Ali Khan : You have made one convert !

Sardar Mangal Singh : Then, Sir, efforts should be made to set up poultry farms in this country, so that those who relish meat may eat such things and spare vegetables for some of my Honourable friends over there who are vegetarians.

If we tap these little sources the supply of food would be increased and then again we could exercise some economy. I interrupted the War Secretary this morning and I asked him what was the number of prisoners of war now kept in India. He did not give me any light. If there is any number of Italians here, or prisoners of war, I think they should be sent out immediately.

Nawabzada Liaquat Ali Khan : Italians are "Men of Garlick" !

Sardar Mangal Singh : It is true that arrangement may be made with His Majesty's Government but they are eating our food here. The war is over. It is officially over even on paper today. The Government of India will take immediate steps to send away those prisoners to some other countries. Why not to South Africa as a matter of retaliation? Another small point. I have seen that those people who have ration cards with them they can go to any hotel any time and eat whatever food they like. In this connection I will invite the attention of the Honourable the Food Secretary. If I hold a ration card and I can go to any hotel and take meals there, what is the use of ration cards? Something should be done that those who hold ration cards should not be allowed to take meals from the restaurants or the hotel.

Shri Sri Prakasa : Then we shall all starve here.

Sardar Mangal Singh : And then again, this rationing business is only in the cities.

Mr. Deputy President : The Honourable Member has one minute.

Sardar Mangal Singh : One minute is enough to condemn this Government. I hope, that although they were small points I think that in these days when food is so scarce, these points will be looked into and the human lives are saved. I would like to remind the House that in this matter at least, as Mahatma Gandhi, has put it, we should irrespective of parties and politics, all unite to save as many human lives as we possibly can.

Diwan Chaman Lal : Mr. Deputy President, you will have realized that the speeches made on this subject have been of a quality which gives the impression that this is a subject of very serious import. The speeches made have been of an excellent nature, although some of them have roamed round about the subject and were not particularly germane to the motion that has been moved on the floor of this House this afternoon. But let me congratulate the speakers, and let me congratulate my Honourable friend, the Leader of the House, whom I welcome back to this House, for an able presentation of the case that he has been advocating on behalf of this Government in the Councils of Europe and of America. I am quite certain that my Honourable friend from the European Benches, Mr. Lawson, is mistaken when he says that he is not at all pessimistic. There was much in my Honourable friend, the Leader of the House's speech to evoke a great deal of pessimism, and if my Honourable friend had only listened to the speech with care, the care that it deserved, he would have realized there was a great deal to worry us, to worry him, although he happens to be in a very privileged position. But certainly there is a very great deal which causes us misgiving in regard to the present position and in regard to the future position. My Honourable friend has laid down the general proposition that although he asked for 3 million tons of cereals, including one million tons of rice for this period up to the 1st of July, he has been able to obtain from the Combined Food Board, as a result of his advocacy, a little over one and a half million tons of cereals for this half-yearly period. Is that correct? Has he really obtained this? Let us not go away with the idea that we have that food. We have not got this food, and my Honourable friend surprises me when he sings those praises and hallelujahs in the face of the grave situation facing this country. I hold a newspaper cutting in my hand dated Washington, March 26, and I am going to ask my Honourable friend what the import is :

"The Combined Food Board officially said tonight that it was pretty improbable that the Board could reach a final agreement on the exact amount of cereals it allocated to India in the next few crucial weeks."

This is March 26th.

"They declared that the statement of Members of the Indian Food Delegation to the effect that an agreement had been reached to supply 60 per cent. of India's original request for two million tons of cereals amounted merely to an 'impression' (that is quoted) that all members had gained from the meeting of the Board they had attended. The matter was still under constant discussion."

This was only a few days ago. I want to know whether the statement contained in this message sent out by Reuter from Washington is correct or not. But it is true that although figures have been supplied regarding this—a little over 1½ million tons of cereals to be supplied before the 1st July—I do not see where this foodstuff is coming from. Let us take the case of rice. Rice has been allotted, I understand, and Siam is the country which has been designated as the country from which we are to draw this rice. Have any arrangements been made to transport this rice, to buy this rice? Is there any organisation in Siam to get this rice? My Honourable friend knows perfectly well that it is a matter of crucial import for the next few weeks for if the rains set in before this rice is arranged for and transported from Siam, not one grain of rice will come out of that country until the monsoon is over.

There is an organization run by Great Britain and the United States of America in Siam. We are not represented on that organisation. It is in charge of allocating rice from Siam. I take it that this is correct. We have nothing to do with that organization. If that organization fails in its object to give us this particular quantity of rice, which has been allotted to us by the Combined Food Board, what

[Diwan Chaman Lall]

will be the position? Is there nothing to worry about? I ask my friend, Mr. Lawson.

Mr. C. P. Lawson : If I may interrupt. I emphasized at the beginning of my speech that there was a good deal to worry about. I do not see why he should put those words in my mouth!

Diwan Chaman Lall : If my Honourable friend realizes that there is a lot to worry about he cannot at the same time say he is not pessimistic.

Mr. C. P. Lawson : I did say there was a lot to worry about but I also said that we might get through if we all tried.

Diwan Chaman Lall : The word used was "pessimistic". I took it down myself while he was speaking. Anyways, I am very glad that my Honourable friend has been converted in regard to this matter. This is too serious a matter for forensic exchanges across the floor. It is so serious a matter, in fact so grave, that it is second only in importance to the other issue, namely the issue of our political freedom and it is intimately connected with the demand that we are making for our political freedom. It cannot be divorced and divested from it. Now I ask, what arrangements—and I hope my Honourable friend will enlighten this House and the country—are going to be made to see that what has been allotted in respect of the statement issued by Reuter that I read out is going to be obtained from Siam. Let us take the question of wheat. Countries have been allocated from which this wheat can be drawn. Have those countries agreed to give us this wheat? I take it that as far as the allocations were concerned, there was one country which refused to play up and that was Argentine.

Argentina was supplying to Spain, to Portugal and other countries but refused to agree to the demands made upon Argentina by the Combined Food Board. Are we going to get something from Argentina. I do not know if we are going to obtain anything from Canada, Australia or any other countries. What arrangements have been made for this particular purpose? Allocation on paper is one thing but to obtain the quantities of foodgrains allocated is another thing and it is necessary therefore for this Government to be watchful and see that whatever has been promised is actually obtained by them and obtained in time.

Mr. Deputy President, next comes the question of the quota for the next period. What arrangements have been made? We take it that in spite of this very terrifying message that has come that arrangements have been made for this period up to the 1st of July are still in the air, what arrangements are going to be made for the future period, for the other two quarters starting with the 1st of July and ending on the 31st December? Have any details been worked out? Have any arrangements been made in regard to this matter? Where the quantities of wheat and rice are going to come from I do not know. I have no idea as to what is going to happen and I hope my Honourable friend will enlighten this House in regard to it.

It is true that there is this organisation of the Combined Food Board consisting, as my Honourable friend said, of the United States of America, Canada and the United Kingdom. We are not represented on it. We in India happen to be 1/6 of the total population of the world. Can we not demand direct representation on this Combined Food Board? When Canada with a population of about 13 or 14 million people can obtain a place on the Combined Food Board, why cannot India with a population of 400 million people obtain a place on the Combined Food Board? We want not merely to go there making requests but we want to take some part in the making of the decisions, in the decisions arrived at by this organisation. We cannot do so because we are a subordinate body. We have to ask Sir Ben Smith the Food Member of the Labour Government—let not my Honourable friend take it that I am in any way making disparaging remarks about the Food Member of Great Britain, he has done his duty. But why should we be in this disgraceful position of having to take a first rate parliamentarian, a first rate statesman of Great Britain to go and plead our case before the Combined Food Board, when we can demand as a matter of right direct representation on these organisations.

Then, Mr. Deputy President, there is the question of transport. We have been told by Great Britain that the ships are available. But what arrangements have we come to regarding the separate allocation of these ships for this particular purpose of transporting the food that we so urgently need. I would like my Honourable friend to take this matter up and enlighten the House in regard to this matter also.

Then there is the question of Siam. 1.2 million tons of rice, I take it, is all the Siam is going to give to the South East Asia Command or that is going to be handed over to this particular organisation which consists of the United Kingdom and the United States of America. Do I take it that we are going to get our particular quota, that is the quota for the first quarter, of rice which has been allocated to us and that it is coming out of the 1.2 million tons of rice which is all that Siam is going to hand over to this particular organisation? These are very disturbing questions and they are questions of very serious importance.

Equally important is the question raised by my Honourable friend regarding the Provinces which are supposed to be surplus Provinces. I take it that my Honourable friend was referring, although he did not name the particular Province to my Province, the Punjab as well as to the United Provinces. Is it not a fact that as far as the U.P. is concerned the U.P. is already a deficit Province and that the U.P. has informed the Government of India that far from being able to send out any portion of their surplus they are absolutely in deficit and that they want the Government of India to assist them to carry over during this terrible period of the next few months that is ahead of us. As for the Punjab the position must be faced and faced squarely. We were able last year to export one million tons of wheat and other cereals from the Punjab, because there happened last year to be a fairly good crop but this year the position is just the reverse. We have suffered and we suffer from two calamities. One is the calamity of mal-administration and the other is the calamity of nature. The result has been that we are expected to produce in this harvest no more than three million tons of wheat for the use of the Province itself and three million tons according to the estimates of my Honourable friend, the Food Secretary, is the quantity absolutely necessary to feed the Punjab population with the result that there will not be available even a single grain of rice or wheat for any other Province but only enough to feed the population of the Punjab and the adjoining areas.

Seth Yusuf Abdoola Haroon : Perform the rope trick.

Diwan Chaman Lall : My Honourable friend belongs to a party which is in the habit of performing rope tricks but I do not belong to that party. As far as these problems are concerned it is not a question of performing rope tricks. It is a question of getting together, putting our heads together and seeing how we can get over the very serious difficulties that are facing us. Mahatma Gandhi has expressed his deep concern for the situation in which we find ourselves. The Viceroy himself in a broadcast has done the same thing. I submit that the time has come when not only should immediate steps be taken (I hope they will be taken) to change the Government from an autocratic and despotic Government to a Government which will be a Government of the people but that steps also will be taken throughout India in every province to set up Food Committees which will be the people's food committees, and which will be in very close contact with the procurement and distribution of foodgrains. If these steps are taken and many others that can be suggested, it is possible that the situation may become easier. But those are matters, Mr. Deputy President, which we cannot discuss at the present moment on this motion. We can discuss only what my Honourable friend has been doing namely the action taken by him in connection with the Combined Food Board and the questions that I have addressed to my Honourable friend. I hope he will be able to satisfy this House and the country in regard to those particular problems which are of great moment and importance to 400 million people of this country.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar : Mr. Deputy President, with your permission I would like to make a very brief statement in reply to the several questions that particularly the last speaker has raised. I have never taken an optimistic view of the situation. In fact I have been so overwhelmed with a sense of the importance and urgency of the problem that I have tried to put before the public and before this House as sober a picture as possible and have in my statement

[Sir A. Ramaswami Mudaliar]

tried to make out what I consider the real matters for anxiety, even apart from the allocations that we have got. (Interruption by Pandit Govind Malaviya.)

Mr. Deputy President : The Honourable Member should not be interrupted, as he has only a few minutes left before six o'clock.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar : As regards the Reuters message that was read out, I can only say this. Various officials particularly in the United States are accustomed to giving various interpretations to official statements in that country and I would not go into this official statement of an unnamed person. I would try to reconcile the statement in this manner from my knowledge of what happened there. The allocations have been made and the figures have been given to us but it depends upon the amounts that are available. These are estimates of amounts that are available and an over-cautious official may as well state that it is impossible to give definite figures but that we must see how the grain is coming out from the farmer through the granaries and through the elevators. That is how I shall try to reconcile that statement. But the figures I have given are actual figures arrived at by the Combined Food Board.

As regards the statement about Siam 1.2 million tons was the figure before the S.E.A.C. administration took charge. After that preliminary unfortunate incident much of it has gone underground. At the present moment it is estimated that by the 1st of July only 275,000 tons can be unearthed from Siam and the allocation to this country is 145,000 tons. I do not conceal from myself or from the public that the rice is still to come out from Siam and that purchases have to be made. At the present time there is a joint mission of the United States and the United Kingdom taking up this difficult question and at this stage....

Mr. Deputy President : Order, order. It being Six o'clock, the House stands adjourned till tomorrow eleven o'clock.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 2nd April, 1946.

Tuesday, 2nd April, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

INDIAN IMMIGRATION BILL OF U. S. A.

1456. *Seth Govind Das: (a) Is the Foreign Secretary aware of the fact that the Indian Immigration Bill had been passed by the House of Representatives in Washington? If so, has the said Bill gone to the Senate as yet? Have the Departmental and Senate Committees submitted their reports on the said Bill?

(b) Is it a fact that, according to this Indian Immigration Bill, only one hundred Indian nationals are permitted to enter the U.S.A. per year? If so, do the Government of India propose to move the Government of the United States of America for not imposing any restriction as regards the number?

Mr. H. Weightman: A Bill to make Indians eligible for immigration into, and naturalization in, the United States of America has been passed by the U. S. House of Representatives. The Bill is at present under consideration in a sub-committee of the appropriate Standing Committee of the Senate but the sub-committee has not yet presented its report.

(b) The reply to the first part is in the affirmative. The annual quota of immigrants of every eligible nationality is determined by the U. S. Immigration Act of 1924. The Government of India apprehend that to press for the exclusion of Indians from the application of that Act would merely prejudice the passage of the Bill.

ISSUE OF POSTAGE STAMPS OF NEW DESIGN.

1457. *Shri Sri Prakasa: Will the Secretary for Posts and Air be pleased to state:

- if it is a fact that postage stamps of a new design have been issued;
- if the stamps are much larger than ordinary postage stamps;
- the exact purpose of issuing such large postage stamps;
- if the Department consults any persons regarding the design of stamps;
- if so, who were the persons consulted when the present stamps were issued; and
- if these stamps purport to be 'victory' stamps; if so, whose victory, and over whom they seek to celebrate?

Sir Gurunath Bewoor: (a) Yes.

(b) Yes.

(c) In celebration of Victory.

(d) Yes.

(e) Submission of designs for the Victory postage stamp was invited by advertisement in the leading Indian newspapers, and by letter addressed to Directors and Principals, Schools of Arts, throughout the country. A prize of rupees one thousand was offered for the best design. Designs received were judged by a Committee consisting of Mr. C. R. Gerrard, Director, Sir J. J. School of Art, Bombay, Mr. L. M. Sen, Principal, Art and Crafts School,

Lucknow, Begum Shah Nawaz, M. L. A., Mr. N. F. Frome, a keen philatelist, the Master, Security Printing Press and the Director General of Posts and Telegraphs, Mr. Krishna Prasada as Chairman.

(f) The stamps are in celebration of the Victory of India's magnificent fighting services over those of Italy, Germany and Japan.

Shri Sri Prakasa: In view of the paper shortage, Sir, was the Honourable Member justified in increasing the size of stamps?

Sir Gurunath Bewoor: Yes, Sir. It was thought worth while, in celebration of victory, to spend a little more paper than before.

Shri Sri Prakasa: Does the Honourable Member realize that most persons have the ugly habit of licking the stamps and that the bigger stamps require a larger surface to be licked?

Sir Gurunath Bewoor: I am aware of that Sir; this will increase the flow of saliva, a healthy thing.

Shri Sri Prakasa: Is the Honourable Member justified in saying that this victory—or the so-called victory—that is supposed to have taken place, was due to the Honourable Member's magnificent Indian fighting forces?

Sir Gurunath Bewoor: Yes, Sir, I think it is at least partly due to that reason if not to a very large extent.

Shri Sri Prakasa: If it was only partly due to these gentlemen, may I know Sir, why the whole of the stamp is meant to celebrate that victory?

(No reply was given).

CIVIC INSTRUCTIONS FOR PASSENGERS ON RAILWAYS

1458. ***Shri Sri Prakasa:** Will the Honourable the Railway Member be pleased to state:

(a) if Government are aware that passengers, while travelling, do not arrange their luggage properly in their compartments and do not accommodate each other, and unnecessarily dirty the compartments;

(b) if Government are aware that passengers while waiting for trains on platforms and in waiting rooms are equally careless; and

(c) if he will consider the desirability of hanging posters and notices on Railway premises and in Railway compartments, giving simple lessons on civic duties, and instructions as to how to do things?

The Honourable Sir Edward Benthall: (a) Passengers not infrequently cause inconvenience by taking into their compartments large amounts of luggage. Instructions have been issued to Railways to insist on the rule regarding this matter being complied with. With reference to the latter part of the question it is, unfortunately, correct that compartments are sometimes rendered untidy by passengers.

(b) Yes.

(c) The suggestion will be brought to the notice of Railways for their consideration and for taking such action as they may deem desirable. An educational film on the etiquette of railway travel which was projected has unfortunately had to be abandoned.

Prof. N. G. Ranga: Will the Honourable Member issue instructions to all the Railways to place these posters in every first class and second class compartments, advising passengers to allow at least floor space to those passengers who cannot be provided with seating accommodation?

The Honourable Sir Edward Benthall: The Railways will be asked to take such action as is deemed desirable.

Prof. N. G. Ranga: May I inform the Honourable Member that what really happens is that the instructions are there, but, if there is seating accommodation for six people in a second-class compartment, they do not allow a seventh man even to sit on the floor?

Shri Sri Prakasa: Unless he comes through the window. May I know, Sir, if Government simply ask the Railway administrations to consider the advisability of having posters regarding the impropriety of talking on military subjects or of having a particular sort of garment at night—the sort of notices we see in all the railway compartments now—or whether they ask the administrations to have these posters put up; and if the latter, will the Honourable Member kindly ask the administrations concerned to have the posters envisaged in this question, printed and not leave it to the discretion of the administrations?

The Honourable Sir Edward Benthall: Plenty of times we have taken measures to try to improve the etiquette of railway travel. Earlier in the war period we held various exhibitions, we projected films, we made radio broadcasts; but I am afraid the public in their desire to travel, did not regard these advices with sufficient seriousness. I will see what we can do to improve the etiquette of the public when travelling, in the way that has been suggested.

Shri Sri Prakasa: Will the Honourable Member please take immediate steps to get proper instructions printed inside the railway compartments, so that people may not throw their cigarette or bidi stumps or remnants of food on the floor of the compartment, but throw them outside through the windows?

The Honourable Sir Edward Benthall: All that the Honourable Member has suggested will be considered.

Shri Sri Prakasa: And followed.

DUFFERIN RAILWAY BRIDGE AT BENARES

1459. ***Shri Sri Prakasa:** Will the Honourable the Railway Member be pleased to refer to his reply to starred question No. 545, dated the 27th February, 1946 and state:

(a) if some sort of a foot-path will be available over the Dufferin Railway Bridge at Benares by the second week of June, 1946, when the Pontoon Bridge will be dismantled on account of the monsoons;

(b) if such provision cannot be guaranteed what arrangements the Railway intend to make for pedestrian traffic across the bridge during the rainy season;

(c) if there is a possibility of vehicular traffic being also stopped over the Bridge on account of the work of re-girdering which is now in progress; if so, what arrangements Government intend to make for it; and

(d) whether Government will refer to the terms of the treaty between Maharaja Mahip Narayan Singh of Benares and the East India Company, when a large extent of territory was ceded by the Maharaja to the Company, under which the Company *inter alia* was to maintain bridges for the convenience of the people?

The Honourable Sir Edward Benthall: (a) No. I am afraid that the provision of a satisfactory footpath on the bridge during the changing of the girders will not be feasible.

(b), (c) and (d). During the period of actual regirdering, the roadway over the bridge including the footpath will be closed to all vehicular and pedestrian traffic. The Railway are not making any arrangements for the passage of this traffic, but it is understood that the U. P. Government are making the necessary arrangements for a ferry service during the monsoon season for transporting this traffic across the Ganges at Kashi.

Shri Sri Prakasa: Would the Honourable Member give us some idea of the arrangements that the U. P. Government are making?

The Honourable Sir Edward Benthall: I understand it is a ferry.

Shri Sri Prakasa: Has the Honourable Member any information as to when the same will start functioning, or if the ferry will start being built after the present pontoon bridge has been dismantled?

The Honourable Sir Edward Benthall: The re-girding will commence about June this year and it is expected that the U. P. Government will arrange for the ferry from that time, that is more or less simultaneously with the closing of the pontoon bridge.

Shri Sri Prakasa: With reference to part (d) of the question, will the Honourable Member kindly refer to the Treaty dated October 27th, 1794, between Maharaja Mahip Narayan Singh and the not very Honourable East India Company, and see that the terms of the same are fulfilled? There is a condition about this.

The Honourable Sir Edward Benthall: I have tried to ascertain from the sources of information at my disposal what is the content of this treaty, but I have not been able to procure the papers. I think it is the duty of the U. P. Government to fulfil that engagement, but I am unable to say precisely what that arrangement is, as I have not seen the papers.

Shri Sri Prakasa: May I know if the U. P. Government represents the East India Company or the Central Government, and whether the Central Government is not bound by all the promises made by the East India Company when they made these treaties with the Indian Princes of the time?

The Honourable Sir Edward Benthall: I am not fully informed on that point, but I understand the U. P. Government accept the obligation which falls on them of providing for foot passengers.

Shri Sri Prakasa: May I know if the Honourable Member seriously means to say that the one lakh of rupees paid to His Highness the Maharaja of Benares under the terms of the said treaty are paid by the U. P. Government and not by the Central Government?

The Honourable Sir Edward Benthall: I never said that. I said I am not aware of what the treaty is. If the Honourable Member wants information on that, he must put a question to the appropriate Department.

WITHHOLDING OF APPEALS OF NON-GAZETTED STAFF BY HEADS OF DEPARTMENTS ON RAILWAYS

1460. *Pundit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state if it is a fact that appeals of non-gazetted staff are withheld by the Head of the Department without assigning any reasons?

(b) Has the Honourable Member at any time received appeals from the staff of the Engineering or the Loco. Departments of the Metre Gauge system of the B., B. and C. I. Railway against the wrongs done to certain employees of their respective Departments? If so, what has been done to have the grievances of those poor non-gazetted staff redressed?

The Honourable Sir Edward Benthall: (a) On the presumption that the Honourable Member's question relates to the B., B. and C. I. Railway, the reply is in the negative.

(b) Yes. In one case a discharged employee was reinstated; another is still under consideration.

SENIORITY OF STAFF IN CERTAIN DEPARTMENTS OF B., B. & C. I. RAILWAY

1461. *Pundit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state the principles determining the seniority of non-gazetted services in the Loco. and Carriage and the Engineering Departments of the B., B. and C. I. Railway? Are these principles invariably followed in practice?

(b) Are Government aware that in several cases junior clerks have been given preference over their seniors? If so, the reasons therefor?

(c) Are Government aware that Selection Boards in making recruitment and promotions of the non-gazetted staff simply act upon the recommendation of Heads of Departments rather than on the merits of the cases?

(d) Are Government aware that Heads of Departments simply rely upon the office reports in cases of promotions and do not afford any opportunity to the employees aggrieved to represent their cases and that even interviews are not granted for such purposes to them?

The Honourable Sir Edward Benthall: (a) The date of permanent entry into a grade (or, where confirmation follows, without a break, a specific period of temporary or probationary service in the same permanent post the date of commencement of such temporary or probationary period) ordinarily determines the seniority of non-gazetted staff in the departments referred to. As regards the latter portion of this part of the question, Government are informed that this principle is invariably followed in practice.

(b) Promotion is made to non-selection posts on the basis of seniority subject to the rejection of those found unfit for promotion, and to selection posts on the recommendation of a properly constituted selection board.

(c) and (d). If the allegation is that the rules are not complied with, the reply is in the negative.

DELEGATION OF POWER TO HEADS OF DEPARTMENTS re APPOINTMENTS ON B., B. & C. I. RAILWAY

1462. *Pundit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state what powers are delegated to the Head of a Department in regard to appointments?

(b) Are Government aware that in actual practice Heads of Departments make appointments for the non-gazetted posts up to the salary of Rs. 250 without any consultation of Selection Boards? If so, what is the utility of Selection Board, and do Government propose to see that in future such appointments are made only through Selection Boards?

(c) Is the Honourable Member aware that there exist Staff Committee in different Departments of the B., B. and C. I. Railway? If so, is any action taken on the resolutions passed by such Committees from time to time? If not, why not?

The Honourable Sir Edward Benthall: (a) On the presumption that the question relates to the B., B. and C. I. Railway, I lay on the table of the House a statement which gives the required information.

(b) In actual practice the majority of posts on the B. B. and C. I. Railway in scales, above Rs. 80-120 on the old scales and their equivalents on the revised scales, are selection posts and promotion to such posts is invariably made on the recommendations of properly constituted selection boards. The reply to the latter portion does not arise.

(c) Yes, the Resolutions passed by these Committees are given due consideration. The reply to the last portion does not arise.

Statement giving the powers delegated to Heads of Departments on the B., B. & C. I. Railway

Nature of powers—

Appointments, promotions and grant of increases.

(a) *Appointments.*—Powers delegated to Heads of Departments, etc.

No powers with the exception of the following:—

Full powers to Heads of Departments to make appointments to non-gazetted posts in their respective Departments, subject to the following conditions:—

(i) that all appointments are made against scales, necessary provision for which exists in the Establishment Rolls. Full particulars of such appointments should be shown in the report of changes accompanying the Salary Bill.

(ii) that no appointments are made on more than the minimum of a grade, where sanctioned scales exist. The rates of pay which might be offered to clerks appointed in the lowest grade in Headquarter Offices and such of the District and Divisional offices where clerks are interchangeable between District and Headquarter offices, are as shown below :—

	Rs.
Matriculation and previous	30 p. m.
Intermediate	34 p. m.
Graduates	46 p. m.
Shorthand Typist may however, be appointed on the minimum pay of ...	50 p. m.

NOTE.—The minimum starting pay of office clerks has been temporarily raised to Rs. 40 p.m., and that of shorthand typists to Rs. 70 p.m.

(iii) that in regard to apprentice Tracer/Draftsmen, the Chief Engineer, Engineer-in-Chief may make appointments on a salary higher than the minimum of Rs. 30 in the scale of Rs. 30—4—60 (revised scale).

(iv) that in regard to daily-rated Workshop staff, appointments of qualified craftsmen may be made by the Heads of Departments concerned on rates of pay higher than the minima of the scales of pay fixed for those categories of staff.

(v) that any proposal for the recruitment of covenanted staff is referred to the General Manager.

RECRUITMENT AND PROMOTION BY HEADS OF DEPARTMENTS ON B., B. & C. I. RAILWAY

1463. *Pundit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state if it is a fact that according to the Railway Establishment Code only those posts are selected posts which have been declared as such by the General Manager or the Chief Mining Engineer?

(b) Is it a fact that before the General Manager of the B., B. and C. I. Railway had announced selection posts, the Engineering Department had already recruited persons to such selected posts? If so, why was such procedure adopted?

(c) Is the Honourable Member aware that there is serious discontentment and dissatisfaction amongst the non-gazetted Railway employees against nepotism and favouritism shown by Heads of Departments in the recruitment and promotion of services? If so, do Government propose to consider the advisability of appointing a Committee to inquire into the grievances of such Railway employees? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Government understand that as far as the General Manager is aware, this is not so. The reply to the latter portion does not arise.

(c) Government are not aware of any such discontent and dissatisfaction. The reply to the remaining portions does not arise.

DUTIES AND FUNCTIONS OF ASSISTANT WELFARE LABOUR ADVISER ON B. B. & C. I. RAILWAY

1464. *Pundit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state if it is a fact that retired hands who have already enjoyed the benefit of extensions of two or three years are still being retained chargeable to various works or projects on the same fat salaries as they were drawing when permanently in the Railway service? Are Government aware that this impairs the progress of other employees who are blocked in one grade for over a decade and also causes difficulty in getting new hands from the demobilised men?

(b) What are the duties and functions assigned to the Assistant Welfare Labour Adviser of the B., B. and C. I. Railway?

The Honourable Sir Edward Benthall: (a) Instructions were issued in January 1946, that no more extensions of service to non-gazetted staff were to be given. Staff granted extensions prior to that date are being permitted to serve till the expiry of the period of extension sanctioned—generally one year. Due to the undertaking of certain urgent works of a temporary nature and the dearth of trained hands with technical experience, it has been found necessary to re-employ certain retired employees in a temporary capacity, but instructions have also been issued that such re-employment should not extend beyond the end of the current year. As the number of temporary posts which have been necessary have generally outnumbered the staff retained after superannuation, the advancement of other employees has not been appreciably affected. Such re-employment is only given when surplus staff or “demobilised men” with the requisite training of experience are not available.

(b) I lay on the table of the House a statement which gives the required information.

Statement giving the main duties and functions assigned to Assistant Welfare Labour Adviser on the B., B. & C. I. Railway

(1) To investigate indebtedness of employees and settle debts by means of debt redemption loans from Railway's Co-operative Bank.

(2) To advise staff, particularly lower paid staff, as to leave and other dues admissible under Railway Rules, and the correct method of getting grievances redressed.

(3) To bring to the notice of the Administration any cases of distress calling for help from the Staff Benefit Fund.

(4) To act as liaison officials between officers and staff in such matters as Grain Shops, grievances, and labour disputes.

(5) Other duties, such as enquiries connected with labour matters, as may be necessary from time to time.

Prof. N. G. Ranga: Are we to understand that these superannuated gentlemen who are being engaged again and again have not been expected to train or prepare any of their subordinates to take their places when the time came for them to retire?

The Honourable Sir Edward Benthall: Yes.

Prof. N. G. Ranga: Why was it not done here? Is it not one of the duties of senior officers to see to it that one of his junior officers is trained to take his place when he retires?

The Honourable Sir Edward Benthall: Yes; but the great bulk of these people are not senior officers.

Prof. N. G. Ranga: If they are not senior officers, what is the special need for having given extensions to these people?

The Honourable Sir Edward Benthall: I have said, to undertake urgent works of a temporary nature and of a technical nature, which requires the technical experience of these particular men.

Prof. N. G. Ranga: In view of the urgency of the war being over, why is it that the Government are still granting these extensions to these gentlemen who have already got two or three extensions?

The Honourable Sir Edward Benthall: Just because the war was over officially yesterday, it does not mean that there is a sudden drop in the work. On the contrary, as I have frequently had to explain in the House, we are endeavouring to create the maximum amount of work in order to employ the maximum number of people. For the purpose of seeing through that work, it is necessary to re-employ for a short period a certain number of technical men.

Prof. N. G. Ranga: Has the Honourable Member satisfied himself that they have not got into this habit of giving these extensions to these people with whom they have been acquainted already, and not trying their juniors in their places?

The Honourable Sir Edward Benthall: Perfectly satisfied.

CLOTH QUOTA FOR HAND-DYERS AND HAND-PRINTERS OF AJMER-MERWARA

1465. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable Member for Industries and Supplies be pleased to state why no grey cloth has been supplied to the hand-dyers and hand-printers of Ajmer-Merwara since June, 1945? What relief was actually granted after June, 1945?

(b) Why has no artisans' monthly quota been fixed as yet in Ajmer-Merwara on the lines of Ahmedabad and Bombay for these printers and dyers?

(c) Why did the Central Government deprive the printers of their usual right to purchase grey cloth for printing purposes and to sell it after printing, *vide* Section 8 of the Cotton Cloth (Control of Printing) Order, dated the 6th and 7th July, 1945 as they have been doing from times immemorial?

(d) Do Government propose to reconsider the request of these printers and dyers for a fixed quota to be distributed by their Associations to be sold at prices fixed by Government as it was done in Ahmedabad and Bombay?

Mr. M. W. M. Yeatts: (a) A quantity of 250 bales, which was sufficient for about six months, was supplied in June 1945, to the hand-dyers and hand-printers of Ajmer-Merwara. The Chief Commissioner of Ajmer-Merwara offered them another 40 bales in December 1945, and again in February 1946, but they refused the offer each time on the grounds that the quantity was inadequate.

(b) The artisans' quota was fixed for printers and dyers in Bombay and Ahmedabad because in the past they have catered for markets all over India. I will consider whether a similar quota would be justified for the dyers and printers in Ajmer-Merwara.

(c) Hand-printed and hand-dyed cloth can be sold without price-stamping, and as a result a good deal of black-marketing was going on, and large quantities of badly printed and badly dyed goods were being dumped on the market. It was in order to put a stop to this that Government, in consultation with the Industry, imposed the restrictions of which the Honourable Member complains.

(d) I am prepared to look into this matter.

Seth Yusuf Abdoola Haroon: May I inquire as to what percentage of this cloth was being offered to the people at Ajmer-Merwara—I mean the actual consumption of these weavers?

Mr. M. W. M. Yeatts: I have not got the information; I will find out.

Khan Abdul Ghani Khan: Is the Honourable Member willing to consider the case of the North West Frontier Province dyers and printers in this connection?

Mr. M. W. M. Yeatts: I am willing to consider any case, but I cannot give any promise.

Seth Govind Das: Does the Honourable Member know that as far as the printing and dyeing industry of Ajmer-Merwara is concerned, it is much older than that of Bombay or Ahmedabad, and therefore greater consideration should be shown for that industry?

Mr. M. W. M. Yeatts: That, I think, is the object of Mr. Jaffer's question.

Haji Abdus Sattar Haji Ishaq Seth: With reference to the answer to part (b), where he has said that he will consider whether a similar quota would be justified for Ajmer-Merwara as for Bombay and Ahmedabad in view of the fact that this is being considered since June 1945, and thousands of people

are suffering, will he just put a date as to when this consideration will be over?

Mr. M. W. M. Yeatts: I cannot do that now.

Haji Abdus Sattar Haji Ishaq Seth: With regard to his answer to part (c) he said a good deal of blackmarketing was going on and that prices could not be stamped. That could have been remedied by issuing an order that the prices should be fixed and stamped and that would have saved the situation, and saved the people. Has the Honourable Member considered that?

Mr. M. W. M. Yeatts: The suggestion is that if unprinted and undyed cloth also had to carry a price stamp, then this particular argument would no longer apply. I will look into it. I cannot give an answer off hand.

Haji Abdus Sattar Haji Ishaq Seth: Now that the whole position is before him, will he see to it that the cloth is made available to these people, so that the processors may also have employment and the poor people may have cheap cloth?

Mr. M. W. M. Yeatts: The primary point is cloth. There is not enough cloth to go round, and the experience in Ajmer-Merwara and elsewhere was that when there was not enough cloth to go round the people preferred to take the really basic articles and stopped buying the unprinted and undyed ones.

Mr. Ahmed E. H. Jaffer: May I suggest to the Honourable Member that the quota of cloth sent out to the Middle East and other countries should be reduced and that this extra cloth available should be given to Ajmer-Merwara, as this is more important than exporting to foreign countries?

Mr. M. W. M. Yeatts: The export quota for the second six months of this year will come up for consideration and this point along with all others bearing on this question will be considered.

QUOTA OF RAW MATERIALS FOR SAHARANPUR PAPER MILL.

1466. *Seth Govind Das: Will the Honourable Member for War Transport kindly state:

(a) whether Government are aware that on account of irregular movement of raw materials, such as rags, waste paper cuttings, etc., in the Punjab and the United Provinces, paper mills, especially at Saharanpur, are put to a great deal of difficulty; and

(b) whether, in view of the fact that the war is over and there is still a shortage of paper production, Government propose to issue necessary instructions to the Chief Controller of Railway Priorities, New Delhi, to see that paper mills at Saharanpur are able to obtain the necessary quota?

The Honourable Sir Edward Benthall: (a) No, Sir. Government has received no recent representations from the Shree Gopal Paper Mills, Jagadhri, which are the only large paper mills in the Punjab, or from the Star Paper Mills, Saharanpur, and are therefore unaware that these mills are having particular difficulties. Priority assistance is regularly given to the movement of grass to both these mills, and during the six months ending February 28, 1946, approximately 900 wagons were moved to the Jagadhri mills and 800 to the Saharanpur Mills, from railways other than the North Western Railway. In addition special assistance was given during the three months ending the 12th March, 1946, to 135 wagon-loads of other raw materials to the Jagadhri Mills.

(b) The Regional Controller of Railway Priorities, Lahore, who is the officer responsible for rendering priority assistance when necessary to industrial establishments within his region imports that the only reason why specific assistance in moving raw materials has not been rendered to the Star Paper Mills, Saharanpur, as has been done in the case of the Shree Gopal Paper Mills, Jagadhri, is that no requests for such assistance have been received by him from the former mills.

Seth Govind Das: The Honourable Member said that he has not received any complaints from these mills. I have. Will the Honourable Member agree to consider them?

The Honourable Sir Edward Benthall: Certainly if the Honourable Member will let the Department know but I suggest that in the first place he should submit them to the Regional Controller of Railway Priorities, Lahore, who is the officer in executive charge and who will render every assistance that is possible within the circumstances prevailing.

LEVY ON TONGA DRIVERS AT RAILWAY STATIONS

1467. *Shri Mohan Lal Saksena: (a) Will the Honourable Member for War Transport be pleased to state if it is a fact that tonga drivers in Delhi have to pay four annas to eight annas per trip to the Railway Station?

(b) Is it also a fact that tonga and *ekka* drivers in Lucknow and other big towns in the United Provinces have to pay a similar amount? If so, under what authority is the levy made?

(c) Is it a fact that no receipts are given for the money so collected?

(d) Do the Railways get any share out of these collections? If so, how much?

(e) What is the average number of tongas plying to and from Delhi Junction Station?

(f) Is he aware that this heavy levy causes considerable rise in the tonga fares as well as inconvenience to passengers inasmuch as the tonga drivers go to station with great reluctance?

The Honourable Sir Edward Benthall: (a) So far as the North Western Railway is concerned, the use of the station yard by tongas is free, but it is possible that officials of the Union representing the tonga owners and drivers make a small levy for the provision of facilities.

(b) At Lucknow and seven other stations in the Lucknow Division (E. I. R.) a small charge of six pies per tonga per day has been made by the Railway for a very long time through a contractor for use of the station premises and the facilities provided there.

(c) Receipts are issued by the contractors in the Lucknow Division.

(d) In the Lucknow Division the contractors are selected on a tender basis, the tender money being credited to the Railway.

(e) Approximately 500 per day.

(f) No complaint in respect of the conditions at any of the stations concerned has been made to the Railway authorities.

Prof. N. G. Ranga: What are the facilities that are provided for these *tonga-wallas*?

The Honourable Sir Edward Benthall: Stands, lighting, sanitary arrangements and so on.

Prof. N. G. Ranga: Water supply?

The Honourable Sir Edward Benthall: I think so but I am not sure in particular cases.

Shri Mohan Lal Saksena: Is it not a fact that no sheds are provided at the Lucknow station for the tonga stands?

The Honourable Sir Edward Benthall: Not by the Railways.

Shri Mohan Lal Saksena: Then what are the facilities?

The Honourable Sir Edward Benthall: I have just answered that.

Shri Sri Prakasa: Is this levy over and above the levy made by the policemen on duty?

MONTHLY ALLOCATION OF COAL FOR COTTON MILLS

1468. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member Industries and Supplies be pleased to state:

(a) the monthly allocation of coal for cotton mills and the additional month quotas sanctioned by the Director of Textiles during each of the months from November, 1945, to February, 1946;

(b) the actual despatches of coal for cotton mills in each of the above months against both the monthly and additional quotas;

(c) if it is a fact that the balance of un-allotted wagons in each of the months due to short supplies by the Railways are automatically cancelled under the existing rules; and

(d) whether Government would be pleased to issue necessary instructions to the Deputy Coal Commissioner (Distribution) that un-allotted wagons for cotton mills due to short supplies by the Railways should be carried forward for at least three months and be not cancelled as at present?

Mr. M. W. M. Yeatts: (a) and (b). The monthly quota of coal for cotton mills is 180,000 tons. No additional quota is sanctioned by the Director of Textiles. A statement showing actual allocations and despatches to cotton mills during the period November 1945—February 1946, is laid on the table of the House.

(c) Yes, Sir.

(d) No, Sir. The system of coal allocation introduced in October 1945, is based on monthly forecasts of coal available for despatch. Fresh allocations are made each month by the Coal Allocation Committee but the stock position of each particular industry is taken into account in fixing the target for the succeeding month.

Statement

Month	Coal supplies to cotton mills	
	Allocation	Despatches
	(Tons)	(Tons)
November 1945	180,000	174,147
December 1945	180,000	163,565
January 1946	180,000	178,774
February 1946	165,600	163,188

Sri M. Ananthasayanam Ayyangar: If on account of circumstances beyond its control, a particular mill, owing to shortage of wagons, is not able to take the coal, why should it be prevented from taking it in the course of the next three months?

Mr. M. W. M. Yeatts: Because the coal position does not really permit of that. It is really a sort of balancing act every month. You have a figure of coal that will be available, the figure of wagons that will be available for distribution, with a view to make the system work as smoothly as possible and we could not complicate it by taking in past balances. We do take into account, as I have said in answer to the question, the stocks of a particular industry.

Sri M. Ananthasayanam Ayyangar: If one mill has to undergo a reduction, a corresponding reduction must be shown in favour of other mills also if the deficiency of coal is due to want of wagons?

Mr. M. W. M. Yeatts: What happens is that if there is difficulty of movement, that is generally spread over the consumers. If there is not enough to go round, the deficiency can be spread over in that way.

Mr. Manu Subedar: Is any attempt made in order to carry the reserve which will last for a few days in the consuming centre?

Mr. M. W. M. Yeatts: The industries have their stocks. Each mill has its stocks, not perhaps very large, but that is what I meant when I said that as far as possible in making allocations during one month the existence of stocks at the consumers' end is taken into consideration.

Mr. Manu Subedar: Why at the consumers' end the distribution of the deficiency should not be on all the units, as my friend just argued?

Mr. M. W. M. Yeatts: That is rather a matter for the industry than for us and during the war at certain places that sort of thing was being done. The jute industry for example did that and to a certain extent the cotton industry also.

Sri M. Ananthasayanam Ayyangar: May I know if a periodical review is made of the position every three or four months to find out if each industry is getting the allocated portion?

Mr. M. W. M. Yeatts: We do that each month, as you will see from the statement.

Sri M. Ananthasayanam Ayyangar: May I ask whether during the period under review, November 1945 to February 1946, the proportion of coal supplied to various industries has been according to the original allocation fixed?

Mr. M. W. M. Yeatts: More or less, yes. Some industries are however highly important. For example, the railways that carry the coal and the ones, which produce power; but otherwise you can take it that the whole effort is to treat various consumers in proportion to the demands accepted as appropriate to them.

Prof. N. G. Ranga: Are there monthly departmental conferences between the Railway Board and the Departments concerned?

Mr. M. W. M. Yeatts: There is a monthly allocation committee on which various interests are represented, among them railways.

DISCRIMINATORY TREATMENT OF STATION MASTERS ON S. I. RAILWAY

1469. ***Sri M. Ananthasayanam Ayyangar:** (a) Has the attention of the Honourable the Railway Member been drawn to an article entitled "Sauce for the Goose and Poison for the Gander" in the February, 1946, issue of "The Indian Railway Magazine"?

(b) Is it a fact that Mr. Pharoah, a Station Master in the South Indian Railway, was found guilty of grave irregularities in regard to transmission of coaching collections and suspended for about one and a half months?

(c) Is it a fact that he admitted having wilfully disregarded Railway rules on the subject and that, as a result of his negligence, the Railway sustained a loss of a considerable sum of money?

(d) Is it a fact that he has now been promoted and made a Traffic Inspector, superseding persons with unimpeachable records of service?

(e) Is it a fact that Mr. Govindaswami, a senior Indian Station Master with 12 years' service, has been dismissed from the Railway on account of loading some wagons under a misconception?

(f) Why has discrimination been made between the case of one employee and another?

(g) In view of the fact that Mr. Govindaswami has not had a fair appeal, does the Honourable Member propose to have his case reconsidered and see that, in future, such irregularities do not occur?

The Honourable Sir Edward Benthall: (a) I have seen the article referred to in this part of the question.

(b) The Station Master concerned was involved in a case of shortage of coaching collections and was suspended for about a month and a half.

(c) No, he only admitted that he neglected the rules. The loss sustained by the Railway Administration to the extent of Rs. 2,482/4/- is being recovered from him in instalments.

(d) No, he was the substantive holder of the post of Traffic Inspector prior to his temporary posting as Station Master, Ootacamund, and has been reposted to his permanent post, which involves no supersession.

(e) No, the Station Master referred to in this part was removed from service, not dismissed, on being found guilty of having deliberately loaded wagons in disregard of standing orders thereby bringing about a position which could not be tolerated in view of the control regulations in force.

(f) and (g). Government are satisfied that there was no discrimination in dealing with the two cases, which have already been examined by them very carefully.

Sri M. Ananthasayanam Ayyangar: What was the original post of Mr. Pharoah to which he was reverted?

The Honourable Sir Edward Benthall: He was an Inspector. I cannot recall without reference to the files to where he was posted.

Prof. N. G. Ranga: Is he one of the descendants of the Egyptian Rulers?

The Honourable Sir Edward Benthall: It sounds very like it!

Sri M. Ananthasayanam Ayyangar: Will the Honourable Member assure the House that this gentleman was not actually promoted as Traffic Inspector?

The Honourable Sir Edward Benthall: He was not promoted. He was posted to his permanent post.

Sri M. Ananthasayanam Ayyangar: Was it not a Traffic Inspector's post?

The Honourable Sir Edward Benthall: Yes, a Traffic Inspector's post. He was acting Station Master, Ootacamund. He was reverted and reposted to his permanent post.

Sri M. Ananthasayanam Ayyangar: Is the post of Station Master not inferior to that of a Traffic Inspector?

The Honourable Sir Edward Benthall: It sounds so, but the post of Station Master at Ootacamund may be a more important post.

Sri M. Ananthasayanam Ayyangar: The article alleges that there has been discrimination between one Mr. Govindaswami and Mr. Pharoah in the matter of punishment on similar charges. What steps have the Railway authorities taken to find out that there is no cause for such complaints regarding discrimination?

The Honourable Sir Edward Benthall: This incident happened last year and the matter was the subject of correspondence between the Railway Board and the General Manager. There was a fairly substantial correspondence about it. It was gone into thoroughly. I have myself examined the papers recently and I do not think there was any discrimination.

Sri M. Ananthasayanam Ayyangar: Apart from the Honourable Member who looks into the matter, has the Honourable Member considered the appointment of an independent Tribunal, now that the Railways have all come under State management, for each railway administration to look into cases of appeals?

The Honourable Sir Edward Benthall: No, Sir. There is a commission on N. W. R. which deals with appointments. It is under consideration whether similar commissions should be set up on other railways also to deal with appointments. Whether at some future date, some commissions should be set up to deal with other matters, is a matter for further consideration.

Sri M. Ananthasayanam Ayyangar: Does the commission on N. W. R. deal with appointments only or does it deal with complaints brought to its notice also?

The Honourable Sir Edward Benthall: That commission is fully occupied with appointments only.

Sri M. Ananthasayanam Ayyangar: Will the Honourable Member consider the desirability of enlarging the scope of that commission as well as that of similar commissions when they are set up for other railway administrations?

The Honourable Sir Edward Benthall: That is a suggestion which has been made at various times, but it has not been very favourably regarded hitherto. It is a matter which has been under consideration and will come up for consideration again. The first question is whether the N. W. R. experiment should be extended in its present form to other railways also.

APPOINTMENT OF STATION INSPECTRESSES ON S. I. RAILWAY

1470. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Railway Member please state whether it is a fact that Station Inspectresses have been appointed in the South Indian Railway recently on a salary of Rs. 140 a month?

(b) How many such appointments have been made? What are the duties expected of them, and what are the qualifications necessary for appointment to such posts?

(c) Have the appointees got any previous experience of Railway work? If not, why are they recruited directly?

(d) Is it a fact that senior Goods and Booking Clerks with 20 years' service get only Rs. 42-8-0 a month as salary? Why are their claims not considered for appointment to Station Inspectors' jobs?

The Honourable Sir Edward Benthall: (a) The reply is in the affirmative.

(b) The South Indian Railway Administration advertised seven vacancies of Station Inspectresses, of which, Government understand, five have since been filled. As regards the second portion, the staff have been appointed to help 3rd class women and children passengers. In regard to the concluding portion, recruitment was made from among women previously employed as cipher operators who were rendered surplus consequent on the closing of the cipher offices on the S. I. Railway and from amongst demobilized W. A. C. (I) personnel.

(c) As the vacancies are filled by direct recruitment, no previous experience of railway work was demanded or considered necessary.

(d) The consideration of male staff for these or similar appointments does not arise.

Prof. N. G. Ranga: Is it a fact that most of these people belong to one particular community, namely, the Anglo-Indian community?

The Honourable Sir Edward Benthall: I have no particulars, but that is not the case on another railway.

Prof. N. G. Ranga: Will the Honourable Member take care to see that they do not belong to one community alone?

The Honourable Sir Edward Benthall: I am sure it is done.

Sri M. Ananthasayanam Ayyangar: If care is taken, then may I know if it is not one of the duties of the Station Inspectresses to travel in trains? Are they merely stationed at particular stations?

The Honourable Sir Edward Benthall: I think these Inspectresses are at Junction stations. That was the original suggestion. I think the question of having travelling Inspectresses has been considered but I do not think they have been introduced at present.

Sri M. Ananthasayanam Ayyangar: What is the particular kind of work that they do at stations for women and children?

The Honourable Sir Edward Benthall: The matter arose out of a question asked in this House just over a year ago by a Lady Member who was then sitting. We took the matter up with railways in South India and the matter was discussed in the Local Advisory Council as a result of which it was decided to try this experiment. The request was to make provision for rendering assistance to women and children passengers at Junctions where crowds made it difficult for them to find their trains, to find accommodation and so on. It was thought that some assistance from Lady Inspectresses would be of help to them.

Prof. N. G. Ranga: We welcome the experiment, but will Government see that these Inspectresses pay special attention to third class women passengers?

The Honourable Sir Edward Benthall: Clearly the Honourable Member did not hear the answer which I gave to the question. That is the prime object.

Sri M. Ananthasayanam Ayyangar: If it is the desire of Government that these Inspectresses should help third class women passengers then is it not desirable that persons are appointed who speak the languages which these passengers speak and not from a community which wears a different dress and which speaks a different language?

The Honourable Sir Edward Benthall: I take it that these facts have been taken into full consideration by the Administration.

BURNING OF BIG CARGO BOATS IN BENGAL

1471. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable Member for War Transport please state if it is a fact that seventy big cargo boats were burnt to ashes while anchored in the Padma between Shampur and Sahapur villages in Bengal?

(b) What is the extent of damage done to the boats and cargo?

(c) What was the fire due to?

(d) Were all the boats built at Government expense? If so, at what cost?

The Honourable Sir Edward Benthall: The matter is one which is solely the concern of the Provincial Government.

Sri M. Ananthasayanam Ayyangar: Do not the cargo boats belong to the Central Government?

The Honourable Sir Edward Benthall: No, Sir. It is entirely a matter for the Provincial Government. Had the matter concerned goods and not vessels only, it might conceivably have been a matter for my Department, but no goods, I am informed, were involved.

Sri M. Ananthasayanam Ayyangar: Are not the cargo boats the property of the State? Seventy cargo boats were burnt to ashes while anchored in Padma between Shampur and Sahapur villages in Bengal. To whom does the property belong? Does it belong to the Central Government or the Provincial Government?

***The Honourable Sir Edward Benthall:** To the local people I think.

PASSAGE AND BANKING FACILITIES FOR INDIANS IN INDO-CHINA.

1472. *Sri M. Ananthasayanam Ayyangar: (a) Will the Foreign Secretary please state if Mr. Dayal, Deputy Secretary, who accompanied Mr. M. S. Aney to Indo-China has now returned after making enquiries?

(b) Will his report on the conditions of Indians there be published, or a statement made to the House?

*See also statement by the Honourable Sir Edward Benthall at page 3351.

(c) What steps have Government taken to afford passage facilities for Indians to travel between Indo-China and India and for the remittance of funds to India from Indo-China?

(d) Are Government aware that large funds belonging to Indian nationals were frozen during the war in the Indo-China Banks? What is the approximate total amount of such Indian holdings?

(e) Is it a fact that Government have received various representations from Indians who own interests in Indo-China for immediate relief by way of facilities for passage and remittance of funds? If so, what action has been taken thereon till now?

Mr. H. Weightman: (a) Yes, Sir.

(b) The report submitted by Mr. Aney is a secret document and not for publication. The House has already been apprised of the principal recommendations contained in it in the replies given by me to Questions Nos. 575 and 1096 on the 27th February and the 20th March respectively.

(c) and (e). I would refer the Honourable Member to the reply given by me on the 22nd February to question No. 441.

(d) Information on this point is not available to the Government of India.

Sri M. Ananthasayanam Ayyangar: May I remind the Honourable Member that on a prior occasion he said he would circulate to Members of the House relevant extracts so as to let them know the recommendations in substance? May I know why he has not done so?

Mr. H. Weightman: I did not say I would circulate any document?

Prof. N. G. Ranga: Is it a fact that the Honourable Member promised to place extracts from that report before the Standing Committee for this Department?

Mr. H. Weightman: Yes, Sir. I undertook to consider that.

Mr. Manu Subedar: May I know what Government are doing to enable Indians who have lost their assets, properties and funds, as in this case, to recoup themselves or get some kind of compensation?

Mr. H. Weightman: I think some of the replies I have given before cover that point. In actual fact in Indo-China, so far as I know, there have not been any very great losses; but those Indians who have suffered losses in Indo-China have been advised to place their claims with the French authorities there.

Mr. Manu Subedar: In view of the general discontent—and it has reached me from many quarters—at Government's neglect to help those Indians who have claims, may I ask whether Government will consider the appointment of a special officer and the issue of a press note on this subject, so that the public may know where they are?

Mr. H. Weightman: I do not consider that there is adequate reason to pursue either suggestion.

Seth Govind Das: Does the Honourable Member remember that he promised to supply extracts from Mr. Aney's report to Honourable Members of this House before the end of this Session? Will he do so now?

Mr. President: That has been answered, I think.

Mr. H. Weightman: I do not think I made any such promise.

Prof. N. G. Ranga: With reference to clause (d) of the question Government say they have no information. Are we to understand that Mr. Aney's report did not cover that point, that Indian assets were frozen in Indo-China and Indians are anxious to get their funds back?

Mr. H. Weightman: The question was whether Government know that Indian assets were frozen and, if so, the total amount of such assets. We know that they were frozen but we do not know what the total amount was.

Prof. N. G. Ranga: Is it not the duty of this Government or of any civilised Government, for the matter of that, to back up the claims of its own nationals and see that their representations to the Government concerned are properly strengthened and they get a proper hearing?

Mr. H. Weightman: They are receiving all assistance that is reasonable.

Prof. N. G. Ranga: But what are Government doing to help our nationals to have their frozen funds melted again?

Mr. H. Weightman: I have answered that question on at least two previous occasions.

Prof. N. G. Ranga: There was no answer that I can possibly remember. What is the answer the Honourable Member gave?

Mr. H. Weightman: The answer is that the matter of unfreezing these funds is under discussion between the Commerce Department and the principal French representative in India.

Seth Govind Das: For how long has it been under discussion? Has there been any outcome of the discussion so far?

Mr. H. Weightman: No, Sir; not yet.

Sri M. Ananthasayanam Ayyangar: What are the objections of the French Government to unfreezing them?

Mr. H. Weightman: This is a two-way process, and I think any question on that point will have to be put to the Honourable the Commerce Member.

Sri M. Ananthasayanam Ayyangar: What portion, if any, has been allowed to be brought back to India, or is the entire thing being kept there and not allowed to be brought back?

Mr. H. Weightman: That question too I have answered on a previous occasion.

The Honourable Sir Edward Benthall: Sir, with your permission I should like to correct a reply that I gave in connection with Q. 1471. I have looked up the file and I find that the country boats were built at Government expense. Therefore they were presumably the property of the Bengal Government but they were not the property of the Central Government.

DISMANTLING OF RAILWAY SIDINGS IN SINGHBHUM ON B. N. RAILWAY

1473. *Babu Ram Narayan Singh: Will the Honourable the Railway Member please state:

(a) whether it is a fact that the Railway sidings at Dalbhumgirh in the Singbhum district of Bihar, Bengal Nagpur Railway, are going to be dismantled; if so, why;

(b) whether it is a fact that the dismantling referred to in (a) will lead to the closing of the stone gravel quarry of Dalbhumgirh and also to the unemployment of 1,500 labourers;

(c) whether it is a fact that a portion of the Railway sidings referred to in (a) falls on lands belonging to one Mr. Hartley who is now demanding the return of the lands;

(d) whether it is a fact that the lands were acquired according to law; if not, why not;

(e) whether it is a fact that the lands have been in possession of the Railways for the past fifteen years; if so, why these lands are being returned to Mr. Hartley and why the Railway sidings are to be dismantled and the quarry to be closed;

(f) whether Government are aware that the quarry is the best or one of the best in India;

(g) whether it is a fact that the quarry is exhausted or its output is no longer required; and

(h) whether Government are aware that there is great agitation among the people there against the proposal; if so, whether he is prepared to drop it; if not, why not?

The Honourable Sir Edward Benthall: (a) It is proposed to dismantle the extension to a railway siding which was built during the war at the instance of the War Department to handle military traffic only. The railway siding, as originally built, will not be dismantled unless it interferes with the alignment of a new assisted siding applied for by Messrs. Dhalbhum Stone Agency, which is under investigation.

(b) No. The loading can still be done from the space originally allotted to the firm before the war. The question of the throwing out of employment of 1,500 labourers does not, therefore, arise.

(c) Yes.

(d) When the railway siding was originally built it was the intention of the Bengal Nagpur Railway Administration to confine the alignment within the railway acquired land, but actually a small portion of it at its extreme end was unwittingly laid on the land belonging to one Mr. Hartley. The question of acquiring this additional piece of land was considered recently but as there was every probability that the infringing portion of the main siding would be dismantled as soon as the Military authorities gave up its use, the matter was kept pending.

(e) Yes. The land has been in the possession of the Railway for several years. However, as explained in (a) above, it is not proposed to close the siding for this reason.

(f) and (g). Government have no knowledge.

(h) Government are aware that there has been some agitation but as loading can still be done from the main siding utilized before the war, no special action seems necessary.

Babu Ram Narayan Singh: With reference to part (b), is the quarry unnecessary now?

The Honourable Sir Edward Benthall: I have no information. I take it that as they apparently wish to work it is presumably necessary.

INDIAN AND EUROPEAN RAILWAY COLLIERY MANAGERS

1474. ***Babu Ram Narayan Singh:** Will the Honourable Member for Industries and Supplies please state:

- the number of Indian and European Railway Colliery Managers;
- the number of extensions each has got;
- the number of years each has served;
- the number of the managers who got the posts by direct appointments; and
- the number of them who got these posts by promotions?

Mr. M. W. M. Yeatts: (a) Indian Colliery Managers—Nine; European—one; Anglo-Indian—one.

(b) No extension to any Indian or Anglo-Indian Manager; one European Manager has been given three extensions.

(c) The number of years each Manager has served in the capacity of Colliery Manager of State Railway Collieries is:

1 Manager 3 years 6 months.

1 Manager 1 year.

1 Manager 2 years 10 months.

1 Manager 1 year 4 months.

1 Manager 1 year 3 months.

1 Manager 1 year 3 months.

1 Manager 2 years 10 months.

1 Manager 7 months.

1 Manager 1 year 5 months.

1 Manager 1 year 6 months.

1 Manager 18 years 2 months.

(d) Two direct Indian appointments.

(e) Nine by promotion.

Sri M. Ananthasayanam Ayyangar: Does that mean that one manager had 18 extensions?

Mr. M. W. M. Yeatts: No, not extensions; that is the number of years he has served.

Prof. N. G. Ranga: Why has this European Manager been given only three extensions?

Mr. M. W. M. Yeatts: I do not understand the relevance of the word "only".

Prof. N. G. Ranga: Why has he been given three extensions?

Mr. M. W. M. Yeatts: For very good reasons. This Manager was at Giridih, one of the most dangerous pits in India which was the scene of probably the most dangerous of colliery explosions. It has worked for many years, the seams are very gassy and hydraulic sand-stowing is carried on there and expert supervision is necessary. Until a man was trained to succeed him he was therefore retained. A man has now been trained and he is now going.

Sri M. Ananthasayanam Ayyangar: As regards the other Managers are their terms expiring in the course of the year?

Mr. M. W. M. Yeatts: I shall require notice of that question.

Mr. Muhammad Nauman: Of the nine Indian Managers how many are Muslims?

Mr. M. W. M. Yeatts: I do not know.

PROPOSED TANJORE-PATTERKOTTA LINE ON S. I. RAILWAY

1475. ***Sri T. V. Satakopachari:** Will the Honourable the Railway Member please state:

(a) whether the proposed Tanjore-Patterkotta, South Indian Railway line is to pass through Vallam and Orathanad, and from Orathanad to Pathukottai without touching the villages of Papanad or Madukur;

(b) whether, in view of the fact that Papanad and Madukur are important places, commercially and in respect of population, Government propose to take the line through one of these places; and

(c) whether Government will consider the question of taking the line through Thimmaugalakothar, a model village, and Madukur, as the extra distance will only be seven more miles and the extra expense will be more than compensated by the advantage of tapping passenger and goods traffic from these places?

The Honourable Sir Edward Benthall: (a) Engineering and traffic surveys of a Metre Gauge railway line from Tanjore to Pattukkottai have been sanctioned to be carried out by the South Indian Railway. Until the results of the surveys which are now in hand are available, it is not possible to say what alignment will be finally decided upon.

(b) and (c). When deciding the final alignment Government will take into account important places in the area and other relevant considerations..

PASSAGE AND BANKING FACILITIES FOR INDIANS IN INDO-CHINA

1476. *Sri T. V. Satakopachari: Will the Foreign Secretary be pleased to state:

(a) (i) the number of Indians in Indo-China and (ii) the number of Tamils in Indo-China and Saigon;

(b) whether shipping facilities are afforded for their repatriation;

(c) how many have been so sent to India;

(d) how many still await being sent to India;

(e) whether the freezing of their moneys still continues; if so, when the restrictions for sending money to India will be relaxed;

(f) whether transport and passage facilities are given to Indians to go to Saigon and other places there; if not, when such facilities will be given; and

(g) the extent of damage to property suffered by Indians during the war, and the steps proposed by Government for awarding or getting compensation awarded to the persons so affected?

Mr. H. Weightman: (a) The number of Indians in Indo-China is about 2,000, and the large majority are from South India. It is believed that more than half the Indian community in Indo-China is concentrated in Saigon.

(b) The Government of India are in correspondence with Headquarters, S.A.C.S.E.A., for the provision of shipping for the repatriation of Indians in Indo-China and other territories in South East Asia.

(c) So far 51 Indians are definitely known to have been repatriated, 49 by sea and two by air.

(d) The precise number of persons wishing to return to India is not known but His Majesty's Consul-General at Saigon reported some weeks ago that 150 Indians were awaiting repatriation and he hoped to get passages for them shortly.

(e) Remittances between French Indo-China and India will be possible after the conclusion of a debt settlement agreement between India and France. This matter is under urgent consideration.

(f) A copy of a press note issued on the subject was laid on the table of the House on the 22nd February, 1946, in reply to part (d) of question No. 441.

(g) The Government are not aware of the precise extent of damage done to the property of Indians in Indo-China during the war, or subsequently during the Annamite disturbances. Claims arising out of all such damage are being registered with the French authorities by the owners of the damaged property.

Prof. N. G. Ranga: How long will it take for normal transport and passage facilities to be restored?

Mr. H. Weightman: I wish I could answer that, but I am afraid I cannot.

Prof. N. G. Ranga: Is the Honourable Member quite sure that the French Authorities have got a complete control over Indo-China?

Mr. H. Weightman: I am afraid I cannot say.

Prof. N. G. Ranga: Is it not a fact that because of the political situation which is so fluid they do not know whom to approach?

Mr. H. Weightman: No, Sir.

Mr. Manu Subedar: Will Government take steps to keep themselves informed of the claims for compensation which Indians may make not only in Indo-China, but Burma, Malaya, and Hong Kong, Japan and other countries? Have they got any idea of the claims made by Indians? Are they keeping accounts of the amounts of claims already made?

Mr. H. Weightman: I am afraid I cannot speak for Burma and Malaya, but so far as Indo-China is concerned, I have not received a detailed statement so far and in fact I do not think that all claims have yet been registered. It is only very recently that the French authorities again took over control of that part of Indo-China which lies North of the 16th parallel.

Mr. Manu Subedar: May I ask whether Government will consider two-fold action. One is the issue of a press note, as I suggested and which I am very glad the Honourable Member agreed to, asking Indian nationals if they have any claims of any kind where to go, how to register them, and where to seek for redress. Secondly, may I ask our Government to place themselves in constant communication and get a monthly report from these outside countries where Indians have lost considerable property, and keep themselves informed of the nature and extent and volume of such claims, and help these Indians as far as they can?

Mr. H. Weightman: Yes, Sir. We are determined to help them as far as we can. Speaking for my own Department, which is concerned with Indo-China, I think it is a very good idea to obtain a monthly report of the claims registered and the results obtained. I will try to do that, Sir.

Sri M. Ananthasayanam Ayyangar: Why not the Government consider the desirability of keeping Mr. Dalal, who has been sent for a short period to investigate into these claims, permanently or at any rate for a period of six months until all the claims are settled and assistance is given to the Indian nationals there?

Mr. H. Weightman: I do not think it would be justifiable so far as Indo-China is concerned.

Sri M. Ananthasayanam Ayyangar: Has the Honourable Member got any information regarding the quantum of compensation they are entitled to get, the sufferings they have undergone, the amounts frozen, etc.? Has the Honourable Member given his answer having due regard to all these circumstances?

Mr. H. Weightman: As I said in reply to the original question, there are only 2,000 Indians altogether in French Indo-China, and their interests are being very carefully watched by His Majesty's Consul-General at Saigon.

Shri Sri Prakasa: In view of the very uncertain conditions in Indo-China between the French and the Annamites, will not the British follow their traditional policy of the ages and go and establish themselves there "to maintain law and order"?

Mr. H. Weightman: I will communicate that suggestion to the proper quarter.

Mr. Manu Subedar: The Honourable Member spoke about the settlement of debt. May I know who is owing to whom? Does France owe to this country, or do we owe to France?

Mr. H. Weightman: I am afraid I cannot answer that question. I do not know.

POST-WAR PLANS re POSTS AND TELEGRAPH OFFICES IN RURAL AREAS.

1477. *Sri A. Karunakara Menon: Has the Secretary for Posts and A'r formulated any scheme to increase the number of Post and Telegraph Offices in the rural parts of the country as a part of Government's post-war plans? If so, will he be pleased to place the same on the table of the House? If not, will he consider the advisability of having such a scheme?

Sir Gurunath Bewoor: The attention of the Honourable Member is invited to pages 15 and 20 of the Post-war Plan of the Indian Posts and Telegraphs Department, a copy of which is available in the Library of the House. This plan indicates the general lines on which the development of postal and telegraph facilities in rural areas will take place.

Shri Sri Prakasa: How many new post offices does the Honourable Member expect to open in rural areas during the next year?

Sir Gurunath Bewoor: I have no definite information about the exact number. I was referring to the post-war plan which contemplates opening 9,000 new rural post offices in the next 15 years.

Prof. N. G. Ranga: Is it not a fact that Sir James Grigg had made a provision for five lakhs of rupees in addition to the usual expenditure, and gave an assurance to this House that this amount will be set apart for the development of postal facilities in rural areas?

Sir Gurunath Bewoor: I cannot remember straight away, but if the Honourable Member will put down a question, I will look into the matter.

Prof. N. G. Ranga: Is any provision made in the Budget for providing postal facilities in rural areas? What is the provision for next year?

Sir Gurunath Bewoor: Every year provision is made for the opening of new post-war offices in rural areas. I have not got the exact figure which has been provided for next year.

Sri M. Ananthasayanam Ayyangar: What are the recurring and non-recurring charges for the next year in connection with the establishment of 9,000 new post offices in rural areas?

Sir Gurunath Bewoor: The annual cost of maintaining them will approximately be 36 lakhs a year.

Sri M. Ananthasayanam Ayyangar: May I know the number of square miles which each such post office will serve?

Sir Gurunath Bewoor: I cannot give that figure. The general idea is that post offices will be opened in every village or in the vicinity of a village with a population of not less than 2,000 persons, but I cannot give straight away the area served in any particular place. The idea is to open post offices wherever possible and wherever required.

Prof. N. G. Ranga: Is it one of the aims of the Government to achieve this objective, and, if so, in how many years?

Sir Gurunath Bewoor: I would request the Honourable Member to read this plan. It gives all the information.

CONSIDERATIONS IN OPENING NEW TELEGRAPHS OFFICES

1478. ***Sri A. Karunakara Menon:** (a) In considering the question of opening a new Telegraph Office, is the policy of the Secretary for Posts and Air based on the profits that could be made or the utility that is likely to result therefrom to the public?

(b) Is it a fact that Government insist upon an agreement from the public of the locality concerned, to pay all *estimate* amount and a *guarantee* amount before the question of a new Telegraph Office is taken up into consideration? If so, why?

(c) Do Government propose to consider the advisability of opening a new Telegraph Office on its own merits and not on the capacity or the willingness of the public to pay the said two amounts?

Sir Gurunath Bewoor: (a) In considering the question of opening a new telegraph office, the policy of Government is not based on the profits that could be made, but it is based on the existence of a genuine and adequate public need for the service.

(b) When a demand for a new telegraph office is received the Department examines whether the office, if opened, is likely to cover the cost incurred in working it. Guarantee is asked only where the anticipated income is such as to result in considerable loss as compared with the annual recurring expenditure. The reason is that it is not considered justifiable to incur capital and recurring expenditure, unless there is a fair chance of the office earning enough revenue to cover the expenses.

(c) New telegraph offices are opened on their merits and the public of the locality is called upon to guarantee an amount equal to the total recurring expenses, including interest on capital expenditure and maintenance charges, only where the proposed office is expected to work at a considerable loss. No guarantee is asked for if the estimated amount of guarantee is less than Rs. 200 per annum. No payments are due from the guarantor if the revenue is equal to or exceeds the guaranteed amount, and any excess over the guaranteed amount earned by the office in a particular year is set off against the loss of the guaranteed period, which normally is ten years, but may be reduced to five years in special cases.

Prof. N. G. Ranga: Is there any telegraph office in a place not classified as towns?

Sir Gurunath Bewoor: There are some 3,800 telegraph offices in India. I think some of them at least are in places which are not classed as towns.

Mr. President: Order, order. Question hour is over.

(b) WRITTEN ANSWERS

OPENING OF TELEGRAPHS OFFICE AT PAZAJAUGADI IN MADRAS PRESIDENCY

1479. ***Sri A. Karunakara Menon:** (a) Will the Secretary for Posts and Air please state if it is a fact that the public of Pazajaugadi and its neighbourhood (North Malabar, Madras Presidency) consisting of about 50,000 persons applied to the Postmaster General, Madras to open a new Telegraph Office at Pazajaugadi and that the Postmaster General refused to consider the matter unless the petitioner agreed to pay the *estimate* and *guarantee* amounts?

(b) Will the Honourable Member consider the advisability of taking steps to review the position and decide the question on the basis of utility and grievance to the public?

Sir Gurunath Bewoor: (a) Yes.

(b) The Postmaster-General has been instructed to open a telegraph branch at the existing post office on an experimental basis. Its continuance without a guarantee will depend on the volume of telegraph business handled by the office.

POST WAR SCHEMES re OPENING OF NEW LINES UNDER STATE RAILWAYS

1480. ***Mr. Madandhari Singh:** Will the Honourable the Railway Member be pleased to state the post-war schemes which Government propose to take up in the year 1946-47 regarding opening of new lines under the State Railways?

The Honourable Sir Edward Benthall: Reference is invited to the notes for 1946/47 under demand No. 11—New Construction—pages 159 and 160 of the proceedings of the meeting of the Standing Finance Committee for Railways held on the 26th, 27th and 30th January, 1946 (Vol. XXII-No. 3), a copy of which has been placed in the Library of the House.

PROPOSAL re AIRWAYS COMMUNICATIONS BETWEEN ALL PROVINCIAL CAPITALS

1481. ***Mr. Madandhari Singh:** Will the Secretary for Posts and Air be pleased to state whether Government propose to connect all the Capitals of all the Provinces with airways communications? If so, will he please lay a statement of the new schemes for the year 1946-47 on the table of the House?

Sir Gurunath Bewoor: As regards the first part of the question, the Honourable Member is referred to the Government of India's memorandum on Postwar Development of Civil Air Transport in India, copy of which is available in the Library of the House. The plan provides for air services to all the capitals of Provinces except two, viz., Shikong where, it is understood, it is not possible to construct a suitable aerodrome and Patna, where a suitable

aerodrome will be provided in due course. As regards the second part, the programme of air services to be inaugurated in 1946-47 has not yet been finalised. I lay however on the table a statement of the commercial air services now in operation and those, which it is expected may be inaugurated during 1946-47.

Statement

I. Commercial Air Services in operation on 1st April.

1. Delhi—Cawnpore—Allahabad—Calcutta	...	...	...	Daily
2. Delhi—Jodhpur—Karachi	...	...	...	Daily
3. Delhi—Lahore—Peshawar	...	...	...	3 times a week.
4. Karachi—Ahmedabad—Bombay—Hyderabad—Madras—Colombo	...	...	...	Daily
5. Bombay—Ahmedabad—Delhi	...	...	...	Daily
6. Bombay—Nagpur—Calcutta	...	...	...	Twice a week.
7. Lucknow—Rampur—Delhi	...	...	...	Daily

II. Air Services expected to be inaugurated during 1946-47.—

1. Delhi—Nagpur—Hyderabad—Madras.
2. Bombay—Jamnagar—Bhuj.
3. Hyderabad—Bangalore.

PROMOTION TO SELECTION POSTS ON N. W. RAILWAY

1482. *Seth Sukhdev: Will the Honourable the Railway Member be pleased to state:

(a) whether he is aware that much discontent prevails amongst the Railwaymen on the North Western Railway in regard to methods and actual selections for promotion to selection posts;

(b) if he is aware of the contents of the General Manager's circular letter No. 522-E/O/E.II, dated Lahore, the 11th July, 1945, to all Divisional Superintendents admitting the prevalence of irregularities in procedure, etc., and discontent amongst staff;

(c) if it is proposed to introduce written examinations for selection posts; if so, what other steps will be taken to preserve papers for scrutiny at any time; and

(d) if the reply to (c) above be in the negative, what steps Government propose to take to create confidence amongst the employees, if none, why?

The Honourable Sir Edward Benthall: (a) Government are informed that a fairly large number of representations had been received from the staff alleging that selections, promotions, etc., had not been made strictly in accordance with the procedure prescribed in this respect. Government do not consider that this is an indication of general discontent as in some cases the representations may have been due to ignorance on the part of the staff, or lack of appreciation, of the prescribed procedure.

(b) I have seen the circular referred to, but am not inclined to agree with the Honourable Member that it contains an admission of the prevalence of irregularities in the procedure laid down with regard to selections and promotions. The intention underlying its issue was to emphasise the need for strict observance of the orders issued by the railway administration in order to avoid any ground for criticism.

(c) Government do not consider that it would be advisable or practicable to introduce written examinations in regard to all selection posts. The recorded proceedings of selection committees are available to the railway administration.

(d) Railway administrations may be expected to take suitable action when cases of disregard or incorrect application of the rules come to their notice. Government are also alive to the necessity of amending the rules from time to time with a view to removing any defects in them.

TRAVELLING ALLOWANCE FOR CERTAIN INFERIOR STAFF ON N. W. RAILWAY

1483. *Seth Sukhdev: Will the Honourable the Railway Member be pleased to state:

(a) whether an increase in the rates of travelling allowances of Railway staff has been made on the North Western Railway; if so, the extent of such an increase and for what classes;

(b) whether it is a fact that the inferior staff employed in the Block and Interlocking Branch on the North Western Railway are not given any travelling allowance; if so why;

(c) what relief has been allowed to the staff referred to in (b) above to meet the extra cost during touring periods;

(d) the maximum mileage that the staff referred to in (b) are required to travel during the course of their duties at a time, and the maximum length of the Section or Sections on which they travel; and

(e) whether the fact that the employee being far away for long intervals to places situated at a considerable distance from headquarters is taken into consideration in permitting travelling allowance; if not, why not?

The Honourable Sir Edward Benthall: (a) The Honourable Member is referred to my reply to part (a) of his question No. 1001, asked on 14th March, 1946. The increase applies to all classes of non-gazetted staff eligible for travelling allowance.

(b) My reply to part (b) of question No. 844, asked on 12th March, 1946, applies also to Inferior Staff of the Block and Signal and Interlocking Branches except that certain categories of staff, such as general coolies and cleaners, the maximum of whose scale of pay does not exceed Rs. 21 p.m., are being given, with effect from 9th August, 1944, a consolidated travelling allowance of Rs. 2 or 3 per mensem when their absence from headquarters exceeds a minimum of 5 or 10 nights respectively in any month.

(c) As regards staff other than those already in receipt of the consolidated travelling allowance referred to in part (b) above, the Honourable Member is referred to my reply to part (e) of his question referred to in the preceding part.

(d) The maximum mileage that the staff in question are required to travel during the course of their duties depends on the length of the beats of the Signal and Interlocking Inspectors under whom they are employed, which is fixed to suit the requirements of the work. The beats of these Inspectors together with the mileage thereof are shown in the statement laid on the table.

(e) Yes, but pay is sometimes consolidated to include an element of travelling allowance.

DELHI DIVISION

LEGISLATIVE ASSEMBLY

[2ND APL. 1946]

Signal and Interlocking Inspector	Beat	Mileage	Block Inspector	Beat	Mileage
No. 1. Delhi	Delhi—Ghaziabad	13	No. 1. Delhi	Delhi—Saharanpur	113
	Delhi—Hazarat Nizam-ud-din	6		Delhi—Subzimandi	2
	Delhi—Shakurbasti	7		Delhi—Hazarat Nizam-ud-din	6
	Delhi—Subzimandi—Balaspur	59		Delhi—Shakurbasti	7
No. 2. Saharanpur	Saharanpur—Guldhara	94			
	Saharanpur—Khanalampura Goods Yard and Handan Cabin	4	No. 2. Delhi	Shakurbasti—Bhatinda Dhuri	237
				Subzimandi—Ambala Cantt.	121
No. 3. Ambala	Ambala—Pilkhani	46	No. 3. Ambala	Ambala—Kalka—Simla	100
	Ambala—Simla	100		Saharanpur—Ambala—Ludhiana	121
No. 4. Rajpura	Ambala City—Dhandari Kelan	61			
	Rajpura—Phus Mandi	103			
No. 5. Bhatinda	Bhatinda—Jind City	109			

STARRED QUESTIONS AND ANSWERS

FEROZEPUR DIVISION

No. 1. Ferozepur Cantt.	Ferozepur City—Bhatinda	57	No. 1. Ferozepur Cantt.	Raewind—Ferozepur Cantt.—Bhatinda	88
	Ferozepur—Cantt.—Badowali	70		Ferozepur Cantt.—Ludhiana	7
	Gill—Lehra Gage	65		Ferozepur Cantt.—Jullundur City	73
No. 2. Ferozepur Cantt.	Hossainiwala—Rajajang	26		Kasur—Bhagtanwala	53
	Kasur—Bhagtanwala	53		Bhatinda—Christian	133
	Kasur—Jamraniwala	205		Ferozepur City—Macleodganj Road	78
No. 3. Bahawal Nagar	Katul—Imara—Bahman Diwana	210		Ludhiana—Sunam	57
	Macleodganj Road—Khaj Phemeeki	73			

QUETTA DIVISION

Assistant Signal and Interlocking Inspector, Quetta	Jhatpat—Quetta	177	Assistant Block Inspector, Quetta	Quetta—Jacobabad	185
	Quetta to Shelabagh	69		Spezand Junction—Ahmadwal	96
	Bostan to Khanai	10		Quetta—Chaman	87
				Quetta—Fort Sandeman	205

KARACHI DIVISION

Signal and Interlocking Inspector	Beat	Mileage	Block Inspector	Beat	Mileage
No. 1. KYC.	Kiamari—Nawaz Dhuri . Malir—Malir Cantt. .	180 13	No. 1. KYC.	Kiamari—Padidan . Kotri—Dadu .	223 113
No. 2. ROH.	Khanpur—Nawab Shah .	246	No. 2. SUK.	Padidan—Khanpur . Rohri—Jacobabad .	209 55
No. 3. Sukkur	Sukkur—Jacobabad . Ruk—Petaro .	52 198		Ruk—Dadu .	98

LAHORE DIVISION

No. 1. LHR.	Lahore—Deona Juliani . Wazirabad—Sialkot . Shahdara—Jassar . Sialkot—Jassar .	77 27 55 44	No. 1. LHR.	Moghalpura—Lahore—Lalamusa . Wazirabad—Sialkot—Jassar .	86 71
No. 2. LHR.	Moghalpura—Amritsar . Lahore Cantt.—Yusufwala .	30 94	No. 2. ASR.	Moghalpura—Ludhiana—Lahore Cantt. . Montgomery .	114 100
No. 3. LHR.	Mananwala—Ludhiana .	78	Amritsar—Pattoki .		67

MULTAN DIVISION

No. 1. MUL.	Montgomery—Khanewal—Shujabad . Khanewal—Mudduki .	129 66	No. 1. MUL.	Montgomery—Mukhan—Lodhran—Khanpur . Khanewal—Lodhran .	224 57
No. 2. MUL.	Multan—Lodhran . Multan—Jetha Bhutta .	88 142		Khanewal—Lyallpur—Sangla Hill .	133
No. 3. LYP.	Chutiana—Lyallpur—Gajargola . Sangla Hill—Shahdara . Qilla Sheikhupura—Shorkot Road .	128 57 137		Sangla Hill—Shahdara . Shorkot Road—Qilla Sheikhupura . Sangla Hill—Wazirabad .	57 137 63

RAWALPINDI DIVISION

No. 1. RWP.	Peshawar Cantt.—Chungriala . Cambellpur—Tilkan .	38 51		Lendi Khana—Rawalpindi Lalamusa . Golra—Kutbal—Basal—Kohat Cantt. .	242 101
No. 2. LLM.	Gujar Khan—Lalamusa . Lalamusa—Jaswant Nagar .	64 92		Basal—Jhalar . Jand—Daudkhal . Daudkhal—Laki Marwat—Tonk . Bura Road . Daudkhal—Kundian—Khushab . Taxila—Haripur Hazara . Lalamusa—Maleskwal—Rivaz East Bank .	9 45 104 94 84 20 148

RATES OF SUPPLY OF ELECTRICITY IN DELHI AND NEW DELHI

1484. *Pundit Thakur Das Bhargava: Will the Honourable Member for Industries and Supplies kindly state:

- (a) the rates of supply of electricity in Delhi and New Delhi compared with those in Calcutta and Bombay;
- (b) the reasons why the rates in Delhi and New Delhi cannot be brought into line with those in Calcutta or Bombay; and
- (c) whether any lowering of rates can be expected in Delhi in the near future?

Mr. M. W. M. Yeatts: The questions will be answered by the Honourable the Labour Member on the appropriate day.

CONSTITUTION OF, AND REPRESENTATION OF DELHI MUNICIPAL COMMITTEE ON DELHI CENTRAL ELECTRIC POWER AUTHORITY CO. LTD.

†1485. *Pundit Thakur Das Bhargava: Will the Honourable Member for Industries and Supplies kindly state:

- (a) the constitution of the Delhi Central Electric Power Authority Company Limited;
- (b) if it is a fact that all the members of the Board are Europeans with the exception of one Indian;
- (c) if it is a fact that the Delhi Municipality is represented on the Board;
- (d) if it is a fact that the Delhi Municipality insist on having two representatives instead of one;
- (e) if Government propose to take over the Delhi Electric and Traction Company Limited and if the said Company had a representative on the Board of the Delhi Central Electric Power Authority Company Limited; and
- (f) what objections, if any Government have got to give more representation to the Delhi Municipality by giving it the representation enjoyed by the Delhi Electric and Traction Company Limited, when it is taken over in addition to the representation already given to it?

DETENTION OF WAGONS ON E. I. RAILWAY

1486. *Hajee Chowdhury Mohammad Ismail Khan: (a) Will the Honourable Member for War Transport be pleased to state if it is a fact that for the past three months there has been a very serious traffic congestion on the East Indian Railway resulting in heavy detention of wagons in that Railway?

(b) Is it a fact that, although a very large number of wagons are detained daily in that Railway, coal and goods loading in that Railway have not improved?

(c) Is it a fact that, owing to heavy accumulation of wagons on the East Indian Railway, it has reduced loading in other Railways and that there is a very serious drop in earnings?

(d) Do Government propose to consider the advisability of appointing a committee of enquiry to look into the serious position on the East Indian Railway and take suitable steps against the officers concerned?

The Honourable Sir Edward Benthall: (a) There was serious congestion. This was initially due to an unprecedented spread of epidemic dropsy among the Power running staff on the Dinaapore Division. During January and February there was also power trouble in the Upper Divisions, owing to deterioration of locomotives resulting from intensive use during the War. This position is however, now improving with the advent of new engines.

(b) No. On the contrary, the figures of the daily average goods and coal loading show a progressive improvement. Further improvement is however called for to meet the heavy demand for wagons.

(c) It is possible that the accumulation of wagons on the E. I. Railway may have affected loading on other railways to some extent. Statistics however show that there was no appreciable drop in goods earnings either on the E. I. Railway or on Government Railways as a whole.

(d) Steps have been taken to improve loading and turn round and the situation is not such as to call for a special committee of inquiry.

SENIORITY OF RAILWAY STAFF TRANSFERRED TO RAILWAY BOARD'S OFFICE

1487. *Pandit Sri Krishna Dutt Paliwal: (a) Will the Honourable the Railway Member please state if it is a fact that according to the Manual of Railway Board's Office Procedure the relative seniority of staff transferred from Railways vis-a-vis those employed in the Railway Board's office is based on pay the employee would have got if the principles of Fundamental Rule 22 were strictly applied?

(b) Are the instructions referred to in (a) above being observed by the Railway Board in fixing the relative seniority of temporary Assistants? If not, why not?

(c) Is it a fact that the Home Department in their Memo. of July, 1945, laid down certain principles for regulating the seniority of temporary Assistants employed in the various Departments of the Government of India?

(d) Is it a fact that according to the Memo. referred to in (c) above all unqualified Assistants transferred to the Board's office from Railways are to rank below all qualified Assistants who have been classified as such by the Board?

(e) If the reply to (d) above be in the affirmative, are these principles being followed in the Board's office in fixing the seniority of temporary Assistants? If not, why not?

(f) If the reply to (d) above be in the negative, were the junior clerks transferred from Railways and promoted to the grade of Assistants brought on a permanent basis or recruited against permanent vacancies?

The Honourable Sir Edward Benthall: (a) Yes.

(b) No, the rule quoted refers only to the fixation of seniority at the time of confirmation.

(c) The memorandum of July 1945, issued by the Home Department, contained tentative suggestions for the regulation of seniority of ministerial staff.

(d) According to the memorandum, all unqualified Assistants transferred to a Government of India office are to rank below qualified Assistants but in the case of the Railway Board's office, staff transferred to that office from Railways are "qualified" staff according to the definition.

(e) As the orders have not yet issued, no occasion has arisen to consider their application to staff in the Railway Board's office.

(f) Does not arise.

SENIORITY OF RAILWAY STAFF TRANSFERRED TO RAILWAY BOARD'S OFFICE

1488. *Pandit Sri Krishna Dutt Paliwal: (a) Will the Honourable the Railway Member please state whether in the absence of permanent vacancies in the Railway Board's office the question of the eligibility of junior clerks transferred from different Railways for permanent employment in the Railway Board's office was considered at the time of their transfer with or without the consultation of the Home Department?

(b) Is it a fact that the Railway Board Ministerial Staff Association at their Annual General Meeting held in January, 1946, passed a resolution that the

†For answer to this question, see answer to question No. 1484.

Secretary, Railway Board, be requested to review the procedure recently introduced for determining the seniority of officiating noting Assistants on the basis of continuous officiating service?

(c) If the reply to (b) above be in the affirmative, what action has been taken on that resolution?

(d) Is it a fact that in war days promotions to the grade of Assistants were made not on the basis of seniority? Are Government aware that such of those who happened to be working in the Branches in which the vacancies occurred, were promoted to the detriment of senior men?

(e) If the reply to (d) above be in the affirmative, are Government aware that the procedure for fixing the relative seniority of officiating Assistants on the basis of continuous officiating service would be detrimental to the interests of the staff?

(f) Are Government aware that the procedure for determining the relative seniority of officiating Assistants on the basis of continuous service is in contravention of the spirit of the Home Department's orders of the 1st April, 1943?

The Honourable Sir Edward Benthall: (a) Recruitment rules, which have been framed in consultation with the Home Department, provide that the posts of clerks may be filled by transfer of staff from railways.

(b) Yes.

(c) The representation is being considered.

(d) and (f). The Home Department's orders referred to, do not lay down the manner in which seniority is to be determined. Due to the abnormal and sudden increase in the staff during the war, promotion during the war became very rapid and many clerks who in normal circumstances would have remained clerks got a chance of promotion to the Assistant's grade. In view of the poor quality of the staff, the principle of selection had to be rigorously applied. Also in many cases, promotions were made within branches in the interests of the administration.

(e) Whatever procedure is adopted some staff will be adversely affected.

ALLOTMENT OF CLOTH TO MUSLIM AND NON-MUSLIM CLOTH TRADERS BY DELHI CIVIL SUPPLY DIRECTORATE

1489. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Industries and Supplies be pleased to state if it is a fact that cloth cut pieces or fents from different mills in India were also to be placed at the disposal of the Governments for distribution in this country as "un-Rationed cloth"?

(b) What is the total quantity in yards of cloth cut pieces and fents placed at the disposal of the Delhi Civil Supply Directorate for distribution in their area during June, 1945, to February 1946, and what quantity in yards was allotted to Muslim and Non-Muslim cloth traders for distribution during this period?

(c) What quantity of cloth cut pieces and fents was sold directly or indirectly by local mills situated in the Delhi Province out of their over production during June, 1945, to February, 1946?

(d) Were these cut pieces and fents examined by the "Civil Supply" officers of Delhi before the Local Mills situated in the Delhi Province were permitted to sell them directly or indirectly either through their own depots or through agents during June, 1945, to February, 1946? If not, the reasons therefor?

Mr. M. W. M. Yeatts: (a) Fents are supplied to Provinces as part of their quotas under the All-India Cloth Distribution Scheme. It is for the Provincial Government or Administration to decide as to whether to distribute them as rationed or unrationed cloth. In Delhi fents have been distributed as unrationed cloth.

(b) 1,438 bales of fents and cut pieces were received by the Delhi Administration during the period from June 1945 to February 1946. 330 bales were allotted to Muslim cloth dealers and 982 to non-Muslim dealers. A bale averages 1,500 yards.

(c) The mills in Delhi sold 409 bales of fents or cut pieces between June 1945 and the 18th of October, 1945. Sale of fents from these mills depots was stopped after the 18th of October 1945.

(d) The cut pieces and fents sold by the local mills through their depots were not subjected to any special examination by Delhi Civil Supplies officials before they were permitted to sell them; but the mill depots were under the general supervision of the Inspectorate staff. There was no need to pass any order that cut pieces and fents should be examined before their sale was begun.

ALLOTMENT OF CLOTH TO MUSLIM AND NON-MUSLIM CLOTH TRADERS BY DELHI CIVIL SUPPLY DIRECTORATE.

1490. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Industries and Supplies be pleased to refer to reply to my starred question No. 1110 of 20th March 1946 and to place in the Library of the House a list of the names of the 964 cloth dealers in Delhi together with their licence numbers and also the quantity of cloth in yards allotted to each of them during June 1945, to February 1946?

(b) Are Government aware that 'Cloth and General Merchants' Association, Jamamasjid, Delhi, gave a complete list of requirements of their members holding licences to the Civil Supply Department, Delhi, directly and through their representative Committee appointed for the purpose but not even one tenth of the quantities required was given to Muslims?

Mr. M. W. M. Yeatts: (a) I lay on the table a list showing the names of the 964 cloth dealers and their licence numbers. Each of these dealers was allotted one bale during the period from December 1945 to February 1946. The information relating to the period from June to November 1945 cannot be collected within the time available.

(b) Cloth is not released to dealers on the basis of any lists of requirements they may choose to draw up. The Cloth and General Merchants Association, Jama Masjid, asked on the 15th of August, 1945, for cloth for 106 members, and 106 bales were allotted.

Statement showing the names of 964 "C" Class dealers with licence number who have been allotted one bale per quarter. (Licence numbers are indicated within brackets against each name).

Suraj Bhan Bhola Nath (1). Mahabir Cotton Spg. Wg. Mills (4). Partab Singh Narain Singh (9). Chander Bhan Tara Chand (13). Calcutta Prince Hat Mfg. (14). Shree Gandhi Ashram Khadar Bhandar (15). Behari Lal Balkishan Das (17). Kishori Lal Suraj Bhan (23). B. K. Brothers (24). Mathu Ram Laxmi Narain (26). Naurang Rai Swesh Chand (27). Hukamchand Gupta (28). Faqir Chand Vimal Parashad (31). Bhiki Mal Ajit Parashad (32). Beni Parashad Kapoor (34). Hem Chand Sardari Mal (35). Bengal House (36). Chand Brothers (39). Kewal Ram Chella Ram (40). Girwar Lal Baij Nath (41). Bhagirat Mal Ram Chand (42). Ram Chander Krishan Chand (44). Ram Narain Tilok Chand (45). Bhagirat Mal & Sons (50). Ram Kishan Gupta (51). Ram Chand Sagar Chand (53). Labh Singh & Sons (54). Panchu Ram Munshi Lal (55). Jagan Nath Om Parashad (56). Mewa Ram Kalu Ram (58). Dewan Chand Rama Nand (59). Lalla Ram Mangat Ram (60). Mam Chand Om Parkash (61). Layak Ram Khachero Mal (62). Khachero Mal Nanak Chand (63). Punjabi Cloth House (66). Dewan Chand Ishwar Lal (70). Jumna Dass (71). Chander Parkash Sham Behari Lal (73). Chiranji Lal Manohar Lal (75). Lakhmi Chand Om Parkash (76). Sri Ram & Sons (78). Ram Singh Saini (80). Sultan Singh Jaswant Singh (81). S. Mushtaq & Co. (424). Baldev Sahhai Niadar Mal (427). Sohan Lal Kapoor (428). Devi Chand (430). Pandit Brothers (432). Uttam (435). S. C. Sharma (436). Roy Brothers (437). Handicrafts (438). Guptajee (439). Associated Clothes (441). Loke Nath & Co. (443). Jaki Mal & Sons (444). Madho Ram & Sons (445). B. Lila Ram & sons (446). Glamour (447). Chatur Sain Chandu Lal (448). Bharat Kala Bhandar (453). Kishan Chand Manohar Lal (450). S. S. Gupta & Co. (451). Tara Chand Nat Ram (453). Dhan Singh Mal Chandar Mal (455). Nand Kishore Prem Kishore (456). Jainti Parashad Anand Parashad (457). Ram Kishan Das (86). Har Sahai Mal Radhey Sham (88). Mehender Partab Gupta (89). Jhunumal Om Parkash (93). Ram Parashad Sham Lal (94). Ganga Ram Ranjit Singh (95). Novelty Saree Store (96). Abdul Majid (97). Ahuja Swedeshi Stores (100). All India Store (404). Satya Dev Shundershan Lal (405). Ghansham Das Jugal Kishore (415). Ram Sahai Mal Har Dial (416). Badri Dass Sham Shunder (418). Chajju Mal Rangi Lal (419). Raj Narain Danesh Kumar (420). Bishamber Nath Nathu Mal (421). Sohan Lal Om Parkash (422). Murli Dhar Attar Singh (476).

Chattar Sen Tirlok Chand (481). Badri Pershad Kanhya Lal (482). Badri Pershad Gupta (483). Duli Chand Sri Chand (484). Sobhag Chang Shanti Kanwar (487). Sham Lal Bhagwat Pershad (488). Harnam Dass Ramji Dass (489). Rameshwar Dass Chanchi Lal (490). Hari Singh Gupta (491). Delhi Cloth House (492). Bhim Singh Chander Bhan (495). Shankarlal Niader Chand (496). Bhagwan Dass Chuman Lal (464). Faqir Chand Sri Ram (465). Naraina Dayal Bagh Store (470). Gurdial Singh (471). Zahur Hassan (785). Fakhruddin (786). Daud Beg (788). Gulzar Khan (790). Abdul Rahim Alias Abdul Aziz (791). Sultan Beg & Sons (792). Abdul Hadi (794). Zahur Alam (795). Hafiz Ahmad Ali (797). Habibu Rehman Abdul Rashid (799). Hukam Chand Sant Lal (800). Chandgi Ram Jain (803). Pokhu Mal Jain (804). Ahmad Khan (811). Ram Gopal Ghosi Ram (817). H. M. Umar (818). Om Parkash Gupta (819). Qabul Chand Om Parkash (821). Sanwal Das Joti Parshad (822). Amar Singh Faqir Chand (823). Chandgi Ram Jya Ram (825). Ram Saran Dass Hardwar Mal (827). Abdul Wahab (828). Rameshwar Dass Hari Ram (834). Sh. Nur Mohd. (874). Akbar Ali (877). Mukhtar Ahmad (878). Shujauddin Brothers (879). Kundan Lal Manak Chand (498). Kailash Chand Jain (701). Dhani Ram Chander Bhan (702). Behre Mal Birbal Pershad (703). Sunder Lal Aggarwal (704). Mithan Lal Nem Chand (705). Ferozilal Rup Kishore (707). Kanhya Lal Dharam Chand (709). Moti Lal Panna Lal (708). Gauhar & Co. (746). S. Hussain Akhtar (747). S. Ali Hussain Syed Hussain (748). S. Mohd. Hussain Sibte Hussain (749). Kirpa Ram Shankar Dass (750). Shugan Rai & Sons (752). Arya Swdeshi Store (755). Mata Din Net Ram (757). Tara Chand Jagdish Rai (758). Chatur Bhuj (761). Chajjan Mal Gupta (763). Chada Lal Dev Saran (765). Banarsi Das Gupta (766). Bhajan Lal Manohar Lal (768). Kashmere Lal Sumat Singh (769). Mohd. Isaq (771). Mohd. Wasil (772). Riazuddin (773). Mohd. Nazir (775). Mohd. Yamin (776). Nawab Ali (777). M. Younas (778). Mumtazali (779). Mubarikali (780). Zahur Ahmed (781). Rahim Bux (784). Qudusi Bros. (940). Peer Ilahi (880). M. Suabhin (882). Ram Bux Manga Lal (888). M. R. Son Store (891). Punjabi Cloth Mills Ltd. (892). Gauri Shankar Khanna (894). Sita Ram Bazaz (895). Joti Parshad Dhom Sen (896). Ram Lal Ganawala (897). Kishan Lal Pat Ram (898). Ram Kanwar Jwala Parshad (899). R. J. Wood & Co. (900). Faqir Chand Hari Ram (903). Kishan Lal Radhey Sham (904). Devi Sahai Pana Lal (905). Pearey Lall & Sons (906). Kallu Mal Hukam Chand (907). Shambhu Dayal Rattan Lal (908). Haji Sultan Ahmad (965). H. Abdul Baqi (964). Asghar Ali (967). S. Azizul Rehman (968). Puri Cloth House (969). Sham Sunder Sri Ram (972). Chiman Lal Jagan Nath (973). Benarsi Das Nathu Mal (974). Ram Sarup Chiranjil Lal (975). Bengali Chand (976). Om Parkash (977). R. S. Bali Rama & Sons (978). Radhey Lall Gopi Nath (979). K. B. Baduruddin (967). Delhi Towels & Board Stores (909). Om Parkash Laxmi Chand (910). Bhero Pershad (912). Chunnilal Anand Pershad (913). Lajja Ram Sunder Lal (914). Kishan Lal Sham Sunder (919). Indian Stores (920). Bannu Mal Jagral Mal (922). Shahabuddin (926). Zahuruddin (927). Mohd. Rafi (929). Rafiq Beg (930). Karimullah (931). Salim Beg (932). Sharif Beg (933). Abdul Haq Abdul Rahman (935). H. M. Usman (936). Master Abdul Haq & Sons (937). Jumna Lal Manohar Lal (990). Deep Chand Bholu Ram (993). Nain. Sukh Dass Ram Swaroup (994). Nathu Mal Ram Gopal (995). Mool Chand Har Sahai (997). Haji Niaz Ahmed (998). Mange Lal Suraj Mal (1000). Vaish Bros. (1002). B. Goel & Co. (1003). Kapadia & Co. (1004). V. Raj & Co. (1007). Sri Ram Radhey Sham (1008). Nanwa (1011). Chiranjil Lal Gulab Chand (1013). Padam Narain Khanna (1014). Mohd. Rafi (941). Hajee Masita (942). Kalu (943). Khalil Ahmed (954). M. Ayub (948). Haji Salimuddin (950). M. Usman Beg M. Ismail Beg (951). Mohd. Ahmed (952). Istiaq Ahmed (953). Ashfaq Ali M. Viqar (954). S. Rafi Ahmed (955). Ram Chander (956). M. Mursaleem (957). Gulam Mohd. (959). Muzoor Hussain (961). Wazir Mohd. (962). Kishore Lal Khosla (832). Hari Ram Ganga Bishan (835). Ram Swaroup Das Om Parkash (937). Gopi Ram Sham Kumar (839). Prem Raj Gupta (840). Hazarilal Suraj Bhan (841). Hanuman Pershad Mali Ram (845). Dina Nath (846). Zainulabdin (847). Master Mobin & Sons (849). Masud Hussain Arif Hussain (854). Hafizuddin (855). Mohd. Hanif (859). Abdul Hakim (860). Sarfraz Ali (862). B. Noor Mohd. (863). S. M. Ahmed (864). Mohd. Mobin (865). Mukha Ram Chotey Lal (982). Ram Chand Shakuntal Kumar (983). Ram Parshad Kishori Lal (984). Sukh Lal Jagan Nath (986). Hari Ram & Sons (987). Bhatia Mal Khairati Lal (988). Alla Din (989). Maya Ram Benarsi Dass (710). Bhartia Vastra Bhandar (711). Prem Raj (712). Din Dayal Kushlal Parshad (713). Shiv Dayal Mal Jain (716). Harbhan Singh Ajit Singh (717). Sita Ram Gaja Nand (718). Mohan Brothers (720). Ruar Mal Mohan Lal (721). Gajan Mal Munna Lal (722). Kuria Mal Kishori Lal (723). Devi Ram Jai Bhagwan (726). S. M. Hussain (728). Kidari Lal Raj Bahadur (733). Pearey Lall Kanwar Sain (734). Phool Chand Mithan Lal (735). Pearey Lal Jagan Nath (736). Oriental Rimal Factory (737). Madan Lal Deputy Mal (739). Nihal Chand Prabhu Dayal (742). Sayed Id Ali (743). Bashir Alam (1019). Kalu Mal Sat Narain (1020). Chuttan (M) 1022). Bashiruddin (1023). Hardwari Mal Prabhu Dayal (1024). Lekh Raj (1025). Ami Chand Hira Lal (1028). Radhay Sham (1031). Bulaqi Das Nawal Kishore (1032). Pana Lal Ram Narain (1033). Munna Lal Sarin (1035). Nandu Mal Gupta (1036). Charan Das Kuldip Kumar (1042). Chotey Lal Prag Narain (1043). Parakh Dass Jagdish Chand (1044). Jagdish Singh Puri (1045). Sarup Chand Hukam Chand (1047). Gaur Shankar Goenka (1049). Parmanand Om Parkash (1051). Rughu Mal & Co. (1052). Purshatam Lal Sunder Lal (1053). Babu Ram & Sons (1059). Durga Mall Kishan Lal (1060). Om Parkash Mangal Sain (1789). Parbhu Dayal Hardwari Lal (1790). Mohan Lal (1791). Behari Lal Ram Kanwar (1793). Sant Lal Kali Ram (1794). Puraan Sood & Bros (Delhi Cloth House) (1796). Kalyan Das Bhagwan Das (1800). Sharn Brothers (2001). Ram Sarup & Co. (2006). Nagpur Cloth Store (2007). Abdul Hamid

(2008). Anant Ram Man Mall (2009). Bhagwan Das Brothers (1061). Munshi Lal Manohar Lal (1063). Dwarkadass Dayaram (1064). Mukand Lal Ramchand (1067). Jiwan Lal Ram Nath (1068). Chhotey Lal Sat Narain (1070). Ram Bharose Lal Gupta (1072). Shiv Rattan Prem Parkash (1073). Ramjiwan Faqirchand (1075). Baij Nath Ram Gopal (1076). Gopinath Chiranjil Lal (1077). Ram Kishen Ram Kumar (1079). Ganga Ram Chandu Lal (1080). Feroze Lal Jhambhoo Pershad (1081). Raghubar Dayal Her Narain (1083). Murari Lal Lalchand (1082). Sufi Cloth House (1084). Krishan Kumar Bedi (1088). Umarsingh Babu Lal Jain (1089). Abdul Wadood Shansul Arfin (1094). Shri Kishen (1096). Sadhu Singh (1098). Babu Ram Dhanpal Jain (1399). Balwant Rai Shri Pal Jain (1400). Burma Nand Jagdish Pershad (1503). Harnarain Dayal Kishen (1505). M. Ashfaq (1506). Ayasingh Jagatsingh (1513). Vaid Parkash Kuli Kumar (1518). Kirorimal Baburam (1520). Saligram Radhey Kunwar (1521). Eastern Cloth House (1523). Ch. Ghulam Mohammad (1504). Abdul Wahid (1015). Ram Pershad (1016). Changa Mal Mangi Lal (1018). Jagat Singh (1353). Dipti Mal Jain (1720). Kanhya Lal Gulzari Lal (1348). S. Charan Singh (1352). Laxmi Das & Sons (1354). Panna Lal (1262). Sri Ram Chandu Lal (2709). Ram Kishan Bal Kishan (1756). Ferozi Lal Rup Kishore (407). Jiwan Lal (1726). H. Hanif Mohd. Yussuf (1799). India Mill Cloth Store (1748). Mohd. Isaq (812). Durga Pershad Bagaria (1383). Hanuman Pershad Ramji Dass (489). Amin Ullah Ahmed Din (915). Shiv Ganesh Cloth House (1635). Gopi Nath Nawal Kishore (1622). Sher Singh Durga Pershad (2485). Mohd. Yaqub (2486). Rifakat Ali (2489). S. Mohd. Hussain Sibte Hussain (2500). Chandan Mal Laxmi Narain (2756). Ramji Dass Laxmi Narain (2758). Jai Dial Shonehi Ram (2759). Goja Nand Parahlad Rai (2760). Murli Dhar Dungar Mal (2761). Ram Chander Inder Chand (2765). Daya Ram Garcha (2767). Jawahar Lal Shiv Chander (1137). Beni Pershad Hoshier Singh (1141). Bhem Sen Ramkishan Das (1142). Hari Kishan (1144). Sitab Singh Rajender Parshad (1148). Manohar Lal Brij Lal (1149). Hajee Mohd. Siddique (1153). The Delhi Khadar Agency (1158). Baij Nath Balkishan Das (1159). Ram Parshad Khanna (1160). Bhagwati Swdeshi Store (1161). Hira Lal Mehra (1163). Kailash Chand Tilok Chand (1164). Swdeshi Store (1165). N. M. Lohia & Co. (1166). Bajrang Lal Gopi Chand (1167). Shiv Charan Dass (1169). Madras Cloth Store (1171). A. M. Yaseen (1174). Mool Chand Om Parshad (1176). Ramo Lal Hari Kishen (1271). Nandu Mal (1174). Dhan Dayal (1272). Moti Ram Gauri Shanker (1275). Bhagwan Dass Chhotey Lal (1276). Rattan Lal Ram Autar (1277). Sri Krishan Krishan Kumar (1280). Mam Chand Jagmender Dass (1281). Preetam Lal Attar Chand (1282). Radhey Lal Ramesh Chand (1283). Ram Richpal Ram Avtar (1284). Delhi Dayal Bagh Stores Ltd. (1286). Harcharan Dass Sharma (1287). Tula Ram Chander Bhan (1290). Basdeo Pershad Gupta (1291). Kanhiya Lal (1297). Badri Prashad (1292). Kirori Mal Om Parkash (1294). Ramji Lal Kirori Mal (1297). Birbal Dass Hardwari Lal (1303). Nath Mal Moji Ram (1304). Hukam Chand Raj Kumar (1305). Ahokhay Lall Sham Lall Jain (1306). M. Ahmed Nur Ahmed (1307). Mehdi Hussain (1308). B. M. Khanna & Co. (1309). Mukandi Lal & Sons (1310). Chiranjil Lal Hziari Lal (1312). Asa Ram Om Parkash (1313). Ram Nath Suraj Bhan (1314). Ganpat Ram Jagdish Narain (1315). Gopal Rai Manohar Lal (1317). Gurdayal Mal Ram Kishore (1316). Mool Chand Bhim Raj (1318). Piyare Lal Pirthi Chand (1319). Devi Chand (1320). Din Dayal Rastogi (1321). Moti Lal Sat Narain (1323). Paras Ram Jaipuria (1324). Parbahti Lal Shambhu Dayal (1325). Parbhu Dayal Nand Lal (1326). Murari Lal (1324). Dhara Chand Shri Kishen (1329). Ram Kanwar Chiranjil Lal Durga Prasad Bagria (1327). Daulat Ram Abhay Ram (1334). Madan Lal and (1331). Mohd. Umar & Sons (1332). Daulat Ram Abhay Ram (1334). Madan Lal and Co. (1335). Murari Lal (1336). Murari Lal Om Prakash (1337). Kanhya Lal Jhabar Mal (1338). Sham Lal Basant Ram (1342). Gobind Ram Kantar Singh (1343). Anga Singh Ravi Dutt (1344). Thakur Dass Hardutt Singh (1345). Sant Singh Harbansh Singh (1346). Bishan Singh Maheng Singh (1347). Mehar Singh & Bros. (1349). Laxman Singh Partap Singh (1350). Umrao Singh (1351). Mam Chand Mata Din (1355). Lila Ram Dewan Chand (1356). Bishan Singh Inderjit Singh (1357). Pyare Lal Budh Ram (1358). Jugal Kishore Sis Ram (1361). Ramji Lal (1363). Bishan Chand & Co. (1364). Mohd. Islam (1367). Samillah Abdul Aziz (1372). Haji Muma (1378). Nathu Mal Gupta (1379). Atma Ram Bazaz (1380). Subh Narain Bazaz (1382). Durga Pershad Bagaria (1383). Bhagwan Das Lal Chand Jain (1384). Ram Chand Gupta (1385). Kanhya Lal Parshadi Lal (1386). Daulat Ram Kalka Prasad (1387). Parbhat Stores (1389). Gur Prashad Gaut Prasad (1390). Salimuddin (1393). Rattan Cloth House (1394). Balkishen Das Jagdish Prasad (1395). Madho Pershad Ram Kishan Das (2949). Mangal Sain Adishwar Prasad (2950). Mani Ram Harish Chander (2951). Chunnil Lal Rup Chand (2952). Mushtaq Ahmed (2955). Sardar Ali (2956). Mukand Lal Mangha Ram (2957). Tota Ram Mukan Lal (2958). Sham Lal Mohar Chand (2962). Digh Ram & Sons (2968). Abdul Ikram Abdul Salam (2973). K. B. Haji Rashid Ahmed & Sons (2974). S. M. Abdullah & Sons (2975). Sh. Mohd. Khan (2976). Ghasi Ram Shiv Bhagwan (2978). Habib Khan (2979). Rup Chand Rattan Lal (2980). Mohd. Ismail (2982). S. Ali Hussain S. Ahmed (2984). Mohd. Yaqub (2987). Salahuddin (1525). Shanti Sarup Lachman Sarup (1530). L. Manoharlal (1534). H. M. Daud and Brothers (1549). Nandu Mal (1553). Sham Lal Raghunath Saran (1556). Aminuddin (1557). Krishenlal Peareylal (1558). Lalchand Jain (1559). Nathuram Satnarain (1560). S. Mohd. Ibrahim M. Siddique (1561). Fakirchand Trilokchand Jain (1563). Motiram Zahrimal (1564). Mahmud Ahmad Khan (1565). Rattanlal Jagdish Pershad (1566). Sultansingh (1569). Jethmal Srikishan (1571). Nawazuddin (1572). Mohd. Said (1573). Badshah Abdul Ghani (1574). Laluram Jaithoram (1575). Kaluram Jagannath (1576). Badshah Mal (1577). Jawahardass Kundanlal (1579). Mehdi Hussain (1580). Ram Kunwar Rambilas (1583). Hukam Singh and Sons (1584). Kirorimal Ramchandass (1585). Mohd. Nagi (1586). Rama Mal (1587). Mohd. Ismail (1588). Mehbubullah Abdulwahid (1589). Sayed Ahmad

(1590). Shamsul arfin (1591). Hafiz Zaimulabedin (1592). Hafiz Mohd. Umar (1593). Sultan Beg (1594). Anwarul Haq (1595). Nanak Chand (1598). Habiburehman (1599). Wazir Khan (1600). Johrimal Kamla Pershad (1610). Benarsidass Gupta (1621). Mohanlal (2037). The new general cloth Co. (2040). Mushtaq Ahmad (2041). Hotchand Hira Nand (2042). Mahabir pd. Balkishandas (2045). Laxmi Store (2046). Kundanlal Ramnath (2048). Bhagwandas Nihalchand (2050). Jailal Gupta (2051). Jainarain Yogeshnarain (2062). Central cloth house (2054). Shanti Kalsi (2055). Motiram Jotipershad (2056). Hazarilal Baseshwarnath (2057). Chunnilal (2059). Shadiram Raghpatri (2060). Chunnilal Shantisarup (2063). Hariaram Raghbirsingh (2065). Baijnath Johrimal (2066). S. Shafiq Ahmad and Co. (2067). Chhoteylal Kamalsingh (2070). Bharat Stores (2071). Dhanpatri (2073). Ladli Dass Shib Dayal (1266). Sri Chand & Son (1268). Radhey Mohan Chiman Lal (1270). Nagar Mal Daroga Mal (1177). Janeshar Dass Sultan Singh (1178). Sant Lal Tulsi Ram (1179). Sham Lal Om Parkash (1180). Murli Dhar Duli Chand (1181). Angal Lal (1182). Ram Sarup Radhey Lal (1183). Mohd Ahmad Khan (1184). Abdul Majeed (1186). Dewan Chand Pearey Lal (1187). Changa Mal Kalu Mal (1188). Rattan Lal Om Parkash (1190). Gobind Ram Ram Kanwar (1194). Sunder Singh & Sons (1195). Muthra Dass (1196). Niadar Mal Ram Sarup (1197). Hazari Lal & Bros. (1198). Benarsi Das Om Parkash (1200). Radhey Sham Rattan Lal (1202). Satya Swedeshi Store (1205). Shadi Ram Ramji Lal (1206). Modern Saree House (1207). Satya Dev Sudershan Lal (1210). Sat Narain Kailash Chand (1220). Parmeshari Dass Anand Parshad (1221). Puran Mal Sat Narain (1222). Laxmi Narain (1225). Naimuddin (1101). M. Ibrahim M. Ishaq (1102). Ram Nath Ram Kishore (1104). Jindal Stores (1626). Calcutta Ready Made Cloth Emposium (1628). Hari Chand Daulat Ram (1629). Jagdish Chand Malik (1631). S. P. Chakarvarty (1633). Bhagwan Dutt Gupta (1636). Manawar Ali Amir Alit (1638). Gur Prashad Kapoor & Bros. (1640). Muthra Pershad Sham Lal (1643). Lalo Mal Pram Kishore (1644). Chatar Pal Johri Mal (1645). Khandu Mal Sat Narain (1646). Sohan Lal Pream Narain (1648). Siraj & Co. (1649). Ramkishan Raghunath Sahai (1656). Jwala Pershad Jain Dass (1659). Chaman Lal Benarsi Dass (1667). Kanhya Lal Ram Kumar (1668). Abdul Latif & Sons (1670). Cheap Textile (1675). Jagat Narain Khanna (1676). Shabuddin Abdul Ghafoor (1678). Chiranji Lal Khazanchi Lal (1680). Shambhu Nath Sharma (1717). Jawahar Khaddar Bhandar (1718). Madan Lal (1719). Deputy Mal Jain (1720). Sham Lal Ram Asraj (1721). Braham Saroop Gupta & Co. (2782). Ram Autar (2783). Gobind Ram Gur Dial (2784). Bala Parshad Ram Kumar (2785). Jhandu Mal Rattan Lal (2786). Bhagirath Mal Madan Mohan (2789). Sundar Lal Sham Sundar (2790). Kamla Store (2791). Baldev Das & Sons (2792). S. K. Khanna (2793). Novelty Cloth House (2795). Mohd. Islam Friduddin (2797). Ramji Das Mukat Behari (2798). Bhim Chand Siri Ram (2799). Maman Lal Banarsi Das (2800). S. Jagat Narain & Co. (2901). Sunder Nath Goel (2902). Mangat Rai Jain (2907). Fateh Chand Ram Richhpal (2908). Empire Stores (2909). Empire Stores (2910). Ram Singh (2913). Ghamandi Lal Joti Pershad (2916). Shankar Lal Lihla (2919). Gauri Shankar Lihla (2920). Hari Lal Lihla (2921). The Naraina Dayal Bagh Stores (2922). Chandu Lal Brothers (2925). Amar Nath Gupta (1759). Hem Chandra Badri Dass (1760). Shankar Lal Rattan Lal (1761). Sardar Ahmad & Sons (1762). Bansi Dhar Bhura Mal (1770). Madan Lal Bhika Ram (1772). Madan Lal Har Sarup (1773). Gopal Ram Gulzari Mal (1778). Kishori Lal & Sons (1780). Ram Rattan Radhey Sham (1681). Chottey Lal Laxmin Dass (1683). Sukhmi Chand Gupta (1684). Krishna Cloth Store (1685). Marwari Swadeshi Store (1686). Amrat Lal Chhottey Lal (1687). Munna Lal Tara Chand (1688). Chottey Lal Kapoor (1689). Ram Sarup Mahesh Parshad (1691). Puran Chand (1692). Dal Chand Om Parkash (1694). Nem Chand Jain (1695). Raghbir Singh Jain (1697). Shiv Narain Gupta (1696). Mohd. Said (1701). S. Faiz Mohd. (1702). Rehmat Mirza (1703). Mohd. Iddris (1705). Mohd. Ilias (1706). Shambhu Dayal Naresh Chand (1708). Asa Ram Hulash Babu (1709). Gokal Chand Sharda Singh (1712). Gokal Chand Co. (1714). Banarsi Das Gupta (1715). Hira Lal Jagmohanlal (2087). Udai Chand Jain (2088). Kanhya Lal Gulzari Lal (2089). Ram Saran Das Tek Chand (2091). Karam Singh Jain (2092). Shanti Pershad Jain (2094). Mirza Sharafat Beg (2095). Kailash Bros. (2096). Pali Ram & Sons (2097). Babu Lal Jain (2098). Hari Charan Kesho Ram (2099). Mohd. Sultan (2100). Amar Singh Hira Lal (2404). Mohd. Siddiq (2425). Sant Lal Jain (2426). Kedar Nath Mahabir Pershad Jain (2427). Super Canvas Store (2428). Sarup Singh Pirthi Singh (2430). Ulfat Rai Prem Kishan (2432). Hari Singh (2435). Kanti Lal Magan Lal (2438). Suresh Chand Jain (2441). Laxmi Chand Om Parkash (2442). Aziz Ahmed (2446). Sarup Chand Hukam Chand (2447). Masita (2448). Farhatullah Khan (2449). Munshi Lal Chajja Mal (2451). Tek Chand Ram Kishore (2010). Mohd. Islam Mohd. Furhat (2011). Mani Ram Bedi (2014). Radhey Sham (2018). Deep Chand Sri Ram (2019). Mukhtiar Singh (2021). Jagan Nath (2026). Makhan Lal Bansi Dhar (2027). Shri Kishan Das Kishori Lal (2028). Bulaqi Das Daulat Ram (2031). Delhi Store (2032). Madan Mohan Ram Parkash (2033). Phool Chand Manak Chand (2034). Abdul Rehman (2036). Ramesh Chand Adhishwar Lal (1722). Ramesh Brothers (1724). Mange Ram Murari Lal (1730). Revki Nandan (1731). Mohan Lal (1733). Mohd. Kamardin Mohd. Suabhin (1734). Girdhari Lal Neen Chand (1735). Sanwal Das Sagar Nath (1736). Gopal Sarup Ganesh Parshad (1737). Mohd. Yaqub (1738). Ratan's (1739). New Delhi Clothing Store (1742). Cosmoplotin Trading Association (1344). Panchad Ram Munshi Ram (1345). Sampat Lal (1749). Bansi Dhar Murli Dhar (1751). General Cloth Store (1752). Hari Chand Gupta (1757). Ramesh Fine Cloth Store (1758). Jagoo Mal Banwari Lal (2733). Balwant Singh & Sons (2734). Ravi Chand Jagmunder Das (2735). Chain Sukh Das Jain (2707). Laxmi Narain Ram Kishan Das (2711). T. C. Jacob (Duro & Co.) (2701). Kalu Mal Jai Narain (2702). Nand. Kishore

(2703). Dhani Ram & Co. (2704). Rewar Mal Ram Saran (2705). Mani Lal Pirbhu Dial (2712). Babu Lal Bhasin (2713). Fazal Ellahi (2715). Amar Nath Gokal Chand (2717). Shambhu Dial (2718). Mahadev Pershad (2719). Joti Pershad (2721). Hari Shankar (2731). Tulsi Ram Suraj Kumar (2738). Risal Singh Adeshwar Pershad (2740). Sadat Ali (2741). Ram Pershad Co. (2742). Shinghania Charitable Store (2745). Dal Chand Utter Sain (2746). Bharat Store (2747). Shibban Lal Ram Kishore (2748). Ramira & Co. (2749). Bande Matram Swedeshi Store (2079). Sal Narain Om Parkash (2080). Bansi Dhar Durga Pershad (2081). Kedar Nath (2083). Ram Saran (2085). Mohd. Din (2086). Moti Lal Mahabir Pershad (2768). Ghanaham Dass Basdeva (2769). Sunder Mal Hanuman Bux (2773). Jumna Das Chauth Mal (2774). Sita Ram Bajrang Lal (2776). Sri Chand (2778). Ramji Lal Shiv Shankar (2779). Jwala Pershad Amar Nath (2780). Brother Co-operative Society (2781). Nand Lal Bhura Mal (2750). Ghansham Dass Ram Niranjan (2752). Bansi Dhar Phool Chand (2753). Kidar Nath Madan Lal (2754). Ranjit Das & Co. (2755). Shikar Chand Mohindra Kumar (2453). Shanti Swarup (2454). Murti Dhar (2455). Amir Chand Madan Lal (2456). Beagoial & Co. (2457). Shiv Charan Das Tek Chand (2458). Balwant Rai Bishamber Singh (2459). Bulaqi Das Nawal Kishore (2465). Baldev Sahai Ghamandi Lal (2466). Mohd. Usaf (2467). Peshaweri Lal Khosla (2470). Jawala Pershad (2471). Ahmed Khan (2473). Peary Lal Janki Pershad (2476). Chottey Lal Sunder Lal (2477). Chandan Lal Rati Ram (2480). Madho Ram & Sons (2926). Devi Sahai Ram Kumar (2928). Kishori Lal Hardwari Lal (2930). Richha Ram (2931). Satya Bhushan (2932). Sohan Lal Jagdish Pershad (2934). Ghasi Ram Co. (2935). Sagar Mal (2936). Nanhe Mal (2937). S. Bahadur & Brothers (2943). Sh. Ferozuddin & Sons (1226). Babu Ram Kidar Nath (1227). Rattan Lal Jain (1232). Prabhu Dayal Din Dayal (1233). Madan Lal Jain (1234). Laxmi Narain Bansal (1235). Hirde Narain Sarup Narain (1236). Tara Chand Gupta (1238). Rameshwar Nath Vishwa Nath (1239). Prem Narain Gupta (1240). Hajee Mohd. Abdul Qadir (1245). Champa Lal Niranjan Nath (1246). Champa Lal Shiv Narain (1247). Ajudhia Pershad Khem Chand (1248). Shiv Ram Ram Kishan (1250). Jat Ram Nand Kishore (1251). Prabhu Dayal Prem Raj (1252). Ram Sarup Badri Pershad (1255). Ram Sukh Shiv Narain (1256). Rup Chand (1257). Ram Kishan (1258). Tula Ram Murli Dhar (1263). Raghnath Sahi Darshan Dayal (1265). Kishan Lal Jai Pal (1754). Chandan Lal Banarsi Das (1765). Hardwari Lal (1767). Nathu Lal Gupta (7168). Chandan Lal Rati Ram (1769). Laik Ram (1771). Banwari Lal Murari Lal (1774). Gopi Ram Ram Kumar (1775). Gauri Shankar Gokal Chand (1776). Ram Chander (1777). Deep Chand Sri Ram (2019). Girdhari Lal (2020). Harnand Rai Ram Swarup (2022). Hari Singh (2023). Chander Bhan (2024). Shambhu Dayal Jag Ram (2025). Lakmi Chand Kanhya Lal (2039). Ganga Pershad Bishamber Dayal (2069). Sukh Dev Mal Jag Ram (2421). Lal (2039). Ganga Pershad Bishamber Dayal (2069). The Haryana Zamidar Rattan Lal Mohar Singh (2434). Banwari Lal Nem Chand (2439). Co-operative Store (2443). Sohan Lal Bazaz (77). Dhaja Ram Guman Ram (2726). Khayali Ram (2730). Rajkaran Yesh Pal (2737). Kharati Lal (2739). Ude Ram Amir Singh (2744). Kunj Lal Nathu Ram (2912). Tichha Ram (2931). Bhagwan Das Rattan Lal (2939). Digh Ram & Sons (2968). Lahari & Co. (2969). Kanhya Lal-Partap Singh (2988). Banewari Lal Rajender Pershad (1514). Rup Chand Gordhan Das (1515). Hoosair Singh (1516). Sri Chand Hazari Lal (1517). Ganga Man Khushi Ram (1527). Moti Ram Sis Ram (1533). Ram Narain Laxmi Narain (1535). Murari Lal Ram Narain (1536). Subh Ram Deep Chand (1537). Har Phool (1538). Har Kishan Das (1540). Shadi Ram (1541). Ram Deep Chand (1542). Amrit Singh (1543). Jugal Kishore Hukam Chand (1544). Tej Ram Ratti Ram (1542). Sital Pershad Amar Singh (1546). Laxmi Chand Kanhya Lal Makhan Lal & Co. (1545). Piary Lal Ram Singh (1581). Baldeo Singh (1651). Incha Ram Tek Chand (1653). (1652). Piary Lal Ram Singh (1581). Baldeo Singh (1651). Chandi Ram Chatter Singh (1655). Ram Dhari (1661). Ram Nath Chander Bhan (1654). Chandgi Ram Suraj Bhan (1663). Shiv Nath Rai Rattan Jai Kishan Anoop Singh (1662). Chandgi Ram Chatter Singh (1665). Dehat Co-operative Market-Lal (1664). Rati Ram Chander Bhan (1665). Sri Chand (1666). Chander Bhan Chottu Ram (1740). Sri Chand (1741). Chandu Lal (1747). ing Store (1690). Chander Bhan Chottu Ram (1740). Sri Chand (1741). Chandu Lal (1747). Ramji Das (1750). Partap Singh Narain Singh (9). Jagan Nath Om Parkash (50). Jai Dayal Hari Chand (57). Ram rich Pal Suraj Bhan (64). Phool Chand Kanhya Lal (65). Lakhi Ram Chottey Lal (67). Gordhan Das (68). Ram Charan Das Ghisu Ram (69). Ram Kishan Das Sat Parkash (86). Ganga Sahai Banarsi Das (458). Chottey Lal Parmeshwari Das (475). Kishore Lal Ragbeer Singh (476). Sri Chand Bishan Chand (477). Harphool Singh Bishanber Dayal (883). Ram Gopal Pirbhu Dayal (884). Dhanna Mal Birma Nand (885). Bhagwan Das Jia Ram (886). Ram Kishan (887). Johri Mal Sant Lal (1053). Ram Phal Umrao Singh (1055). Bhagwati Pershad Shadi Ram (1056). Banwari Lal Chander Bhan (1136). Bhagat Ram (1208). Ramji Lal Kirori Lal (1297). Neki Ram Bhanna Mal (1298). Chandgi Ram (1339). Khubi Ram Mohan Lal (1340). Pushkar Mal Hari Chand (1341). Than Singh (1502). Gagan Mal Shiv Karan (1507). Munshi Lal Ganga Sahai (1508). Ratti Ram (1510). Gulab Rai Ram Kishan (1658). Mohd. Ahsan Ullaha (2927). Suraj Bhan Keshori Lal (2075). Amar Singh Baboo Lal (2076). Delhi Cloth House (2452).

ALLOTMENT OF CLOTH TO MUSLIM AND NON-MUSLIM CLOTH TRADERS BY DELHI CIVIL SUPPLY DIRECTORATE.

1491. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Industries and Supplies be pleased to state what are the Committees appointed or nominated by the Civil Supply Department of Delhi for the distribution of rationed and un-rationed cloth in Delhi in 1945 and 1946?

(b) What is the total strength of each of these Committees together with their powers and functions?

(c) What is the number of Muslims on those Advisory Committees, and Distribution Committees referred to above, and how have these members been nominated there?

(d) On which of those Committees have the representatives of the Muslim Cloth Merchants holding C class licences for Retail Sale been nominated? If none, why?

Mr. M. W. M. Yeatts: (a) The following committees were appointed during the period under reference:

- (1) General Advisory Committee.
- (2) Textiles (Technical) Advisory Committee.
- (3) Group Leaders Distribution Committee.
- (4) Distribution Committee for Unrationed Cloth.

(b) The strength of these committees is as follows:

- (1) General Advisory Committee...12 (includes 4 officials).
- (2) Textiles Advisory Committee...9 (includes 3 officials).
- (3) Group Leaders Committee...6.
- (4) Unrationed Cloth Committee...9.

The functions of these committees are as follows:

- (1) General Advisory Committee: to advise on matters connected with the rationed distribution of cloth.
- (2) Textile Advisory Committee: to advise on matters regarding procurement and distribution.
- (3) Group Leaders Committee: to supervise the distribution of individual shares to the wholesalers of Delhi and settle claims and complaints.
- (4) Unrationed Cloth Committee: to scrutinise the quotas of dealers and to assist in distribution.

(c) The number of Muslims on the different committees is as follows:

- (1) General Advisory Committee...8.
- (2) Textiles Advisory Committee...1.
- (3) Group Leaders Committee...Nil.
- (4) Unrationed Cloth Committee...1.

In the General Committee, the three Muslim members represent retailers, consumers and tailoring establishments. In the Textiles Committee, the interests of wholesalers are represented, and the Muslim member is from the Delhi Cloth Merchants' Association. In the Unrationed Cloth Committee, the Muslim retailer has been selected from the Cloth and General Merchants Association, Jama Masjid.

(d) Muslim merchants holding class 'C' licences have been nominated to the General Advisory Committee and to the Unrationed Cloth Committee.

RETAIL SALE PRICES FIXED FOR CLOTH FROM DELHI CLOTH MILLS AND BIRLA MILLS

1492. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Industries and Supplies be pleased to state if it is a fact that mills in India lying within a radius of nearly three to five miles of a town are not permitted to have profits of more than 3 per cent. on the ex-mill rate? If not, what are the facts according to the Cotton Cloth and Yarn Control Orders?

(b) If the reply to (a) is in the affirmative, why are the local mills like the Delhi Cloth Mills, Birla Mills and others, permitted to sell in Delhi at 20 per cent. profit in retail sales as they sell on the rate Marked "Retail", which is 20 per cent. higher than ex-mill rate?

Mr. M. W. M. Yeatts: (a) Under the Cotton Cloth and Yarn (Control) Order mills are not allowed any profit over the ex-mill prices.

(b) Mills' retail shops are permitted, just like other retailers, to charge 20 per cent. over the ex-factory prices. These retail shops are treated as separate entities and not as part of the mills.

IMPORTED BISCUITS SURPLUS TO CANTEN STORES DEPARTMENT REQUIREMENTS

1493. *Mr. A. C. Inskip: (a) Will the Honourable Member for Industries and Supplies be pleased to state if he has seen an advertisement in the *Times of India*, dated the 11th March, 1946, inserted by the Disposals Branch and inviting tenders for the purchase of approximately 110,000 lbs. assorted English biscuits which are now surplus to the requirements of the Canteen Stores Department?

(b) What are the reasons for such a large quantity of imported biscuits now being declared surplus?

(c) What steps will be taken to ensure that the person purchasing these stocks will immediately distribute them to consuming centres?

Mr. M. W. M. Yeatts: (a) Yes, Sir.

(b) The main reasons are:

(i) During the War the canteen Stores Department had to place its orders in advance on a yearly basis on the appropriate authorities in U. K. In the case of biscuits, the authority was Ministry of Food, London, through the India Office.

(ii) Orders for the period prior to the termination of the War were placed to meet the requirements of large numbers of troops scheduled to arrive in India for a period of training prior to being committed to S.E.A.C. for active operations.

(iii) The sudden end of the War led to the plans for sending these troops to India being cancelled. In common with all other Services, the sudden and unexpected termination of the War and the consequent rapid reductions in strengths, inevitably led to certain stores being surplus to requirements.

(c) The Canteen Stores Department operates as a Disposals Agency for Director General (Disposals). To ensure that foodstuffs are not hoarded but are distributed immediately to consuming centres, all sales made by Canteen Stores Department are notified immediately to the local Regional Food Controller to whom a copy of the sale note is forwarded. The sale is also notified to the Department of Food. The Board of Administration of the Canteen Stores Department are in close touch with manufacturers' representatives and agents, thus being in a position to secure distribution to civilian markets through the normal consumer channels, and also secure a written guarantee from the buyer that the goods will not be re-exported and that he will conform to whatever Government controls exist.

APPOINTMENT OF AN ASSISTANT ACCOUNTS OFFICER TO THE DISTRICT GRADE POST ON O. T. RAILWAY

1494. *Mr. B. B. Varma: Will the Honourable the Railway Member be pleased to state:

(a) if he is aware that the post of the senior Food Control Officer of the Oudh and Tirhut Railway is a District grade post;

(b) if the reply to (a) be in the affirmative, whether he is aware that the claims of several senior assistant officers have been ignored and preference has been given in appointing an acting Assistant Account Officer to the District grade post; and

(c) if he is aware of the fact that this has given rise to great dissatisfaction amongst all the officers?

The Honourable Sir Edward Benthall: (a) Yes, the post is, however, a temporary one.

(b) As the post is a general post, no officer of any particular Department has a claim to it. Government are informed that the Locomotive, Engineering and Traffic Departments were unable to spare a suitable officer for the post whereas the Accounts Department could. An officer of the latter Department, who was then officiating in the district grade, was therefore, after careful consideration, selected for the post. Though this officer has not yet been confirmed as an Assistant Accounts Officer, the question of his confirmation, with retrospective effect, is under consideration.

(c) Government understand that some dissatisfaction would appear to have been felt by certain officers due to the facts not being fully known to them.

PAY AND TRAVELLING ALLOWANCE FOR NEW SCALE OFFICERS TAKEN OVER FROM LATE B. & N. W. RAILWAY

1495. *Mr. B. B. Varma: (a) Will the Honourable the Railway Member be pleased to state if it is a fact that the Railway Board had agreed to give the state Railway scales to the new scale officers taken over from the late Bengal and North Western Railway?

(b) What is the scale of pay and travelling allowances?

(c) Do they receive the minimum of the grade when officiating in higher posts after completing ten years of service as is admissible to all other State employees, when the new scale officers are quite willing to accept the State Railway condition *in toto*?

The Honourable Sir Edward Benthall: (a) No. The Honourable Member is, however, referred to para. 2 of my reply to his starred question No. 115 asked on 8th February, 1946.

(b) I lay on the table a statement giving the scales of pay and travelling allowances applicable to Assistant and District officers of the O. T. Railway on the revised scales of pay.

(c) Assistant officers on the O. T. Railway who have been admitted to the revised State Railway scale of pay with effect from 1st April, 1945, do not receive the minimum pay of a District officer when they officiate as such, but a representation from them in regard to this subject is under Government's consideration. I would add for the information of the Honourable Member that there is no rule on other State-managed Railways prescribing a minimum period of service for the purpose of drawing the minimum pay of the District officer's grade when an Assistant officer officiates as a District officer.

Statement showing the scales of pay and travelling allowances applicable to Assistant and District officers on the revised scales of pay as lately fixed.

I. Scales of Pay		
Assistant officers	District officers	Departments
	Rs.	
1. Rs. 300—25—400, 450 in the 7th year on time-scale, and 500 in the tenth year.	Grade III . . . 750	Transportation (Traffic) and Commercial Departments and Indian Railway Accounts Service.
	Grade II . . . 850	
	Grade I . . . 950	
2. Rs. 350—25—450/2—500	Do.	Stores, Signal Engineering, Electrical Engineering, Mechanical Engineering and Transportation (Power) Departments of State Railways.

II. Travelling (Daily and Mileage) Allowances

	Assistant Officers	District Officers
	Rs. AS. P.	Rs. AS. P.
(1) Daily allowance.	6' 4	7' 8 0
(2) Mileage allowance.	0 11 0 a mile.	0 11 0 a mile.

STATE RAILWAY GRADES OF PAY AND ALLOWANCES FOR OFFICERS OF O. T. RAILWAY

1496. *Mr. B. B. Varma: (a) Will the Honourable the Railway Member be pleased to state the number of Engineers on the Oudh and Tirhut Railway?

(b) For how long have they been held up at their maximum pay?

(c) Is there any efficiency limit? If not, why are they not promoted to the next higher grade?

(d) When are they likely to be granted the same grades of pay and allowances as prevail on the other State Railways?

(e) What is the mileage of their jurisdiction as compared with other State Railways?

(f) Does the Honourable Member propose to consider the desirability of making applicable to the officers of the Oudh and Tirhut Railway the same conditions of employment as obtain on other State Railways? If not, why not?

The Honourable Sir Edward Benthall: (a) I presume the Honourable Member is referring to Assistant Engineers. The number of such officers is 28.

(b) Ten Assistant Engineers are on their Maximum. Of these, five have been drawing the maximum for five or six years and the others for less than two years.

(c) No. Promotion to the next higher grade depends on the number of vacancies occurring in that grade.

(d) and (f). Like officers of other ex-Company Railways, the ex-Company officers of the O. T. Railway have been taken over on the terms and conditions that were applicable to them during the Companies' regime and are not, therefore, entitled to the scales of pay and allowances that prevail on other State Railways. Certain concessions have, however, been granted and certain others are under consideration purely as an *ex gratia* measure.

(e) I have called for the information but I would point out that the mileage of an officer's jurisdiction does not necessarily indicate the importance of his charge as this depends on other considerations, such as density of traffic.

UNSTARRED QUESTIONS AND ANSWERS.

BOOKING OF TIMBER AT JAGADHRI, NORTH WESTERN RAILWAY.

170. Sardar Mangal Singh: Will the Honourable Member for War Transport please state:

(a) whether it is a fact that the booking of timber No. 5 Group at Jagadhri, North Western Railway, has been stopped for the last four months;

(b) whether Government are aware that over two thousand wagons are required for the loading of timber No. 5 Group at Jagadhri; and

(c) whether Government propose to reopen the loading of this timber which is so urgently required in the Punjab for building purposes?

The Honourable Sir Edward Benthall: (a) The booking of traffic in Class V (c) from Jagadhri and other stations on the Delhi Division of the North Western Railway has been stopped for the greater part of the last four months. Traffic, however, which had been registered for movement prior to the imposition of this restriction was allowed to be loaded. Since December 21, 1945, 53 wagons of timber have moved from Jagadhri in this manner. Also, during this period traffic offering to E. I. Railway stations in Classes IV, V and VI was temporarily elevated to Class III in order to make wagons available on the E. I. Railway. 159 wagon-loads of timber from Jagadhri obtained movement in this manner. In addition, 47 wagon-loads of timber were moved which had been programmed in Class III.

(b) On the 26th March 1946, only five wagon-loads of timber were registered for despatch by rail from Jagadhri. Government have no information regarding unregistered requirements.

(c) Booking in Class V (c) from the Delhi Division of the N. W. Railway has again been opened from the 26th March 1946. It will remain open for so long as wagons are available after meeting the demands for movement of more essential traffic.

PROMOTION OF STATION MASTERS AND ASSISTANT STATION MASTERS AS AGAINST GUARDS

171. Mr. Sasanka Sekhar Sanyal: Will the Honourable the Railway Member be pleased to state:

(a) whether Government are aware that promotion of a large number of employees (Station Masters and Assistant Station Masters of the lower grade) to the posts of Assistant Station Masters of higher grade and onwards under Section 2, Rule 10 of the State Railway Establishment Code, Volume I, Appendix XXII, is impeded on account of the fact that the provisions of Rule 15 are more liberally given effect to whereby those employees who enter as Guards get promotion more quickly, thereby prejudicing the claims of senior men of the station staff line;

(b) the figures showing the number and nature of promotions that have been given in either line during the period 1940—45; and

(c) the policy of Government in the matter of such promotions?

The Honourable Sir Edward Benthall: (a) and (c). The Honourable Member is apparently referring to Appendix II to the State Railway Establishment Code, Volume I. The fact that some employees who enter service as Guards obtain promotion more rapidly than those who enter as Station staff is not due to a more liberal application of rule 15 of the Appendix. The Railway Board have issued orders which provide that direct recruitment in the higher grade of Guards shall be made up to a limit of 20 per cent. of vacancies occurring each year. The underlying policy of these orders is to obtain a small percentage of better qualified men who would be able to rise rapidly to higher posts. Those recruited by this method are in a more favourable position as regards promotion than others recruited in the lowest grade. Subject to this provision all promotions are made in accordance with the rules prescribed in Appendix II-A to the State Railway Establishment Code, Volume I, a copy of which is available in the Library of the House.

(b) Government regret that they cannot undertake to collect the information for all or for any particular railway as the time and labour involved would be incommensurate with the results.

INSANITARY CONDITION OF THE GHAZIABAD RAILWAY COLONY

172. Seth Sukhdev: Will the Honourable the Railway Member be pleased to state:

(a) whether any complaints have been received about the insanitary condition of the Ghaziabad Railway Colony;

(b) whether it is a fact that the night soil and other rubbish are not removed daily from this colony:

(c) if it is a fact that no contractor sticks to the job;

(d) the reasons for contractors leaving the Railway frequently; and

(e) whether Government propose to take suitable steps to maintain good conservancy service at Ghaziabad; if so, whether Government propose to shift some of the staff or transfer the Department to some other branch of service; if not, what other steps are proposed?

The Honourable Sir Edward Benthall: (a) No, but during the last two years difficulty has been experienced in maintaining the conservancy service at Ghaziabad.

(b) The aim of the Railway Administration is to have the night soil and rubbish removed daily from this colony, but there have been times when the contractors defaulted and temporary staff had to be engaged for the purpose.

(c) Yes.

(d) Government have no information.

(e) Government propose to take suitable steps to maintain a good conservancy service at Ghaziabad. It is not considered desirable to shift some of the staff or to transfer responsibility for the work from the Medical Branch. It may be mentioned that the present contractors are working satisfactorily.

PENALTY OF RELEGATION TO JUNIOR SERVICE FOR GUARDS IN N. W. R.

173. Seth Sukhdev: With reference to the reply to part (b) of starred question No. 1430 asked on the 28th March 1945, in regard to the regulation of the running staff to lower service, being regarded as a penalty within the provisions of the State Railway Establishment Code, will the Honourable the Railway Member please state if a decision has been taken in the matter? If so, will he please lay a copy thereof on the table of the House?

The Honourable Sir Edward Benthall: I lay on the table of the House a copy of Railway Board's letter No. E45LG365(2), dated 15th May, 1945, containing instructions on the subject of transfer as a penalty.

(Copy)

GOVERNMENT OF INDIA

RAILWAY DEPARTMENT (RAILWAY BOARD)

No. E-45-LG365(2)

New Delhi, dated the 15th May, 1945.

The General Manager,

N. W. Railway.

Penalties.—Reference the concluding portion of para. 2 of your letter No. 776-E./349-II, dated 14th October, 1944. From the information furnished in your letter, it appears that in addition to transfers being made sometimes for administrative convenience, they are sometimes ordered as a punishment. While the former are in order, a transfer for a particular fault cannot but be treated as a penalty. The Discipline and Appeal Rules do not contemplate this form of penalty and the Board have, therefore, decided that the imposition of the penalty of transfer for a particular fault is not in order. As stated, however, there is no objection to a transfer for administrative convenience. The foregoing ruling should be applied to cases of transfers of running staff from one link to another and also to any other case in which transfers are now made as a disciplinary measure.

(Sd.)

Deputy Director, Railway Board.

No. E-45-LG-365, dated the 15th May, 1945.

Copy to all other State Railways for information and necessary action.

(Sd.)

Deputy Director, Railway Board.

PROMOTION AS SECTION CONTROLLERS ON NORTH WESTERN RAILWAY

174. **Seth Sukhdev:** Will the Honourable the Railway Member please refer to the reply to part (b) of starred question No. 1488 asked on the 28th March, 1945, regarding promotions as section controllers on North Western Railway, and place on the table of the House the statement promised, *vide* page 45 of the Assembly Debates of the 21st January, 1946?

The Honourable Sir Edward Benthall: I lay on the table the statement promised in the reply, laid on the table of the House on 21st January, 1946, to part (b) of Starred Question No. 1488.

S m showing the names of staff placed on the Waiting List in January, 1945, for consideration for promotion as Assistant Controller together with particulars of their officiating service as such (N. W. Railway)

Officiating service as Assistant (now Section) Controller

S. No.	Name	Years	Months	Days
1	Mohd. Ayub Bhatti	Officiated for short periods off and on.		
2	Jawed Caucer	...	...	...
3	Alla-ud-Din Naseer	0	6	14
4	Abdul Aziz	0	6	19
5	Harry Chauhan	...	...	...
6	Jai Gopal	0	7	18
7	Kesho Dass	...	...	...
8	Pooran Dass	...	...	...
9	Bal Krishan	...	...	...
10	Mohd. Afzal Khan	...	...	...
11	Gujjar Singh	...	...	...
12	Trilok Chand	...	...	...
13	Raghu Nath Rai	...	...	...
14	Sant Ram	...	...	...
15	Mohd. Abdul Wahab Khan	...	...	...
16	Mohd. Nazir	0	5	10
17	Jaswant Singh	...	...	...
18	Jog Raj Sharma	...	...	...
19	Abdul Azir	...	...	...
20	Partap Singh	...	...	...
21	Mohd. Hussain	...	...	...
22	Rattan Singh	0	3	20
23	Gurdial Singh	...	...	...
24	Harish Chander	...	...	...
25	Amrik Singh	...	...	...

ELIGIBILITY OF GOODS MARKERS ON N. W. R. FOR TRAINING IN COMMERCIAL COURSE AT WALTON SCHOOL.

175. **Seth Sukhdev:** With reference to the reply to part (d) of unstarred question No. 2 asked on the 1st November, 1944, to the effect that the Marker's training period at the Walton School, Lahore be treated as on duty, will the Honourable the Railway Member please state if a decision has been taken on the subject? If so, will he please lay a copy thereof on the table of the House?

The Honourable Sir Edward Benthall: Instructions to the North Western Railway Administration to treat the period of training undergone by Goods Markers at the Walton Training School as duty are about to be issued.

SHORT NOTICE QUESTION AND ANSWER

STRIKE BY STUDENTS OF LADY HARDINGE MEDICAL COLLEGE, DELHI

Shri Satya Narayan Sinha: (a) Has the attention of the Health Secretary been drawn to a report that has appeared in papers that about two hundred students of the Lady Hardinge Medical College are on strike?

(b) What are their grievances?

(c) What steps are going to be taken to end the said strike?

Mr. President: Has the strike ended?

Shri Satya Narayan Sinha: I do not know.

Mr. S. H. Y. Oulsnam: (a), (b) and (c). A number of students of the Lady Hardinge Medical College went on strike on the 20th March on the ground that they wished the present Warden, Mrs. Sita Ram, to continue. On the 27th March the students informed the Principal that if it was impossible to re-appoint Mrs. Sita Ram...

Shri Satya Narayan Sinha: We do not follow the answer.

Mr. President: If the Honourable Member so wishes, he could come up to the front bench. At the same time, if Honourable Members are not talking among themselves, he will be heard.

Mr. S. H. Y. Oulsnam: On the 27th March the students informed the Principal that if it was impossible to reappoint Mrs. Sita Ram on the expiry of her tenure of appointment, the students would prefer an Indian Warden. The strike terminated on the 30th March.

The Governing Body of the College, which is responsible for its administration, has decided that the appointment of Warden should be filled by an Indian lady, unless no suitable Indian lady is available, in which case the matter should be referred to a meeting of the Governing Body.

Mr. Manu Subedar: Is it implied that no suitable Indian lady will be available in this big country? Why have Government accepted such a suggestion as that?

Mr. S. H. Y. Oulsnam: It is not a matter for Government to accept. The administration of the college is in the hands of the Governing Body.

Shri Satya Narayan Sinha: What are the requisite qualifications for a Warden?

Mr. S. H. Y. Oulsnam: The necessary experience and qualifications.

Shri M. Ananthasayanam Ayyangar: What disqualifications has the Honourable Member found in Mrs. Sita Ram that prevents her from continuing in service?

Sir Mohammad Yamin Khan: I and Mrs. Swaminadhan are members of the Governing Body. This question has been referred to a sub-committee of which I, Mrs. Swaminadhan and the Treasurer are the members and I think it will not be wise to discuss the matter until we come to our conclusions. We

are meeting tomorrow and we shall find out all the causes and the reasons for the trouble. In the meantime the Governing Body has adopted a resolution in which they have said that the Warden should always be an Indian.

Shri Sri Prakasa: Will the Honourable Member then accept a short notice question?

Mr. S. H. Y. Oulsnam: I should like to say that that is not the resolution which I have received. The resolution is that the appointment should be filled by an Indian lady provided a suitable lady is available, and if no suitable Indian lady is available, the matter should be referred to the meeting again.

1. HINDU MARRIED WOMEN'S RIGHT TO SEPARATE RESIDENCE AND MAINTENANCE BILL

2. HINDU INTER-CASTE MARRIAGE REGULATING AND VALIDATING BILL

PETITIONS REPORTED

Secretary of the Assembly: Sir, I have to report that I have received two petitions signed by the President of the All-India Sanatanidal Sanmerg, Benares and eight other persons, one relating to the Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances which was introduced by Dr. G. V. Deshmukh in the Legislative Assembly on the 12th February 1946, and the other relating to the Bill to regulate and validate marriages between different castes and sub-castes of Hindus, which was introduced in the Legislative Assembly by Shri Sri Prakasa on the 6th March, 1946.

Mr. President: These will have to go to the Committee and then they will be circulated.

MOTIONS FOR ADJOURNMENT

FAILURE OF THE GOVERNMENT OF INDIA TO REFER THE DISPUTE BETWEEN INDIA AND SOUTH AFRICA OVER THE GHETTO BILL TO U. N. O.

Mr. President: I now proceed to take up the adjournment motions which were received yesterday and not disposed of. There was one by Seth Govind Das and Sri S. T. Adityan, which wanted to adjourn the business of the House to discuss:

"The failure of the Government of India to refer the dispute between India and South Africa over the Ghetto Bill to the U. N. O. in spite of the fact that the Ghetto Bill is scheduled to be passed by the 12th April, as announced in yesterday's papers."

The last time when a motion similar to this was received, I believe, the Honourable Member for External Affairs stated that the Government of India would soon make representations, or consider the question of making representations to the U. N. O. May I know how the position stands? Has the Government made any representations by now?

Mr. R. N. Banerjee (Secretary, Commonwealth Relations Department): What I stated was that the matter was under the consideration of Government and that Government would take a decision as early as possible. Sir, I hope I shall not be misunderstood. But I do feel that too high a standard of despatch is being demanded of Government in dealing with this important matter which requires the most careful thought and consideration. It was only a week ago that a similar motion was discussed in the House and I made the statement which I have just repeated. One week is not sufficient time for a final decision on such an important matter. I feel, Sir, that the House cannot legitimately complain of any lack of deference on the part of Government to the wishes of the House. All I can say again is that the matter is being considered actively by Government and a decision would be taken as soon as possible, and in taking

the decision Government would of course attach the greatest weight to the wishes of this House. I do not think, Sir, that there is any case for repeating this motion so soon.

Mr. President: I might make it clear to the Honourable Member who has just spoken that the discussion last time was as regards the admissibility of the motion. So far as the importance of the matter is concerned, I do not think there was any dispute. The South African question was already debated in this House and the present motion relates to having some advantage to the South African Indians by a representation to the U. N. O.; and it was also, I believe, pointed out, that the point of my enquiry at that time was—I do not remember all the words I used—whether Government would be moving before the Bill becomes law, and I had said that there may be no point in making a representation after the Bill had been passed as law, as the United Nations might well say that we were too late. That aspect has also to be examined. I do not know whether it is possible to make a representation or whether the U. N. O. will say that we are coming at a late time and therefore our representation cannot be taken into consideration. Whatever that may be, I want to be clear as regards the point of urgency, as the Bill is going to be passed into law by the 12th April. Whatever decision may be arrived at would have to be arrived at before that date, so that, if the Government came to the conclusion that a representation can be made or should be made to the U. N. O. before the 12th April it could be made. I want to be satisfied on that question before judging the urgency of the matter.

Mr. R. N. Banerjee: I stated on the last occasion that Government were fully cognisant of the urgency of the matter and I can only repeat my assurance that a decision would be taken as soon as possible.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): I may assure you, Sir, that the Government will of course consider the very weighty consideration that you from the Chair have put forward that as far as possible the decision of the Government should be taken before the 12th April, by which date the Bill may be passed into law by the South African Assembly. Whether that would be a bar to any representation that may be made to the appropriate organ of the United Nations Organisations will also be a matter which the Government of India will have to consider. I have no doubt that having regard to what you have said Government will try to come to a decision as early as possible on this question. Whether the decision can be immediately communicated to the House before any step is taken is a matter which the Government of India will have to consider, because this is a matter relating to foreign affairs and representations have to be made to an organ of the United Nations Organisation.

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadian): The whole question is, as you have just said, if this Bill becomes an Act . . .

Mr. President: May I point out to the Honourable Member that the question is whether this assurance of the Honourable the Leader of the House is sufficient on the point?

Seth Govind Das: The Honourable the Leader of the House has not said whether the Government will decide to refer this matter to the U. N. O. before the Bill is passed or after the Bill is passed. That is the whole matter for consideration. What we want to point out is that if the Bill becomes an Act and if it becomes a *fait accompli*, then the U. N. O. might say that the Bill is already on the Statute Book and this is not the proper time when the Government of India should make a reference on this matter to the U. N. O. I can understand the U. N. O. taking time but I cannot understand the Government of India taking time to decide whether the matter should be referred to the U. N. O. or not. I cannot understand why this thing should take so much time of the Government of India. On the previous occasion to which you, Sir, referred, you said "If the pressure is not brought in time, it will be of no use".

[Seth Govind Das]

These are your words and what I want to point out is that if the Bill becomes law and then if the matter is referred to the U. N. O. it will not serve any purpose.

Mr. President: I believe this point is covered by what the Honourable Member has said. He said that they will also examine the question whether any delay is likely to affect adversely any representation that might be made to the U. N. O.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): May I point out the difficulty which I am feeling. This Government in the Department of Commonwealth Relations is only concerned with His Majesty's Government. They cannot go one step beyond that. Now that the most important members of His Majesty's Cabinet are fortunately here we cannot understand why this matter should have been delayed. If this country wants to go to the U. N. O.—it is very unfortunate that there is no direct means of approach to the U. N. O. for this country—this Government is wasting valuable time, when a law which will brand Indians in the most humiliating manner and I trust on this there is no difference between the Honourable the Leader of the House and ourselves, a law which will brand Indians as inferior people for all time will be passed. Under such circumstances why should this time be permitted to lapse? We would like to censure Government on this issue but if the Honourable the Leader of the House assures us that Government will be able to inform this House about their decision in the next day or two, we will not press the motion.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I appreciate the point that has been made regarding the urgency of the matter. The question whether the passing of the Bill would in any way prejudice the matter going before the U. N. O. or can be heard or whether the cause of action arose before the Bill became law, those are matters for consideration and those are matters which are being considered. It seems to be taken for granted that if the Bill is passed our right to go before the U. N. O. is prejudiced. I am not quite sure, whether, on the other hand, a cause of action would not arise only after the Bill is passed. But these are matters that are being examined and I personally feel that India having become a member of the U. N. O. there is nothing to prevent India putting its case before any organ of the United Nations Organisation should such an occasion arise, and if the Government of India decide on such a course. These are matters which are being examined as expeditiously as possible and I can only say that any course of action that the Government of India decides to take will not be prejudiced by any delay which is attributed at present to the Government of India.

Mr. Manu Subedar: If the Leader of the House is in a position to assure this House that on this issue there is no difference of opinion between this House and the Government of India, we will not press the motion.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: There is no difference as regards the intensity of feeling or the desire to take steps

Mr. Manu Subedar: and safeguard the honour of the country.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: and the question of placing it before the U. N. O. and the manner in which it may be placed are matters that have to be decided upon.

Mr. Manu Subedar: I do not know if Government are still in doubt whether this matter should be placed before the U. N. O. and I should like the Leader of the House to assure us that Government will do their best to put this question to the highest international tribunal and try and secure justice for India.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Will the Honourable the Leader of the House undertake to bring the question before the House before the Assembly adjourns?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The decision will be known before the Assembly adjourns.

Seth Govind Das: The Bill becomes law before the 12th April and the matter should be referred to the U. N. O. before this Bill becomes law.

Mr. President: I have understood that point. The point which the Honourable the Leader of the House is making here is that there is no difference whatever so far as intensity of feeling or the honour of India is concerned. The Government seem to be entirely at one with the Opposition on that matter. There is no difference in the House. The only difference seems to be as to the best way of attaining that particular objective. The Mover of the adjournment motion thinks that it will be best done by the Government of India going to the U. N. O. and going to the U. N. O. before the 12th April. It is only on that point that there seems to be difference of opinion and as that question is being examined and as I believe an assurance in sufficiently clear terms has been given that they will consider both these questions, I do not think we need press this matter any further now, because, the assurance implies, to my mind, that if they have to go, they have to decide also as whether they should go before the 12th and the assurance implies that they will do so before the 12th. That is how I understand the assurance. I do not think the Honourable Member need proceed with this adjournment motion.

FAILURE OF THE GOVERNMENT OF INDIA TO WITHDRAW THE INDIAN HIGH COMMISSIONER FROM SOUTH AFRICA.

Seth Govind Das: Sir, there is one more adjournment motion on the recall of the High Commissioner in South Africa, which I gave notice of yesterday.

Mr. President: There is the other adjournment motion "to discuss a definite and urgent matter of public importance, namely: the failure of the Government of India to withdraw the Indian High Commissioner from South Africa in spite of the fact that the Ghetto Bill is scheduled to be passed by the 12th April as announced in yesterday's papers."

This point seems to have been discussed in this House on a previous occasion when the House discussed the South African Bill.

Seth Govind Das: At that time and after that even, in reply to the Finance Bill debate, Mr. Banerjee said, referring to my question that the High Commissioner of South Africa should be recalled, "We have never said that the High Commissioner will not be recalled". Now, Sir, the High Commissioner has not been recalled in spite of the fact that so much pressure is being brought in the House as well as outside that he should be recalled, and opinion in this country as well as in South Africa is unanimous on this point. On the 12th of this month the Ghetto Bill is going to become an Act and the High Commissioner is going to remain there. The question has been debated here. Yet he is not being recalled. Since the Ghetto Bill is going to become an Act on the 12th of April, if the High Commissioner is to be recalled he should be recalled now. It is, therefore, Sir, that this becomes a matter of urgent public importance.

Mr. President: I am not yet clear about the whole matter. What is the position as regards the recall of the High Commissioner?

Mr. R. N. Banerjee: The only new point raised by my Honourable friend is that there is a press report that the Ghetto Bill might become law on the 12th of this month. I have already explained on the previous occasion to which you have referred, Sir, that this is a matter in respect of which the executive Government must be given some discretion. After all, Sir, Government has shown sufficient responsiveness to the wishes of this House in this matter.

Seth Govind Das: No, Sir.

Mr. R. N. Banerjee: And I feel, and I may repeat again, that once there is so much unanimity on this issue between the Government and this House, some

[Mr. R. N. Banerjee]

discretion should be left to the Government to decide at what stage what particular measure should be taken. But so far as this particular matter is concerned it is expected that the decision of Government would be known to the House very soon indeed—I should say before the House adjourns.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): May I ask, Sir, whether Government will take an early occasion to give this House an opportunity to discuss this matter after the 12th of this month, that is after the Bill becomes an Act?

Mr. President: Which matter?

Prof. N. G. Ranga: South Africa as a whole, including a reference to the U. N. O. and recall of the High Commissioner. It is on the 12th of this month that that the Bill becomes an Act in South Africa.

Mr. President: That is the press report. I do not think I should give my consent to this.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR ROADS

Mr. President: I have to inform the Assembly that upto 12 Noon on Wednesday, the 27th March, 1946, the time fixed for receiving nominations for the Standing Committee for Roads, nine nominations were received. Subsequently one member withdrew his candidature. As the number of the remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected: (1) Mr. M. A. F. Hirtzel, (2) Raizada Hans Raj, (3) Mr. Ramayan Prasad, (4) Mr. Sasanka Sekhar Sanyal, (5) Sri V. C. Vellingiri Gounder, (6) Chaudhury Sri Chand, (7) Khan Bahadur Hafiz M. Ghazanfarulla and (8) Khan Bahadur Habibur Rahman.

ELECTION OF MEMBERS TO ALL INDIA COUNCIL FOR TECHNICAL EDUCATION.

Mr. President: I have also to inform the Assembly that the following five non-official members have been elected to be members of the All-India Council for Technical Education: (1) Pandit Govind Malaviya, (2) Miss Maniben Kara, (3) Mr. Muhammad Ismail Khan, (4) Sri S. T. Adityan, and (5) Sardar N. G. Vinchoorkar.

ELECTION OF MEMBERS TO CENTRAL ADVISORY BOARD OF EDUCATION IN INDIA.

Mr. President: I have also to inform the Assembly that upto 12 Noon on Thursday, the 28th March, 1946, the time fixed for receiving nominations for the Central Advisory Board of Education in India, seven nominations were received. Subsequently two members withdrew their candidature. As the number of the remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected: (1) Dr. Sir Zia Uddin Ahmad, (2) Mr. Tamizuddin Khan, (3) Sree Satyapriya Banerjee, (4) Sri Jagannathdas, and (5) Mr. Frank R. Anthony.

ELECTION OF MEMBERS TO THE ADVISORY BOARD OF ARCHAEOLOGY IN INDIA.

Mr. President: I have further to inform the Assembly that upto 12 Noon on Thursday, the 28th March, 1946, the time fixed for receiving nominations for the Advisory Board of Archaeology in India, six nominations were received. Subsequently one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected: (1) Mr. R. C. Morris, (2) Sir Mohammad Yamin Khan, (3) Mr. K. C. Neogy, (4) Shri D. P. Karmarkar, and (5) Sri V. Gangaraju.

HINDU MARRIED WOMEN'S RIGHT TO SEPARATE RESIDENCE AND MAINTENANCE BILL.

Mr. President: We shall now proceed with the consideration of Dr. Deshmukh's Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances, as reported by the Select Committee.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I move:

"That the Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances, as reported by the Select Committee be taken into consideration."

Sir, I do not propose to make a long speech on this for two reasons. One thing is that I do not want to waste the time of the House in making unnecessary speeches. The second reason is that this subject has been discussed threadbare by the whole House. The subject has been before the House nearly for the last six years, and I am very happy to say that nearly every side of the House has been in support of this measure. There have been a succession of Law Members who have helped this Bill both by giving time on official and non-official days for the convenience of this Bill. Not only that, this House had actually appointed a Committee to go into the question of giving separate residence and maintenance to Hindu married women—a Committee over which the whole House had agreed. Unfortunately that Committee could not meet. However, afterwards the then Law Member was good enough to send it to the Hindu Law Drafting Committee and we have availed ourselves to the fullest extent of the help that could be received from the report of this Hindu Law Committee. Then the other day this Bill was sent to the Select Committee by the unanimous opinion of this House and I am very glad and happy to say that the Select Committee has unanimously signed this report. It is as it should be because things are changing. We cannot keep our womenfolk at the same stage as they were put two thousand years ago. To give a case in point, now Hindu women are expected not only to look after their houses. Many of the young Hindu women, married and unmarried, are taking a very prominent part in the public life of this country. In the rationing offices you will find them; you will find them in the nursing profession; you will find them voting; you will find them voting for the Congress. Sir, in connection with this, a thing which I have mentioned before, I wish to say that but for the help that we received from the Hindu women the Congress would not have been as great a success as it is today. Therefore, out of gratefulness, if for nothing else, I think we must return the debt to the Hindu women for the help that they have given in the political field to us.

So far as I can see, this Bill has received help from all sections of this House and not only from all sections of this House but from all sections of the community. The part that I have played is to bring the matter before the House, to the notice of the House. So far as the manner and the method is concerned, I must say that very distinguished lawyers, about whom I will have an occasion to speak at the end of the debate on this Bill, have helped with great pleasure. I do not propose to go into the objections which are likely to be raised because those objections are well known. Many of them are chronic; very many of them are familiar; and a few of them are disgusting; and therefore I have no intention at the present time to go into all the objections. If any Hindu says that this Bill is going to break the family life or to make the Hindu marriage less religious, I say that he does not understand Hindu religion and what it is. The whole purport and object of this Bill is to make the Hindu marriage more sacramental than what it is today. When they talk about this being a sacrament, uniting husband and wife into one body, I have never been able to understand why if the right and left are to form one the left or the right should have the right of marrying as many women as he wants and the right of indulging in all kinds of vices, and at the same time say that the other sacramental half, the wife, should not have any right—I repeat again, not even the elementary right of resentment so far as her human mind is concerned. I have not brought in

[Dr. G. V. Deshmukh]

any innovation in this Hindu social system. It is a principle which has been accepted in law; it is a principle which was accepted before; but even in modern courts this principle has been already accepted; and all that I have done is to define and perhaps to enlarge to a very small extent the principle that has already been accepted in Hindu Law. I am sure, if you look at this Bill from the right point of view, this Bill will not only not break the Hindu family life but it will consolidate it more. It will make it more sacramental, it will certainly make it more spiritual and ideal in behaviour and in conduct than in mere talk and words. Sir, I commend this Bill to the notice of the House.

Mr. President: Motion moved:

"That the Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances, as reported by the Select Committee, be taken into consideration."

Sgt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): There is an amendment for sending the Bill for circulation.

Mr. President: May I know if the Honourable Member Mr. Jhunjhunwala or Mr. Karmarkar wishes to move his amendment for circulation? If so, he may just move the amendment and speak afterwards if he likes, or even at present.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): I do not want to move the first amendment for circulation.

Mr. P. B. Gole (Berar: Non-Muhammadan): Sir, at the time when this Bill was referred to the Select Committee, I had moved an amendment that the Bill be circulated for eliciting public opinion. At that time somehow or other, although my name was not at first included in the Select Committee, my name was suggested and was included in the Select Committee; and I was asked to speak whatever I had to say about this Bill in the Select Committee; and therefore as so many people from our side also pressed me not to waste the time of the House, as there were only 15 minutes left at the time, much against my will I agree to be on the Select Committee. And therefore it is now taken for granted that I have no objection to the principles of the Bill. In fact in a way, I have no objection to the principles of the Bill because they are already law. In the body of the Hindu law itself, many of these provisions already occur. Therefore I cannot say that I have any objection to the principle of the Bill; but I do have some objections even to the Statement of Objects and Reasons and also to the preamble of this clause 2. Dr. Deshmukh in his Objects and Reasons says:

"Even with regard to the elementary rights of human beings the position of a Hindu married woman is deplorable."

He further says this Bill intends to give her a right of separate residence:—as if our law did not provide originally for such a right, or there was nothing in our law whereby a married woman, a wife, could claim separate residence and maintenance. In fact, the law as it obtains at present does give the wife a right of separate maintenance. I would refer the House to Sircar's Hindu Law, page 530:

"It has already been said that the wife is bound to reside with the husband. She cannot claim separate maintenance except for such ill-treatment as would amount to cruelty in the estimation of an English matrimonial court, and when she declines to live with him on account of his being a leper; but if the husband refuses to receive the wife into his house without sufficient cause, or the husband is guilty of continued neglect or abandonment she is entitled to separate maintenance."

All these provisions which are already the law of the land are sought to be incorporated, with of course an addition, namely, that if a man takes a second wife then also she has a right of separate maintenance and residence.

Sgt. N. V. Gadgil: That also is the old law!

Mr. P. B. Gole: Will you please wait? It is also the old law. If you want to have it that way; my friend probably does not know the law and therefore he says "That also is the old law"

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Which of you gave up practice last?

Mr. President: Let the Honourable Member address the Chair.

Mr. P. B. Gole: I was saying that Dr. Deshmukh in his enthusiasm for the rights of women has condemned our Hindu law, whereas our Hindu law does contain those provisions; and if Dr. Deshmukh was ignorant about them, I am very sorry. It is not the fault of Hindu law, it is not the fault of Hindu scriptures that Dr. Deshmukh did not know them. They are there; and with all this, Dr. Deshmukh comes before the House with his Statement of Objects and Reasons, namely, that the Bill intends to give her a right of separate residence and maintenance under certain unbearable circumstances. For unbearable circumstances, her right to separate residence and maintenance has been recognised by Hindu law and therefore really speaking, these objects and reasons casts an unnecessary aspersion upon our Hindu scriptures and upon our Hindu law. I wish that Dr. Deshmukh had not stated in the way in which he has done only on account of his enthusiasm for the rights of women. He should not have condemned our Hindu system of jurisprudence or Hindu law by saying that the Hindu law does not contain any provision for protecting a married woman.

Then in clause 2 he says:

"Notwithstanding any custom or law to the contrary, a married Hindu woman shall, etc. . . . be entitled to a claim."

I want to know from Dr. Deshmukh what is the custom to the contrary and what is the law to the contrary in Hindu law by which no provision is made. I will come to the question of the second wife later on. So far as the other grounds which have emerged from the Report of the Select Committee are concerned, they are already in the law itself. Really speaking there is nothing contrary in our Hindu law or custom so far as the provision of separate residence and maintenance is concerned. My view is that this is really an unnecessary piece of legislation and it would have been much better if Dr. Deshmukh had waited for some time. The House probably knows that there were several such Bills before in the previous Assembly and a committee known as the Hindu Law Committee was appointed to go into the subject of a comprehensive Bill known as the Hindu Code and at that time there were also other Bills for consideration. I would draw the attention of the House to certain remarks made by these learned people. For instance there was Mr. Gharpure, a very learned authority on Hindu law and Justice Mitter and there were others. I would quote to the House what these learned people say about these Bills:

"At the outset I would like to stress the urgent need for codification of Hindu law. This has long been overdue. Rules of Hindu law are quite susceptible of codification and there are no insuperable difficulties in that connection either because of the distribution of powers under the Government of India Act or otherwise. We are impressed by these opinions and precedents and we consider, therefore, that an attempt should be made towards gradually codifying Hindu law for British India. We do not regard the existence of various schools of law in the several Provinces of India as an insuperable obstacle to codification. Codification does not necessarily mean the abolition of the Schools the aim should be uniformity where possible and divergence where inevitable."

These learned jurists draw attention of these new legislators who are impatient. They say:

"To the impatient reformer we would commend the example of Switzerland in evolving the present Swiss Code. Until 1874, Swiss Civil Law was in the hands of the Cantons of which the Federation is composed. By the Federal Constitution Act of that year, power was given to the Centre to enact legislation on certain branches of Civil Law but with the exception of these branches, Civil Law remained with the Cantonal authorities. It varied greatly in different parts of the country. French law predominated in certain cantons; Austrian law in certain other cantons, German law in yet others and in the rest customary law modified by occasional statutes. The inconvenience resulting from this want of uniformity became more and more acutely felt as inter-Cantonal relations developed. Accordingly in 1898, the Constitution was amended so as to authorize the Central Legislature to unify the whole of the Civil Law in Switzerland. In the meantime a great jurist was commissioned to prepare a preliminary draft which occupied him from 1893 to 1909. The draft was published and another commission was appointed to consider the criticisms received and to revise the draft. This Commission consisted not only of jurists but also representatives of all sections of thought in Switzerland, sub-committees being formed to

[Mr. P. B. Gole]

consider certain parts of the Code. Not until 1904, was the final draft submitted to Parliament. The debates in Parliament continued for three years. Finally in 1907, the Code was passed by a unanimous vote in both Houses. But it did not come into force until January, 1912."

You will see that Switzerland was a small country. It is inhabited by different nationalities, having different laws and different customs but they wanted to have a unified law. It took them from 1874 to 1912 to pass it into law. Now, in India also different provinces have different schools of thought. Mitakshara of the Benares school prevails here. Mitakshara as interpreted by the Bombay school prevails in Bombay. Mitakshara prevails in Madras. Mithila prevails in Patna and in several other places different schools of thought prevail. We have got to reconcile all these schools of thought and consider them from the point of view of married women. So far as this particular Bill is concerned, the members of the Committee thought that it should not be taken by itself because it may have repercussions on other parts of the Hindu law. I would come to some of them during the course of my argument but before I touch on that, I would like to point out what these eminent jurists think of this Bill: They say:

"There remains Dr. Deshmukh's Bill for granting separate residence and maintenance to a married woman in certain circumstances. Most of the circumstances specified in the Bill are such that even under the existing law a married woman has this right. The one important case in which she has no such right at present and in which the Bill seeks to give her the right is where her husband takes a second wife. The majority of opinions received by us are in favour of making a second marriage null and void if there is a valid marriage subsisting at the time; in other words, in favour of nullifying bigamous marriages altogether. A certain number of others do not wish to go quite so far and are content with the provision made in the Bill that where the husband takes a second wife, his first wife should have the right to separate residence and maintenance. A smaller minority consider that bigamy should not only not be prohibited but that the first wife should not have the right to separate maintenance. Except perhaps a few, advocates of the total abolition of polygamy would probably favour the provision in the Bill, if abolition is not immediately practicable."

Dr. G. V. Deshmukh: On a point of order? Is all this relevant at this stage. The House accepted the principle when it referred the Bill to the Select Committee. I have no objection to Mr. Gole saying what he wants to say but I hope he will now talk about the actual provisions of the Bill. This is the request I make to him. I do not object in any way.

Mr. P. B. Gole: I have got to say what I want to say. At the time when the Bill was referred to the Select Committee, I was particularly gagged.

Mr. President: It would be more correct to say that the Honourable Member allowed himself to be gagged.

Mr. P. B. Gole: I admit that. But that does not mean that I should not avail myself of this opportunity of saying what I have got to say. The committee says:

"In accordance, however, with our bias against piecemeal legislation, we think that this Bill also, with all the issues which it raises should await the general review of the law of marriage which we have proposed as part of the process of codification."

Now, Sir, that is what the members of the committee say that this piecemeal legislation should not be undertaken and this should be a part of the Hindu Law which they propose to codify. My view is that Dr. Deshmukh should take time and wait for the publication of the report of the Hindu Law committee. The Hindu Law Committee has toured the whole of India and has taken evidence also from different places and it has considered the different views propounded not only by Pandits, but even by social reformers. I am told that the Hindu Law Committee has not yet been able to make its report. That is quite obvious because the subject of Hindu Law is so vast and the schools are so very different that they have got to consider well before codifying the law and bring out a codified law without really changing the different schools of Hindu law. It is therefore but natural that they should take time. I think my Honourable friend Dr. Deshmukh would do well to await the report of the Hindu Law Committee. (Interruption). So far as I know the Government

have undertaken not to introduce such piecemeal legislation, but they have decided to await the report of the Hindu Law Committee. But somehow or other as this was a comparatively non-controversial Bill, Dr. Deshmukh thought that this Bill could immediately be enacted into law. Of course, I do not know the views of Dr. Deshmukh so far as polygamy is concerned. Perhaps he is against it. He probably thinks that the Hindu Law does not make any distinction as regards polygamy. I would like to quote *Yagnyavalkya*

Dr. G. V. Deshmukh: I know all this. You need not take up the time of the House by trying to read the texts for my sake.

Mr. President: If Honourable Members go on making remarks and putting questions, perhaps the Honourable Member Mr. Gole will take longer time. Today is the only day allotted for private Bills and if Honourable Members are really anxious to see that their Bills go through, then there should be less of these interruptions.

Mr. P. B. Gole: I was referring to *Yagnyavalkya* on the question of polygamy. What *Yagnyavalkya* says when translated means this: that if a husband discards his chaste wife, then a third of his property should be given to the first wife and even if he has no property, still it is his duty to maintain his first wife. This is the text of *Yagnyavalkya*. Therefore if you say that there is nothing in our Code with regard to restriction on polygamy, it is not correct, because there is a very strict rule of Hindu law whereby polygamy, although not exactly prohibited is discouraged to a very great extent. I would say, Sir, that so far as polygamy is concerned, sometimes it is a question of sentiment. Sometimes the Hindu sentiment is such that in case, for instance, there is no child by the first wife, it so happens that the first wife herself insists on the husband marrying a second wife with a view to have a son. There is a natural desire for a Hindu to have a son and if the first wife brings about the second marriage, then if the first wife does not pull on well with the second wife and insists upon her separate maintenance and living, is the husband to be penalised for an act which he did not bring about of his own accord. That will be the real test in this case (Interruption). Hard cases make bad law. These are exceptional cases. Polygamy is not the rule of Hindu law. The real Hindu law is monogamy. It is only in exceptional cases that polygamy is resorted to. I know that in certain parts of India polygamy is resorted to as of necessity. I know that in Nagpur and other places, the weavers take four or five wives in order that their trade might be carried on. Imagine for a moment that Dr. Deshmukh's Bill is passed into law and a small family man with five wives who is carrying on weaving trade is faced with the demand for separate maintenance from each of his five wives, then what happens to the cottage industry which we are all anxious to encourage. That will come to nothing. This practice is customary among weavers on our side.

Dr. G. V. Deshmukh: May I give the House some information? All the wives can also have divorce, so it is no good my Honourable friend telling these things to the House. All these five wives can get divorce in no time.

Mr. P. B. Gole: The question of divorce does not arise here.

Dr. G. V. Deshmukh: They can go away from him.

Mr. P. B. Gole: They can also claim separate maintenance. Let us now take into consideration whether they have right of divorce or not. Because there is a right of divorce, therefore the right of maintenance does not disappear. That should be understood. There may be some village Advocate who might be mischievous enough to incite the wives to remain separate and demand separation allowance from the husband. Tomorrow if Dr. Deshmukh's Bill becomes law, the wives can go to a civil court and claim separate maintenance. In the case of a man who has married four or five wives, what would be the condition of the family. Dr. Deshmukh's proposed law is a universal law and we have got carefully to consider its applicability to all Hindus, including the Jains and Sikhs and other communities to which the Hindu law is applicable. If that is so, we have not considered the conditions that obtain among those Jains and Sikhs and other communities to whom Hindu law applies; and also we have not considered the cases of families like those of weavers to whom I referred.

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Therefore this has to be considered from all points of view and while we are making a law for the whole of India we must know the conditions which prevail in different parts of India. For instance, in some parts there is polygamy and in other parts we do not find it. If there is customary polygamy anywhere and it is necessary for the continuation or even the very existence of the family, the Bill must provide an exception for those cases. But the Bill as drafted takes no note of that.

Another point is this. Everybody agrees that legislation should not be hasty; we must consider all the pros and cons of a contemplated piece of legislation which would apply to society as a whole. Now this Bill was published in February 1946 and is being enacted into law today.

Dr. G. V. Deshmukh: It was first published in 1939.

Mr. P. B. Gole: Yes, but after that there has been the Law Committee and their report is still awaited. We do not know whether they have recommended special provisions to be made for special conditions in different parts of the country. Therefore because it was published in 1939 it does not mean that the Hindu community as a whole has considered it and come to definite conclusions about it. So I say that we would be rushing it through if we pass it today and it would give rise to any amount of litigation. I am told that lawyers these days have not got much work to do; I do not know if Dr. Deshmukh wants to provide them with some work.

Now I will take up the clauses of the Bill. One of the grounds for claiming separate maintenance is, "if he is suffering from any loathsome disease". The word "loathsome" has not been defined. If a man suffers from itches, for instance, he suffers from a disease which is loathsome; but it is curable. If a wife claims separate residence and maintenance on that account, the husband may be cured tomorrow by Dr. Deshmukh himself, and can the husband then say that the right has disappeared or can she establish her right which practically amounts to a judicial separation? Can she have this judicial separation permanently?

Sjt. N. V. Gadgil: The words are "is suffering".

Mr. P. B. Gole: "Is suffering" at the time the suit is filed, and the decree will date back to the time of the suit. If instead of the word "loathsome" the word "incurable" were used it would be something. But the word "loathsome" has not been defined. But if the husband suffers from something like venereal disease, which is curable, and before he is cured the wife obtains separation and maintenance, what happens after he is cured? The further question is, whether in such a case the husband will be entitled to restitution of conjugal rights.

Sjt. N. V. Gadgil: That is open to him independently of this legislation.

Mr. P. B. Gole: I have my own doubts about it. If of course it is an incurable disease the case would be different; but what happens if the loathsome disease is cured?

An Honourable Member: He can bring a suit for restitution of conjugal rights.

Mr. P. B. Gole: To that suit the right of separate maintenance and residence would be a valid defence. The Bill as it is now makes no provision for this.

Then another ground is, "if he marries again". What happens if he marries with her consent? Should the husband be penalised if he marries at the instance of the first wife and this first wife claims separate residence and maintenance? What happens if the second wife dies? Would the first wife then be justified on insisting on living apart and getting maintenance from the husband, forcing the husband to contract a third marriage? The Bill does not make this at all clear. That is why I say that all the pros and cons have not been considered and it is a hastily drafted Bill.

Then, "if he keeps a concubine". That is of course a good ground for getting separate residence and maintenance. But what happens if the concubine dies tomorrow?

The Honourable Sir Asoka Roy (Law Member): Take another concubine!

Mr. P. B. Gole: If he does not want to continue in that sin, would the wife be justified in insisting on separate maintenance and residence in spite of the change in her husband's life?

Manu's text reads like this:

*Pita Mata Gururbharya Majadeenah Samashritah,
Abhyagatotithishchaiva Poshyavarga Udahrtah.*

It is the duty of the man to support them. But further he says:

*Vridhdau cha Mata Pitarau Sadhvee Bharya Sutah Shishu,
Apyakaryashatamkritva Bhartavya Manurabraveet.*

Manu has clearly stated that it is the duty of the husband, even by committing a sin, to maintain his wife. Therefore he is bound to maintain the wife, and it is the duty of wife to remain under the roof of her husband. In this Bill there is no provision for this. If you want to make it a law, it should be sufficiently comprehensive and it should cover all possible cases which may arise. Now, supposing the concubine dies, and the wife insists on separate maintenance?

An Honourable Member: Why not?

Mr. P. B. Gole: Because it is her duty to remain under the roof of her husband in the same way as it is the duty of the husband to maintain his wife.

Sjt. N. V. Gadgil: Modern wives do not believe in it!

Mr. P. B. Gole: Whether modern wives believe in it or not, it is their duty all the same.

Mr. President: Honourable Member need not reply to all these remarks because, unfortunately, his link of arguments gets broken.

Dr. G. V. Deshmukh: He wants to talk something and we are giving him some food for thought.

Mr. P. B. Gole: They are perhaps trying to break marriage links, and therefore they are trying to break the link of my arguments.

The Bill is so defective that it will give rise to many complications. It would have been much better to wait. It is better to err on the safe side and await the report of the Hindu Law Committee. The Hindu Law Committee has toured throughout the Provinces and it will be in consonance with good sense, when our Pandits and eminent jurists are considering the formation of a new Code in which this subject also will be included as they have clearly stated, to await their Report. Instead of awaiting that report, my Honourable friend, Dr. Deshmukh, has rushed to the Assembly with this Bill. I take it for granted that Dr. Deshmukh has studied the question, but I would say that he has not taken into considerations the customs that are prevailing in different parts of India.

Mr. President: Order, order. The Honourable Member can resume his speech after Lunch.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. President the Honourable (Mr. G. V. Mavalankar) in the Chair.

Mr. P. B. Gole: I was just criticising sub-clause (6) of the Bill "If he keeps a concubine in the house". I say, if the concubine dies or a man repents, what should be the position? Could the wife be made to return to the roof of the

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husband or not? Or whether, once she obtained separate maintenance and residence, that could prevent husband from claiming the wife? That is not clear from this Bill and I may draw the attention of the House in this connection to a case reported as far back as "8 Allahabad," that is 1886. The provision there is this:

"That if the husband repents, or if he gives up his mistress, then he is entitled to claim restitution of his wife."

Therefore, now as the Bill provides for a separate maintenance and residence for a wife in case he keeps a concubine, there must be a corresponding provision with regard to cases where the reverse is the position, where the husband gives up the mistress or the mistress dies and he wants his wife to return to his own roof. In that case, a provision ought to be made. After all, we are in 1946. Our views are advanced, and we should clearly define the position of husband and wife so that there should be no doubts left.

So far as the duties of the wife are concerned, as I have already quoted, I may also point out certain passages from Sarkar's Hindu Law:

"The wife is bound to reside with the husband wherever he may choose to live. The fact of a husband having another wife will not relieve her from that duty. Nothing short of habitual cruelty or ill-treatment, will justify her to leave her husband's house and reside elsewhere. The husband is bound to maintain the wife and to provide a suitable place for her residence and to live with her. But the wife's right of residence does not empower her to restrain her husband from alienating the family dwelling house."

You will see therefore that there are mutual duties. Just as the husband has a duty towards his wife, similarly the wife has a duty to her husband. In this connection I would draw the attention of the House to certain remarks made by this Law Committee. They said:

"There is more than one lesson to be learnt from this example (this piece-meal legislation) and that is that it is worth while spending time and labour in order to get a good code. Secondly, that all sections of thought must be given a hearing if a proper code is to be enacted. Thirdly, that neither regional differences nor even constitutional difficulties are insuperable barriers."

Then, Sir, these jurists go on to say:

"The Acts have established an important principle, the germ of which goes back to the time of Jaimini, 2,500 years ago. Let us glance rapidly at the course of this evolution. In one of Jaimini's aphorisms we find it stated that as husband and wife have been declared joint owners of property, their activities should be joint."

Sabara's commentary on this aphorism is to the following effect:

"The wife is entitled to the wealth earned by the husband and *vice versa*. Therefore gift of money even earned by the husband cannot be valid if the wife's consent is not obtained."

But since our law recognises that a wife has an equal right to the property of the husband, the question would naturally resolve itself as to what should be done when the wife claims separate maintenance and residence, and we have to consider, while considering these different aspects of law, what kind of law should be enacted so that all these viewpoints would be reconciled. I would draw the attention of the House to the last clause, sub-clause (7) of this Bill—"for any other justifiable cause". The wife has a right to separate residence and maintenance for other justifiable cause. What is the meaning of it? You have enumerated all the reasons which obtain already under law, except of course the one regarding the taking of a second wife. What is the further justifiable cause? The word 'justifiable' itself is not defined and I should very much have liked to know what is the justifiable cause in other cases than those which have been enumerated above. (Interruption). If so, then why enumerate all these? Why not say, for any justifiable cause, such as these. If that is so, I can understand.

Sri S. T. Adityan (Madura and Ramnad *cum* Tinnevelley: Non-Muhammadan Rural): *Ejusdem generis*!

Mr. P. B. Gole: If that is the meaning I have no objection, but to say for any other justifiable cause, when the word justifiable is not defined, it might

mean any cause which in the discretion of the Court entitled the wife to have separate maintenance and residence. This is also undefined. The Bill is replete with so many difficulties and so many doubts that to pass the Bill in the form in which it is now before the House would be, if I may say so, a kind of calamity especially because these eminent jurists have remarked at the end of their report:

"It is a code of this kind that we contemplate: a code which shall base its law on succession on the ideas of Jaimini rather than those of Bandhayana and its law of marriage on the best parts of the code of Manu rather than those which fall short of the best; a code which shall recognise that men and women are equal in status with appropriate obligations as well as rights; a code which generally speaking shall be a blend of the finest elements in the various Schools of Hindu Law; a code, finally, which shall be simple in its language, capable of being translated into the vernaculars and made accessible to all. Such a code will doubtless take time and many minds will have to collaborate in its preparation. But there must be many competent men and women in India who would be glad to assist in the execution of so majestic a task affecting the personal law of nearly 200 million people."

What I want to point out is that I have tried for instance to enumerate so many difficulties and doubts regarding this Bill. In fact so far as this portion of the Bill is concerned the Hindu Law Committee says that they are considering this question. They have toured the whole of India. They have considered the customs that prevail regarding this in different parts of India and they want to have a comprehensive legislation even with regard to this. I have not therefore been able to understand why so much haste is being exhibited in regard to this piece of legislation.

Now the question would arise whether there is any pressing case. Sometimes emergency requires immediate legislative action. Has any such emergency arisen. In all the speeches of Dr. Deshmukh I have not been able to see any kind of emergency having arisen. I suppose Dr. Deshmukh is quite earnest in what he was saying and I therefore attach the greatest importance to what he has been saying. But what I want to know is this. When this Law Committee is seized of all this, when they are considering this particular point, when it has framed a tentative Hindu code, they have toured all over India, taking the code as a basis and they are going to give a comprehensive law, why at this particular juncture a Bill is being rushed through. If Dr. Deshmukh wanted to steal a march over the Hindu Law Committee and wants to place on the statute book such a measure, it should be at least complete in itself. It should provide for all eventualities. What should happen if all those exceptional circumstances under which the right to separate maintenance and residence given, disappear? Where a wife's right to separate maintenance and residence is established in a court of law whether that would be a bar to the husband's right of restitution of conjugal rights. In the absence of these clarifications that also ought to be made clear and the Bill should not be considered. I am very sorry to say that the Bill lacks all this elucidation and therefore it would have been much better if we had waited for sometime before this Bill is rushed through and enacted as a law on the Indian statute book.

Somehow or other the idea has got abroad that Bills on Hindu Law are being rushed through very quickly in the Assembly and yesterday there was a very huge meeting in Old Delhi where many Pandits and learned people from Benares were assembled. (Babu Ram Narayan Singh: "Were they learned?") Decidedly, far more learned than any of us here. I can vouchsafe for it. Those people became afraid that there was some encroachment upon the old law and they thought that such legislation should not be pursued. Today in the morning I was given a statement by Pandit Malaviya which refers to all the Bills. (An Honourable Member: the two Bills). Not only the two Bills but also all the Bills and the old man seems to be disturbed as to what is being done in this Assembly. The point is whether we have got such an opportunity here to discuss in full all the pros and cons of a measure which is going to be placed on the statute book affecting Hindus in particular. In fact so far as this Bill is concerned, it was not circulated for public opinion at all.

Dr. G. V. Deshmukh: You are wrong there: you have no information on the subject.

Mr. P. B. Gole: I have not got information as in the case of the other Bill of Dr. Deshmukh. So far as this Bill is concerned I have not had the advantage of any opinion.

Dr. G. V. Deshmukh: It was circulated for opinion in 1940.

Mr. P. B. Gole: There is nothing in regard to this Bill to show what those opinions were. Of course the Honourable Member will enlighten us on the point but so far as I am aware no opinions have so far been received and behind the back of the public we are rushing through a measure of this sort. I am not aware of any opinions. Of course I am open to correction, because I was not in the Assembly but Dr. Deshmukh was at that time, and he will tell us what Provinces were in favour and what Provinces against. We are not aware of any opinions, although I must concede that there is already an existing law, excepting of course one sub-clause regarding the taking of a second wife. For that purpose really speaking it should have been circulated. With regard to the other sub-clause, I take objection to the last clause, because it is vague and it will depend very often upon the discretion of the courts. If you want to codify Hindu Law, where there are texts and where you want new texts there should be no loophole for any discretion to be exercised by the judges as far as possible. I do not say that the law would be perfect. There is bound to be some defect or other. But as a cursory consideration of the Bill suggests so many difficulties it would be much better if this Bill is again held in abeyance for sometime till the report of the Hindu Law Committee is presented to the House and a comprehensive Bill dealing with all aspects of Hindu Law is placed before the House. I do not think we are serving any good purpose or that we are reforming our society by enacting legislation piecemeal. What will be the repercussions or what will happen we do not know. It would be much better to leave it as it is instead of enacting a measure in this manner. Therefore, Sir, I oppose the consideration of this Bill.

Shrimati Ammu Swaminadhan (Madras City: Non-Muhammadan Urban): Sir, in rising to support this Bill that is being introduced by Dr. Deshmukh I am not going to touch on the legal aspects because we have lawyers in this House and I know Dr. Deshmukh himself has consulted lawyers before he actually framed his Bill. I find it is a Bill which might be helping women in a very small degree and I do not see why we should have had any opposition to this Bill at all. After all, all that it wants to do is, in circumstances where the wife finds it impossible to live with her husband she may be allowed separate residence and maintenance. How is it going to break up Hindu society if she is given that right, I do not understand. It has been said that if the husband marries a second time with the consent of the wife it is only right that the wife should go on living with the husband because she has consented to the second marriage. Sir, I beg to differ from those who say that, because no wife willingly gives her consent to a second marriage. There may be circumstances when she is coerced into giving her consent. There may even be circumstances when the wife feels that perhaps it would be better for her husband to marry again because he has not had any son and he may have some property which he wants the son to inherit. She may be forced that way by a sort of sense of justice and say that her husband may marry a second time. But I do not think there is any wife either in India or in any other country who would like to live in the same house where the second wife has come to live. It is only to make things happy for the woman and also for the husband that we want to introduce such Bills. It is only to see that marriage brings about happiness and not unhappiness that such Bills are being brought. The Honourable Member who spoke before me said at one time that it is the duty of the wife to serve her husband. Sir, we so often hear, told to us women, about the duties of wives. How is it that nobody in this House or outside this House speak about the duties of husbands? Why not tell the husband that it is his duty not to marry again, whether he has a son or not. There are thousands

of little children in the country. They have no home. Why not adopt them? Adoption is allowed in this country. Why should the husband marry again and make his wife, and very often the second wife also, unhappy by marrying again instead of adopting a child? As I said just now, there are millions of children who would be so happy and whose mothers and fathers would be so happy if they are adopted. Sometimes they are orphans. It will be an act of kindness to adopt such a child and give all the property to that child. I do not believe for a moment that it is the duty of a wife to serve the husband in case he ill-treats her, in case he is suffering from some disease which she might also contract from him, and that she should be forced to live in the same house with the husband. For every clause here the reasons are given for her having a separate residence and maintenance. I do not understand why all such arguments as that it is going to break up Hindu society, that it is against our Hindu religion and so on and so forth are brought forth over this very mild legislation. For, this Bill does not introduce divorce though I hope that will come when the Rao Committee's report is ready and I hope that Bill will also be introduced in this House soon. I do not understand why there should be any opposition to this mild Bill. With regard to the plea that there is no hurry to pass such a Bill, I find that our brothers are forgetting that Hindu women have been suffering social and legal disabilities for centuries, and have been suffering all the time without opening their mouths at all. They have been suffering absolutely quietly. And when a Bill is brought forward to give them a little relief and equality with their husbands, it is called a hurried Bill. Surely, after having suffered for centuries, if somebody brings a Bill to give a certain relief and a certain equality to the Hindu married woman, it is not a hurried Bill at all. They could have thought about it many many years, perhaps centuries, back. I know in centuries ago it may be incorrect under the Hindu law. But things have changed. How many things have changed? They speak about Pandits from Benares. Sir, I do not want to speak about these things, but is it allowed that Brahmans should eat meat and drink wine? Has society changed to that mind, and do not people do these things today? Society has changed in many ways. I am not finding fault with it. We have to move with the times. There are certain things which women need to give them more equality and more happiness. Dr. Deshmukh said a little while ago that women do not lead the same kind of life they used to lead. Today they take part in public affairs. They want to serve the country. They don't want to sit in their own homes, look after the children and serve their husbands. They want to serve the country and the time has come when everyone should take part in the service of the country and the public affairs of the country. It is therefore only right that women should have laws made so that their disabilities will be removed and they will have certain equalities. May I also say, Sir, that passing a Bill like this does not mean that from tomorrow every woman will like to live separately from her husband and ask for maintenance. They only want in certain cases to have such rights. One is, if the husband is guilty of such cruelty as to render it unsafe for her to live with him. The second is, if he is guilty of desertion, that is, abandoning her without her consent or against her wish. The third is, if he marries again. The fourth is, if he ceases to be a Hindu. The fifth is if he keeps a concubine in the house. I say these are not enough. Why should he keep a concubine outside the house? I do not know why that word has come in. It was said a little while ago that if the concubine or prostitute or whoever she is, dies and if the husband repents surely it is right that he should ask his wife to live with him again. This is a matter for them to settle, and is not for us to say. She may not like to live with him when his affections have gone somewhere else. People say that the wife should not go to a separate residence if the husband marries again with her consent. Is it because that in serving her husband she should be there with the second wife, to be the cook and house-keeper so that the new wife and the husband will not have any housekeeping to do? I am sorry to say these things, but this has been happening for many centuries and women have been suffering and are still suffering. So I feel that this legislation is not enough. We should have much more advanced legislation

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than we have today. And I certainly do not agree with this one clause wherein it is said "Notwithstanding any custom or law to the country a married Hindu woman shall, while she leads a chaste life, be entitled to separate residence and maintenance". Surely, everybody in this House knows that it is so easy to bring a case of unchastity against a woman. There are so many ways. As such, why should that clause be there? I am very sorry my Honourable friend's amendment was lost today. I think we should have omitted that word. I do not agree with that word at all, but I hope that amendment will be carried and that we will be able to pass this Bill.

Sir, it does not mean that the women of India do not trust their husbands. It is only to give relief in certain cases. I do not say that all marriages are unhappy under the existing law. Many, many marriages in this country are very happy marriages, and sometimes I think, after being in other countries, perhaps the Hindu marriages are more happy than the marriages in Western countries where they have progressed so much. I do feel that it is necessary always to think of those unhappy cases. They may be a few, but these women should have the right to go and live in a different residence. She should be maintained by the husband because she has no property of her own and it is only right that such Bills should be introduced. I hope that this Bill will be carried unanimously in this House. Sir, I support this Bill.

Sri S. T. Adityan: Sir, I would not have risen to speak at all in this House at this stage of the Bill but for the fact that a very good and Honourable friend of mine came and asked me why I am opposing the Bill. It has been asked and therefore I thought I might make my position clear, having given about 13 amendments to the Bill. I do not oppose the Bill; I want the Bill to be rushed through; I want the Bill to be made a statute; I want the Bill to enter the statute book today. That is my position. But in so doing, there are a few grammatical mistakes in the draft which I want to correct. So that the

statute may be more accurate and so that the position may be more scientific and so that troubles may not arise in law courts hereafter and money may not be wasted in appeals and revision petitions. Being a practising lawyer I thought there were certain points which may be made more clear, more scientific and more accurate. For instance I have given an amendment to this effect. What in the original Hindu draft code was an adverbial clause has been transferred here to this Bill to serve as a noun clause, I want it again to be fitted as a noun clause grammatically. I certainly revolt against the English and not only the English but against the English language also: my revolt against that language is not so far carried as to revolt against their grammar when I am speaking their language. Only to that extent most of my modifications and amendments are directed; but there is one amendment on which I will speak hereafter. It is the amendment in which I want that there shall be no meticulous examination into who was the first to be contaminated with a certain disease and who passed it on to the other. Among two spouses, who will be able to say that? It will be very difficult to find out; and it will certainly be undesirable to enter into the investigation as to who was the first person that caught the disease and who transferred the disease to the other. On sociological grounds and on legal grounds, I will be able to show to this Honourable House that that is not a position which this House will accept, namely, an investigation into who was the first person to get the disease.

Apart from all these things, after the Honourable member representing Madras city has been so ably painting the picture from the sociological point of view, I do not think any further time will be taken up usefully by going again into the sociological grounds by me; but I will speak upon the preliminary points only as a lawyer and that as a practising lawyer and so I will put up only one or two points, and as I am anxious to see that the Bill is taken up clause by clause, I will content myself with a few words.

My Honourable and learned friend Mr. Gole at one time seemed to suggest that he was very much in favour of the Hindu Draft Code which is a real codi-

fication and sometimes a modification of the Hindu law; and at another time he seemed to oppose the principle of trying to change even a comma in the Hindu law as we find it today. There was another matter in which I beg to differ from him and it is this. He was trying to quote from *Yagnavalkya*, from *Manu*, from *Narada* and from a host of ancient *rishis* when speaking about the Hindu society as at present constituted under the British regime; I am not able to see the point in it. Is it his opinion that the Hindu society is bound to be static? Is it not like a stream that is moving on with the times? Are we not to change our laws to suit the circumstances? Circumstances have changed very far. In the olden days there were *rishis* to lay down the law. Those days are over, gone by never to return; and now we are living in a day when there are no *rishis* to lay down the laws. (*An Honourable Member: We are the rishis!*) Yes we are the *rishis*. As I look at the law my position is this. I have got great respect for the Hindu law, but I do not regard it as sacred; I do not regard it as holy, so holy that it cannot be touched at all even for the benefit of our society. We can change the Hindu law so far as is necessary to suit our present circumstances, our present needs and our present society. We have to change it. I am proud of the Hindu law as a work of art; but my pride requires that it should be made more and more perfect every day. That is the position I have to take. I am proud of the handiwork of my forefathers, and of the ancients; but if I failed to do my little bit towards the perfecting of it, am I worthy of them? Am I worthy of the great *rishis*? That is the position I want to take up.

A few words about the second marriage question. My Honourable and learned friend Mr. Gole was saying that this seemed to be some sort of innovation. Innovation it is, but even though under the present system of law as it is now administered in British India there is no possible way of appropriating any innovations into the Hindu law system, I think on reasonable grounds this House is justified in assimilating innovations also in the statute book, because our ancients recognised that custom is as good as law. Scripture is not the only source of Hindu law; there are also a number of other sources and one of them is custom. Custom is not static, it is ever changing with the habits and thoughts of the people, with the circumstances of the people; and as I find it today, the custom of polygamy, if it ever did exist in India to a large extent, it is vanishing, if not vanished altogether. Perhaps there might have been a time when there might have been even polyandry in this country as some scholars say; but we know that from historical times it has vanished; and even so the custom of polygamy is vanishing. So we have to change our ideas and adapt them to the new ideals that we are seeking. Basing ourselves on custom, I think we are certainly entitled to change the law in respect of a second marriage; and not only that; I feel some pride in saying that I belong to a certain community in which a second marriage, while the first wife is living, is prohibited. I may say it is almost unknown—a second marriage while the first wife is living. I come from the Province of Madras in which the progressive opinion of the High Court has been such that in more than one case, of which I may cite 71 M.L.J. 499 as an example, the court has taken into consideration the fact that the man has married a second time as one of the grounds for refusing restitution of conjugal rights and also for a decree for maintenance. It has been taken not as the sole consideration no doubt, but the Madras High Court has so far moved with the times as to hold that a second marriage may be taken as one of the considerations in decreasing a suit for maintenance and separate residence.

On the question of consent also, my Honourable and learned friend Mr. Gole seemed to raise some legal conundrum which I could not follow. He seemed to say that simply because a second marriage is based upon the consent of the first wife, she is precluded completely for ever from claiming maintenance and separate residence. We lawyers are aware and we come often across cases in which even against one's own will, consent is obtained. Do we not find that there are certain transactions based upon completed contracts which are set

[Shrimati Ammu Swaminadhan]

aside owing to fraud, owing to nonage, owing to coercion and owing to a lot of other causes like these? There are cases and cases in which a lawyer sees that there is reason to protect a person against his own contract and covenant and this is one of them. Hindu tradition requires the consent of the wife to whatever the husband commands. If the husband so desires and wants to have another wife so that he may have more children, I should like to see the Hindu wife who does not consent. The Hindu system compels the women to consent and simply because they consented, the law should not damn them for ever. This is a case in which a woman requires to be protected against her own contract. The *purdanashin* woman, as she is called here, who does not know the vagaries of the world, has been thus protected. The Privy Council has protected her on more than one occasion even though the contract may have been registered. Here is a simple case. The woman has to be protected against her own contracts, because the consent is tainted and is obtained by fraud and coercion.

On the position of the concubine something has been said. I am not going to lay much stress on that but if we look into the cases reported, we find that the cases are getting rarer and rarer. It is a phenomenon which is getting rarer. We in this House should do everything to see that this vanishes altogether from Hindu society.

With these words I beg to submit that the Bill may be taken into consideration and if possible put on the statute book today.

Mr. Krishna Chandra Sharma (Meerut Division: Non-Muhammadian Rural): The Bill has been so ably supported by Mrs. Ammu Swaminadhan that it does not need many words from me in support. It is difficult for a Hindu with a conscience to restrain after seeing the attitude of my esteemed friend Honourable Mr. Gole. He wants great changes. He wants freedom, better life and more prosperity. He wants a great future for his country but wants the woman to remain a mere doll and play thing or an unfeeling stone or a tamed domestic animal. Such a thing is impossible. If any one wants new changes he must give women an honourable place in society which means new rights for them. The Bill as it is does not give or create any new substantial rights in favour of women. The rights are already given both in the civil and the criminal law. There is only one additional question of the man marrying a second time. In practice, any man with a knowledge of what is happening in courts of law knows that when a woman comes with the plea that she cannot with safety and honour live with a husband who brings in another wife and as Mrs. Swaminadhan has said things become intolerable for the two women to live under the same roof. Even on that plea, the first wife has a right to separate residence and maintenance for the judge invariably comes to the conclusion that it is impossible for the woman to remain under the same roof. What this Bill does is to give a concrete shape to what was nebulous, vague and indefinite in the civil law and in section 488 of the Criminal Procedure Code. With these words I move an amendment to clause 2.

Mr. President: That stage has not been reached yet.

Mr. Krishna Chandra Sharma: So, I support the Bill so that the woman may take an honourable place in society and get her proper rights. Then above India can claim with pride a place in the comity of civilized nations. I support the Bill.

Sjt. N. V. Gadgil: I was not a little surprised when I was listening to the speech of my friend Mr. Gole. As I entered the House, I also got a leaflet published under the signature of Pandit Madan Mohan Malaviya. It seems that there was some unconscious conspiracy between the opponents outside and the opponents inside, if not to sabotage the Bill at least to delay its passage.

Now there are two points of view from which the Bill is sought to be opposed. The first is that this legislature has no right to legislate in the

matter of Hindus, especially in respect of marriage, inheritance, succession, etc. Now with respect to this I may bring to the notice of the House that in the course of the last 80 years several enactments have been passed in this House in the matter of inheritance, succession, testamentary disposition and marriage. I remember when the Sarda Act Amending Bill was being discussed here, there were more rowdy scenes than are witnessed today. It was the same argument that the Hindu law as it is found in the various *smritis* is the last word on it. If that is so, if Hindu law is a revealed thing, as is sought to be made out in this leaflet, I cannot account for the various *smritis*. If there are *smritis* and if the law has changed from time to time and if, as is said, by Pandit Malaviya 'Throughout the known period of history no evidence is available of any change deliberately brought about in this social order by any human agency, much less by any political authority', the point is conceded that there is change and the change is in accordance with the circumstances of the time. The secret of social stability and happiness lies in approximating the law with positive morality. If public opinion requires a change, then it is the business of those who are in charge of law to see that the law approximates to public opinion. Now, Sir, this line of argument, *viz.*, incompetence of this Legislature, is one which has been discarded by this House so many times. The second line of argument which was adopted by my Honourable friend Mr. Gole so tactfully was what is the good of trying to have piecemeal legislation. Why not have a Code? Now, Sir, everybody knows that it is not a simple job to compile a Code on all the matters relating to Hindu law, succession, inheritance, marriage, maintenance, guardianship, etc. But I am just asking my Honourable friend Mr. Gole whether there is anything bad in it except that it should not be a piecemeal legislation. If it is bad on merits then let us consider it.

Mr. P. B. Gole: That is what the jurists say.

Sjt. N. V. Gadgil: Then the only objection is to piecemeal legislation.

Dr. G. V. Deshmukh: Don't bother about Mr. Gole. He has no opinion of his own.

Sjt. N. V. Gadgil: No, we must take up his points and answer him. I may bring to the notice of this House that when this Bill was referred to the Select Committee, I think this point whether such a Bill should be brought in because it is a piecemeal Bill is already concluded and settled. What is open to this House now is either to reject this Bill if the House, in its wisdom so desires or improve it if the House thinks that improvements are necessary. Now, Sir, taking the Bill as it is and as it has come out from the Select Committee, the report of it was signed along with others by my Honourable friend Mr. Gole himself. There in the Select Committee, of course I am not at liberty to give expression to whatever has happened, but this much is permissible to be said that many points which he raised here and now were not raised there. What this Bill contains is really what has been put in in the draft Code. In fact clause 2 of this Bill which is the most important clause is entirely borrowed from that. All the grounds, 1 to 7 are the grounds which one finds in Chapter II, Rule 26 of the Draft Code. There is a note which says that this is the present law. The main point to be remembered is this that this Bill does not introduce anything new which is not there. There is only one small thing to which I will refer later on. But all these things, except the one which relates to marriage, namely clause 4 are there. Mr. Gole criticised the last clause, namely, for 'any other justifiable cause'. Now, Sir, my Honourable friend Mr. Gole is a great lawyer, a practising lawyer, which I am not. He ought to know that the word 'justifiable' is to be defined and interpreted by the Judge and not in an arbitrary manner. In fact, the Judge has to give that word the meaning which is most relevant taking into consideration what has been enumerated above. It is to be interpreted *ejusdem generis*. It does not mean that it means any unfettered or unlimited discretion to the Judge to interpret it in any way he likes.

One thing that is sought to be introduced, and which is an innovation is sub-clause (4) that is 'if he marries again'. My Honourable friend Mr. Gole admits and he quoted Yagnyavalkya that if a man marries a second wife, he

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is punished according to the Hindu law by deprival of one third of his estate. That means that Hindu law does not look upon second marriage with favour. It is exactly what Dr. Deshmukh's Bill today wants to carry out in its full implication. May I ask every male Member here for his reactions if I were to introduce a Bill legalising polyandry?

Shri Sri Prakasa (Benares and Gorakhpur Divisions: non-Muhammadan Rural): We are struck dumb.

Sjt. N. V. Gadgil: If we all admit that polyandry is something which is revolting to male conscience, I put it contrawise. Is not polygamy on the same footing on the same level very revolting to female conscience? Today at any rate there is no party mandate on this Bill; everybody is free to vote as he likes, but our Party stands for equality of treatment to women. I therefore appeal to all Honourable Members, not only of my Party, but to all Members of the House that if equal justice is to be done, I submit everybody will agree that this provision is not enough. It cannot be enough unless by law, we prevent second marriages, by law we enact that the only valid marriage will be monogamous marriage.

Now, Sir, I find that there are provisions in this Bill which do not go sufficiently far and which are not still in line with public opinion. Marriage law can never be complete unless there is divorce law. What is the meaning of this that if a man married and if he is unhappy, he is committed to life transportation. It means that under the Hindu law, it is transportation for life, they must live together to the end of their lives. Surely there must be a way out of it if you want to secure maximum social happiness. Not that I want it, but that is public opinion today. At the time of the Hindu marriage, the husband takes a solemn oath. My Honourable friend Mr. Gole surely knows this:

Dharmech Arthech Kamech Naticharami.

Does it not mean that he at least promises not to marry a second wife. What is the meaning of Kamech Naticharami? In my humble opinion though it does not directly mean taking a second wife, it does mean implicitly at any rate that he will not marry a second wife. Therefore, what I want to make out is this, that even this clause namely giving a woman the right to separate residence and maintenance because the husband marries a second time, is not really an innovation if we look to the spirit of Hindu law. But assuming it is so, are we to be bound down for ever to what has been enacted ages before? Or, are we to live up to modern standards? Have we not changed in dress? Have we not changed in language? Have we not changed in habits? If you are really a Sanatanist, you would not have spoken in English. "Don't learn the language of Yavanas, even if you are about to die"—that is the old injunction. We all of us are quite alive and every day we glory more in speaking in language other than our own. Therefore, I submit we have changed in everything, we have changed in dress. I find nobody is dressed like Vasishta or Vamadeva of old.

Shri Sri Prakasa: We have no beards.

Sjt. N. V. Gadgil: As far as language, habits, dress and all other matters are concerned, every one has changed, every one wants to be modern. Then why in this particular thing, you do not want to change with the times, unless at the back of the mind of many people, wife still continues to be the property over which man must have control, whatever may be his fault or failing. It is time that you do some hard thinking; you must do women fair justice. You want their co-operation in the fight for freedom, they are to fight for your freedom, but when it comes to their freedom, their social freedom, you put a ban and will quote texts in context and out of context to deny that freedom. That is sheer injustice to them. Now, Sir, whatever may be our view of marriage, any way a great wit has said that marriage is a lottery where there are many

blanks and a few prizes. But if there are many blanks, let us by legislation try to create conditions in which married life will be as happy as possible and if it is not possible to make it happy, let us make provision so that unhappiness may be reduced to a minimum. Sir, I support the Bill.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, my only excuse for speaking on this Bill is that the report of the Select Committee bears my signature. But I must make it clear to my Hindu friends that it is not my desire or the desire of my party to influence them in any way as regards changing their religious or customary law. When I and my friend Syed Ghulam Bhik Nairang agreed to serve on the Select Committee it was only with a view to helping in the proper drafting of the Bill, having been in the legal profession, and not with a view to changing the law in any way. I am prepared to help my Hindu friends if they want to bring in any reforms, but only if there is a majority in favour of that change and if they want my help. But I must make it clear that neither I nor the Muslim League party will vote on this one way or the other. It is entirely for my Hindu friends to change their law by convincing the majority among them; we have no right to change their law. But we are ready to help them in drafting the law or in any other manner. I must say, however, that times have changed and conditions that were satisfactory some time ago are not satisfactory now; and people who want to change old customs cannot be ignored. But it is entirely for them and not for me to say how it should be done. My signature only goes as far as the drafting of the Bill and has nothing to do with the policy underlying it. I think it was in 1923 that Sir Hari Singh Gour brought forward his first social reform Bill and I have been his supporter since then. But some objection was taken that Muslims have no right to interfere in Hindu law. That was surely a valid objection; Muslim votes should not be used by some Hindu members to carry what they desire.

An Honourable Member: We will also help you with our votes.

Sir Mohammad Yamin Khan: We will require the help of our friends, with their great legal knowledge, in the matter of drafting; but the actual principle and policy should be left to ourselves. If any change is justified by circumstances there will certainly be a majority in its favour. This is all that I wanted to say.

Several Honourable Members: The question be now put.

Mr. President: The question is:

"That the question be now put."

The motion was adopted.

Dr. G. V. Deshmukh: Sir, I find there is overwhelming opinion in support of the Bill. I have no objection to what my Honourable friend Mr. Gole and other opponents of the Bill have said, but I think they made a great mistake. When they saw this big demonstration outside they thought that the opposition was to this Bill. As a matter of fact I have come to know that even though the genuine intelligence among the Sanatanists have not been against this Bill, they were somehow or other given to understand that this was the Sagotra Bill; and as a religious question is involved therein they took the trouble to come and stage a demonstration.

I think there has been overwhelming support for the Bill and we all agree that we cannot be stagnant but we must advance and we must give social justice to our women. Otherwise it seems to me that all this talk about emancipation is—in the words of my Honourable friend Mr. Sharma—all nonsense. It is too late in the day for such service as expressed by people who come forward to do something for the welfare of the country. A country does not merely mean wood, buildings, water, etc.; it means the living material in that country. And as long as you do not look after this living material, it is absolutely useless. It is hypocrisy and sanction of a monstrous humbug to talk about service to the country and the independence and welfare of the country. That being so I am very happy to see that my party, the Congress party, as always, has been for social justice from this Bill right

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up to divorce. If my Honourable friend Mrs. Swaminadhan brings forward a Divorce Bill, as I have done before, or if I get another opportunity of bringing it, I can assure myself as well as her or any other indifferent Members of the House that they will have the full support of the Congress. I therefore suggest that the Bill should be taken into consideration.

Mr. President: The question is:

"That the Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President: I shall first take up the amendments to various sub-clauses of clause 2. Then I shall take up the amendments to the first part of clause 2, and then the other amendments which come in by way of additions, or provisos or otherwise. That is how I propose to dispose of all the amendments.

Let us first dispose of the sub-clauses of clause 2. The first amendment—No. 7 in the consolidated list—is in the name of Mr. Adityan.

Sri S. T. Adityan: Sir, there is another amendment, which has not been circulated but has already been handed over by me, which may be taken up first.

Mr. President: Will he move this amendment also?

Sri S. T. Adityan: Yes, Sir. I will move both. My idea is that one of these may be accepted by the Honourable Member who is in charge of the Bill.

Dr. G. V. Deshmukh: For medical reasons I cannot accept any of these amendments without knowing the reasons.

Mr. President: As the subject matter is common, the Honourable Member may move both these amendments together so that there may be a common debate on both.

Sri S. T. Adityan: Sir, I beg to move:

"That in sub-clause (1) of Clause 2 of the Bill, the words 'not contracted from her' be omitted."

I also move:

"That in sub-clause (1) of Clause 2 of the Bill, for the words 'not contracted from her', the words 'from which she is free' be substituted."

Sir, I hope I will be able to convince my Honourable friend the Member in charge of the Bill that at least one of these amendments is necessary and should be accepted. I shall give my reasons for that.

The Bill as originally drafted by my Honourable friend, Dr. Deshmukh, did not contain these words "not contracted from her"; this clause has been added subsequently. Obviously it has been taken from the Hindu Draft Code. I will not of course deny the fact that it is based upon a fundamental principle of law which is known to everybody. It is this: that a person who is guilty of a certain act cannot take advantage of that guilt by getting the benefits from that. For instance, a person who murders his father is not allowed to inherit the property of his father. But my contention is, and that is supported by law, and the social position that in the case of husband and wife an exception to this principle has to be made. The necessity for it will arise in this way: A married woman will come to the court of law and file a suit for separate residence and maintenance, and, if the Bill as it has been presented to this Honourable House is passed, the husband will file a written statement saying that he has contracted a venereal disease from the wife. Here I may point out that if one of the two—husband or wife—has got venereal disease, it is contracted by the other also. The contact between husband and wife is such that it cannot be avoided by the other. Under the circumstances, both of them have got the disease, and so if the wife goes and claims separate residence and

maintenance, the husband will say that the wife has been suffering from venereal disease and he has contracted it from her. If she is a clever wife, she will file an additional statement by the permission of the Court and say 'it is not true that I, the plaintiff, am suffering from venereal disease; I do not know of any such disease; but supposing it is true that I have got any venereal disease, it was not my own; I must have contracted it from my husband'. The case will go up for trial, and what will be the position in the course of trial? Of course each party may challenge the other to go before a medical man, but may I ask my Honourable friend, Dr. Deshmukh, whether it can be established who was suffering from it first. Is there any method known to the medical science by which it is possible to determine beyond any doubt who was suffering from the disease first? If not, is it not throwing the door wide open to all kinds of mischief.

Now let us look at the kind of evidence that we are going to get before a Court of law in such circumstances. Apart from the evidence of the medical witness, which my Honourable friend will admit will not settle this point, what is the kind of evidence he expects before the Court? Does he expect the husband to go about trying to bring in witnesses to prove that this lady was immoral? Or, does he expect this lady to prove that she is not immoral? As a practising lawyer, I know that this is the kind of question that is going to be raised; and I know also that it will be a simple question of oath against oath.

The wife will come up and say 'I am not guilty', and the chances are that she will perhaps break down in the witness box, and the husband will come up and say that she transmitted the disease to him and perhaps he may be able to produce a few badmashes as witnesses. That is what will happen. I therefore request my Honourable friend in charge of the Bill to seriously consider this matter. And may I ask on whom the onus of proof will lie? It is not on the woman to prove? Isn't it on the plaintiff? My friend here says that it is on the plaintiff to prove that she was not immoral. That is the position, Sir. I beg to submit that that is the position which we are going to see every day before a Court. My honourable friend, Dr. Deshmukh was right when he drafted the Bill and it became wrong when it came out of the Select Committee. He was right. As a medical practitioner he ought to know and as a medical practitioner he drew it up and unfortunately it has been changed by the Select Committee.

There is another consideration, apart from all questions of law and legal practice. It is this: Is not society interested in this affair? Does not the larger Hindu Society have an interest in it? Is it merely a matter of a quarrel between husband and wife? Should not they have more facilities for living separately if they have venereal diseases? If that is not done, my friend, the doctor, knows that the resultant children may be expected to have the diseases too.

There is another point. The right to separate is reciprocal to the right of restitution of conjugal rights and I need not labour upon this but I may cite the Madras case in 71 M.L.J. It is simply this:— Either the persons have a right to live separately or a duty to live together. One is only the converse of the other. Therefore, if this woman has not a right to separate, then she is compellable to live with her husband. What often arises is that as soon as a woman plaintiff files a plaint, then the defendant husband also files a suit for restitution of conjugal rights so that she might be compelled to come under his roof. So the court has to decide whether this woman has a right to separate residence and also whether this man has a right to call her to his house. This amendment says, where the woman is free from such a venereal disease the man cannot compel her. Take a case where a woman was suffering from a disease and she passed it on to the man. The woman gets cured and the man does not. If the present Bill is passed then the woman will not be able to live separately even though she has been cured of the disease. She is compelled to go to the roof of her husband, though she is cured, and he is not. May be that she was the first person to have it. But once she has been cured, my submission is that she should not be compelled to go and live under the roof of the husband, if he is

[Sri S. T. Adityan]

not cured. My friend may ask, where is the compulsion. I say that each position is the converse of the other. If she cannot live separately, she must live with her husband. The position being as it is, I beg to submit that one of these amendments must be accepted.

Dr. G. V. Deshmukh: I do not accept these amendments of my friend Mr. Adityan. I am glad he has raised these points. One is about the loathsome disease and how is it going to be proved that it was not contracted from her. Any competent doctor will be able to decide that in two minutes while it may take two years for others to decide. The second question was why was this done. It is true in my original Bill I had agreed to what Mr. Adityan said. But I changed it because I have a faculty of seeing sense when it exists and when I saw that the Hindu Law Committee's drafting was better than mine I accepted it. If Mr. Gole had seen this reasonable attitude that I had taken, we would not have wasted about an hour this morning. This is a Bill for women, giving rights to women, and therefore, Sir, the only persons who come into consideration are women. It does seem reasonable that if there was any disease contracted from her, then the husband should not be unnecessarily penalised. Therefore I say that if a husband suffers from some loathsome disease from the wife then in all equity and justice, whatever may be the legal aspect, according to a layman like myself, it does not seem fair that the women should have the right to go away from him. Therefore, Sir, I accept it.

In connection with this also, we heard a great deal about if he gets a concubine in the house and what happens if the husband.

Mr. President: Order, order. That will be relevant to another part.

Dr. G. V. Deshmukh: I thought it would reduce the discussion considerably if I mentioned this. Therefore, I oppose all the amendments and I hope the House will not accept them.

Sri S. T. Adityan: May I have the leave of the House to withdraw these amendments because the Doctor has now said that it is possible to discover from whom the other got the disease. Therefore what I have been talking about becomes irrelevant. When the doctor says

Mr. President: It does not become irrelevant.

He wishes to have the leave of the House. Is it the pleasure of the House to grant him the leave?

The two amendments were by leave of the Assembly withdrawn.

Mr. President: We now come to sub-clause (2)—amendment No. 8 on the list.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadiyah Rural): I have an amendment on sub-clause 1. It came late.

Mr. President: I do not know whether amendments should be accepted at this stage. Let us see if it really improves the Bill and the House agrees to it. But I do not like to encourage the tabling of amendments at the last minute.

The Honourable Member sent it in today after 2-30 p.m. I will just draw the attention of the House to what he wishes to move.

"That in sub-clause (1) of Clause 2 of the Bill after the word 'loathsome' the words 'and incurable' be inserted."

Would the House like to admit this?

Some Honourable Members: No, no.

Mr. President: I am sorry. I cannot permit the Honourable Member's amendment.

Sri S. T. Adityan: Sir, in sub-clause 2 of Clause 2 I want to make an amendment, which is only grammatical. I suggest that for the word "to" where it first occurs, the word "will" be substituted. The sub-clause as it stands

reads "such cruelty towards her as to render it unsafe". Ordinary English grammar requires that the wording should be "such cruelty as will render it".

As it stands now it is not correct English and so I suggest that instead of "to" the word "will" should be substituted.

Dr. G. V. Deshmukh: We are prepared to accept Sir George Spence's opinion on this.

Sir George Spence (Secretary, Legislative Department): I do not think there is anything wrong with the wording as it now stands. On the other hand I see no objection to the amendment proposed.

Dr. G. V. Deshmukh: Is it all right as it is?

Sir George Spence: It is perfectly all right.

Dr. G. V. Deshmukh: Sir, I have the assurance of an Englishman like Sir George Spence that the clause as it stands is all right. I do not see any reason to accept any modification.

The Honourable Sir Asoka Roy: Those were the words taken from Clause 26 of the Draft Hindu Code but speaking for myself if the House would like to alter the word "to" into "will" I do not see any serious objection to it.

Mr. President: If the word "to" is changed into "will" it will perhaps (I am not clear) lead to a construction that past cruelty may be excused. If cruelty is to be considered as a possibility for the future, then only an amendment will be necessary.

Sri T. V. Satakopachari (Tanjore *cum* Trichnopoly: Non-Muhammadiyah Rural): Even now it relates to the future and not to the past. What Mr. Adityan has suggested is certainly better English.

Sri M. Ananthasayanam Ayyangar: May I suggest a middle course? Instead of the word "will" the words "as renders" will be enough.

Sri S. T. Adityan: That will be all right.

Mr. President: That is quite all right.

The Honourable Sir Asoka Roy: I agree.

Sri M. Ananthasayanam Ayyangar: I formally move:

"That in Clause 2, sub-clause (2) for the words 'to render' the word 'renders', be substituted."

Sri S. T. Adityan: I may be given leave to withdraw my amendment, Sir.

Mr. President: The Honourable Member's amendment has not yet been put to the House, and so there is no question of leave being granted for withdrawal.

The question is:

"That in Clause 2, sub-clause (2) for the words 'to render' the word 'renders', be substituted."

The motion was adopted.

Sri S. T. Adityan: Sir, I move:

"That in sub-clause (2) of clause 2 of the Bill, for the word 'live' the word 'reside' be substituted."

In a statute the general principle is "one word, one idea." Wherever one idea occurs we use the same word and wherever the same word occurs we give it the same idea. As this Bill is for separate "residence" I submit that instead of the word "live" which occurs in the clause the word "reside" be substituted. Throughout the Bill we may use the word "reside" and not "live". That is my submission. I believe all my friends who are lawyers will also accept it.

Sri M. Ananthasayanam Ayyangar: The word "live" is much better than the word "reside" for this reason that "reside" only refers to the house in which they live. "Live" means whether in the same house or in some other house. He may reside in one house and she in another or both of them may live together or if in separate house the man may go to the other house and be labour the wife.

Sri S. T. Adityan: I thought the word "live" had been used by accident but if it had been put in deliberately to make a distinction between "live" and "reside" I beg leave of the House to withdraw my amendment.

Mr. President: I have not yet put the motion to the House. And so that disposes of the amendment.

We now come to sub-clause (3). There is one by Mr. Adityan suggesting that after the words "abandoning her" the words "for an unreasonably long time" be inserted.

Sri S. T. Adityan: I will not move it, Sir.

Mr. President: I will now come to sub-clause (4).

Shri D. P. Karmarkar: Sir, I move:

"That in sub-clause (4) of Clause 2 of the Bill, the words 'without her consent' be added:

In moving the amendment I should like to make clear my position. The clause as it stands at present gives the right to the first wife to claim maintenance and separate residence simply on account of the second marriage. After all we are passing a piece of legislation under the Hindu Law. Hindu law if properly understood has given a very high place to womanhood and what we are doing at present is to extend the privileges already given. In the objects and reasons mentioned by Dr. Deshmukh it is said that under Hindu Law women's rights are not recognised. If I may be permitted to say a word, if there is any system of law which has shown a greater sanctity for womanhood, it is the Hindu law. I do not want to offend anybody's susceptibility. But at the same time I must say that it is unfortunate to come to this House and speak as a Hindu, because by long habit we are given the privilege of working in fields where we cease to look upon ourselves as Hindus. But as it happens, rather anomalously, this House is called upon by this Bill and by similar Bills to legislate only for one section of the House. It is not to be misunderstood by this amendment that it is meant to curtail in any sense the rights of any woman. The clause as it stands almost penalises a second marriage.

[At this stage Mr. President vacated the chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

Though sufficient latitude has been given in Hindu Law for polygamous marriages we know that social conscience has never supported polygamous marriages. It is only those with large fortunes that have indulged in such marriages. For people like members of this honourable House, none of us would ever favour polygamous marriages. But the power that has been given is not as a reflection on the rights of a person as a person but with a view to seeing that the family system is given a type of permanency. It was urged with very great relevancy and with greater authority than I could do by our Honourable lady member, Mrs. Ammu Swaminadhan, with true woman's feelings indeed, that women are better authority than any other man. As it happens, and as it curiously happens, just when this Bill was coming up, I have known of an instance or two where a man has married a second time where the first wife had no child but had the pleasure of seeing the husband have a child by the second wife. And I have not seen in these two or three homes where I had the opportunity to see multiple marriages any disharmony. When we pass a piece of legislation we have to take precautions against abuse. I do not want to have any undue scope for touts who are responsible for the quarrels in courts. But when we pass a legislation we have to see that that legislation is not unnecessarily abused. Therefore when I suggest by this amendment to exclude cases from that sub-clause where the marriage has taken place with the consent of the first wife, I am only pleading for a provision which is necessary. I may be conservative. But it has been a very useful provision which has long been the feature of Hindu Law, because Hindu Law has provided for polygamous marriages. Though the provision is there we do not see many people indulging in it. We are comfortable with one marriage. The responsibilities and burdens are heavy. In spite of the provision in the Hindu Law, the Hindus as a whole

have discountenanced polygamous marriage. But there is that provision to perpetuate the family system. Under these circumstances, if a man marries again with the free consent of the first wife, this amendment seeks to exclude that case from sub-clause (4) of clause 2 of the Bill. It was pointed out by the mover of this Bill, and with very great cogency and relevancy when we discussed it this morning that it is likely that the consent may be coerced, but it is taken for granted that the Hindu wife is subject to a very great tyranny. There I demur. I have not been an authority on social legislation and I have not examined it very closely from that point of view. But the little observation that I have had the privilege of making shows me clearly that howsoever men may count themselves to be brave in Hindu society and howsoever much they may be independent, I beg to submit to this House that there is no power or force greater than the silent and unexpressed power of the lady in the Hindu home. From that point of view, when I say that the first Hindu wife gives her consent I would not like to countenance any case of coercion. Unfortunately that may happen also. As my observation shows, these problems of second marriages to my mind are not problems created out of the old conditions but are yashwanti marriages as they are called in Marathi, that is, marriages on account of fancies. A man marries in his earlier days, goes to England, comes back an I. C. S. and thinks that his first wife is not able to sign in English, and marries again. This is the problem. I am not kind to these gentlemen who cease to think of their first wife immediately after they have acquired a smattering knowledge of English, after going to foreign countries. I am pleading for the acceptance of this amendment to perpetuate the family system. The exception has been made by the Hindu Law. I do not think the Hindu Law has ever encouraged anything but a monogamous marriage except in certain exceptional circumstances. All I am asking for is to recognize and assume the possibility of a set of circumstances in which the husband in the interests of his family, and in the interests of his first wife also with a view to create greater harmony in the home, wants a second wife. Otherwise I should not be misunderstood at all in any sense of the word. My conception of Hindu Law has led me to believe that it does not stand for anything but monogamous marriages though exceptional provision has been made for polygamous marriages. With these few remarks with a view to make my position clear I move the amendment that stands in my name.

Mr. Deputy President: Amendment moved:

"That in sub-clause (4) of Clause 2 of the Bill, the words 'without her consent' be added."

Dr. G. V. Deshmukh: I do not accept this amendment because sufficient answer has been given to this by my colleague, Mrs. Ammu Swaminadhan. As I pointed out to the mover of this amendment, the position is this. If the husband marries again with the consent of his first wife, why should she ask for separate residence and maintenance? If, on the other hand, she is coerced into giving her consent, why should she be divested of the right of asking for these? In one way it is not necessary and in the other it becomes coercion. And sufficient answer has been given to this. I hope the House will not accept this amendment.

Sri M. Ananthasayanam Ayyangar: I entirely agree with the observations made by the mover, but I am not able to vote with him for this reason. I do not agree that monogamous marriage alone is good. Marriage is an institution which has been evolving in this country from stage to stage. At various times when there is dearth of children they allowed marrying a number of wives. That does not happen in western countries and what is the result. A lady doctor, a woman thirty-two or thirty-three years old from Hungary, asked my wife how old she was and how many children she had. My wife told her that she was so many years old and that she had so many children. Then the lady doctor said "I am not yet married". She said that there were ten thousand such women and that she went to the Principal of the College where they took the degree and wanted him to provide husbands for all of them. With all the effort that is made in England, if they only allow a man to marry two wives,

[Sri M. Ananthasayanam Ayyangar]

they would replenish a number of children. Let nobody say any particular institution is good or any particular institution is bad. No particular institution is good for all time. The circumstances have changed now. It is not that persons with property only indulge in these things. I know of a woman who was selling buttermilk in my place. One day she came and said that she got another woman married to her husband. I was surprised. But she said "I have earned three hundred rupees. We have no darling in our house. Who is to have the money? I am past the child-bearing age. Let somebody be married to my husband". And they are living happily. It is not as if anything particularly is wrong.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): When there is a shortage of husbands owing to war, what to do?

Sri M. Ananthasayanam Ayyangar: But we are too prolific in this country. As I said in the Select Committee, if the first wife was a party to the second marriage by inducing the husband to marry again and subsequently takes that very reason to get out of the family, it would be rather wrong. I also said it would be convenient not to give these reasons for separate maintenance. If she is treated cruelly then she may come out. But she may not be treated cruelly by the husband. But the other woman may treat her cruelly: in that case, how are we to provide for it? That would be enlarging the scope of the Bill. Therefore all things considered better leave it to the woman to claim or not to claim. If she herself brings in another woman and she is fond of those children as her own children, she will be all right. If she disagrees, let her do as she likes, but do not make her live in the same house. Therefore I would ask my friend not to press his amendment.

Mr. Deputy President: The question is:

"That in sub-clause (4) of Clause 2 of the Bill, the words 'without her consent' be added."

The motion was negatived.

Mr. B. P. Jhunjhunwala (Bhagalpur Purnea and the Santhal Parganas: Non-Muhummadan): Sir, I move:

"That in sub-clause (6) of Clause 2 of the Bill, the words 'or habitually resides with a concubine' be added at the end."

It is immaterial, Sir, if he keeps the concubine in his own house or goes outside to her house—it amounts to the same thing and I want this to be added to sub-clause (6) of clause 2.

Mr. Deputy President: Amendment moved:

"That in sub-clause (6) of Clause 2 of the Bill, the words 'or habitually resides with a concubine' be added at the end."

Sri T. V. Satakopachari: Sir, I know that the decisions of courts law have gone to this extent that when a man takes a concubine into his family house, that is a direct insult to his wife and that itself *per se* amounts to legal cruelty. It is on that ground that judges have been prone to allow maintenance in cases where a man is so dead to a sense of shame as to take a concubine into his family residence. But I should think that keeping a concubine should *per se* be a valid ground for maintenance, because if you say that marrying a second time gives the wife a valid ground for maintenance, then keeping a concubine should be more so a valid ground for claiming maintenance. It does not matter whether he keeps her in his house or anywhere else. It is so derogatory to the self-respect of any woman. I should think that the least that we can do is to add this clause. I would have very much liked to omit the words at the end 'in the house' and stop with the words "if he keeps a concubine"; that should be sufficient *per se*. But in the absence of any amendment to that effect, I should certainly support the addition of these words in the amendment.

Sri S. T. Adityan: I shall say only one word: even as at present, under the Hindu law a woman can go and complain that her husband is habitually residing outside the house with another woman and therefore she wants separate residence and maintenance. Even that right is not given by Dr. Deshmukh

in the clause as it stands; and therefore this amendment is after all an acceptance of the position as it obtains now. His position is more restricted than the Hindu law: his clause restricts even the present position. Therefore I wholeheartedly support this amendment which brings us to the position of the Hindu law.

Shri D. P. Karmarkar: I rise to support this. I thought this amendment was of such a moral character that it suits the purpose of the present Bill, that it will be accepted. I am hoping the Honourable Mover will accept it. If a man keeps a concubine, then according to this Bill provision is made for maintenance of the wife. When a man wants to do both things, whether he keeps his concubine in the house or goes outside to her house, in any case he is false to the marriage vow and there should be a penalty in either case. So far as I can visualise the feelings of a woman whose husband is keeping a concubine or devoting his whole time to a concubine would be the same; and one way or the other, penalising the husband for his infidelity and falseness to the vow he took is right. So this amendment is absolutely necessary; otherwise, if the Mover does not accept this amendment, it would come to this that whereas you penalise the concubine in the home where of course she is a nuisance, the man who goes out is not penalised. I am sure the Honourable Member is not partial in any sense to the man who visits his concubine in her home. I hope that he will gladly accept this amendment.

Sri M. Ananthasayanam Ayyangar: Sir, I am glad my Honourable friends are so very anxious to improve the morality of the society or the individual against whom this provision is made. But I believe, as amended by the Select Committee, the provision is sufficient enough. Apparently my Honourable friends object only to the man who resides with a concubine habitually; but if he goes on changing his concubine from day to day, they have no objection. The word "habitually resides" means he must reside with one concubine, in which case she can live separately. If it is a question of adultery or divorce as in the western institutions, by all means have a divorce even if a man looks at the face of another woman for a time. But you have to prove here that he habitually resides with a concubine

An Honourable Member: A concubine means a habitually kept woman.

Sri M. Ananthasayanam Ayyangar: But if he goes on changing one concubine after another, you cannot prove that she is a habitual concubine. These are the difficulties and therefore, let us not enlarge the sub-clause. Till now, she makes it impossible for the wife to live in the house. We have gone as far as to say that if a married woman comes there it must be open to one of the ladies to go out of the house. If a concubine is there, the wife must certainly be entitled to separate residence. Let us not stretch it too far. It will involve endless litigation. The man will change his concubines, one after another, and it will be worse for the wife. The mere fact that she goes out of the house will make the man careful about the wife—as he is about the other woman. The present amendment is enough. Let us not go further. I am not in favour of this amendment. It may leave the door wide open for unnecessary litigation.

Dr. G. V. Deshmukh: I agree with my friend and Mr. Ananthasayanam. It seems that some members want to look at this from a sentimental and not an objective point of view. All of us are interested in improving the Bill but some of us seem to be tied down by certain other considerations.

With regard to this amendment, I agree with what has been said by my friend Mr. Ananthasayanam. Now, the question is, if the husband goes out, how is the wife to find out? Is she going to spy on her husband? Is that her job? Is this the idea of a happy married life that the wife should be a spy on her husband? We are hearing such a lot about marriage and marriage ties. Is this what all that is going to be reduced to. I think whatever was required to be done has been done by the Select Committee and I therefore do not support this amendment. I support the original clause as drafted.

Mr. Deputy President: The question is:

"That in sub-clause (5) of Clause 2 of the Bill, the words 'or habitually resides with a concubine' be added at the end."

The motion was adopted.

Mr. Deputy President: There is no other amendment to sub-clause (6).

Sub-clause (7).

Mr. B. P. Jhunjhunwala: I do not move my amendments Nos. 13 and 15.

Sri S. T. Adityan: I do not move my amendment No. 14

Sri S. T. Adityan: I have an amendment to clause 2. These are printed as No. 2, No. 19, Nos. 21 and 22. This is only a formal amendment. I move:

"That in Clause 2 of the Bill, for the words 'married Hindu woman', the words 'Hindu married woman' be substituted."

As I have already explained, the ordinary legal principle is one word, one idea. For the same idea we do not use two expressions in one Act. For the same expression, we do not have two meanings. In some places in this Bill the words "married Hindu woman" have been used and in other places "Hindu married woman". This is due to inadvertence in drafting. The Member in charge may choose either expression. Personally I think that the words "Hindu married woman" is better. The Member in charge may select either 2 and 21 or 19 and 22. Personally I am in favour of 2 and 21.

Mr. Deputy President: Amendment moved:

"That in Clause 2 of the Bill, for the words 'married Hindu woman', the words 'Hindu married woman', be substituted."

The Honourable Sir Asoka Roy: This is not my Bill but I think the amendment would be an improvement.

Mr. Deputy President: The question is:

"That in Clause 2 of the Bill, for the words 'married Hindu woman', the words 'Hindu married woman' be substituted."

The motion was adopted.

Mr. Krishna Chandra Sharma: Sir, I move:

"That in clause 2 of the Bill, for the words 'while she leads a chaste life' the words 'unless she remarries' be substituted."

The reason for the amendment is this. When the Hindu marriage is performed, the husband says to the wife—I will protect you and will look after you. The wife reciprocates and says that she would be true to him. The idea was that the husband and the wife were united together both in this world and in the world to come. You may put it as 'A invites B to become his partner and then makes it impossible for B to continue in the joint life with safety and honour. Then it is for A to provide B separate residence and maintenance for his default. It looks absurd and inequitable to burden B with a further liability that she must lead a chaste life. It does not sound well to impose this burden. Of course she would be chaste but this condition does not sound well. Therefore I move my amendment.

Mr. Deputy President: Amendment moved:

"That in Clause 2 of the Bill, for the words 'while she leads a chaste life', the words 'unless she remarries', be substituted."

The Honourable Member has not made it clear, if she remarries, where does the husband go?

Mr. Krishna Chandra Sharma: The question of residence and maintenance automatically goes. The woman gets a new partner, and a new roof to live under and the former husband is freed from the liability of providing separate residence and maintenance to his former wife.

Sri M. Ananthasayanam Ayyangar: The enthusiasm of my friend is enormous. I am only afraid that he has not addressed himself to the other aspects of it. No Hindu woman can remarry. She can never remarry. Remarriage

means divorce and also the previous marriage goes. It is bigamy if a Hindu woman marries again. It is an offence. The Bill, as it is, insists on the woman remaining chaste to entitle her to separate residence and maintenance. By passing this amendment, you will remove a wholesome provision. Should she not be chaste? Should she be immoral and then go on demanding maintenance charge from her husband? It is opposed to all sense of morality. Perhaps my Honourable friend has at the back of his mind something else, that is how to get out of this married life. My Honourable friend Shrimati Ammu Swaminadhan has promised to bring forward a Divorce Bill and my Honourable friend Mr. Krishna Chandra Sharma might be satisfied with it and speak in support of it. Now, in the circumstances, there is no purpose in saying that chastity as a condition ought to be removed. It is an improper burden thrown on the husband that if she should voluntarily get out and lead an unchaste life, still her maintenance should be a charge on her husband's estate. It is opposed to all canons of law and morality.

Mr. Deputy President: The question is:

"That in Clause 2 of the Bill, for the words 'while she leads a chaste life' the words 'unless she remarries', be substituted."

The motion was negatived.

Pundit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I propose to move this amendment:

"That in Clause 2 of the Bill, the words 'while she leads a chaste life' be omitted and the following Proviso be added at the end, namely:

'Provided that unchastity, change of religion, non-compliance without lawful excuse with the orders of a Court of Law to live with her husband or in execution of a decree for restitution of conjugal rights will disentitle a married Hindu woman to maintenance from the husband'."

Sir, so far as this amendment is concerned, I am not particular to have this. There is another amendment which has been suggested and which has the approval of the Government as well as the Honourable Mover of this Bill. If you permit me, I shall drop the amendment which I proposed just now and I shall move the other one.

Mr. Deputy President: I have not put to the House the amendment which the Honourable Member read out just now, which is No. 4 in the Consolidated List. So, he can move the new amendment.

Pundit Thakur Das Bhargava: Sir, I move:

"That in Clause 2 of the Bill, the words 'while she leads a chaste life' be omitted, and the following Proviso be added at the end, namely:

'Provided that Hindu married woman shall not be entitled to maintenance from her husband if she is unchaste or ceases to be a Hindu by change to another religion or fails without sufficient cause to comply with a decree of a competent Court for the restitution of conjugal rights'."

Mr. Deputy President: I find the Honourable Member has omitted the word 'separate'.

Pundit Thakur Das Bhargava: The Honourable the Law Member agreed to my omitting the word 'separate'.

The Honourable Sir Asoka Roy: So far as I am concerned, I am not going to raise any difficulty. If he wants to move the amendment with the word 'separate' omitted, it is up to him to do so. If the Honourable Mover of the Bill accepts it, Government also would accept it.

Sri M. Ananthasayanam Ayyangar: Am I to understand that the suggestion of the Honourable the Law Member is that the word 'separate' should be deleted?

The Honourable Sir Asoka Roy: That is the suggestion of Pandit Thakur Das Bhargava:

Sri M. Ananthasayanam Ayyangar: I do not agree with my Honourable friend. As a matter of fact the Bill itself is for separate residence and maintenance.

Pundit Thakur Das Bhargava: It is only a question of maintenance; separate residence does not come in at all. So far as separate residence comes in, it is only because of the acts and condition of the husband. Separate residence will come in equally in respect of a chaste wife or unchaste wife. Separate residence becomes a right on account of certain acts of the husband. This amendment relates only to maintenance and not to separate residence. I do not want the word 'separate'.

Sri M. Ananthasayanam Ayyangar: I submit that there are three points. With respect to two of which separate residence fits in. As regards the third, namely 'without sufficient cause to comply with a decree of a competent court for the restitution of conjugal rights', is she entitled to separate residence from him? Supposing there is a rental of the house, is she entitled to recover it from her husband? In the earlier part, you may have separate maintenance, but in this part, if she refuses to come and live with him, she may not be unchaste, but she has been ordered to come and live with him and if she refuses to do so, is she still entitled to ask for separate residence. I think in this amendment the words 'separate residence and' should remain.

Dr. G. V. Deshmukh: May I make one request to the Honourable the Law Member. It seems to me that distinguished lawyers on either side are not agreed as to the proper phraseology and as to what should remain and what should be omitted. May I request the Honourable the Law Member to advise us? It is for this reason, in spite of his neutral attitude in the Select Committee, the Honourable the Law Member was of very great help in elucidating legal points and directing us to draw proper conclusions. May I again in this connection request the Honourable the Law Member to tell us exactly, taking an objective view, what is the best form in which this clause should be amended. Let him for a moment forget that he is the Honourable the Law Member, let him tell us in the interest of the Bill as to what is the correct language in which it should be passed. I am sure myself and my Party will be guided by his advice.

The Honourable Sir Asoka Roy: I find, Sir, nothing seems to have been agreed. My Honourable friend Pandit Thakur Das Bhargava tabled the Amendment No. 4 in the consolidated list which he first moved. It was pointed out to him that his proviso might be redrafted and put into better language. The redraft which has been given to him was prepared by the official draftsman. Personally I think that the proviso as recast by the official draftsman will meet his purpose. But for some reason he objects to the retention of the words 'separate residence and'.

The proviso as drafted by the official draftsman reads like this:

"Provided that a Hindu married woman shall not be entitled to separate residence and maintenance from her husband if she is unchaste or ceases to be a Hindu by change to another religion or fails without sufficient cause to comply with a decree of a competent court for the restitution of conjugal rights."

I thought this proviso would be acceptable to my Honourable friend. But it appears he wants the words "separate residence and" to be deleted. Personally I have no strong objection to that, though I would have preferred the clause to stand as it has been drafted by the official draftsman. I gathered that the Mover Dr. Deshmukh was prepared to accede to Pandit Bhargava's request that these words should be deleted, and I had no desire to stand in the way of his accepting the amendment.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, we are very grateful to the Honourable the Law Member for showing this accommodating spirit. It seems to me that the whole provision of clause 2 deals with grounds for claiming separate residence and maintenance. There are certain grounds given under which separate residence and maintenance can be claimed by

the wife. But a proviso is added that in certain circumstances separate residence and maintenance cannot be claimed. If we now divide this, i.e., keep only separate residence or only separate maintenance, it destroys the whole object of the Bill. Why is it that we are allowing separate residence and maintenance? Because of certain things done by the husband and certain circumstances created under which the wife should not be allowed to live with the husband and therefore should be enabled to claim separate residence and maintenance. But if these grounds are subject to a proviso which says that if she does certain other things she will not be entitled to separation, either residence or maintenance, I think it would create legal difficulties if at this stage we cut out one little portion, and said that she will not be entitled to maintenance but she will continue to claim separate residence. What are the grounds? The grounds are that she is unchaste or that she has ceased to be a Hindu by conversion to another religion or fails without sufficient cause to comply with a decree of a competent court. Then I take it that if she does any of these things or all of these things she will still be entitled to obtain separate residence from the husband. That is not the object of the measure. It is restricting her right to separate residence and maintenance only in certain conditions, but if she violates any of those conditions she is not entitled either to separate residence or to maintenance.

The Honourable Sir Asoka Roy: May I explain? I think the idea of the Honourable Member was that if the wife became unchaste or was converted to another religion she was certainly entitled to reside separately but she was not entitled to make any claim for maintenance against the husband. That is why I believe he wanted to delete the words "separate residence". He says, why should the wife when she has become unchaste not be entitled to reside separately? But she will in no circumstances be entitled to claim anything from the husband by way of maintenance. I do not think that there is much point in the deletion; but, as I said before, I am prepared to agree to the deletion of those words, if it is the desire of the Mover and the House.

Diwan Chaman Lall: The deletion would mean that she would be entitled to claim rental from the husband for residing separately; because, if she is entitled to separate residence she can claim it from the husband. Are you going to compel the husband in those circumstances to pay her rental for separate residence when you are not prepared to pay her maintenance?

There are two points that arise: one is the right of the woman to live separately, and if she lives separately she can claim a separate residence. And from whom? Only from the husband and not from anybody else.

The Honourable Sir Asoka Roy: To my mind the conception of a separate residence and maintenance is one conception.

Diwan Chaman Lall: That is why I say that instead of dividing it up you should keep it as it is.

The Honourable Sir Asoka Roy: I would prefer it.

Diwan Chaman Lall: Clause 2 deals with the grounds for separate residence and maintenance, and it would be a very strange anomaly indeed that a woman acting in this particular manner will not be entitled to maintenance but she can go to her husband and claim money for living separately. I do not object to that; no one would like in those circumstances to live with her and I want her to live separately. But there is nothing in the object of the measure which would prevent the wife from living separately. All that happens is that she will not be entitled to take rent from the husband in the circumstances.

Mr. Deputy President: I do not know where this amendment is to come. If it comes before the sub-clauses, there will be repetition.

Diwan Chaman Lall: I think it will have to come after the sub-clauses.

Pundit Thakur Das Bhargava: It may come at the end, but I want to explain why I want this particular amendment, and I do not want the words "separate residence". My submission is that the right to maintenance and the right to separate residence are essentially distinct. The right to separate residence does not mean that the husband shall be enjoined to arrange for a

[Pundit Thakur Das Bhargava]

separate residential house for the woman. It only means that the wife shall have the right to live separately. It is not necessary that where she claims this right—if she has got a house from her brother or son, etc.—the husband would have to pay rental also. The right to separate residence does not carry with it the right of provision for rent etc. A Hindu woman is entitled to maintenance from her husband according to the tenets of the Hindu Law provided she is chaste, but the right to separate residence does not depend on chastity at all. The right to separate residence proceeds from other considerations. If a husband is suffering from any loathsome disease, the married lady has got a right, whether she is chaste or unchaste, to live apart. Every lady is entitled on account of certain humanitarian reasons to live apart from her husband, practically for the same reasons for which a chaste lady is entitled to live apart. This right only proceeds from the nature of the act or condition of the husband; if the husband is cruel, a chaste woman is to be protected as much as an unchaste woman, and similarly with regard to other matters. Therefore, according to me, it is not chastity which conditions the right to separate residence. On the contrary I would submit that an unchaste woman

has got a better claim to separate residence because the husband will also be saved from her. Therefore my submission is that separate residence may be treated as distinct from maintenance. Therefore, Sir, I have given three other amendments from the same point of view. Maintenance is a right of the woman according to the tenets of Hindu Law. As regards separate residence, according to the provision of Hindu Law, and according to the provisions of law appertaining to other religions, a woman is not entitled to a separate residence, and therefore a Hindu woman should not be given any more rights or for the matter of that a Hindu husband should not be burdened any more than men of other religions, and therefore my submission is that you may grant maintenance to a woman as long as she is chaste—as soon as she is unchaste she disentitles herself from the right to claim maintenance—but so far as separate residence is concerned, she possesses as much right even if she becomes unchaste to live separately from her husband.

Then, Sir, it is not necessary that if a woman wants maintenance she must also ask for separate residence. I can visualize very many cases in which a lady will come to the Court asking for maintenance only. I can also visualize cases in which a woman will come forward and ask for separate residence but not for maintenance. These two things are different; they are not concurrent and one does not flow from the other. Even in the absence of this Bill if a husband came forward and stated that he wanted restitution of conjugal rights, the wife could very well resist and claim separate residence. This Bill goes further and gives her a distinct right. We are giving her this right, but these two rights must not be confused together. My submission is that the right to live separate is entirely different and is not conditioned to chastity, and therefore this right of separate residence and the right to maintenance should not be confused together. What I want to get enacted by this amendment is that chastity is conditioned to maintenance and not to the right to separate residence.

Diwan Chaman Lal: Sir, may I move:

"That in Pundit Thakur Das Bhargava's amendment, in the proviso, after the words 'entitled to' the words 'separate residence and' be added."

May I take one second to explain the position? I think there is a little confusion in regard to this matter. If you look at the proviso, you will find towards the end that one of the reasons is this?

"if she fails without sufficient cause to comply with a decree of a competent court for the restitution of conjugal rights."

It means that if a decree is passed that she has got to come back to her husband and she refuses to do so, where does the question of separate residence arise. The question of right does not arise. She does not comply with this order of a competent Court which says that you shall go and live with your husband. (Interruption). She can live separately, but why should she be

entitled to separate residence? My Honourable friend must realize that when he imports these words 'entitled to separate residence', it means not only that she has a certain right to live separately but also that she is entitled to live separately and demand not only maintenance but the wherewithal to live separately. A woman who is not complying with a decree of a competent Court should not be given maintenance and therefore should also not be given a separate residence. I, as a husband, dealing with a woman like that, and according to the proviso, if this amendment is passed without the words that I have sought to add to it, will be called upon legally to provide a residence for her because she is entitled to a residence. My Honourable friend's difficulty will be solved easily if both the things—residence and maintenance—are taken separately. I hope, Sir, under the circumstances my Honourable friend will agree that the question of her wanting to stay separately is something absolutely apart, but we cannot give her the right under the law entitling her to demand money for rent from the husband in these circumstances when we are at that very moment preventing her from demanding any maintenance. Therefore, I submit that these words may be added.

Mr. Deputy President: The question is:

"That in Pundit Thakur Das Bhargava's amendment, in the proviso, after the words 'entitled to' the words 'separate residence and' be added."

The motion was adopted.

Mr. Deputy President: The amendment now reads thus:

"That in clause 2 of the Bill, the words 'while she leads a chaste life', be omitted and the following proviso be added at the end of the clause, namely:

'Provided that a Hindu married woman shall not be entitled to separate residence and maintenance from her husband if she is unchaste or ceases to be a Hindu by change to another religion or fails without sufficient cause to comply with a decree of a competent Court for the restitution of conjugal rights'."

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): It is past Five of the Clock, but I am perfectly willing to accommodate this side of the House to the wishes of the other side if it is the desire to finish this Bill and to finish it as early as possible today. Honourable Members must also realize that explanatory speeches should be reduced to the minimum and we should get on with the work, and there should be no speeches on the third reading.

Sri S. T. Adityan: Sir, I do not see the necessity of this amendment. As for unchastity the Bill already provides. As for change of residence it already provides. As for other things—non-compliance with the orders of a competent Court for the restitution of conjugal rights—it is reciprocal with the right of separate maintenance. If there is an order by the Court compelling her to live with her husband, then there is no question of separate residence at all. Therefore all the three points are already covered, and the amendment is unnecessary in my opinion.

Mr. Deputy President: The Honourable Member's plea is that the Bill as it has emerged from the Select Committee must remain.

Sri S. T. Adityan: All the three points are covered.

Mr. Deputy President: The question is:

"That in Clause 2 of the Bill, the words 'while she lives a chaste life', be omitted and the following Proviso be added at the end of the clause, namely:

'Provided that a Hindu married woman shall not be entitled to separate residence and maintenance from her husband if she is unchaste or ceases to be a Hindu by change to another religion or fails without sufficient cause to comply with the decree of a competent Court for the restitution of conjugal rights'."

The motion was adopted.

Mr. Deputy President: The question is:

"That Clause 2 as amended stand part of the Bill."

The motion was adopted.

Clause 2 as amended was added to the Bill.

Sri S. T. Adityan: There is another amendment to Clause 2.

Mr. Deputy President: The Honourable Member is too late.

Mr. Deputy President: No amendments to Clause 3?

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title was added to the Bill.

Sri S. T. Adityan: Sir, I beg to move:

"That in the Preamble to the Bill, for the words 'married Hindu women' the words 'Hindu married women' be substituted."

Mr. Deputy President: The question is:

"That in the Preamble to the Bill, for the words 'married Hindu women' the words 'Hindu married women' be substituted."

The motion was adopted.

Pundit Thakur Das Bhargava: Sir, I beg to move:

"That in the Preamble to the Bill, after the words 'Whereas it is expedient to provide for', the words 'right to', be inserted."

The Honourable Sir Asoka Roy: I think my friend means that after the words "to provide for" he wants the words "the right to" inserted.

Pundit Thakur Das Bhargava: Yes.

Mr. Deputy President: The question is:

"That in the Preamble to the Bill, after the words 'Whereas it is expedient to provide for', the words 'the right to', be inserted."

The motion was adopted.

Mr. Deputy President: The question is:

"That the Preamble as amended do stand part of the Bill."

The motion was adopted.

The Preamble as amended was added to the Bill.

Dr. G. V. Deshmukh: Sir, I move:

"That the Bill as amended be passed"

Mr. Deputy President: The question is:

"That the Bill as amended be passed"

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday the 3rd April 1946.

LEGISLATIVE ASSEMBLY

Wednesday, 3rd April, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBERS SWORN:

Mr. Sitaram Chintaman Joshi, M. L. A. (Government of India: Nominated Official):

Mr. Charles William Ayers, C. I. E., M. L. A. (Government of India: Nominated Official):

Mr. Sitaram Chintaman Joshi M. L. A. (Government of India: Nominated Official):

Mr. Denys David Howell Thomas, M.L.A. (Nominated Non-Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

HOSPITALS IN DELHI PROVINCE.

1497. ***Pundit Thakur Das Bhargava:** Will the Health Secretary kindly state:

(a) the number of hospitals in the Province of Delhi in the rural areas; (excluding Delhi and New Delhi Municipalities and towns in the Delhi Province);

(b) the percentage of villages per each hospital in the said rural area;

(c) the percentage of population of the rural areas served by each hospital; and

(d) the amount of money spent during the last year on the hospitals in rural areas?

Mr. S. H. Y. Oulsnam: (a) There are seven dispensaries in the rural areas of the Delhi Province. There are no hospitals.

(b) 52 villages per dispensary.

(c) 31,445 persons per dispensary.

(d) Rs. 41,931.

Prof. N. G. Ranga: How is it that there is not a single hospital in the whole of the rural areas of the Delhi Province?

(No reply was given)

Prof. N. G. Ranga: Are Government considering the question of establishing a hospital in the rural areas of the Delhi Province?

Mr. S. H. Y. Oulsnam: Yes, Sir, proposals for the development of medical relief in the rural areas are under consideration.

SCHOOLS IN DELHI PROVINCE.

1498 ***Pundit Thakur Das Bhargava:** Will the Education Secretary kindly state:

(a) the number of schools for boys and the number of boys on rolls;

(b) the number of schools for girls and the number of girls on rolls in the rural areas of the Delhi Province excluding the Delhi and New Delhi Municipalities and the towns of the Delhi Province;

- (c) the amounts spent for these schools, separately, during the year 1945;
- (d) the number of boys and girls belonging to the depressed classes reading in these schools;
- (e) the number of girls reading in the school for boys and number of boys reading in the school for girls;
- (f) the cost per student in these schools; and
- (g) the number of High Schools or Middle or Lower Middle schools in these areas as well as the number of scholars on the rolls of such schools, and the cost of such schools to Government?

Sir John Sargent: A statement furnishing the information asked for by the Honourable Member is laid on the table of the House.

Statement

(a) Number of schools for boys in Rural Areas in the Delhi Province—121	Number of boys on the rolls in rural areas in the Delhi Province—9,699.		
(b) Number of schools for Girls in Rural Areas in the Delhi Province—20	Number of girls on the rolls in rural areas in the Delhi Province—1,040.		
(c) Rs. 1,92,552 for boys' schools. Rs. 36,448 for girls' schools.			
(d) 666 Boys, 33 Girls.			
(e) 62 Girls in Boys' Schools; 30 Boys in Girls' Schools.			
(f) Rs. 21/5/2 per scholar.			
(g) Kind of Institution.	Number of Institutions	Scholars on the rolls	Cost to the Government
High School	3	1,078	Rs. 12,715
Middle School	31	4,865	65,045
Primary School	102	4,662	81,562
Training School	1	44	12,507
Special School	4	90	562
Total	141	10,739	172,391

U. N. R. R. A. PURCHASES OF FOODGRAINS FOR INDIA.

1499. *Prof. N. G. Ranga: Will the Honourable the Commerce Member please state:

- (a) if the U.N.R.R.A. is making any purchases of food products in India during 1946; if so in what grains or products and in what quantities;

(b) whether Government have informed the U.N.R.R.A. of India's dire need for food products and her incapacity to export any food products; if so, when and with what results?

The Honourable Dr. Sir M. Azizul Huque: (a) The answer to the first part of the question is in the negative. The latter part does not arise.

(b) Yes, Sir. The Government of India informed U.N.R.R.A. early in March that, in view of the scarcity of food products in India, the export of ground nuts, for which U.N.R.R.A. had placed an order, had been temporarily suspended. U.N.R.R.A.'s reaction was that they would be willing to take jute goods in lieu of groundnuts if export of ground nuts during 1946 is not possible.

Mr. Ahmed E. H. Jaffer: May I enquire from the Honourable Member what benefit has India received from U.N.R.R.A. in respect of the amount of eight crores which was contributed by India to U.N.R.R.A.?

The Honourable Dr. Sir M. Azizul Huque: It is not possible to answer a question like that as a supplementary question arising from this question.

Mr. Manu Subedar: Is the question of the suspension of the export of groundnut still being considered by Government or they have finally decided that in view of the impending famine no groundnut will be exported out of this country either to the United Kingdom or any other country?

The Honourable Dr. Sir M. Azizul Huque: Except that in human affairs we do not know how things are going to shape themselves say by October next and therefore until the food situation shows that it is possible to take any other action it has been completely banned.

Mr. Manu Subedar: Will my Honourable friend reassure us on this point, since we have an apprehension that pressure is being brought from His Majesty's Government with regard to groundnuts, which they want from this country? In view of the failure of our Mission, for which both the Government and ourselves share the regret, to get all that we wanted from our approach to the Combined Food Board, will not Government now assure this House that no groundnut will be sent out till the end of October, when we shall have a new harvest?

The Honourable Dr. Sir M. Azizul Huque: In spite of all the assurances that I have given in the past my Honourable friend will continually ask for assurances till the end of the year. That state of affairs is bound to last till the constitution is changed. I have given the assurance the Honourable Member asks for over and over again and I am prepared to give that assurance again even now.

Sri R. Venkatasubba Reddiar: May I know whether the ban on the export of groundnuts would not reduce the price?

The Honourable Dr. Sir M. Azizul Huque: Surely we cannot have everything to our likes and the ban on export is bound to have some effect on the prices.

Mr. Manu Subedar: Will Government secure for their purposes as a famine relief measure and store the stocks of groundnuts which are in the docks and which are in the main exporting ports like Marmagao and Bombay?

The Honourable Dr. Sir M. Azizul Huque: My friend who is aware of the constitution of the Government of India should address his question to another Department.

BURMA INDIAN REFUGEES.

1500. *Prof. N. G. Ranga: Will the Honourable Member for Commonwealth Relations be pleased to state:

(a) for how long and at what scales the present allowances will be given to the Burma Indian refugees;

(b) whether Government are aware of the fact that owing to the failure of provincial or Central Governments to provide them with any employment on

this side and the refugees failure to find employment on their own, many of them have had to depend upon these meagre allowances for their livelihood;

(c) whether Government are aware of the utter helplessness to which these people will be condemned if these allowances are not continued until they are able to go back to Burma; and

(d) whether Government are doing anything by way of opening Reception Offices in Rangoon, to facilitate the return of the evacuees to Burma and there to find suitable employment?

Mr. R. N. Banerjee: (a), (b) and (c). In view of the termination of hostilities and the arrangements in progress for the return of evacuees to their former homes, the Government of India are considering the future of their schemes of financial assistance to evacuees and to families in India of persons detained in Burma, Malaya and other re-occupied territories. Pending a final decision, the scheme has been continued in its present form until further orders.

(d) The matter is being examined in consultation with the Government of Burma.

Prof. N. G. Ranga: Are we to understand that the Honourable Member's answer covers not only those who are the dependents of Indian detenus who happened to be in Burma, Siam and Malaya but also those who were forced to come over to India and naturally have become Burma Indian refugees?

Mr. R. N. Banerjee: Yes, Sir.

INCIDENCE OF TUBERCULOSIS.

†1501. ***Mr. Madandhari Singh:** Will the Health Secretary be pleased to state:

- (a) the percentage of deaths from tuberculosis;
- (b) the number and location of tuberculosis sanitoriums;
- (c) if the number of sanitoriums is sufficient to cope with requirements; and
- (d) if the reply to (c) is in the negative, the proposals of Government to establish more sanitoriums and their locations?

Mr. S. H. Y. Oulsnam: (a) It has been estimated that the number of deaths from tuberculosis is at least 500,000 a year.

(b) A statement giving the necessary information is placed on the table of the House.

(c) No.

(d) The matter is primarily the concern of Provincial Governments. As regards the central areas the Government of India have recently taken over from the Delhi Municipal Committee the Delhi tuberculosis hospital and the question of improving and expanding it is under consideration.

Statement

Statement showing number and location of Tuberculosis Sanatoriums in British India.

Ajmer-Merwara—

1. Madar Union Sanatorium, Madar, Ajmer-Merwara.

Assam—

2. Reid Provincial Sanatorium, Shillong.

Baluchistan—

3. Baluchistan Tuberculosis Sanatorium, Quetta.

Bengal—

4. Baikuntha Nath Roy Choudhury Phthisis Ward, Lowis Jubilee Sanatorium, Darjeeling.
- 5 S. B. Dey Sanatorium, Kurseong.

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

Bihar—

6. Itki Sanatorium, Itki P.O., District Ranchi.

Bombay—

7. Turner Sanatorium, Bhoiwada Hill, Parel, Bombay.
8. Dr. Bahadurji Memorial Sanatorium, Devlali.
9. Hindu Sanatorium for Tuberculosis, Karla, Dist. Poona.
10. The Bel-Air Sanatorium, Dalkeith, Panchgani.
11. Hillside Sanatorium, Vengurla.
12. Wanless Tuberculosis Sanatorium, Wanlesswadi, Dist. Satara.
13. The Maharashtra Tuberculosis Sanatorium, Panchwati, Nasik.
14. The Karnatak Health Institute, General Hospital and Tuberculosis Sanatorium, Hukeri Road R. S., Dist. Belgaum.

Central Provinces and Berar—

15. Pendra Road Sanatorium, Pendra Road.

Madras—

16. Union Mission Tuberculosis Sanatorium, Arogyavaram.
17. Visrantipuram Sanatorium, Rajamundry, Madras Province.
18. Government Tuberculosis Sanatorium, Tambaram, P.O. Chromepet, Madras Province.
19. Coimbatore District Jubilee Tuberculosis Sanatorium, Perundurai, Madras Province.
20. Mount Rosary Tuberculosis Sanatorium, P.O. Moodbidri, South Kanara, Madras Province.

North-West Frontier Province—

21. Government Tuberculosis Sanatorium, Dadar, District Hazara.

Punjab—

22. The King Edward Sanatorium, Dharampore R.S., Simla Hills.
23. The Lady Irwin Tuberculosis Sanatorium, P.O. Jubar, via Sanawar, Simla Hills.
24. Rajah Durga Singh Sanatorium, Baghat State (Solon), Mando Hills, P. O. Dharampore R.S., Simla Hills.
25. The Lady Linlithgow Sanatorium, Kasauli, Simla Hills.
26. Jubilee Red Cross (Mohd. Hussain) Sanatorium, Samli, Dist. Rawalpindi.
27. Krishan Bhagwan Sanatorium, Multan.
28. McGwire Tuberculosis Sanatorium, Dharamsala, Kangra District.
29. Rai Bahadur Sir Gujarmal Kesradevi Tuberculosis Sanatorium, Amritsar.
30. Garden Sanatorium, The Memorial Mission Hospital, Ludhiana.

Sind—

31. Mrs. Parpati Awatsing Sanatorium, Jherruck, Sind.
32. Ayurvedic Tuberculosis Relief Association, Maharaj Deepchand Tejbandas Ojha Sanatorium, Karachi.

United Provinces—

33. Karelalbag Tuberculosis Sanatorium, Allahabad.
34. The Sanatorium, Almora, U.P.
35. King Edward VIII Sanatorium, Bhowali.
36. Sri Mangla Prasad Tuberculosis Sanatorium, Sarnath, Benares.
37. Hillcrest Sanatorium, P. O. Gethia (Dist. Nainital).

RECOMMENDATIONS OF BHORE COMMITTEE ON PUBLIC HEALTH.

†1502. ***Mr. Madandhari Singh:** Will the Health Secretary be pleased to state:

(a) whether it is a fact that the health of the general public in India has deteriorated during the last few years; and

(b) if the reply to (a) is in the affirmative, what steps Government propose to take to improve the health of the general public and to implement the proposals made by the Bhore Committee?

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

Mr. S. H. Y. Oulsnam: (a) There has been some deterioration in health conditions in some parts of the country in recent years.

(b) An improvement in the general state of public health depends on many factors including an adequate and balanced diet, improvement of sanitation, provision of protected drinking water supplies, control of epidemic diseases and maintenance of adequate public health services. The Health Survey and Development Committee has made recommendations on these subjects and a conference of provincial representatives is being held in the last week of April to consider the recommendations.

DAMODAR VALLEY DEVELOPMENT SCHEME.

1503. *Babu Ram Narayan Singh: Will the Honourable the Labour Member please state:

- (a) the present stage of the Damodar Valley Development Scheme;
- (b) if the preliminary survey is complete;
- (c) the total amount of cultivated land acquired and to be acquired in all the districts concerned;
- (d) the number of villages in all the districts to be affected;
- (e) the number of people (i) who will be deprived of their homes; (ii) who will be deprived of their lands, and (iii) who will be deprived of both their homes and lands;
- (f) if there is any scheme for the rehabilitation of the people to be ejected;
- (g) if he is aware of the feelings of the people of all the localities to be affected and also of the resolution of the Bihar Provincial Congress Working Committee on the scheme; and
- (h) if he has considered the desirability or otherwise of postponing the working of the scheme till popular Governments begin functioning in Provinces and at the Centre?

The Honourable Dr. B. R. Ambedkar: (a) A preliminary investigation is in progress.

(b) No.

(c), (d) and (e). Detailed information on these points is now being collected.

(f) No scheme has yet been finally drawn up but the matter is under the active consideration of Government and I can assure the Honourable Member that Government will keep prominently in mind the necessity of adequate rehabilitation of those dispossessed.

(g) Government have seen some press communications on this subject.

(h) Only preliminary investigations are now carried out and Government do not consider it desirable to postpone them or such action as may appear necessary on a consideration of them.

Babu Ram Narayan Singh: What will be the process of the rehabilitation of the people?

The Honourable Dr. B. R. Ambedkar: I am unable to make any definite statement.

Prof. N. G. Ranga: Will not the the Honourable Member keep in mind the necessity of all those people, especially the peasants who will be ejected, for the grant of alternate pieces of land, where they can carry on their agriculture?

The Honourable Dr. B. R. Ambedkar: I certainly have that in mind.

Babu Ram Narayan Singh: May I know whether two or three years' notice will be given to these people who will have to leave their homes in the acquired area, so that they may build their houses in the new places and occupy them when they have to vacate their original homes?

The Honourable Dr. B. R. Ambedkar: I cannot commit myself to any particular period, but I am prepared to say that we shall certainly give long enough notice.

Babu Ram Narayan Singh: May I know, Sir, whether as a part of this Damodar Valley development scheme some big embankments are to be constructed on rivers in Santal Parganas District?

The Honourable Dr. B. R. Ambedkar: I am unable to say that at this stage.

Maulana Zafar Ali Khan: Arising out of part (e) of the question may I know whether it is a fact that many villagers have been turned out of their homes in Assam, their houses have been demolished, they have been put to great inconvenience and their lands also have been taken away?

The Honourable Dr. B. R. Ambedkar: I do not see how this arises out of this question.

Mr. President: He says in connection with the scheme.

The Honourable Dr. B. R. Ambedkar: That does not affect Assam at all.

Babu Ram Narayan Singh: May I know whether this scheme has been finally decided upon?

The Honourable Dr. B. R. Ambedkar: Yes, Sir

Prof. N. G. Ranga: Is it not a multi-purpose scheme?

The Honourable Dr. B. R. Ambedkar: Yes, Sir.

STRIKE IN INDIAN SCHOOL OF MINE, DHANBAD.

1504. *Babu Ram Narayan Singh: Will the Honourable the Labour Member please state whether there is a strike in the Indian School of Mine at Dhanbad? If so, why, and has the strike come to an end? If so, how?

The Honourable Dr. B. R. Ambedkar: The Honourable Member's attention is invited to the reply given to Starred Question No. 1265, on 26th March, 1946.

Prof. N. G. Ranga: Have the Government come to any conclusion regarding the recognition of the diplomas about which they were complaining?

The Honourable Dr. B. R. Ambedkar: The matter is under consideration.

PROPOSALS BY U. S. A. FOR EXPANSION OF WORLD TRADE AND EMPLOYMENT.

1505. *Mr. Vadilal Lallubhai: (a) Will the Honourable the Commerce Member please state if the Government of India have received from the Government of the United States of America the "Proposals for the expansion of World Trade and Employment"?

(b) If so, have they decided on the attitude they are going to adopt on these proposals?

(c) Is it a fact that preparatory to the Conference to be called by the Government of the United States of America, it is proposed to hold a conference of the Empire countries in London?

(d) If so, have Government taken any decision regarding their joining such discussion in the United Kingdom? If so, have Government chosen their delegates to the Conferences in the United Kingdom and United States of America?

(e) If not, what is the procedure that Government are going to follow in choosing these delegates to the said two Conferences? What will be the composition of this delegation, and will this House have a decisive voice in determining the same?

(f) Will this House be given an opportunity to discuss the subject? If so, when?

The Honourable Dr. Sir M. Azizul Huque: (a) and (c). Yes, Sir.

(b) and (d). No, Sir.

(e) and (f). These matters are still under consideration.

RESTRICTION ON IMPORT LICENCES FOR CAPITAL GOODS.

1506. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Commerce Member be pleased to state if Government are aware that it is a condition precedent for the grant of import licences for Capital Goods to Indian industrialists from foreign countries other than the United Kingdom that they should establish that such capital goods are not available in the United Kingdom?

(b) If so, what is the nature of proof of unavailability that is required?

(c) Why is such a condition imposed without allowing procurement of capital goods from the best and the cheapest market?

(d) How many such applications for capital goods and for what value, from foreign countries, have been turned down during the period of import control?

(e) What is the rule or law under which such restriction is imposed?

(f) Are Government aware that such a condition has led in practice to United Kingdom ordering goods from foreign countries and supplying to India thereby taking middlemen's profits?

(g) Do Government propose to put a stop to it?

The Honourable Dr. Sir M. Azizul Huque: (a) The question whether capital goods are not available in the sterling area countries (not in the United Kingdom alone) arises in the case of applications asking for import of such goods from non-sterling area countries where hard currencies are involved.

(b) Correspondence with suppliers in the sterling area countries is the proof generally required.

(c) Non-availability does not necessarily mean that the goods cannot be obtained from the sterling area countries at all, but may merely mean that they cannot be obtained from those countries quickly enough or at competitive prices. The test of non-availability does not, therefore, prevent procurement of capital goods from the best and cheapest market.

(d) Thirty applications of a total value of Rs. 21,35,752/- have so far been rejected on the ground that capital goods applied for from non-sterling area countries were available in the sterling area countries instead.

(e) The restriction is imposed under Import Trade Control Notification No. 28—I. T. C./48, dated the 1st July, 1943, promulgated under rule 84 of the Defence of India Rules.

(f) Government have no information.

(g) Does not arise.

Mr. Manu Subedar: Has the Honourable Member's attention been drawn to the speeches in the Federation of Commerce and Industry, both by the President, by Mr. G. D. Birla and by other people, which are in direct contradiction to what my Honourable friend has said and which postulate grievances that the cheapest and the best market is not permitted to Indian industrialists who wish to import?

The Honourable Dr. Sir M. Azizul Huque: I have seen a general statement of that nature, but it is difficult for me to explore these. If any of the Honourable gentlemen referred to would please give concrete facts and materials I am prepared to look into the matter.

Mr. Manu Subedar: May I enquire whether Government will not approach the Federation of Indian Chambers of Commerce and Industry, which is the biggest body representing those who will want capital goods in this country, for a clarification and for the specific cases of complaint involved in these?

The Honourable Dr. Sir M. Azizul Huque: That is a request for action which, I do not think, is permissible under the rules for answers.

Mr. Manu Subedar: May I know whether Government will consider the question of employing some other means of finding it? Will Government put in a press note stating that this grievance is being made falsely and demanding that if anybody has got a genuine grievance he should put forward the case to the Government?

The Honourable Dr. Sir M. Azizul Huque: I am not prepared to put in a press note that these Honourable gentlemen have made false statements.

Sri M. Ananthasayanam Ayyangar: May I know if out of the applications of the value of Rs. 21 and odd lakhs for capital goods that have been sanctioned, a large number are not those where, though they have been sent from the United Kingdom or from the sterling area countries, they were purchased from foreign countries through the medium of the United Kingdom or sterling area countries?

The Honourable Dr. Sir M. Azizul Huque: I have no information to that effect.

Sri M. Ananthasayanam Ayyangar: Has not the Honourable Member received complaints that though some of the capital goods for which there is a demand in this country are not in sterling areas they are obliged to go through the sterling area countries and are thereby put to a loss?

The Honourable Dr. Sir M. Azizul Huque: No, Sir.

Sri M. Ananthasayanam Ayyangar: Does the Honourable Member mean that this question alone puts before him the complaint?

The Honourable Dr. Sir M. Azizul Huque: Rather the supplementary question.

Sri M. Ananthasayanam Ayyangar: In the applications of the value of Rs. 21 and odd lakhs that have been rejected on the ground that similar goods have been available in the sterling area countries, what was the difference between the prices of the non-sterling area countries and the sterling area countries?

The Honourable Dr. Sir M. Azizul Huque: As I made it quite clear, the rules, as they stand, are operated, having regard to the non-availability, from the point of view of immediate availability as also that of competitive price.

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member: (1) What is the margin of time that the Honourable Member allows? If the goods are wanted in six months, does he ask the man to wait for years to come? (2) As regards the price, what is the margin of difference that he would allow within which he would ask these people to go only to the sterling area countries?

The Honourable Dr. Sir M. Azizul Huque: It cannot be put within a definite time limit. As regards the price, each case has to be considered on its merit and other factors I have referred to.

Sri M. Ananthasayanam Ayyangar: There must be some rules up to what percentage, say 25, 30 or 50 percent is he prepared to see that, even though non-sterling area countries give them at a particular rate, they must be purchased only in the sterling area countries.

The Honourable Dr. Sir M. Azizul Huque: It is more a question of ensuring the case with a view to help it. As I have said before, the attitude taken is not one of keen, legal rigidity and the factors taken into consideration cannot be brought within any such code or canon envisaged by the Honourable Member.

CATTLE SLAUGHTER FOR ARMY.

1507. *Sri R. Venkatasubba Reddiar: Will the Agriculture Secretary please state:

(a) if Government are aware that in the course of the discussions in one of the Policy Committees in 1942 or 1943 the late Sir Chotu Ram, Minister in the Punjab, appealed to the military authorities to reduce the number of cattle slaughtered for meat for the army and to substitute sheep in place of cattle, and

if beef was found to be absolutely necessary, to get the same from abroad and not deplete the cattle wealth of India still further;

(b) whether any action in pursuance of this suggestion was taken;

(c) the number of cattle that were purchased and slaughtered throughout the war years, giving the figures year by year, obtaining the figures from the Military Department, if necessary; and

(d) if he proposes to represent to the Provinces which have not yet imposed a ban, particularly the Punjab and Sind, to come into line with the other Provinces?

Sir Pheroze Kharegat: (a) It has not been possible to trace the reference, but it is probable that such an appeal was made.

(b) Every endeavour has been made by the military authorities to keep the number of cattle slaughtered to the minimum by the development of pig and poultry farms and the importation and issue of tinned and frozen meat.

This has resulted in a large decrease in the slaughter of cattle.

(c) A statement of the number and percentages of cattle slaughtered for military purposes was laid on the table on 11th February, 1946, in reply to Question No. 147, asked by Mr. Manu Subedar.

I may mention that the figure has gone down from 263,000 in 1943 to 142,000 in 1945.

(d) All Provinces were asked by the Government of India to prevent the slaughter of useful cattle as far as practicable. The Government of Sind have already imposed such restrictions. The Punjab Government have reported that they have largely attained the object by regulating the slaughter of cattle in Military Slaughter-houses and by enforcing the existing provision against the slaughter of useful cattle in the regulations governing municipal slaughter-houses under the Punjab Municipal Act. The N. W. F. P. authorities do not consider restrictions feasible under their conditions.

Sri R. Venkatasubba Reddiar: What is the percentage that represents the reduction in this year's slaughter?

Sir Pheroze Kharegat: In 1943 the figure was 263,000. In 1945, the figure had dropped to 142,000.

Prof. N. G. Ranga: What steps are being taken by the Government of India to see that the military authorities also are prevented from slaughtering useful cattle?

Sir Pheroze Kharegat: The military authorities have already issued instructions to all their officers that certain types of useful cattle should not be slaughtered.

Mr. Muhammad Nauman: With reference to part (d), may I know what sort of representation was given or conveyed to the provinces in the matter of the slaughter of these cattle?

Sir Pheroze Kharegat: Certain instructions were issued by the military authorities defining the classes of cattle which should not be slaughtered and this was sent to the various Provincial Governments and they were requested to take suitable action along somewhat similar lines.

Mr. Muhammad Nauman: Do I understand that this was confined to military requirements?

Sir Pheroze Kharegat: The instructions issued by the military authorities were certainly confined to military requirements; but the orders that have been issued by the Provincial Governments apply to other than military requirements also.

Mr. Manu Subedar: May I know whether the number of military slaughter houses set up specially during the war has been reduced, in which cattle were slaughtered up to a given quantity every day and the meat was packed and dried and sent out?

Sir Pheroze Kharegat: I am afraid I have no information on the subject. If an inquiry is addressed on this particular matter to the War Department perhaps the information may be available.

Seth Govind Das: Which kinds of cattle are allowed to be slaughtered?

Sir Pheroze Kharegat: It would be easier to say which kind of cattle are not allowed to be slaughtered.

Seth Govind Das: Let us know that.

Sir Pheroze Kharegat: Speaking from memory, all cattle under three years of age—their slaughter is prohibited: all cattle which are in milk or pregnant—their slaughter is prohibited; and between the ages of three and ten all cattle which are suitable for work, that is, either for breeding or for work behind the plough or transport—their slaughter is forbidden.

Seth Govind Das: How is it decided that the cattle between the ages of three and ten are not fit for any other use?

Sir Pheroze Kharegat: They may be certified as cattle not fit for use: those for instance which may be ill or lame or things like that or diseased.

Babu Ram Narayan Singh: Are all the cattle examined by a competent authority before they are slaughtered?

Sir Pheroze Kharegat: In the military slaughter houses they are examined by the military authorities and at certain of the civil slaughter houses, Provincial Governments have made arrangements for their veterinary officers to be present at the time of slaughter, to see that the rules and regulations are complied with.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware that cattle rejected by the military are transferred to markets for civilian consumption, and if so, will he take steps to stop this practice?

Sir Pheroze Kharegat: I am not aware of this practice, but if specific cases are brought to notice, action will certainly be taken about it.

EXTENSION IN SERVICE TO MR. H. R. STEWART OF IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

1508. ***Pundit Thakur Das Bhargava:** Will the Agriculture Secretary please state:

(a) if it is a fact that one Mr. H. R. Stewart, the Vice-Chairman of the Imperial Council of Agricultural Research, has been granted extension for one year;

(b) the grounds on which such extension was granted; and whether officers junior to him were found unfit for the post;

(c) whether it is proposed to grant him a further extension for one or two years?

(d) whether there are no junior officers to Mr. Stewart, who can take his place; and

(e) how many junior officers have thus been overlooked when the extension was granted?

Sir Pheroze Kharegat: (a) Sir H. Stewart was appointed as Agricultural Commissioner in 1943 and has been officiating as Vice Chairman Imperial Council of Agricultural Research in addition to carrying on the work of the A. C. since May 1944. He reached the age of superannuation in July 1945, and is now on one year's extension.

(b) The extension was granted because of the shortage of qualified technical agricultural officers available for filling the higher posts. No question about the unfitness of other officers arises as the posts mentioned are selection posts and the requisite officers are not available.

(c) It has been decided to grant him two years extension.

(d) As already mentioned, there is an acute shortage of technically qualified senior agricultural officers.

(e) Does not arise.

Prof. N. G. Ranga: When was this decision taken, to grant him this last extension?

Sir Pheroze Kharegat: Quite recently; a few days ago.

Prof. N. G. Ranga: Was anybody consulted—either the Imperial Council of Agricultural Research or the Standing Committee of this House for Agriculture?

Sir Pheroze Kharegat: No, Sir.

Prof. N. G. Ranga: Why were they not consulted when repeated extensions are being granted to this gentleman who is known to be very unpopular with all those who have anything to do with agricultural research in this country?

Sir Pheroze Kharegat: Government have no information about his unpopularity; and as regards the other part of the question, all I can say is that the rules do not require consultation with either of those bodies.

Shri Mohan Lal Saksena: Is it not a fact that under the rules the extension can be granted only for one year?

Sir Pheroze Kharegat: The rule is that ordinarily an extension is granted only for one year; but exceptions are permissible in special cases.

Shri Mohan Lal Saksena: May I know what were the special reasons for granting him two years extension? Is it because it is feared that the National Government is coming?

Sir Pheroze Kharegat: Partly because there are no officers available and generally in the public interest.

Seth Govind Das: How was it decided that no Indian suitable officers were available for this post?

Sir Pheroze Kharegat: Government are aware of all officers who are available in the country and they looked round and they came to that particular conclusion.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware that there are available suitable officers in the Agricultural Department at Poona, particularly in the College of Agriculture; and if so, did the Honourable Member take any steps to consult the Director of Agriculture in the Province of Bombay?

Sir Pheroze Kharegat: Government are fully aware of the qualifications of every single officer, both at Poona and at all the other colleges.

SUGGESTIONS TO PROVINCIAL GOVERNMENTS re IRRIGATION FACILITIES TO FIGHT FOOD SHORTAGE.

†1509. ***Captain Syed Abid Hussain:** Will the Agriculture Secretary please state whether it is a fact that in view of the acute food shortage and the severe famine with which India is threatened today, Government of India have suggested to the Provincial Governments to—

(i) bring under cultivation as much of waste land as possible,
(ii) increase the percentage of water supply in canal irrigation to the maximum degree; and

(iii) expedite the increase of water supply percentage in canal irrigation wherever already contemplated? If so, will he please state the reply received from the Punjab Government?

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

Sir Pheroze Kharegat: (i) Yes, sir. A scheme has been sanctioned at a cost of Rs. 10.23 lakhs for bringing waste land in the riverine tracts of the Province into cultivation. 42,661 acres of such land are reported to have been brought into cultivation. The scheme is now being discontinued as the Punjab Government consider that it is not making satisfactory progress.

(ii) and (iii). The Punjab Government are fully aware of the need for increasing the water supply in their canals. They have taken up a scheme for the construction of 1,800 tube wells for obtaining water from water logged areas and putting it back into the canal so as to increase the amount of water available for irrigation from canals.

†1510.

Mr. President: I understand question No. 1510 is postponed.

Prof. N. G. Ranga: Very well, Sir. No. 1511.

NUMBER OF INDIANS EMPLOYED IN INTERNATIONAL LABOUR OFFICE

1511. ***Prof. N. G. Ranga:** Will the Honourable the Labour Member be pleased to state:

(a) the number of Indians employed by the I.L.O. at its headquarters;

(b) the total amount spent by the I.L.O. on Indian members of the I.L.O. offices and that contributed by the Government of India to the I.L.O.;

(c) whether there are any proposals to strengthen the I.L.O. office in India and to open its Branches in all the provincial capitals to keep the I.L.O. in touch with Provincial Governments;

(d) whether Government are doing any thing to increase India's representation at the I.L.O. headquarters, and if so, with what results; and

(e) whether Government propose to send some member of their secretariat to the I.L.O. headquarters for a few months in order to enable them to study the Labour Legislation and its working in different countries and be in touch with the I.L.O. work?

The Honourable Dr. B. R. Ambedkar: (a) It is understood that three Indians are employed at the International Labour Office headquarters. In the Indian Branch of the International Labour Office the personnel of which is wholly Indian, there is a Senior Officer with a sanctioned strength of seven members for 1946.

(b) The expenditure by the International Labour Organisation on Indian members in their various offices for 1946 is as follows:

Headquarters	60,000 Swiss Francs or Rs. 45,900 approximately
Indian Branches	Rs. 44,640

India does not directly contribute to the I.L.O. funds but a portion of the contribution paid by India to the League of Nations is given to the I.L.O. The table below gives the details:

†This question has been postponed to be answered on the 12th April 1946.

Year	Total contribution to League of Nations (gold francs)	Portion allotted to the International Labour Office (gold francs)
1943	893,044.24	300,731.88
1944	815,024.64	300,960.18
1945	1,199,033.39	*895,200 (Swiss Francs)
1946	1,302,938.67	Not known.

* Information obtain from Director, International Labour Office Indian Branch.

N. B.—Exchange rates :—

Rs. as. ps.

1 gold franc = 1 1 5 approximately.

1 Swiss franc = 0 12 4 "

(c) Government have no information.

(d) The answer is in the affirmative.

(i) A few suitable candidates are being selected by Federal Public Service Commission (India) for appointment to the International Labour Office ministerial staff at Montreal.

(ii) In the higher posts the question of the appointment of an Indian as an Assistant Director is under consideration.

(e) The question is under consideration.

Shri Mohan Lal Saksena: What is the rupee value of a gold franc?

The Honourable Dr. B. R. Ambedkar: It is Rs. 1-1-5. This information has been given to us by the International Labour Office but I cannot vouch for it.

Prof. N. G. Ranga: With regard to part (c), will Government consider the advisability of suggesting to the I. L. O. to open its branches in all the Provincial Capitals to keep the I. L. O. in touch with Provincial Governments?

The Honourable Dr. B. R. Ambedkar: I will look into the matter.

Prof. N. G. Ranga: Is it not a fact that the Asiatic countries and also the coloured countries are not given adequate representation on the governing body of the I. L. O.?

The Honourable Dr. B. R. Ambedkar: That is the general impression but I cannot exactly say what the situation is.

Prof. N. G. Ranga: What steps do Government propose to take to see that India as well as the other coloured peoples are given adequate representation on the governing body of the I. L. O.

The Honourable Dr. B. R. Ambedkar: We are always pressing the claim of India.

Prof. N. G. Ranga: With what result? Has there been any improvement at all?

The Honourable Dr. B. R. Ambedkar: We hope some day we will be successful.

Prof. N. G. Ranga: Is it not a fact that our position on the governing body is weaker than it used to be three years ago?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: May I answer this question? My recollection is that both on the Government side and on the labour side there has been representation for a number of years. Our late colleague in this House, Mr. Joshi, was a member of the governing body for well over 10 or 12 years. Sir Atul Chatterjee was a member of the governing body on behalf of the Government and chairman of the governing body on one occasion. The present High Commissioner, Sir Samuel Ranganathan is a member of the Governing body and was chairman of the constitution making body of the governing body at the last International Labour Conference. At present, I believe, after Mr. Joshi ceased to be a member of the governing body during the last one year, there is no representative of the employees from India on the governing body. That is the only degeneration of the position, if it can be called a degeneration. So far as the Government is concerned, the High Commissioner is a member of the governing body. I cannot say anything about other coloured peoples but certainly India has been throughout a member of the governing body both from the Government side and from the employees side.

Sjt. N. V. Gadgil: Is it not a fact that certain changes have been recommended in the constitution of the governing body and they have been laid on the table of the House?

The Honourable Dr. B. R. Ambedkar: That is a matter which will come up for discussion in connection with a Resolution I propose to move.

Diwan Chaman Lal: When is the Honourable Member moving it?

The Honourable Dr. B. R. Ambedkar: In the course of this Session.

Sri M. Ananthasayanam Ayyangar: Now that there is a proposal to abolish the League of Nations, is there a proposal to have direct contribution to the I. L. O. from the Indian exchequer?

The Honourable Dr. B. R. Ambedkar: I cannot say. That will be a matter for the I. L. O. to decide.

RESTRICTIONS ON EXPORT OF INDIAN PLYWOOD.

1512. ***Sri A. Karunakara Menon:** (a) Will the Honourable the Commerce Member be pleased to state the value of plywood and plywood tea-chests that were imported into India in 1944-45 and 1945-1946?

(b) Is it a fact that plywood and plywood tea-chests manufactured in foreign countries are allowed to be imported freely into India to meet the requirements of Indian Markets, while Indian manufacturers of plywood and plywood products are not allowed to export these products without a licence? Have any licences been issued for export of the Indian plywood to Ceylon, East Africa and the Middle East during the years 1944-45 and 1945-1946? If so, what is the extent of the same? If none, why?

(c) What is the necessity or object to continue the restrictions on export of Indian plywood and tea-chests to foreign countries even after the war?

The Honourable Dr. Sir M. Azizul Huque: (a) I may invite a reference to the monthly accounts relating to the Seaborne Trade and Navigation of British India, copies of which are available in the Library.

(b) Imports of plywood and plywood tea-chests are not allowed freely, but import licences are issued to the extent necessary to meet the essential demands of the tea industry after taking into consideration the productive capacity of the Indian plywood industry.

Licences are required for export of plywood and plywood products. I lay on the table a statement showing the quantities of plywood and plywood products licenced for export to Ceylon, Africa and the Middle East during the years 1944, 1945 and 1946.

(c) Exports have to be regulated even after the war having due regard to the supply position and demand for suitable tea-chests for movement of tea in the internal market.

Statement showing the quantity of plywood and plywood products licensed by the Directorate General of Industries and Supplies for export to Ceylon, Africa and the Middle East during the years 1944, 1945 and 1946.

1944 :—Shooks for tea-chests	5,000	Nos.	Persia.
Plywood shoooks	20	pieces	Ceylon.
Indian plywood tea-chest panels	48	„	Ceylon.
Tea-chests Tops and bottoms	90	„	Africa.
1945 :—Plywood panels	26	„	Ceylon.
1946 :—Plywood	225,000	sq. ft.	Egypt.

Prof. N. G. Ranga: When was this point—whether or not to continue these restrictions for imports—last examined?

The Honourable Dr. Sir M. Azizul Huque: The questions are examined almost weekly, having regard to some application or the other.

Prof. N. G. Ranga: Have the people interested in it made any representation to the Honourable Member?

The Honourable Dr. Sir M. Azizul Huque: Yes, Sir.

Prof. N. G. Ranga: Was it in the light of the representations made that Government have decided to continue the restrictions?

The Honourable Dr. Sir M. Azizul Huque: The matter is decided having regard to all the representations we receive from varying interests. I answered a supplementary question only last week as to the reasons why we had to allow import of certain amount of tea-chest in this country.

IMPORT RESTRICTIONS ON TOOLS AND ACCESSORIES FOR SAW MILLS AND PLYWOOD FACTORIES.

1513. *Sri A. Karunakara Menon: (a) Will the Honourable the Commerce Member please state the restrictions that now exist against importing tools and accessories required for Indian factories, such as, saw mills and plywood factories?

(b) Are permits required for importing these accessories?

(c) Is it a fact that applications made so long back as the 18th July, 1945, are remaining in the office of the Deputy Chief Controller of Imports, Calcutta, pending his decision?

(d) Is there any connection between this delay and the desire of Government for disposing of surplus stores?

(e) Is there any objection to granting permits more expeditiously for importing tools and accessories from foreign countries?

The Honourable Dr. Sir M. Azizul Huque: (a) Imports of these tools and accessories are controlled by virtue of the Commerce Department Import Trade Control Notification No. 23-I.T.C./43, dated the 1st July, 1943.

(b) Yes, licences for import are required.

(c) No, Sir.

(d) Does not arise.

(e) There is no avoidable delay in the disposal of applications. I may add that the grant of licences is subject to consideration of various factors such as conservation of non-sterling currency and the present stock position in the country.

DECOMPOSITION OF FOODGRAINS IN BENGAL GODOWNS

1514. *Mr. Sasanka Sekhar Sanyal: Will the Food Secretary be pleased to state:

(a) whether the attention of Government is drawn to the reports that appear from time to time of deterioration and decomposition of paddy, rice, wheat, atta, flour and other foodgrains or foodstuff in the various godowns in Bengal managed or supervised by the Government;

(b) whether the Government of India have any obligation or power to prevent or to penalise such deterioration or decomposition;

(c) how much deterioration or decomposition or both took place in the said Province in each of the years 1944 and 1945 (counted from January to December); and

(d) what precautionary or preventive measures have been advised or devised for ensuring non-recurrence of such wastage in future?

Mr. B. R. Sen: (a) Yes.

(b) The Government of India exercise supervision and control over their own stocks. In respect of stocks held by a Provincial Government the responsibility of looking after the stocks is of the Provincial Government.

(c) A statement is laid on the table of the House.

(d) Increased storage accommodation has been provided and hired godowns which were found unsuitable have been discarded. An Inspection and Control Directorate has been set up by the Bengal Government who, by periodical surveys, ensure the maintenance of storage hygiene and check insect infestation or deterioration due to other factors. A new system of classification of stocks has also been adopted on the basis of their storage property and issues are regulated accordingly.

Statement

Year	Stock of Central/Provincial Government	Quantity of stocks deteriorated or decomposed
1944	There was no Central Reserve of food-grains in Bengal in 1944	
1944	Bengal Government's godowns	The information has been called for from the Provincial Government.
1945	Central Government's stocks	Nil.
	Bengal Government's stocks	The information has been called for from the Provincial Government.

Mr. Sasanka Sekhar Sanyal: If there is wastage of Government of India stocks owing to the fault of the Provincial Government, how does the Government of India re-imburse itself?

Mr. B. R. Sen: The stocks of the Government of India are under the control of the Government of India themselves.

Prof. N. G. Ranga: Has there been any perceptible reduction in wastage on account of precautionary measures?

Mr. B. R. Sen: There should be.

Prof. N. G. Ranga: I am asking for results. Are these results being continually examined?

Mr. B. R. Sen: I would ask the Honourable Member to refer to the statement I have laid on the table. He will find the information there.

Mr. Sasanka Sekhar Sanyal: Are these wastages brought up before the Standing Finance Committee?

Mr. B. R. Sen: No, Sir.

Mr. Sasanka Sekhar Sanyal: Are these wastages accounted for in the budgetary estimates of the Government of India and if so under what head?

Mr. B. R. Sen: What happens is that when grain is in storage there is always a certain amount of deterioration and the loss is included in the price at which it is sold.

Prof. N. G. Ranga: Are these insured against fire?

Mr. B. R. Sen: I believe so.

CHANGE IN NAME OF 'IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH'

1515. *Sri N. Narayanamurthi: Will the Agriculture Secretary please state: (a) when and by whom the "Imperial Council of Agricultural Research" was so named;

(b) why or in what sense it is "Imperial"; and

(c) whether Government propose to change its name into a "National", or "Central" Council of Agricultural Research?

Sir Pheroze Kharegat: (a) It was so named on the recommendation of the Royal Commission on Agriculture in India.

(b) Its activities extend to the whole of the Indian Empire, including the States.

(c) The Imperial Council of Agricultural Research is a registered society and an alteration can only be made if the members of the Council so desire at a special general meeting at which not less than 3/5ths of the members are present and vote for such alteration.

Prof. N. G. Ranga: In view of the fact that this House sends its representatives to this Agricultural Council, will my Honourable friend take note of this fact that this House is certainly not in favour of the continuance of the present title and take steps to change it in the prescribed manner from I. C. A. R. to N. C. A. R. or C. C. A. R.?

Mr. President: These are suggestions. No questions have been put.

Shri Mohan Lal Saksena: What is the position of the Government? What is the advice which they propose to give to Government Members on this Council?

Mr. President: That will be a question. The question is: Will the Government advise those Members who represent the Government on the Imperial Council of Agricultural Research to have the name changed by having recourse to all constitutional methods?

Sir Pheroze Kharegat: The matter rests entirely with the Council, and if it is the desire of this House that the name should be changed, it is for the Members of the Council to meet and come to a decision on the point.

Prof. N. G. Ranga: My Honourable friend seems to have misunderstood the question. There are certain representatives on the Imperial Council of Agricultural Research. Will Government of India advise their representatives to move for this amendment or to support the amendment if it is moved?

Sir Pheroze Kharegat: The matter will be looked into.

Mr. Manu Subedar: In view of the fact that there is the British Empire and this second Empire is within that Empire, will Government take the

initiative having regard to the feeling of this House and instruct their representatives to send in a Motion for change of this name and for dropping the word 'Imperial' altogether?

Sir Pheroze Kharegat: As I have just said, the suggestion will be considered.

RECOGNITION OF ANDHRA UNIVERSITY MEDICAL DEGREES BY GENERAL MEDICAL COUNCIL OF GREAT BRITAIN

1516. *Sri N. Narayanamurthi: (a) Will the Health Secretary be pleased to state whether it is a fact that Government have received a letter, dated the 7th December, 1944, from the Old Boys' Association of the Andhra Medical College, Vizagapatam, in reply to his office letter No. D.1745-H (C)/44, dated the 17th October, 1944, on the subject of recognition of the Andhra University Medical Degrees by the General Medical Council of Great Britain? If so, what action has been taken on it?

(b) In view of the reply to the starred question No. 434 on the above subject asked in the Assembly on the 15th November, 1944, stating that without recognition under the Indian Medical Council Act, "it would not have been possible for the Indian Medical Council to request the General Medical Council to recognise" the Andhra University Medical Degrees, is there any provision in the Indian Medical Council Act under which the Medical Council of India should address the General Medical Council, and which makes it obligatory on the part of the General Medical Council to reply?

Mr. S. H. Y. Oulsnam: (a) Yes. The suggestion in the letter was that the Secretary of State for India should be asked to take steps to amend the Government of India Act, 1935, in order to provide for an appeal to the Privy Council when the General Medical Council refuses to recognise a medical degree granted in India. Provision for such an appeal already exists in the Medical Act, 1886, and an amendment of the Government of India Act is not required. As regards recognition of the Andhra University Medical degrees, no final reply has yet been received from the General Medical Council.

(b) The answer is in the negative.

RECOGNITION OF ANDHRA UNIVERSITY MEDICAL DEGREES BY GENERAL MEDICAL COUNCIL OF GREAT BRITAIN

1517. *Sri N. Narayanamurthi: (a) Will the Health Secretary be pleased to state if Government are aware that the President of the Medical Council of India made the following statement in his address at the meeting of the Council held on the 23rd October, 1945:

(i) the reciprocity between the United Kingdom on the one hand and India on the other is governed not by any section of the Indian Medical Council Act of 1933, but by the Constitution Act passed by Parliament in 1935; and

(ii) faced with the situation that the General Medical Council have not recognised the Andhra Degrees which are on the schedule of the Indian Medical Council Act, the Medical Council had asked the Government of India to amend the Indian Medical Council Act to provide rules according to which the Indian Medical Council might exercise the same powers as the General Medical Council?

(b) If so, what action Government propose to take in the matter of arranging for the amendment of either the Constitution Act of 1935, or the Indian Medical Council Act of 1933, or both?

Mr. S. H. Y. Oulsnam: Government have seen the address. The Medical Council proposed that rules should be made to regulate the procedure to be followed when it is proposed to exclude the holders of medical qualifications granted in the United Kingdom from practising or from registration. The proposal was accepted and regulations on the subject were made by the Medical Diplomas Act, 1939. No other proposal on this subject has been received from the Medical Council.

Sri M. Ananthasayanam Ayyangar: In view of the fact that reciprocal treatment ought to be allowed to our degrees, why should Government provide for an appeal to the Privy Council and why should not Government refuse to recognise degrees which are recognised by the General Medical Council in U. K.?

Mr. S. H. Y. Oulsnam: Government have no authority over the General Medical Council in the U. K. If the General Medical Council refuses to recognise Indian medical degrees, then it is open to the Indian Medical Council to make an appeal to the Privy Council.

Sri M. Ananthasayanam Ayyangar: Are not Government aware that reciprocal treatment ought to be allowed and why should not the Government of India take retaliatory measures by refusing to recognise degrees which are recognised by the General Medical Council in U. K.

Mr. S. H. Y. Oulsnam: That is really a matter for the Medical Council of India and if any suggestion is made by them for the withdrawal of recognition of any degree, then it will be considered by the Government.

Prof. N. G. Ranga: What are the Government of India doing to help the Andhra Medical degrees being recognised? Are the Government of India doing anything at all?

Mr. S. H. Y. Oulsnam: I have already said that the Government of India have no authority or control over the General Medical Council of the U. K.

Diwan Chaman Lall: Do I take it that the only contrl which the Government of India have is of a retaliatory nature and if the General Medical Council does not recognise these degrees, then the Government of India must refuse to employ men whose degrees are recognised in Great Britain?

Mr. S. H. Y. Oulsnam: It is for the Indian Medical Council to make recommendations to the Government of India for the withdrawal of recognition of any degrees granted in U. K. When they make such a suggestion, the proposal will be considered.

Mr. Manu Subedar: Have Government undertaken any negotiations on this subject with His Majesty's Government with a view to avoid litigation on the part of the Andhra Medical College?

Mr. S. H. Y. Oulsnam: No, Sir. His Majesty's Government in the U. K. also have no control over the General Medical Council. I may say however that both the General Medical Council of the U. K. and the Medical Council of India have agreed to a suggestion made by the Government of India that there should be a conference to discuss these difficulties which have arisen over the recognition of the medical degrees.

Dr. G. V. Deshmukh: If the General Medical Council of U. K. do not accept or are not reasonable at this conference, then have the Medical Council of India got power to retaliate and if they have not got that power, then will the Government of India see that they are invested with such powers?

Mr. S. H. Y. Oulsnam: The Indian Medical Council has power to recommend to the Government of India the withdrawal of recognition of any medical degree on the ground that it does not furnish a sufficient guarantee of knowledge and skill.

Dr. G. V. Deshmukh: Will the Government of India take notice of the discontent that prevails in the medical world and in the legislature and among the public for the Indian Medical Council not having that power and will the Government take steps accordingly?

Mr. S. H. Y. Oulsnam: The suggestion made by the Honourable Member will be considered. But I have already said that the Indian Medical Council has got the power to recommend that recognition of any medical degree should be withdrawn.

Mr. Manu Subedar: The question is why will not the Government take the initiative, now that public opinion has been adequately voiced. This is one of

the oldest questions agitating the whole country since 1927, and why will not the Government take the initiative and regard this as adequate notice and in lieu of the representation from the Indian Medical Council which they are asking?

Mr. S. H. Y. Oulsnam: I think all these proposals for legislation or for any action in relation to the recognition of medical degrees must come from the Medical Council.

PLAN FOR FIGHTING FOOD FAMINE BY FEDERATION OF RURAL PEOPLES ORGANISATIONS

1518. ***Sri N. Narayanamurthi:** Will the Food Secretary be pleased to state:

(a) if he has considered the plan for fighting the present food famine put forward by the Federation of Rural Peoples Organisations in their resolution, dated the 26th February, communicated to him;

(b) if he is aware that most of the items of that Food Plan have been included in the "Ways and Means" suggested by the *Harijan*, on page 39 of the 10th March and that the main principles of that plan were commended by the *Eastern Economist* of the 1st March, 1946;

(c) what steps Government propose to take in developing the National Campaign suggested therein—

(i) to protect the food needs of the rural masses,

(ii) to assure remunerative prices for the producers of foodgrains and other products,

(iii) to eliminate harassment of producers and poor consumers,

(iv) to subsidize the food consumption of rural and urban poor,

(v) to eliminate corruption and *zulm* now practised by the middlemen and so many members of the Food Administration and in other directions suggested therein; and

(d) whether Government propose to take special and emergent steps to eliminate middlemen and to constitute Advisory Councils of producers and consumers in all villages?

Mr. B. R. Sen: (a) and (b). Yes, Sir.

(c) Government are doing their best to provide for the food requirements of both the rural and urban population. The existing level of foodgrain prices is considered to be fair both to the producer and the consumer. The Provincial Governments have been asked not to allow undue margins to middlemen so that the producer may get the maximum benefit of prices fixed by the Provincial Governments. The question of subsidising the sale of foodgrains is under consideration.

(d) The Honourable Member's suggestions are being forwarded to the Provincial Governments for consideration.

Prof. N. G. Ranga: With regard to part (c) (ii), are Government now trying to fix what are known as producer's prices excluding middleman's margin and various other expenses?

Mr. B. R. Sen: The whole matter is under consideration now.

Mr. Manu Subedar: Will Government explain to this House in more detail as to how they propose to meet the needs of these classes who are hungry and who have not got money to purchase food at the price at which food may be available?

Mr. B. R. Sen: There are two ways of meeting the needs of these classes. The poorest should get relief under the Famine Code, then the people who are slightly better off, in areas where there is scarcity, should be provided with cheap grain shops. The general question of subsidy of foodgrains, as I told the

House some time ago, was referred to a committee about a year back. That committee is about to submit its report, and as soon as the report is received Government will give urgent consideration to it.

Mr. Manu Subedar: May I ask my Honourable friend to consider the case of those classes who are not in a condition to go and beg or get the benefit of the Famine Code? There are various classes who are momentarily so far out of their resources on account of the failure of rains, and so on, who will have to be approached and helped and subsidised. Will Government consider that class of people?

Mr. B. R. Sen: Assistance to such classes of people also comes under the Famine Code regulations.

Prof. N. G. Ranga: With regard to item (iv) of the suggestions, will Government see that when they begin to subsidise food consumption of poor people they do not prefer the urban poor to the rural poor but that they will treat all of them alike?

Mr. B. R. Sen: That is one of the terms of reference to the Committee I have just mentioned.

Shri Mohan Lal Saksena: When was this committee appointed and what are its terms of reference?

Mr. B. R. Sen: I have not got the terms of reference before me, but - I shall be very glad to supply the information to the Honourable Member later on.

PLAN FOR MONOPOLY PROCUREMENT OF FOODGRAINS IN SURPLUS DISTRICTS OF MADRAS

1519. ***Prof. N. G. Ranga:** Will the Food Secretary be pleased to state:

(a) if he has seen the latest press communique of the Madras Government regarding their plan for introducing Government monopoly procurement of foodgrains in all districts including the surplus districts, as published in the *Hindu* of the 17th March, 1946;

(b) if this plan had been previously submitted to the Government of India and considered by them; if so, when; and

(c) whether Government have noticed the absence in that plan of any provision for constituting Food Councils, or Advisory Bodies consisting of producers, consumers, etc., as was recommended by the Legislative Assembly in November, 1944, and again in 1946 in its resolutions on food and accepted by Government?

Mr. B. R. Sen: (a) Yes, Sir.

(b) The scheme in question is not a new one. It was already in operation in certain districts of the Madras Province. It has now been extended to all the districts in the Province including the surplus districts. The scheme being in consonance with the policy enunciated by the Foodgrains Policy Committee and accepted by the Government of India and being in implementation of the Resolution on the subject passed by the Fifth All-India Food Conference held in January 1945, prior submission of the scheme to the Central Government was not necessary. The scheme was, however, communicated to the Government of India and has been considered by them.

(c) The scheme does provide for the setting up of a non-official advisory committee in each taluq corresponding to the District Food Council to represent the general public and to advise on procurement and distribution. This fact does not appear to have been brought out in the press note referred to by the Honourable Member. This is being brought to the notice of the Madras Government who will no doubt clarify the position.

Prof. N. G. Ranga: Is it not a fact that the Honourable Member had a discussion with Pandit Govind Ballabh Pant the other day and that he has suggested certain alterations of the standard scheme of procurement that the Government of India have been circularising to the different provinces?

Mr. B. R. Sen: I am not in a position to disclose the nature of the conversation I had with him.

Prof. N. G. Ranga: Will the Honourable Member be good enough to convey to the other provinces a summary of those discussions between himself and Pandit Pant?

Mr. B. R. Sen: Yes, Sir, if that is considered necessary.

PURCHASE OF VILLAGE SURPLUSES OF FOODGRAINS IN MADRAS BY POPULAR AGENCIES

1520. ***Prof. N. G. Ranga:** (a) Will the Food Secretary please state why the Government of India have failed to insist upon the constitution of Food Advisory Councils which are intended to eliminate harassment of peasants, starvation of villages for the benefit of towns by taking away much more grain from villages than what they can afford and also corruption, middlemen's profiteering, etc., and

(b) in view of the great stress laid by the Assembly on both the occasions referred to in part (c) of the preceding question, upon the need for eliminating profiteering by middlemen, including rice-mill factory owners, why Government have allowed the Madras Government to appoint wholesale dealers as agents, instead of utilizing the co-operative agencies, Village Panchayats and other popular agencies for the purchase of village surpluses of foodgrains; whether Government have noticed in the *Hindu* of the 15th March the report of the Mirasidars complaining against the intention of these middlemen and their profits and also the need to allow them profits to make them "work with zeal"?

Mr. B. R. Sen: (a) In view of reply given to part (c) of the immediately preceding question this does not arise.

(b) The appointment of purchasing agents under the scheme is not confined to wholesale dealers. There is no bar to the utilization of the co-operative agencies as procurement agents and the scheme does envisage their appointment as such. From the press note in question it appears that procurement throughout the district of South Kanara is entrusted to the Central Co-operative Stores and elsewhere the work is shared between private merchants and co-operative societies. The total elimination of the wholesalers who have experience of the grain trade is not considered to be conducive to efficient procurement. The chances of any profiteering by them have however been eliminated as the selected agents but only on Government account and are prohibited from engaging in private business in paddy or millets. The rates at which foodgrains must be purchased by them as also the rates at which the stocks would be sold by them are prescribed by the Provincial Government. In fixing these prices the Provincial Government have no doubt to allow for brokerage, measuring, stitching, cart hire, cost of gunnies, godown rent, shrinkage and profit to the wholesalers. These allowances have been sanctioned by the Provincial Government after careful examination and as explained in the press note referred to above are the absolute minimum necessary for efficient procurement.

Government have noticed the report published in the *Hindu* of the 15th March, 1946, regarding a deputation of Mirasidars Association having waited on the Commissioner of Civil Supplies, Madras. It is noted that the Memorandum presented by the deputation pointed out the need for elimination of middlemen and other distributing agencies between the producers and consumers. The report does not however say anything about the "intention of these middlemen and their profits". The reply which is reported to have been given to this part of the Memorandum, i.e., that unless the wholesale dealers had sufficient inducement in the shape of profit they could not be expected to work with zeal, has also been noticed. There is however no reason to think that the profit referred to in the alleged reply is anything over and above a reasonable profit justifiable in view of the service rendered.

Prof. N. G. Ranga: But how is it that all this time these Food Advisory Councils have not been constituted in most of the districts in Madras Presidency?

Mr. B. R. Sen: I have said that the Madras Government have now in their orders included a provision for the setting up of these Food Advisory Councils in each taluk of the province.

Prof. N. G. Ranga: My Honourable friend referred only to his willingness to utilise the co-operative societies. Why is it that the Government of India are not prepared to utilise the village panchayats which are established according to Government's statute and which are to be found in several thousands of villages in Madras Presidency?

Mr. B. R. Sen: These are matters which must be the primary concern of the provinces and not of the Centre. As the Honourable Member knows, there was a deputation to the Civil Supplies Commissioner, and these various points were made before him and certain replies were given.

Sri T. A. Ramalingam Chettiar: Are Government aware that federations of producers have offered to supply the retailers directly without the intervention of these middlemen?

Mr. B. R. Sen: Yes, Sir; but where the co-operative societies have been found efficient they have been employed.

Sri T. A. Ramalingam Chettiar: I am not talking about co-operative societies; there are federations of agriculturists themselves. Have they not offered to directly supply the retail traders? For instance, the Nellore growers of paddy offered to supply all the needs of Madras city directly to the retail dealers. Is that a fact?

Mr. B. R. Sen: That again is a matter which must be decided by the Provincial Government. The general policy is that where these federations of co-operative societies are efficient and can be relied upon, they are to be employed.

Prof. N. G. Ranga: What is it that the Government of India propose to do when such things happen and the peasants themselves come and offer grain to be supplied straightaway to the retailers without having to go through all the various agencies? The Provincial Governments do not do anything at all. Are we to understand that the Central Government have no powers whatsoever?

Mr. B. R. Sen: I have every sympathy with the Honourable Member in what he says, but these are matters which must be addressed to the Provincial Government.

Prof. N. G. Ranga: Will the Honourable Member bring this question and the supplementaries to the notice of the Provincial Governments?

Mr. B. R. Sen: Yes, Sir; I will do that.

OPERATION OF WAR RISK INSURANCE ORDINANCE OF 1940

†1521. ***Pandit Balkrishna Sharma:** (a) Will the Honourable the Commerce Member please state the total amount of money realised so far by Government by the operation of the War Risk Insurance Ordinance of 1940?

(b) What is the actual total amount received from premia and the total amount collected as composition money?

(c) What is the total amount of compensation—money paid to the insured parties under the said Ordinance?

The Honourable Dr. Sir M. Azizul Huque: (a) Rs. 20,09,29,000 approximately.

(b) It is regretted that the information asked for is not available since collections from premia and composition fees are merged together and no separate accounts are maintained.

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

(c) The total amount of compensation paid up to the 30th September, 1945, was Rs. 3,09,000 approximately.

OPERATION OF WAR RISK INSURANCE ORDINANCE OF 1940

†1522. ***Pandit Balkrishna Sharma:** (a) Will the Honourable the Commerce Member please state if Government are aware of the fact that the special officer appointed in the United Provinces by the Government of India under the War Risk Insurance Ordinance of 1940 totally ignored and violated the rules and regulations made by Government for conducting the proceedings in the matter of compounding offences under the said Ordinance?

(b) Is he aware of the fact (i) that in most cases in the United Provinces compromises were never made in consultation with, or in the presence of, or after hearing the case of the defaulters, (ii) that many of the defaulters were never given notice to present themselves before the special officers as required by rules, and (iii) that many of the defaulters were not supplied with copies of the decisions of the special officer regarding the determination of the amount due from them?

(c) Are Government aware that over one thousand appeals are still pending before the special officers in various Provinces? If not, what is the actual number of appeals pending in each Province and the centrally Administered Areas?

(d) Have appeals been decided *ex parte* by the special officers?

The Honourable Dr. Sir M. Azizul Huque: (a) and (b). No, Sir.

(c) The answer to the first part is in the negative. As regards the second part, the number of such appeals is as follows:

Madras—60; Bengal—3; Bombay—12.

No appeal is pending in Centrally Administered Areas. As regards the remaining provinces, the necessary information is being collected and will be laid on the table of the House in due course.

(d) No, Sir.

RICE SITUATION IN NOAKHALI DISTRICT

1523. ***Sree Satyapriya Banerjee:** Will the Food Secretary be pleased to state:

(a) whether it is a fact that the rice situation in the District of Noakhali is very serious;

(b) whether it is a fact that rotten rice is being sold in the District;

(c) whether Government are aware that the district authority is taking no steps in the matter; and

(d) if the answers to (a) to (c) be in the affirmative, what steps Government propose to take or have already taken to meet the situation in the District of Noakhali?

Mr. B. R. Sen: An enquiry has been made from the Bengal Government and the information will be laid on the table of the House when received.

RICE EXPORT TO FOREIGN COUNTRIES FROM BENGAL

1524. ***Sree Satyapriya Banerjee:** Will the Food Secretary be pleased to state:

(a) the last three dates on which rice was exported to Foreign countries from Bengal;

(b) the quantities exported on those dates for foreign countries;

(c) the countries to which rice was exported on those dates; and

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

(d) whether it is a fact that from the Calcutta Port rice worth about two and a half crore rupees was exported to foreign countries in 1945?

Mr. B. R. Sen: (a) and (b). 7,073 tons of rice on 11th September 1945; 5,128 tons of rice on 2nd October 1945; and 850 tons of rice on 10th January 1946.

(c) The rice was exported to Ceylon on a replacement basis.

(d) The value of rice exported during 1945 from Calcutta was Rs. 1,66,27,181.

Prof. N. G. Ranga: Are there any exports going to Ceylon now?

Mr. B. R. Sen: No, Sir.

Sreejuti Rohini Kumar Chaudhuri: Have Government received any information about the export of rice which took place some time about the end of February last and to which I drew the attention of Government?

Mr. B. R. Sen: The Honourable Member is probably referring to the exports which took place from the port of Chittagong. This rice was allotted to the provinces of Madras, Bombay and Mysore and formed part of the Basic Plan allocations.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state whether this replacement was at the instance of the Government of India itself or at the request of the Ceylon Government?

Mr. B. R. Sen: Before we allowed any export from India we made it a condition that the quantity must be replaced, and that condition was accepted by His Majesty's Government.

Khan Abdul Ghani Khan: Has any of this rice been replaced by the Ceylon Government?

Mr. B. R. Sen: This quantity has been more than replaced.

Sree Satyapriya Banerjee: Are Government aware that there is a widespread suspicion that rice is being exported to foreign countries even now?

Mr. B. R. Sen: We are trying our very best to allay the suspicion, but if it persists we cannot help.

Prof. N. G. Ranga: Is it possible for anyone to try and smuggle out from the Indian States?

Mr. B. R. Sen: We have had allegations from time to time and whenever we have had specific allegations, we have always enquired into them.

Mr. President: Order, order. The question hour is over.

(b) WRITTEN ANSWERS

GODOWNS FOR STORING RICE IN CERTAIN BENGAL DISTRICTS

1525. ***Sree Satyapriya Banerjee:** Will the Food Secretary be pleased to state:

(a) whether it is a fact that the godowns for storing rice in several districts viz. Burdwan, Birbhum and Hooghly are not suitable for the purpose for which they were constructed;

(b) whether it is a fact that the floors of the godowns are damp, roofs leaking and flanking imperfect on account of which water comes in from outside;

(c) whether it is a fact that large quantities of rice have been rendered unfit for human consumption on account of these defects in the storage godowns; and

(d) what steps Government have taken or contemplate taking to remedy these defects?

Mr. B. R. Sen: (a) to (d). An enquiry has been made from the Bengal Government and the information will be laid on the table of the House when received.

STRIKES IN CENTRAL AND PROVINCIAL GOVERNMENT PRESSES

1526. ***Prof. N. G. Ranga:** Will the Honourable the Labour Member be pleased to state:

(a) for how long the strike in the Government of India Press at New Delhi has been going on;

(b) the grievances and demands of the workers which were brought to the notice of Government;

(c) when these demands were brought before Government and what action was taken thereon to satisfy the legitimate needs of the workers;

(d) how many workers are now involved in the strike;

(e) whether it is a fact that this strike has spread to, or similar strikes are in progress in, other Presses of the Central or Provincial Governments;

(f) whether it is a fact that such a strike is in progress in Bombay, vide page 4 of the *Hindustan Times*, of the 21st March; and

(g) what steps are being taken by Government to come to a settlement with the workers?

The Honourable Dr. B. R. Ambedkar: (a) The strike lasted for 19 days from the 6th March to 24th March, 1946.

(b) The demands were:

(1) Fixation of a fair living wage at a rate not lower than Rs. 50/- p.m.

(2) Revision of existing scales of pay on an equal footing in all the Government of India Presses.

(3) Revision of the Contributory Fund Rules so as to bring them into line with State Railways Provident Fund and grant of gratuity on retirement or death.

(4) Increase in dearness and war allowances.

(5) Revision of leave Rules.

(6) Reduction in working hours from 48 to 40 a week.

(7) Allowance to the men working in the night shift.

(8) Increase in the class rates of pieceworkers.

(9) Casual leave and holidays with pay to pieceworkers.

(10) Retention of temporary workers.

(c) and (g). The demands were brought to Government's notice in February last. The last five demands have since been conceded in part and the concessions announced. The first five demands, being of a general nature affecting all classes of Central Government servants, cannot be granted without due consideration and will have to await the recommendations of the Pay Commission in regard to salaried hands. Government have also granted the following additional concessions to all pressworkers:

(i) The increased rates of dearness and war allowances would be given retrospective effect from the 1st July, 1944 instead of from 1st January, 1946 to all those now drawing them.

(ii) Half the dearness allowance will count as pay for the purpose of calculating the amount of pension of all workers in receipt of such allowance.

(iii) Those classed as inferior will draw pension up to the limit of half average pay.

Government also propose to appoint an Officer on special duty to report on the anomalies existing in the pay and conditions of service of the various categories of pressworkers in the different Government of India Presses.

(d) 775 industrial workers were involved.

(e) Yes, to the Government of India Forms Press, Aligarh, the employees of which are on strike from the 15th March, 1946. The industrial workers of

the Government of India Press, Calcutta and Forms Press, Calcutta, also gave notice of a strike but it has not yet been resorted to.

(f) Government have no information other than what has appeared in the Press. The Press in question is under the Provincial Government

IMPORT AND EXPORT OF ELECTRIC BULBS

1527. *Sardar Surjit Singh Majithia: Will the Honourable the Commerce Member please state:

(a) the quantity of electric bulbs imported into this country from abroad during the last twelve months, indicating the countries from which imported;

(b) for what quantities of (i) electric bulbs for general lighting purposes, (ii) for train lighting purposes, and (iii) auto-lamps, import licences have been issued by the Government of India during the last twelve months; and

(c) for what quantities of imported electric bulbs the Government of India have issued Customs Draw-back for their export to Afghanistan and the Kashmir State?

The Honourable Dr. Sir M. Azizul Huque: (a) I may refer the Honourable Member to the monthly accounts relating to the Seaborne Trade and Navigation of the British India, copies of which are available in the Library.

(b) I lay on the table a statement showing the quantities of the different types of electric bulbs for which licences have been issued during the period of twelve months from March 1945 to February 1946.

(c) The quantities are as follows for the last twelve months:

	Nos.
(i) Re-exports to Afghanistan	1,78,563
(ii) Re-exports to Kashmir	67,938

Statement showing the quantities of various kinds of electrical bulbs licensed during the period of 12 months from March 1945 to February 1946

Types of bulbs	Quantities
Bulbs for general lighting purposes	27,70,164 Nos.
Bulbs for train lighting purposes	44,520 "
Auto lamps	15,05,268 "

LICENCE FOR IMPORTING ELECTRIC BULBS TO PUNJAB ELECTRIC LAMPS AND RADIO MANUFACTURING COMPANY, LIMITED, OF LAHORE

1528. *Sardar Surjit Singh Majithia: Will the Commerce Member kindly refer to his speech of the 23rd March, 1945, reported on page 1972, Volume III, No. 8 of the Assembly Debates and the speech of the Honourable the War Transport Member delivered on the 21st February, 1945, reported on page 658, Volume I, No. 9 of the Assembly Debates and state:

(a) why, in view of the very low production capacity of electric bulbs for general and train lighting purposes, necessary import licence for importing from the United States of America Plant and Machinery of the latest type has not been granted to the Punjab Electric lamps and Radio Manufacturing Company Limited of Lahore;

(b) whether it is a fact that the Punjab Government recommended the issue of the necessary import licence; if so, why the recommendation of that Provincial Government has not been accepted;

(c) if it is a fact that the Company, in question, submitted proofs that manufacturers of Plant and Machinery in the United Kingdom are unable to supply and, in spite of this, their application for the import licence from the United States of America has been turned down;

(d) whether, while rejecting the application, the Government of India considered the various new Electrification Schemes taken in hand all over India which will considerably increase the demand for electric lamps; and

(e) if the Government of India are prepared to issue the necessary licence; if not, why not?

The Honourable Dr. Sir M. Azizul Huque: (a) The application from Messrs. Punjab Electric Lamps and Radio Manufacturing Co. Ltd., Lahore, was rejected as it was considered by Government that the potential capacity of the electric lamp factories, existing and recommended, would be more than sufficient to meet the total anticipated post-war requirements of the country.

(b) In view of the anticipated over-production of lamps the recommendation of the Provincial Government could not be accepted.

(c) The Company stated the position in their application but the question of availability or non-availability of machinery in the sterling area was not the factor that influenced decision in this case.

(d) Yes.

(e) No, for the reasons already stated under (a)

1529.*

REQUISITIONING OF RESIDENTIAL PROPERTY IN NEW DELHI

1530. *Diwan Chaman Lal: (a) In view of the War Department's declared intention to proceed as fast as possible with the de-requisitioning of private residential property as stated in this House in the reply to starred question No. 924 on the 13th March, 1946, will the Honourable the Labour Member be pleased to state whether the Labour Department intend to refrain likewise from requisitioning any more private residential property in New Delhi for accommodating the officers of the Central Government?

(b) Do Government still intend to take possession in New Delhi of any residential property (for example No. 4, Ratendone Road) which was previously requisitioned by Government but which was not actually taken over by them? What are the reasons, if any, why it is still considered necessary to obtain possession of such requisitioned property?

(c) In view of the general de-requisitioning programme, have Government considered the advisability of allowing the existing tenants of the residential accommodation referred to in part (b) above to continue in occupation thereof? If so, do Government propose to issue early orders accordingly? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) Since the cessation of hostilities with Japan, Labour Department have given up requisitioning fresh residential property for accommodating officers of the Central Government.

(b) It is not possible to lay down any general rule. Where Government have permitted one of their servants to occupy a bungalow already requisitioned

*This question has been postponed to be answered on the 12th April, 1946.

for the pool, Government must have the right to use the bungalow for the pool. No. 4, Ratendone Road is a case of this type.

This is necessary to secure the best utilization of accommodation in the pool for Government purposes.

(c) Each case will have to be decided on its merits from the point of view of the best utilization of accommodation in the pool.

TRANSPORT FACILITY FOR SURPLUS OIL CAKES FROM VIZAGAPATAM TO BENGAL AND ORISSA

1531. *Sri N. Narayanamurthi: Will the Agriculture Secretary please state:

(a) what urgent measures are being concerted, or special facilities provided to the Agriculturists to enable them to increase the agricultural yield of India for the current year by way of granting new lands for cultivation and supplying seed, indigenous manures and scientific fertilisers, etc.;

(b) whether the Government of India are aware that there is a large quantity of surplus oil-cake very useful as manure, at present rotting and wasted away in the District of Vizagapatam (Madras Presidency) for want of "permits" and transport facilities to Orissa and Bengal where there is urgent and great demand for it;

(c) whether, in view of the present emergency, the Government of India will prevail upon the Madras Government to relax the present restrictions and allow *bona fide* dealers of the Vizagapatam District to export it to Bengal and Orissa; and

(d) if for any reason they do not choose to do so, whether they propose to consider the advisability of fixing up a reasonable price and themselves taking over the entire stock and transporting and distributing it in Orissa and Bengal where there is demand for it?

Sir Pheroze Kharegat: (a) The Honourable Member may kindly see the replies given to starred Question No. 598, asked by Prof. Ranga, on the 28th February, 1946, and to part (a) of starred question No 757, asked by Mr. Jhunjhunwala, on the 6th March, 1946.

(b) The Government of India are informed that there is no large surplus of oil cakes in the Vizagapatam District and that all stocks there are required for consumption in the Madras Province.

(c) and (d). In view of the demand for oil cakes in Madras the Government of Madras do not consider that there is any justification for exporting them or allowing the trade to export them to other Provinces.

DEADLOCK IN NUTRITION RESEARCH LABORATORIES AT COONOR

1532. *Mr. Sasanka Sekhar Sanyal: Will the Health Secretary be pleased to state:

(a) whether the attention of Government has been drawn to the deadlock in the Nutrition Research Laboratories at Coonoor, a report of which appeared in the *Indian Papers* of Madras on the 27th of February, 1946; the reasons for the said deadlock and what action has been taken by Government in this matter;

(b) who is the present Director of the said Laboratories, and how long he has been in the said post; whether it is a fact that during the last four years or so officiating arrangements had to be made from time to time; if so, why, and how;

(c) the actual qualifications of the Director or Directors who have officiated; whether Government have any idea of making any officiating man permanent in the post of Director;

(d) whether any Indian has ever been appointed to the post of Director permanently, and what the policy of the Government is in the matter of giving the post to an Indian by direct appointment from outside or by promotion from the existing staff of the department; and

(e) who are the members of the existing staff of the Nutrition Research Laboratories at Coonoor, what their qualifications are and what the length and history of their respective services are?

Mr. S. H. Y. Oulsnam: (a) There has been some unrest among the staff of the Laboratories, which is an institution under the control of the Indian Research Fund Association.

(b) and (c). Capt. R. Passmore has been officiating as Director since the 10th March, 1946. A statement showing the Directors who have officiated from time to time during the last four years is laid on the table of the House. The appointment of the Director is in the hands of the Indian Research Fund Association, not of Government.

(d) No Indian has hitherto held the post of Director permanently but the Indian Research Fund Association now proposes to appoint a suitable Indian expert in the vacancy which has recently arisen.

(e) A statement is laid on the table of the House.

Statement showing the present staff of the Nutrition Research Laboratories, Coonoor.

Designation of post	No. of posts	Name and qualifications of the present incumbent	Length of service	History of service
1. Director (officiating).	1	Captain R. Passmore, M.A., M.B., Ch.B. (Oxf.), I.M.S.	...	Date of commission 2nd March, 1938. Date of appointment to the Medical Research Department 11th September 1937. Assistant Director, Nutrition Research Laboratories,—about 3 years before the war. Temporary Military Duty 6th May, 1940 to 9th March, 1946 Offg. Director, Nutrition Research Laboratories, Coonoor. From 10th March, 1946.
2. Assistant Director (Chemist).	1	Dr. (Miss) K. Bhagvat, M.Sc., Ph.D., (Cantab.).	4 years	Was a lecturer in Chemistry in the Lady Hardinge Medical College before joining the I. R. F. A.
3. Research Workers.	3	(i) Rao Sahib Dr. B. G. Krishnan, an officer of the Madras Medical Service.	25 years	Served in the Madras Medical Service for one year before joining the I. R. F. A.
		(ii) Dr. K. L. Shourie, B.Sc., M.B., B.S., M.Sc., M.D.S., working in the field at Lahore.	9 years	As a Field Nutrition Worker from March, 1937 to March, 1940 and was then transferred to the Biochemical Section of the Lab.

Designation of post	No. of posts	Name and qualifications of the present incumbent	Length of service	History of service
4. Chief Chemist	1	(iii) Dr. C. Gopalan, M.D., working in Madras.	3 years	Worked as field worker for 2 years and was then posted as Clinical Worker.
5. Chemist	1	Mr. S. Ranganathan, B.A., M.Sc., A.I. I.Sc.	20 years	20 years in the I. R. F. A. Joined as Chemical Assistant and is now Chief Chemist.
6. Parlakimedi Research Fellows.	2	(i) Mr. V. Sadasivan, B.Sc.	2 years	Joined as a Chemist on Rs. 150/- p.m. and is still working as Chemist.
		(ii) Mr. U. C. Misra, M.Sc.	1 month	Do.

Statement showing the officiating arrangements made in the last 4 years or so in the post of Director, Nutrition Research Laboratories, Coonoor, the reasons therefor and the qualifications of those appointed to officiate.

Period	Name of officiating Director	Reasons for arrangements	Qualifications of officiating officer
(I) 9th April to 20th June 1943.	Lt.-Col. K. R. K. Iyengar, O.B.E., I.M.S. (Retd.), Director, Pasteur Institute, Coonoor.	Deputation of permanent Director to the International Food Conference in U. S. A.	M.D., Ch.B., D.P.H.
(II) 21st June to 2nd July 1943.	Dr. (Miss) K. Bhagvat, Assistant Director (Chemist).	Do.	M.Sc., Ph.D. (Cantab.).
(III) 3rd July to 28th July 1943.	Lt.-Col. K. R. K. Iyengar, O.B.E., I.M.S. (Retd.), Director, Pasteur Institute, Coonoor.	Do.	M.D., Ch.B., D.P.H.
(IV) 8th August 1944 to 1st July 1945.	Do.	Deputation of permanent Director to the Famine Enquiry Commission.	Do.
(V) 5th October to 18th November 1945.	Do.	Deputation of permanent Director to U. S. A. as adviser to the F. and A. Organisation Conference.	Do.

Period	Name of officiating Director	Reasons for arrangements	Qualifications of officiating officer
(VI) 19th November 1945 to 10th January 1946.	Lt.-Col. K. R. K. Iyengar, O.B.E., I.M.S., (Retd.) Director, Pasteur Institute, Coonoor.	Grant of leave to permanent Director.	M.D. C B.D.P.H.
(VII) 11th January 1946 to 9th March 1946.	Lt.-Col. M. L. Ahuja, I.M.S., Director, Pasteur Institute, Coonoor.	Leave and resignation of permanent Director.	M.D., D.T.M., D.P.H.
(VIII) From 10th March 1946.	Capt. R. Passmore, I.M.S., an officer of the Medical Research Department.	Resignation of permanent Director.	M.A., M.B., Ch.B. (Oxf.)

SHOOTING OF A BOY BY JUSTICE BYERS OF MADRAS HIGH COURT

1533. *Sri R. Venkatasubba Reddiar: (a) Will the Honourable the Leader of the House please state if it is a fact that Justice Byers, Judge of the Madras High Court, while going in his car near the Fort Railway Station, Madras on the 25th February, 1946 shot at a boy with a revolver thereby causing his death?

(b) What action have Government taken against Justice Byers for this action?

(c) Is it a fact that in 1945 Justice Byers, while travelling in the Blue Mountain Express, as the sole occupant of a first class compartment, prevented an Indian I.C.S. officer from entering the compartment by threatening him at the point of his revolver and that this was also reported in the Press?

(d) Are there any recorded or unrecorded instances of a similar character in which Justice Byers was involved?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I gather from press reports that the matter is *Sub-judice*.

RESERVATIONS OF POSTS FOR EUROPEAN I. M. S. OFFICERS IN PROVINCES

1534. *Sjt. Seth Damodar Swroop: Will the Health Secretary be pleased to state:

(a) how many posts of civil surgeons are reserved for the European I.M.S. officers in each Province;

(b) if he is aware of the fact that this reservation of posts for Europeans alone has caused great heart-burning and agitation amongst all classes of Indian medical officers in all the Provinces, specially because better qualified Indians are available both in the I.M.S. and in the Provincial services; and

(c) in view of the fact that almost all these posts of civil surgeons have been occupied during the last five years by the Indian Doctors, whether Government propose to ask the Secretary of State for India to remove this reservation?

Mr. S. H. Y. Oulsnam: (a) and (b). I would invite the attention of the Honourable Member to the reply given to parts (a) and (b) of his starred question No. 909, on the 12th March, 1946.

(c) The Honourable Member's suggestion has been brought to the notice of the Secretary of State.

EXEMPTION TO DEPRESSED CLASSES IN DELHI PROVINCE FROM PROVISIONS OF PUNJAB LAND ALIENATION ACT

1535. *Pundit Thakur Das Bhargava: (a) Will the Agriculture Secretary kindly state if the provisions of the Punjab Land Alienation Act apply to the Delhi Province? If so, are the members of the depressed classes eligible to buy lands of the members of the Agriculturist classes?

(b) Do Government propose to exempt the members of the depressed classes from the Provisions of the Punjab Land Alienation Act, thereby enabling them to purchase lands for agricultural purposes?

Sir Pheroze Kharegat: (a) The Act applies to the Delhi Province and under section 8(2) thereof any person who is not a member of an agricultural tribe whether he belongs to the depressed classes or not, may purchase land from members of an agricultural tribe with the sanction of the Deputy Commissioner.

(b). The suggestion will be examined but it may be explained that the act is intended to restrict the credit of and thereby to protect the members of agricultural tribes.

AGRICULTURAL LAND PURCHASED BY MEMBERS OF DEPRESSED CLASSES IN DELHI PROVINCE

1536. *Pundit Thakur Das Bhargava: Will the Agriculture Secretary kindly state the amount of agricultural land purchased by, and the number of sales of agricultural land made per year in favour of members of the depressed classes during the last ten years in the Province of Delhi?

Sir Pheroze Kharegat: Information regarding the amount of agricultural land purchased by members of the depressed classes during the last ten years in Delhi is not readily available but very little land has been so purchased.

PROSECUTION OF SHOPKEEPERS IN BLOCK 90, CONNAUGHT CIRCUS, NEW DELHI

1537. *Babu Ram Narayan Singh: Will the Health Secretary please state:

(a) whether it is a fact that the shop-keepers living in the back portions of their shops in Block 90 of Connaught Circus, New Delhi, are being prosecuted for not removing their residences from those premises;

(b) if the reply to (a) be in the affirmative, why no notices were served on them till now, although they have been living there for the last ten years;

(c) whether the back portions mentioned in (a) are provided with Kitchens, Pantry, Courtyard, bathrooms, flush latrines and all other things necessary for residential purposes; if so, in what manner these premises are unsuitable for residences; and

(d) whether he will consider the desirability of dropping these prosecutions?

Mr. S. H. Y. Oulnam: (a) and (d). Some prosecutions were instituted but they have already been withdrawn.

(b) Does not arise.

(c) No. There are small kitchens and lavatories at the back of the shops to serve the needs of the staff serving in the shops during the day. The back portions of the shops cannot be converted for residential purposes without curtailing ventilation and light.

FOOD SITUATION

1538. *Babu Ram Narayan Singh: Will the Food Secretary please state:

(a) the present food situation in the country with special reference to the Chota Nagpur Division in Bihar and its Chatra Sub-Division;

(b) the approximate total amount of foodgrains required in the country till the end of the year 1946;

(c) the approximate total amount of foodgrains (i) at present available in the country, (ii) likely to be available after the harvesting of the present wheat crop and (iii) required to be imported from abroad; and

(d) the amount of foodgrains agreed upon by the Combined Food Board Committee to be supplied to this country?

Mr. B. R. Sen: (a) The present food situation in the country continues to be difficult.

The food position in Chota Nagpur Division of Bihar and the Chatra Sub-Division is as a result of the crop having been below average, not satisfactory and is being constantly watched.

(b) The total production of the country this year is estimated to be short of total requirements by about six million tons.

(c) (i) and (ii). The information is not available.

(iii) Our import demand is four million tons.

(d) About 1.5 million tons are likely to be allotted to India for the first half of 1946.

DISTRIBUTION OF WHEAT RECEIVED FROM ABROAD TO PROVINCES

1539. *Babu Ram Narayan Singh: (a) Will the Food Secretary please state whether it is a fact that over 2,40,000 tons of wheat has been received between December last and March 2nd this year; if so, how it has been distributed among Provinces;

(b) whether it is a fact that 75,000 tons of rice has been received from Burma in December and January last; if so, how it has been distributed among Provinces;

(c) whether it is a fact that about 2,50,000 tons of wheat will arrive in this country between March 3 and April 30th; and if so, how it will be distributed among Provinces;

(d) whether, owing to the acute shortage of foodgrains in the Ranchi and Hazaribagh Districts of Bihar, he proposes to consider the desirability of allotting the whole quantity of 2,50,000 tons of wheat mentioned in (c) to Bihar; and

(e) whether a detailed statement has hitherto been received as regards the activities and achievements of the Indian Food Delegation to the Combined Food Board?

Mr. B. R. Sen: (a), (b) and (c). Statements giving the required information are placed on the table.

(d) Distribution will be made according to comparative urgency of needs of different areas.

(e) A statement on the subject has already been made by the Honourable Leader of the House.

Statement I

Total receipt of wheat during the period from December 1945 to 2nd of March 1946 is approximately 303,610 Tons. The distribution of that quantity as is follows;

Area	Quantity in tons	Area	Quantity in tons
1. Bengal	51,733	11. C. P.	7,425
2. Bihar	1,000*	12. Delhi	15,000
3. Madras	25,583	13. Sind	12,500
4. Cochin	250	14. Ajmer	500
5. Mysore	6,349	15. Rajputana	3,000
6. Deccan States	3,000	16. Baluchistan	1,000
Bombay	57,197	17. Central Reserves	33,263
U. P.	39,100		
W. I. States	3,500		
10. Defence Services	43,210	Total	303,610

* In addition Bihar was allotted 9,000 tons of imported wheat in November from stocks held by the Central Government at Calcutta which they received in December and January and has been further allotted 3,000 tons of wheat from imports per month for February, March and April.

Statement II

BURMA RICE.—Entire quantity of 75,000 tons of Burma rice has been received by January 1946. The distribution of this quantity is as follows :

Area	Quantity in tons	Area	Quantity in tons
Madras	26,285	Travancore	8,756
Bihar	7,000	Unallotted	67,853
Bombay	19,812		7,449
Mysore	6,000	Total	75,302

Statement III

On the basis of loading advices about 150,000 tons of wheat is expected to arrive in India during March and April. On the 1st March the Government of India held in reserve depots about 58,000 tons wheat from previous arrivals. The total quantity available for distribution during March and April is thus 208,000 tons. This quantity is proposed to be distributed as following :

Recipients	(All in tons)	Recipients	(All in tons)
Ajmer	3,000	Bombay	55,600
Rajputana	3,000	Deccan States	3,000
N.-W. F. P.	4,000	Defence Services	18,000
U. P.	15,000	U. P.	5,000
Delhi	11,000	Baroda	1,500
Defence Services	18,000	Madras	16,500
Sind	2,500		
W. I. States	3,000	Grand Total	207,000
Baluchistan	2,500		
Assam	3,000	Unallotted	1,000
Bengal	31,000		
Bihar	6,000	Total	208,000
Orissa	1,000		
C. P.	5,000		

ADVISABILITY OF GETTING WHEAT FROM SOVIET RUSSIA

1540. *Babu Ram Narayan Singh: (a) Will the Food Secretary please state if he is aware of the fact that Soviet Russia has a great surplus of food grains at present and, if approached, she can export a large amount of it to this country?

(b) Is he considering the desirability of advising the Indian Food Delegation to visit Russia for the purpose mentioned in (a) above?

Mr. B. R. Sen: (a) Government have seen Press Reports to that effect.

(b) The Food delegation has already left for India. The question of approaching Russia for some foodgrains has been taken up with H. M. G.

NEGOTIATIONS WITH SIAM GOVERNMENT FOR EXCHANGE OF RICE WITH CLOTH

1541. *Babu Ram Narayan Singh: Is it a fact that the Food Secretary is negotiating with the Government of Siam for the supply of rice to this country in exchange for cloth? If so, what is the stage of the negotiation?

Mr. B. R. Sen: There is no proposal for a direct exchange of cloth for rice. The Government of India will supply a quota of cloth to Siam to help in the procurement of rice as India's hope of getting rice from Siam depends upon the success of their procurement.

EXTENSION OF SERVICE TO CHIEF JUSTICE LEACH OF THE MADRAS HIGH COURT

1542. *Sri R. Venkatasubba Reddiar: (a) Will the Honourable the Leader of the House please state if it is a fact that the Honourable Sir Lionel Leach, Chief Justice of the Madras High Court, attained his sixtieth year of age in February, 1948?

(b) Is it a fact that he is being given extensions of service from year to year?

(c) What is the policy of Government in giving extensions of service indefinitely for such high placed officers?

(d) Is it a fact that there are several Indians with high qualifications and judicial experience who can easily fill the post of the Chief Justice of Madras?

(e) Do Government propose to consider the desirability of terminating the services of the Chief Justice of Madras and appointing a suitable Indian in his place?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The question relates to a matter which is not the concern of the Governor-General in Council.

FIRMS FUNCTIONING IN BIHAR AND REGISTERED OUTSIDE THE PROVINCE

1543. *Mr. Madandhari Singh: Will the Honourable the Commerce Member be pleased to state if it is a fact that there are firms functioning in the Province of Bihar which are registered outside the Province either in Calcutta or Bombay? If so, what is their number and where they are functioning?

The Honourable Dr. Sir M. Asizul Huque: Yes; but the information regarding the number of such firms and the places where they are functioning is not available.

APPRIISING U. N. O. OF ANTI-INDIAN LEGISLATION IN SOUTH AFRICAN PARLIAMENT

1544. *Prof. N. G. Ranga: Will the Secretary for Commonwealth Relations be pleased to state whether the Indian Delegation to the U.N.O. brought to the notice of the U.N.O. Assembly or the Security Council by a special memorandum or informal discussions the threat of discriminatory legislation held out by the South African Government against the Indians? If not, why not, especially in view of the adjournment motion passed by the Legislative Assembly on the 4th February 1946, taking a very serious view of the threatened discriminatory anti-Indian legislation introduced into the South African Parliament?

Mr. B. N. Banerjee: The reply to the first part of the question is in the negative. As regards the second part I would invite the attention of the

Honourable Member to the statements made by me in the House on the 26th March and 2nd of April, 1946, in connection with the adjournment motion on the subject moved by Maharaj Kumar Dr. Sir Vijaya Ananda and Setl Govind Das.

SHORT NOTICE QUESTION AND ANSWER

SERIOUS TRIBAL RAID ON KHAN KHEL MANDAZA VILLAGE

Sardar Mangal Singh: Will the Foreign Secretary please state: (a) whether the attention of the Government has been drawn to a serious tribal raid committed recently on the village of Khan Khel Mandaza;

(b) how many persons have been killed or injured and kidnapped as a result of this raid;

(c) what action the Government have taken and contemplate to take to 12 NOON rescue the unfortunate persons who have been kidnapped by gangsters.

(d) whether the Government will give definite assurance to this House that they, in co-operation with the North Western Frontier Province Government, will take effective measures to prevent the recurrence of such unfortunate incidents; and

(e) whether Government will pay reasonable compensation to the dependents of those who have been killed in this raid?

Mr. H. Weightman: (a) Yes.

(b) Two persons killed and three kidnapped; none other were injured.

(c) Police and Frontier Constabulary were rushed to the scene but unfortunately failed to intercept the gang. Political pressure will be brought to bear on the tribe concerned to secure the release of the persons kidnapped.

(d) Co-operation to this end is continuous.

(e) I can give no undertaking pending full investigation.

Sardar Mangal Singh: May I know whether one of the kidnapped persons is a woman?

Mr. H. Weightman: I have seen a report to that effect but I have not got very full details of this affair yet. The Local Administration's telegraphic report was sent off on Monday evening and did not contain much detail. At that time they obviously were not in possession of full details.

Sardar Mangal Singh: What does the Honourable Member mean by 'political pressure'?

Mr. H. Weightman: Political pressure can take a great many forms and these forms have to be adjusted to the needs of the particular situation that occurs. I can mention one or two forms, viz., the stoppage of supplies to a certain area, or withholding of allowances, or the seizure of hostages. The exact type of pressure, as I have said, will depend on the circumstances which become known when the investigation is complete.

Prof. N. G. Ranga: May we be assured that this political pressure will not include bombing from air of tribal villages?

Mr. H. Weightman: That does not sound like political pressure.

Khan Abdul Ghani Khan: Has the Honourable Member taken into consideration some of the proposals that I have put forward here in my first speech which will make it unnecessary for him to revert to these primitive methods of talking of hostages and mysterious things like 'political pressure'?

Mr. H. Weightman: Yes, Sir, and I have had discussions with the Honourable Member outside the House.

Khan Abdul Ghani Khan: Which I found very unsatisfactory.

Prof. N. G. Ranga: If any ransom has to be paid, who will have to pay that—the Government of India, or the poor people who have been kidnapped?

Mr. H. Weightman: We do not pay ransom. If we did, that would be a standing invitation to further kidnappings.

Khan Abdul Ghani Khan: May I know if the Honourable Member intends to take any new step after my speech and discussion with him outside the House?

Mr. H. Weightman: I should like a good deal more detail of his ideas from the Honourable Member.

Shri Mohan Lal Saksena: Will this question be placed before the Standing Committee of this House on the Foreign Affairs Department?

Mr. H. Weightman: This particular raid? No, Sir.

MOTION FOR ADJOURNMENT

FAILURE OF THE GOVERNMENT TO PROCURE CORRECT INFORMATION IN REPLY TO QUESTIONS IN THE ASSEMBLY REGARDING THE NUMBER OF LICENSED MUSLIM CLOTH MERCHANTS IN DELHI.

Mr. President: I have received notice of an adjournment motion from Mr. Mohammad Nauman who wishes to discuss an urgent matter of public importance, namely the failure of the Government of India to procure correct information in reply to the questions in the Assembly, that is the information supplied to in reply to my starred question No. 1490 of the 2nd April by the Industries and Supplies Department is materially wrong inasmuch as it differs from the reply to my question No. 1110 of 20th March, 1946 in material fact and substance.

Will the Honourable Member, without making a long speech, tell briefly what the contradictions are?

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Yes, Sir. I put a question on the 20th of March asking for certain information with regard to the number of cloth merchants in Delhi who had been given licences and also how many out of that number were Muslims. In reply to that it was stated:

"964 dealers received a quota of one bale per quarter only and of these 300 were Muslims."

I followed up that question by another question, No. 1490 dated the 2nd of April, in which I asked them to lay on the table of the House the names of those 964 cloth dealers, with their licence numbers and also the quantity of cloth in yards allotted to each of them during June 1945 to February 1946. In reply to this the Member for Industries and Supplies laid a statement on the table of the House from which I find that out of 964 dealers only 172 are Muslims and the remaining 792 are others. Names and licence numbers are given. This is a clear instance in which the Government have given wrong information. This has happened in a place like Delhi where the Directorate of Civil Supplies, Delhi was expected to give us the correct information. If this can happen with regard to a question here, I do not know what is the fate of other questions, where replies are to be secured from 1000 of miles, and I therefore seek the protection of the Chair in this matter.

Mr. President: Obviously the Honourable Member does not mean to allege that it was deliberately given.

Mr. Muhammad Nauman: Yes, Sir. I do allege that it is deliberately given. The information given to the House is false.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (Leader of the House): The information was obtained first of all from the Director of Civil Supplies, Delhi Province. When the Honourable Member later asked for a list of the names, the list was supplied. Yesterday it was laid on the table of the House. There were 960 names. In the first place, all these are

[Sir A. Ramaswami Mudaliar]

not names of individuals; there are names of firms also. Evidently the officer who supplied it made his best calculation and came to the conclusion that 300 of them were Muslims, either firms or individuals. My Honourable friend with great knowledge, has gone into this question, and he has satisfied himself—although I do not agree with it—that only 172 of them were Muslims. There is a firm B. K. Brothers. I do not know whether it is a Muslim firm or a Hindu firm. It may be a Muslim firm and the officer supplying the information might have calculated it as a Muslim firm. I would have deprecated myself, if I were in charge of these officers, giving all this information as regards Muslim and Hindu firms, because it is not possible always to say which is a Hindu firm and which is a Muslim firm where Hindu and Muslim names are mixed together. But to suggest that there was any deliberate and intentional falsification of the answers is not certainly to suggest something which is fair or reasonable. We have done the best. We have not kept back any information. When the Honourable Member asked for the 960 names, instead of saying it would involve an amount of labour and trouble which would not be commensurate to the result, the full 960 names were placed on the table. Individuals and Honourable Members can draw their own inference as to how many are Muslims and how many are non-Muslims. The Department has done its best. It got its information from the Director, Civil Supplies, Delhi Province. That officer, from such means as he has, tried his best to answer the question as accurately as possible. As I said, I would have deprecated giving the answer in that form from the information he had. But he went out of his way to give the information as desired. That may be accurate or may not, but to suggest that it is false or intentionally false is to overstep the bounds of reasonable criticism.

Mr. Muhammad Nauman: May I have only five minutes?

Mr. President: I do not want to hear anything more on the question. I accept what the Honourable the Leader of the House has said on the question and I do not think the motion is such that it is at all urgent or of public importance in the light of what the Leader of the House has said. I can only say one word of my own. If there had been any the least intention of giving false information on the first question, a complete list would not have been placed on the table. The fact that the complete list has been placed on the table, assuming that the information was wrong, shows that this was an ordinary case of inadvertence. Beyond that the matter could not be carried and in that view this cannot be a fit subject of a discussion as an urgent matter of public importance.

PAPERS LAID ON THE TABLE

CONSTITUTION AND RELATED PAPERS OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANISATION

Sir John Sargent (Secretary, Education Department):

Sir, I beg to lay on the table a *copy of the Constitution and related papers of the United Nations Educational, Scientific and Cultural Organisation.

ELECTION OF A MEMBER TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF PLANNING AND DEVELOPMENT

The Honourable Sir Akbar Hydari (Member for Planning and Development and Information and Broadcasting): Sir, I move:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, one non-official member to serve on the Standing Committee for the Department of Planning and Development for the next financial year, 1946-47, in the vacancy caused by the resignation of Mr. M. Asaf Ali, M.L.A."

*Not printed in these Debates. Copies have been placed in the Library of the House.—Ed. of D.

Mr. President: Why the "next" financial year? The Honourable Member means.

The Honourable Sir Akbar Hydari: The current financial year.

Mr. President: Perhaps the notice was given in advance. The motion is, "for the current financial year, 1946-47....."

The question is:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, one non-official member to serve on the Standing Committee for the Department of Planning and Development for the current financial year, 1946-47, in the vacancy caused by the resignation of Mr. M. Asaf Ali, M.L.A."

The motion as amended was adopted.

Mr. President: I have to inform Honourable Members that for the purpose of election of a non-official member to the Standing Committee for the Department of Planning and Development in the vacancy caused by the resignation of Mr. M. Asaf Ali, the Notice Office will be open to receive nominations upto 12 Noon on Friday, the 5th April, and that the election, if necessary will be held on Tuesday, the 9th April. The election, which will be conducted in accordance with the Regulations for the holding of elections by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, between the hours of 10-30 A.M. and 1 P.M.

Mr. President: Before we proceed with the Legislative Business, I would just like to invite the attention of Honourable Members to the distribution of the agenda, copies of Bills, Reports, etc., to Members. There is a combined List of Business for the 3rd, 4th and 5th April in which 15 Bills have been put down for consideration, reference to Select Committee and circulation. In this connection I may inform Honourable Members that there are at present in stock about 600 copies of each of the Bills which have not gone beyond the introduction stage and about 400 copies of Bills in respect of which Reports of Select Committees have been presented to the House. Having regard to the supply, it will not be possible to place copies of all these Bills daily on the tables of Honourable Members in the House. Copies of only such Bills will be placed on the table each day as are likely to be taken up by the House on that day. The Honourable Members are requested to preserve them for use in the Chamber during the progress of these Bills.

May I make a further request to Honourable Members in the interests of general economy of paper and printing? If Honourable Members would make it convenient to bring with them the papers circulated at residences, it may not be necessary to have a much larger number of copies of notices, motions, questions, Bills, etc. cyclostyled or printed just to have them placed again and again on all the tables of Members from day to day. Of course some extra copies will always be struck and supplied to Members on request to the Notice Office or to the Secretary when the House is in session.

MICA MINES LABOUR WELFARE FUND BILL

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I beg for leave to introduce a Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry.

Mr. President: The question is:

"That leave be granted to introduce a Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

INSURANCE (SECOND AMENDMENT) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I beg for leave to introduce a Bill further to amend the Insurance Act, 1938 (Second Amendment).

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Insurance Act, 1938 (Second Amendment)."

The motion was adopted.

The Honourable Dr. Sir M. Azizul Huque: Sir, I introduce the Bill.

INDIAN NURSING COUNCIL BILL

Mr. S. H. Y. Oulsnam (Secretary, Health Department): Sir, I beg for leave to introduce a Bill to constitute an Indian Nursing Council.

Mr. President: The question is:

"That leave be granted to introduce a Bill to constitute an Indian Nursing Council."

The motion was adopted.

Mr. S. H. Y. Oulsnam: Sir, I introduce the Bill.

INDIAN INCOME-TAX (AMENDMENT) BILL

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I move:

"That the Bill further to amend the Indian Income-tax Act, 1922, as reported by the Select Committee, be taken into consideration."

I do not think I need take up much time of the House over this motion. The Bill has emerged from the Select Committee substantially in the form in which it was sent to the Committee.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): A little more loudly please!

The Honourable Sir Archibald Rowlands: Does this (the microphone) not work?

Diwan Ohaman Lal (West Punjab: Non-Muhammadan): Like the Government of India, it does not work!

The Honourable Sir Archibald Rowlands: The Government of India certainly does work but it may not work as effectively as my friends opposite think it ought to do.

There are in fact three amendments. One is purely correcting a printing error. I said printing error and not printer's error. I am not on this occasion blaming the printer's devil, though in the Bill as amended, I am afraid the printers cannot escape all responsibility for about the tenth line down, the word "written" is written wrongly. However, I do not think that makes any difference to the substance of the Bill.

The two other amendments are merely to clarify the intention of the Government as explained to the House on the second reading and the first amendment is an amendment to proviso 4 on page 3 of the Bill as before the House. It merely provides that where insurance money received in respect of a destroyed asset exceeds the difference between the original value and the written down value no allowance will be made under clause (vii) on page 2. The other amendment is a new proviso, No. 5, which makes it clear that if a building originally not used for business purposes is subsequently so used, the original value of the building as a business building would be taken to be not the original value when it was used as a building for residential or other purposes, but the value at which it stood when it was taken over for business purposes.

There are two other points which are not in amendments of the clauses, which I think I ought to refer to. One is the definition of the words "Scientific Research". The Committee expressed the hope that this would be interpreted in a generous fashion and I have no hesitation in assuring the House that that will be done. I did not myself agree to amend the words or its definition in the

Bill, which in fact follows the same definition in the Act of Parliament of the United Kingdom. But I repeat what I said when introducing the second reading of the Bill, namely that it will not be left to the Income-tax Officer himself to determine what is scientific research for purposes of allowing a deduction but this will be determined, in case of dispute, by the prescribed authority which, as I said before, will probably be the Department of Scientific and Industrial Research.

The second point that was discussed in Committee but is not referred to in the report is whether any extensions of buildings which take place between April 1946 and April 1948 will count under the proposal made that they shall be exempt in case of residential buildings from assessability for rent and in the case of industrial buildings that they shall get an additional material allowance of 5 per cent. In the Bill itself it is not so provided but I have given instructions to the income-tax authorities that any extension which costs more than Rs. 10,000 will count for the allowance the intention being of course to encourage building between these years. As I have said before I hope that building will take a large part in making good the drop in economic activity which will result from the large reduction in military expenditure.

Without anticipating the discussion on the amendment I would like to ask Mr. Sanyal not to press his amendment to have this Bill referred for circulation. This Bill merely gives effect to the budget proposals passed by this House and if they are held up it simply means that the concessions sought to be given will be suspended until at least the next session.

As for the other amendments they were raised in the Select Committee and rejected. That is all I want to say. I do not want to prejudice any discussion of the amendments if my friends wish to move them. Sir, I move.

Mr. President: Motion moved:

"That the Bill further to amend the Indian Income-tax Act, 1922, as reported by the Select Committee, be taken into consideration."

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, I shall be very glad to oblige my friend, since he has made a request to me. At the same time I propose to make some observations.

The Honourable Sir Archibald Rowlands is supposed to be a gentleman.

The Honourable Sir Archibald Rowlands: I beg your pardon, Sir, I am a gentleman.

Mr. Sasanka Sekhar Sanyal: He may or may not be. On the floor of the House I would not dispute that proposition.

The Honourable Sir Archibald Rowlands: I seek your protection, Sir. The Honourable Member is making allegations on my conduct outside the House.

Mr. Sasanka Sekhar Sanyal: He is a gentleman just as any other Honourable Member is. But I want to impress upon him and upon the House that I am not impressed by the way in which he has proposed to introduce exemptions or concessions in the matter of income-tax assessment. When I gave notice of this motion of mine it was not my intention to attack the Bill as it was introduced by him or to attack the Bill as it was reported by the Select Committee. Honourable Members of this House, including some of my party, sat down in their wisdom and came to conclusions which in their own way are acceptable. But my grievance is that instead of proposing exemptions or concessions to deserving quarters the Honourable the Finance Member was pleased to think of concessions to a class which has not played a very good or noble part in our society during the recent past. It intrigues me very much just as it intrigued me at a previous stage why of all things it was considered necessary by the Government to abolish by a stroke of the pen the Excess Profits Tax. Whom was it meant to benefit. Whatever may have been the intention of the Government in the long view of things the immediate interpretation was that

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people who had acquired swollen wealth during the war period and a considerable portion of whom indulged in blackmarketing, would be benefited by this removal of the Excess Profits Tax.

Similarly I find that this idea of giving exemption or concession only to new constructions of building, whatever may have been the intention of the Government, the immediate effect would be to benefit those people who have got fabulous wealth during the war period and a considerable portion of whom indulged in blackmarketing. In the streets of Delhi you will find ordinary people commenting upon this Bill naming certain persons "This is that merchant's Bill" and so on and so forth. Though this impression is the result of loose talk there is essentially some logic in it. Government expects to induce people to invest money in productive directions but instead of doing that they are seeking to give relief to persons and parties who would simply convert their cash into brick and stone. That does not serve any useful social purpose. As it is well known the fundamental principle of all taxation, particularly direct taxation is that it must have a look at the objective condition of things as they prevail in society today and certainly it ought to be the desire and lookout of every government to induce capitalists to invest their money for such public purposes as would remove the present wants of the day. Inducing people to construct new buildings is something unimportant or secondary regard being had to other pressing problems which require release of money in particular directions. Our problems today are food, clothing, public health and unemployment. If the Government wanted to give relief to capitalists who make investments they should induce capitalists to bring in money in production of secondary or substitute food. I will not deal with the question of the grow more food campaign, because that is a matter of provincial concern and that is covered by agricultural income-tax which more or less is now in force in the provincial sphere. Without looking at the question of growing more food crops I might invite the attention of the Honourable the Finance Member to the question of inducing people to go on with the production of substitute foods. My good friend, Sir Archibald Rowlands knows that in England when war was over and food was assuming great importance.

The Honourable Sir Archibald Rowlands: I do not want to interrupt but I do submit these remarks about food and clothing are irrelevant to the Income-tax Bill.

Mr. President: I was of the same view. The Honourable Member is going beyond the scope of the discussion so far as the particular section is concerned. If he wants to make any general observations I think he has made them. He may now immediately come to the section.

Mr. Sasanka Sekhar Sanyal: I was quite alive to that and if my learned friend had not interrupted I would have immediately come back to the section. Anyway, instead of inducing people to make investments in a shape and manner which, however, useful, were not very consistent with the pressing problem, the Government ought to have devised ways and means for persuading people to make investments in more productive and useful purposes. Sir, I would just make a request to the Government before he quits office or quits the country if he quits at all, namely, to devise ways and means so that private corporations and capitalists may be induced to make investments in directions which would be helpful to the community at large in the matter of production of food and cloth and in the matter of ameliorating health conditions and removal of unemployment. The Bill in so far as it goes and in so far as it has been reported upon by the Select Committee serves some purpose. But I would call upon the Government to go ahead with the measures which would release capital for a solution of the present problems immediately and in a more go-ahead manner.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor Non-Muhammadan Rural): In so far as the Bill goes I support the motion for consideration. I am not a capitalist, and that is not the only reason why I should support this consideration motion. I do not believe that the standard

of living of this country will increase or the growing unemployment on account of the over-growth of population and the pressure on land could be relieved unless this country is fully industrialised. The only question is whether that industrialisation must be done by the national Government and the key industries and public utility services run by the State or whether it should be allowed to be run for private profit by capitalists. If I had the power and a national Government were in existence already I would certainly choose the earlier method of nationalisation of key industries and not allow the equilibrium of internal economy to be disturbed by some few people becoming rich and others continuing in a state of starvation. But unfortunately that has not come about yet and the Honourable mover—I am not sure whether it is completely in his hands—might well wish that consummation to be achieved for our country. And I hope in all sincerity that he will do his best to see that we come by our own. He has his influence. Seeing that as soon as the Cabinet Mission arrived they addressed my Honourable friend and chose him out of all other persons and called him 'Dear Sir Archie', I am sure he has his pull with the Government and with the Cabinet Mission. As he has started well, saying that this is going to be his last Budget speech, I wish it were his last Budget speech though I do not wish as a friend that he should immediately quit this country. None of us is anxious that Europeans, as such, should leave this country or leave all this property for us. We are not anxious to grab at their property. They are necessary to help us in the progress of industries and in doing so we are not going to be without their help or advice. So far as industries are concerned, we have to look at them from this point of view. Our country must industrialise. As we have seen, in the present war, but for the fact that within a short time due to the first year plan, the second year plan and the continuous plans the U.S.S.R. has brought about and planned for its internal economy, but for the fact that it has within a short time industrialised itself, it could not have withstood the onslaught of Germany. Other countries have done the same thing. In England and the United States of America the standard of living is high merely because they are able to produce all the goods that they require and are also in a position to export. I am not wishing for one moment that we should be able to dump world markets with the goods that are produced in this country in which case there will be competition and rivalry, sometimes cut-throat and unfair competition for markets outside. I believe that the market in this country is sufficiently wide and if we are able to produce without depending on any other country we will make ourselves self-sufficient by starting the necessary key industries wherever it is possible. Decentralise industries, start as many cottage industries as possible so that instead of running a race and trying to discover various kinds of industries to avoid or to cut short human labour, in as much as enormous labour is available in the country we need not have such devices because cottage industries are a help to secondary occupation, they will serve a useful purpose in rural economy. Growing more food also is one of the measures to be adopted. I would therefore—and that is also I believe the wish of the majority of the party to which I belong—try to help industries without prejudice to the growth of cottage industries and to the growth of agriculture in this country. No doubt Honourable Member opposite might have noticed some apparently inconsistent statements on this side. They are not inconsistent at all. One Member may emphasize the need for industries. Another Member may emphasize the need for improving agriculture. A third Member may emphasize the importance of the provisions of the Factories Act. Another, an employer might say that longer hours of work ought to be enforced and lesser amount of pay given; whereas labour would certainly wish shorter hours of work and higher amount of pay. But, so far as I am concerned I am in the happy position of being neither the one nor the other. My only desire is to harmonise all interests in this country so that ultimately, with the benefit of all and with the combined effort of all, the country as a whole might progress. I do want economic freedom. Other countries which have attained political freedom have no economic freedom in the sense that every man has not got food, raiment and equal opportunity to acquire wealth as another man has. In the world of today there is

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economic socialism in the U.S.S.R. There is political freedom in the United Kingdom and the United States of America. But the one lacks the other. We do want for this country both political and economic democracy. That is our ambition. I am sorry my friend, the lady Member is not here. She is under the impression that all our fight for freedom and sacrifice will be wasted in trying to secure that freedom and place it in the hands of Birlas and Tatas. That is not our desire at all. We have no ambition to become Birlas or Tatas. But they are our friends in so far as they try to improve the industries today. They are struggling against foreign competition. Whether the industries are nationalised or otherwise we have to take note of one consideration namely that we are not alone in the world. We have to struggle with the rest of the world. There is unfair competition outside. Some modifications have been suggested in the present Bill. In England similar modifications and improvements have been effected in the United Kingdom Income-tax Act. When other countries are granting subsidies and helping their industries to produce as much as they can and sell in foreign markets in order to capture those markets, we cannot leave things alone; we cannot allow foreign goods to come here and impose an enormous burden upon our industrialists and make the cost of things very high. I look at this Bill and I am not at all satisfied that the Finance Member has done all that might be needed by industry today. I have no particular interest in any industry: I can assure the Honourable Member that I am not a director or shareholder of any company; but I do feel that we ought not to be in the position of contesting these things from time to time and seeing that the industrialist is helped. Apart from individual industrialists in this country,—they may be vagrants and they may try to emulate other industrialists abroad who enter into monopolies and cartels in those countries—but our industries are still in a struggling stage; and judged from that standard, I would certainly say that this Bill gives them a small concession here and there to some extent but does not go as far as it ought to go. Therefore I must once again inform the Honourable Member who said the other day that there was an answer to all our questions in the several speeches made by the Member which contradicts the suggestions made by another Member: I would only request him to see that when one Member emphasises one particular aspect of a question, it is only a question of emphasis. But we want to reconcile all the elements and our industrialists are always prepared to share the opinion of the party in the larger interests of the country as a whole. When my Honourable friend Mr. Ranga says he is an agriculturist, he certainly pleads the cause of the peasant and the agriculturist; and it ought not to be open to any other Member to say there is so much division, when in fact there is no division at all. We want to be in harmony and live together. It is not as if the world contained only peasants and workers and that they only should rule. If one section of humanity, whatever it is, is allowed to do so, it will still be exploitation and exploitation will continue—though the exploiting class may be different. I want freedom for every one to live fairly and comfortably in this country and opportunity to serve the people, irrespective of caste or creed. I think the Honourable Member could have avoided all discussion in this way if he had really controlled prices and set an upper limit and not have allowed prices to soar.

I shall now come to the Bill itself. (Sir Archibald Rowlands: Hear, hear.) What I have said was necessary, as it was suggested that the industries in this country, apart from individual industrialists, was benefited by this Bill. The only question is how we can switch over the industries and take them over, just as the Bank of England was taken over the other day: it will not take long. But if there is no industry, what are we to take over? Therefore I support this Bill and go further in one or two matters. The Honourable Member has been pleading that he has given real relief to the Industrialist. I do not think much has been done. The Honourable Member has suggested that building is something which will relieve unemployment. He is afraid that now that the war is over it may not be possible to employ so many people and

employment will go down; and one of the ways of inducing employment is by allowing people to build and not tax them during this period. So far as the amendment of the Income-tax Act is concerned, that is only possible by giving this kind of relief—but that can be exempted only for a period of two years. Further, these people will build only in cities and not in villages where it is not possible to get rent. As I said, this investment is exempted only for two years in part; and for the rest of the period if lots of these houses are built in towns, it is possible there may be no demand for them later on. I say the object of the Government is merely to make a show on paper: it will not be effective. That is my honest impression. My Honourable friend ought to have thought of other means for quick circulation of money during the postwar period—particularly by allocating large amounts for housing in rural areas, build a number of houses there and improve irrigation and other things . . .

The Honourable Sir Archibald Rowlands: I have done so.

Sri M. Ananthasayanam Ayyangar: He says he has allocated 50 crores—but my friends have repeatedly said that it is nothing—it is a mere drop in the ocean.

Now let me come to the so-called change in the Bill over the present Act. It is contained in clause 3 of the Bill. So far as new constructions are concerned, depreciation is not charged to the extent of 15 per. cent. this year, in the year of construction. It is only to be put off to a later date—I am right, I believe, in that. As soon as a building is put up or plant and machinery is purchased, the profits may not be much. Therefore to relieve industry of its difficulties, and if industry is to survive in the long run, he should have allowed depreciation to a much larger extent. Later he says that amount will certainly be charged. It is no doubt a concession, but it is a very small concession.

Then as regards sub-clause (vii), I think hitherto nothing more was allowed for depreciation, so far as building was concerned. If a building is scrapped or destroyed, he has included that in the concession, allowing that amount. He has also shown one more concession, that if there is a larger amount for scrap value or if there is any excess, the written down value to the extent of depreciation has already been allowed: he is now charitable; and then there is the excess over the original cost, which he does not charge. These are put in two new sub-clauses. In the old Act, these clauses relating to the insurance of the building were not there—if a building was destroyed and some money is got by way of insurance, that money was not chargeable to tax to even a small degree. It was considered to be a capital receipt, not taken as profits. He has introduced this, which was not in the previous Act. But I am not sure if final accounts are taken, each will not outweigh the other, what is given with the left hand is taken away by the right hand—I will not say that what is given by the right hand is taken away by the left hand! Though I was a member of the Select Committee I am sorry I did not have the privilege of sitting with them and making my suggestions to them then. He could have easily said that when a building is destroyed or demolished he would not insist upon the item being written off immediately. As in the case of depreciation, it is allowed each year. Likewise if a building or machinery is destroyed or demolished there is a condition in sub-clause (vii) that unless it is written down it will not be allowed. I am not in favour of that sub-clause—it says “Provided that such amount is actually written off in the books of the assessee.” It is no doubt true that this finds a place in the Act as it stands; but it does not find a place in sub-clause (vi) where the depreciation is allowed. Why should this clause appear under sub-clause (vii), while it does not appear under sub-clause (vi)?

Sir John Sheehy (Government of India: Nominated Official): May I explain that that provision which was in sub-clause (vi) in the draft Bill was cut out by the Select Committee in 1939 but this provision to which he now objects was left in?

Sri M. Ananthasayanam Ayyangar: If it was cut out in 1939 and the Honourable Member has not brought it in under sub-clause (vi), why should

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he continue it under sub-clause (vii)? He might have equally taken the advice of the Assembly and cut it off in sub-clause (vii) also. I would request the Honourable Member to consider that aspect of it.

I would say that after all on paper this is not a thing which is necessary. On papers it looks as if it is a great concession to the industrialist. An attempt has been made—but that attempt has been overshadowed by other items coming later on, which are now sought to be taxed, which were not originally taxed.

Insurance is not a profit; and about this period of two years—I say there is no harm—you have recently given a concession; as against that, it is over-balanced by some disqualifications which have been put there by treating the amount got from insurance companies to be taxed to some extent. For one or two years let him treat this as an experiment and not charge them and allow the old state of affairs to continue

The Honourable Sir Archibald Rowlands: That experiment has been going on for years.

Sri M. Ananthasayanam Ayyangar: Now that he has shown the concession, let us see how it works out in practice. After all every year it may be brought up before the Assembly and this Act has been modified from time to time. It is a matter for him to consider whether after all the persons whom he intends to benefit get the benefit, whether industry is improved and is placed on its legs.

Now, Sir, as regards scientific research, I would observe that economic research also ought to be brought in. The present definition has been taken from the United Kingdom Act. I do not see why it should not be made clear that it includes economic research also, such as obtaining statistical and other information, instead of leaving the matter to the officers who run this administration. Why are you led by the nose by the United Kingdom Act? The present definition may not be considered to include research of the type that I am mentioning. Why should it be strictly confined to natural science, chemistry or things of that kind? Even at this stage, if it is the intention of the Honourable Member to include economic research it ought to be made clear.

Then I come to clause 5 which relates to the maximum rate chargeable on incomes which are under a trust and are kept in trust for a beneficiary. The maximum income is chargeable under the present Act but the proviso in the new Bill makes it easier. It says that on incomes of individuals or associations the maximum rate is not chargeable provided such person has no other personal income chargeable under this Act. Even here I feel that what is given with one hand is sought to be taken away by the other. A man may have an income of Rs. 2,000 or Rs. 100. By itself that is not chargeable but along with the amount of profits which accrue to him under a trust he will have to pay the maximum rate. Simply because some business has been placed in the hands of trustees, why should they be made to pay the maximum rate. That difficulty was recognised and therefore an amendment was provided but the amendment does not meet the necessity. The amendment is that in case the beneficiary has any income worth the name which is chargeable, the maximum rate will be chargeable. There ought to be a limit placed on the income beyond which it should not be charged. The unlimited terms in which the present Bill is worded is rather inconvenient and this will not benefit the persons whom you intend to benefit. The Honourable Member has able assistants like Sir John Sheehy and even at this stage I want him to consider whether greater relief may not be given to the persons whom he intends to benefit.

Lastly I want to raise the question of concessions to married men. In the question regarding the payment of dearness allowance, the point was raised about married men and bachelors. Why should not this principle be extended here and why should not the bachelor be taxed much more and why should not married men with children get some concessions. If my Honourable friend does that, his memory will live long in this country.

The Honourable Sir Archibald Rowlands: The other side rejected the special treatment of married people in respect of war allowance.

Sri M. Ananthasayanam Ayyangar: My Honourable friend will pardon me. It is like saying—either I will marry my mother or sister or not marry at all. Our point there was about giving allowances to persons drawing more than Rs. 1,000.

The Honourable Sir Archibald Rowlands: I was only pointing out your inconsistency.

Sri M. Ananthasayanam Ayyangar: I repeat once again that your action is only calculated to unnecessarily disturb the equilibrium. I do not want to cast any aspersions but the salary you are giving only encourages drink and other luxuries. I am not attributing any motives to any one. You are only encouraging them to give golden cups and saucers as presents in marriage of their daughters, while a poorly paid man finds it impossible to get his children married. You must know that Rs. 1,000 ought to be a higher limit. My Honourable friend ought to know that on Rs. 1,000 a man may live very comfortably. My Honourable friend's standards may be different. He does not know the mode of life in India, and the way an Indian looks at such things. We know our own people better. Let us therefore usher in the new era as soon as possible. You have lived here for 150 years and still you are ignorant of Indian conditions and ways of thinking. Sir, I support the motion for consideration.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association, Indian Commerce): I rise to make some observations on the amended Bill that has come out from the Select Committee. I have been one of the signatories but I find that there are some injustices left out in the Income Tax Bill. Now, the question is how to remove those injustices. I would like to say here that when the next amendment to the Act comes in I hope the Honourable the Finance Member, whoever he may be then, should try to remove those injustices. My Honourable friend Mr. Ananthasayanam has already put in many suggestions. He has ably dealt with them and I do not want to touch them. I want to put forward a couple of suggestions, so that when the next amendment is made they may be removed.

The Finance Member has been desirous to give relief for building purposes with a view to see that there is more employment, that unemployment is reduced and the deflationary trend that is coming may be reduced to a certain extent. But his object will not be fulfilled to the complete limit because under certain circumstances people who have to build houses and whose income-tax is very heavy, will have to pay much more than they will earn out of those houses. If a man who has got to pay heavy income-tax and he has got heavy incomes from his buildings in Bombay, then, if he receives Rs. 100, probably he will have to pay Rs. 130 as taxation. The position is this. There have been property taxes and municipal taxes all over. In Bombay the taxation is very heavy in this respect and when the income-tax authorities calculate the actual profits, the incomes received from these buildings are taken into consideration and they do not allow rebate for the taxes that have been paid to the municipality. So the position becomes this that 33 per cent. of total

income that they have paid by way of municipal taxation or property tax will also be taxed as income and that is how this anomaly or injustice takes place. There have been several cases both with the High Courts, and with the Appellate Commissioners and Tribunals with regard to this. The U. P. High Court has decreed in favour of the assesseees that this tax should be considered as expenses, but I understand that the Government of India have decided to go in appeal. I do not understand how in the same breath the Government say that they want the building programmes to be speeded up as far as possible so that there may be more employment and that they collect income-tax even on the municipal tax paid to the municipality. The result is that in the Cities people with high incomes have to sell off their

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buildings instead of building anew. I hope this injustice will be removed later on because municipal taxes are not included as expenses.

The next point is with regard to clause 3. In clause 3 some relief is sought to be given regarding taxation for revenue purposes, the difference between written down value and the original cost when a certain factory or its machinery has been destroyed. That is not fair. You are taking away from the industry what has been paid to it by Government. The position is this that when these depreciation allowances were given, the taxation rate was low. Today the taxation rate is high and every year it is going up. Today the company's rates are six annas, where as for individuals it goes up to fifteen annas. When these depreciation allowances were given they were given at the old rates. So, for example if three annas relief per rupee has been given, by calculating this depreciation allowance today the Government seeks to tax them six annas. To industries the present rate, probably is ten to fifteen annas, for an individual owner. This means, that that it would be taxing calamity. If the factory had not been destroyed this extra amount would not have been paid. If there is a calamity and if a factory is destroyed, Government will tax us and the tax would be the difference between the old rates when depreciation was allowed and the present rate when income-tax rates are high.

Mr. Manu Subedar (Indian Merchant's Chamber and Bureau: Indian Commerce): In the form of death duties.

Mr. Vadilal Lallubhai: Certain difficulties were shown that how is it possible to calculate all these depreciation allowances as may have been granted. I do not understand why these difficulties should be caused. If the cause is just, the Government ought to be able to find out how to meet out justice to the assesseees. You cannot take more than you have given and that is why some method should be found out whereby justice can be done. With these remarks, I close.

Shri Sri Prakasa: (Benares and Gorakhpur Divisions: Non-Muhammādan Rural): Sir, I am not an industrialist, but I am a bit of an agriculturist; and I think a type of situation has arisen which calls for redress. I have brought this matter to the notice of my Honourable friend's Department through the kind offices of Sir John Sheehy. I should like publicly to ventilate these grievances so that in case the Honourable the Finance Member is in a position to do something he would doubtless do it. In my home district of Benares, a large amount of land has been forcibly acquired by the War Department for air bases. These lands have always been agricultural lands, and from time immemorial these lands have been used only for agricultural purposes. Now, Sir, the War Department has constructed buildings on these lands and made other arrangements like run-a-ways and so on for the purposes of . . .

The Honourable Sir Archibald Rowlands: For war purposes.

Shri Sri Prakasa: Not war, Sir; but to disturb the peace of the people. In any case, my Honourable friend thinks that all these were done for war, but I should like to have more information as to how the surrounding all round of a religious centre like Benares by these air bases, could help or has helped in the prosecution of the war. But that is another story. Now, Sir, these tenants have been turned out of their holdings and they are given a certain amount of money by the War Department as compensation for their having been deprived of the use of these lands. So far as I can make out, the status of these lands is still agricultural; and if proof of that were needed, the War Department is actually paying land revenue for these lands to the landlord-zamindars. Now, Sir, the Income-tax Department has come in; and is wanting to charge income-tax on the amount of money which these tenants are getting from the War Department as yearly compensation for the deprivation of the use of these lands by them. Sir, I think the status of these lands is still agricultural and his Department should continue to treat these lands as agricultural and continue, as before, to exempt these lands from income-tax.

I am glad to see my Honourable friend the Law Member nodding assent to my interpretation of the law. When I brought this matter to the notice of my Honourable friend's Department, and requested them to exempt them if possible under section 60 of the Income-tax Act, I was informed quite rightly that under the 1939 amendments, the Department could no more exempt these use my Honourable friend's own favourite expression, on the part of the Department we did an injury to ourselves. Now the Department finds it difficult to exempt these lands from the operation of this section because we deleted or amended that section. I feel that the Honourable Member should consider this matter and go into the merits of the case and circularise the Income-tax officers to continue to treat these lands as agricultural lands. Even though for the time being they are not agricultural in the sense that no cultivation is done there, today, they will soon revert to their old status of being agricultural, and so the department should treat these lands as continuing to be agricultural and exempt them from income-tax. I think this is a very reasonable request that I am making, and as section 4 of the Act is being discussed, I think it would not be entirely irrelevant if I brought this matter too, to the notice of my Honourable friend so that he may grant this much needed relief.

The Honourable Sir Archibald Rowlands: Sir, I am in the same difficulty as I have been right throughout these budget debates, namely that most of the discussion has not been very relevant to the motion before the House. I have answered or tried to answer most of the points that have been raised in previous replies to previous debates.

My Honourable friend Mr. Sanyal talked of the capitalists. I will only refer him to the right wing of his party, though my Honourable friend Mr. Ayyangar says there is no right wing. My friend Mr. Ayyangar himself made a very eloquent speech which dealt with nationalisation. As far as the key industries are concerned, it is the policy of the Government of India, as already announced, to nationalise them. I myself am not going to be drawn into a debate on the merits and virtues of nationalisation as against private enterprise. I think there are arguments on both sides. What we want is not necessarily private enterprise or public enterprise; what we need is enterprise, public or private.

I shall look at the point he made about the last clause of the Bill. I am told that the amendment being made this year was all that we were asked to do on the previous occasion; but if there is more to be done we will see to it. I cannot move an amendment today on this Bill.

As regards his point about objection to any allowance being given unless it is written off in the books of the company, I think that requirement is quite reasonable. Otherwise the balance-sheet and the profit and loss account of the company is not a true one and it misrepresents the position of the company. If it has been disposed of it ought to be written off. Secondly, it would make the income-tax authorities liable to keep a keen watch for years over the company. I think administratively and as a true presentation of the company's affairs it is reasonable.

Sri M. Ananthasayanam Ayyangar: What about depreciation?

The Honourable Sir Archibald Rowlands: I hope that any reputable company does show in its balance-sheet its written down assets and not its original assets.

As far as my Honourable friend Mr. Vadilal Lallubhai is concerned, he did not address me but addressed my successor and so I do not therefore propose to reply to him.

The last point was raised by my Honourable friend Shri Sri Prakasa. At the moment we are bound by the law. The law defines agricultural income, and land which is used as an aerodrome cannot in our view be regarded as agricultural income. I quite see the difficulty and possible hardship.

[Sir Archibald Rowlands]

But only large landowners are involved and I have only two things to say. First of all, I do not know that they will be under the difficulty much longer, because under the provisions of a recent Ordinance land which was so requisitioned, in respect of which rent has been paid and on which large assets have been erected by Government are going to be compulsorily acquired. So the question will not then arise. In other cases I hope it will encourage provincial Governments to tax agricultural income.

Shri Sri Prakasa: Cannot that be regarded as casual income? It all depends on the way the Honourable Member interprets the law.

Sir John Sheehy: It could not be called casual income; it is rent for land.

Mr. Vadilal Lalubhai: What did the Honourable Member say about depreciation allowance being written off?

The Honourable Sir Archibald Rowlands: I tried to explain that in my judgment it was a very reasonable provision because (a) if that provision were not made it imposes upon the income-tax authorities the responsibility of watching the thing for years and years, and (b) it gives a proper presentation of the state of the company's affairs if it is so written off.

Mr. President: The question is:

"That the Bill further to amend the Indian Income-tax Act, 1922, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock.
Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. President: We will now take up the Income-tax Bill clause by clause. The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Sri T. A. Ramalingam Chettiar (Madras: Indian Commerce): Sir, I move:

"That in sub-clause (a) (i) of Clause 3 of the Bill for the figures '1945', the figures '1942' be substituted."

In this amendment I do not seek to introduce any new principle of exemption. In the Bill as drafted, there are two classes of cases mentioned and for different objectives. One is 'such of those buildings which are erected and such of the machinery as are installed between the 1st day of April 1946 and the 31st day of March 1948' come under the first class. The idea with which this is introduced is, I presume, to encourage the putting up of buildings and the erection of machinery. But there is also another class of cases which are included in this sub-clause. Those are 'where the buildings have been newly erected, or the machinery or plant being new has been installed, after the 31st day of March 1945'. That refers to the past, not to the future. The first class of cases refer to the future and the object, I presume, is to encourage people to put up buildings and instal machinery.

The Honourable Sir Archibald Rowlands: The Honourable Member is wrong. There is no additional allowance in respect of machinery installed between those dates. Machinery will get the additional allowance whenever it is installed after March 1945.

Sri T. A. Ramalingam Chettiar: I fear the wording as it is covers both. It does not differentiate between buildings erected and the machinery installed. This is the wording:

"and where the buildings have been newly erected, or the machinery or plant being new has been installed, after the 31st day of March 1945. . . ."

And then in the operative portion, which is (b) and (c) it is said:

"(b) in the Case of other buildings, to ten per cent. of the cost thereof to the assessee;

(c) in the case of machinery or plant, to twenty per cent. of the cost thereof to the assessee."

I take it, as it stands, it refers to those cases which come under the second class which I have mentioned. Those which are covered by the first class, that is to say those begun after the 1st day of April 1946 and completed before the 31st day of March 1948, come under the clause where higher percentage is allowed. So reading the clause as it is, these two (b) and (c) can only cover the second class of cases I have mentioned namely those which have been built or installed after the 31st day of March 1945. I submit if the object is, as I said, to create a second class of cases where concession is required not because it is intended to encourage the putting up of buildings and the installation of machinery hereafter, but to give a concession to those who at very heavy cost had to put up buildings in the past and had to instal machinery in the past, if that is the idea, I beg to submit that the time fixed, namely 1st day of April 1945, is not enough. As a matter of fact the period immediately before that was the period when the cost was the highest. That was also the time when expansion of buildings, and installation of machinery was more required than in the later period. I may add that on account of the war demands, on account of the fact that imports were stopped, on account of other factors as well, factories had to work much longer periods. They wanted much more accommodation and they had to put up new buildings. The cost of putting up buildings in 1943-44 if calculated would in no case be found to be less than 300 to 400 per cent. of the pre-war prices. I may say that I have got personal experience in the matter, and I can say that in the case of a private residence I put up the cost worked up to 250 per cent. even though the building was completed about the end of 1944. With reference to the installation of plant, it may be mentioned that it is no doubt true that we were not able to get plant from outside and so the expansion that took place was not very much, but all the same there was some expansion, especially in the smaller industries for which machinery could be found in India itself. For instance, oil crushers, sugarcane crushers, and things like that, were put up during this period and they cost during the period I mentioned very much more—about 300 to 400 per cent. more than what they cost in the pre-war period. Not only that. The period for which they are going to allow concession is not going to be as costly as the period I have mentioned.

Mr. President: May I point out the difficulty in accepting this amendment. Either I have not understood the point or the matter is not yet clear. The Honourable Member will note the words "in respect of the year of erection or installation. . . .", and I believe assessments right up to 1945 having been already made, unless the previous assessments are opened it will not be possible to give the relief which the Honourable Member wants by substituting the figures "1942".

Sri T. A. Ramalingam Chettiar: It is a matter of giving a concession. . . .

The Honourable Sir Archibald Rowlands: It is intended to be a concession for the future, not for the past.

Sri T. A. Ramalingam Chettiar: Why should it be only for the future?

The Honourable Sir Archibald Rowlands: We look forward, not backward.

Sri T. A. Ramalingam Chettiar: I understand that the Bill as drafted gives relief only in those cases where the assessment is to take place later.

Mr. President: It is not with reference to the assessment that I am speaking in the first instance. The relief is in respect of the year of erection and installation. That is the idea of giving relief and if that is to be so, then how can one go back to 1942 where the assessments are completed.

Sri T. A. Ramalingam Chettiar: My contention is that they have already done it in the Bill because they say whatever is done after 1st April 1945, will get the concession. I am only taking it back for two or three years.

Mr. President: The Honourable Member will perhaps know that the assessment is in respect of the previous year.

Sri T. A. Ramalingam Chettiar: Yes.

Mr. President: So the assessment will be for the year 1945-46 in which the relief will be had.

Sri T. A. Ramalingam Chettiar: That is why I said concessions are given for one year. They can certainly calculate and give the concession for the previous years for which they are required, in addition to the period for which they are provided. That is my contention. As a matter of fact these buildings will be worth very much less. These plants can be replaced at much cheaper cost a year after than the price they paid for them in the past. So it is a matter of depreciation. Depreciation can always be worked out.

Under the Income-tax Act, even when depreciation is not calculated the same year, in a future year you are permitted to add depreciation of the past years for which we did not make provision. Supposing, for instance, in one year we provided for depreciation at a lower figure than admissible. In a future year when we get larger profits, we can always add the depreciation amount which we did not deduct in the previous year, provided it is possible at the time. That has been allowed in the past and I am sure there will be no difficulty in calculating that. I believe, Sir, they can always reconsider the concession for three years and they have been doing it. They have been reopening for a period of three years in all cases. If 1942 is not admissible, then 1943 may be adopted. That is the only thing.

I was only saying that if it is intended to give relief to those persons who had to put up buildings and who had to instal machinery at a very heavy cost on account of the requirements of the war and otherwise, during a period when prices were so high, if that is the idea, and that is a justifiable idea, then, Sir, the period ought to go back and it should not stop with the 1st April 1945. That is all I mean by this amendment and I hope that the demand I make will be realized by the Honourable the Finance Member and this difficulty of reopening and calculating the depreciation alone, I mean the assessment, need not stand in the way because the depreciation is always allowed in the later years to make up for shortage in the previous year. So if in that way we can work up the cases, I do not think there will be any difficulty in giving effect to the concessions. As I said, it is more to give relief to those small industries which had to come into existence and which had to expand during these years with the machinery they could get in India itself. It is these small industries that require this help. After all it only means that if depreciation is allowed up to 20 per cent. the Government loses, even at the highest, about 10 per cent. It will be a bonus given to those persons and small industries and to those who put up buildings during this costly period to the extent of 10 per cent. This will be a bonus given for that purpose in view of the fact that prices will deteriorate very much and the present value of all these buildings and machinery will be probably 200 per cent. less than the cost they involved.

With these words I commend this amendment to the acceptance of the Honourable the Finance Member.

Mr. President: Amendment moved:

That in sub-clause (a) (i) of Clause 3 of the Bill for the figures '1945' the figures '1942' be substituted."

The Honourable Sir Archibald Rowlands: I am afraid my Honourable friend, Mr. Chettiar, has completely misunderstood the whole object of these amendments to the Bill. They were not intended to be a fiscal concession or a retrospective bonus or an attempt to compensate for the alleged injustice in the past. They are to provide incentive to industries and to erect new buildings. There is no intention to go backward and having regard to the fundamental difference of approach, I regret I cannot accept the amendment.

Mr. Vadialal Lalubhai: Is it a fact that the United Kingdom allows it from 1942?

Sir John Sheehy: No, Sir.

Shri M. Ananthasayanam Ayyangar: I want information. What does this mean: "A further sum which shall however not be deductible in determining the written down value for the purpose of this clause". I understood that to mean that in the first year 15 per cent. would be allowed and next year This will be taken up for the last year. Is it an extra sum which should not be chargeable at all, or will they start with 100?

Sir John Sheehy: If you start with a figure of 100, plant and machinery will get an initial allowance of 20. If it is cotton mill machinery, working double shift, it will get depreciation of 10 and 5 plus the initial allowance, that is a total of 35 for the first year. In calculating written down value for the second year it will not be 100 less 35, that is 65, but it will be 100 less 15. As a matter of fact in the United Kingdom they do deduct the initial allowance on arriving at written down value. This provision is more generous.

Mr. President: Perhaps the matter is not clear to the Honourable Member. If it is deducted from the written down value then the assessee gets no benefit; for, in subsequent years he gets a lesser depreciation on the written down value.

Therefore, if it is not written down in the written-down value, he gets the benefit in that particular value.

Shri M. Ananthasayanam Ayyangar: Does he take into account any time, or once and for all it goes off?

Mr. President: It goes off.

Shri M. Ananthasayanam Ayyangar: It is not calculated at all.

Mr. President: The question is:

"That in sub-clause (a) (i) of Clause 3 of the Bill for the figures '1945', the figures '1942' be substituted."

The motion was negatived.

Mr. President: Amendment No. 2. Mr. Ayyangar.

Sjt. N. V. Gadgil: I have an amendment to move provided the Finance Member has no objection.

Mr. President: The Honourable the Finance Member has got a copy of this amendment. May I know if the Honourable Member is objecting to the amendment?

The Honourable Sir Archibald Rowlands: I am afraid I am objecting though I am prepared to meet him some way. But the whole object I sought to achieve by giving this concession in respect of buildings begun after 31st March 1946 was merely to stimulate building activity, which I regard as one of the most potent means of restoring to some extent anyhow the drop in economic activity which will result from the very heavy contraction of war expenditure.

I was not seeking to make a fiscal concession and if somebody had started building before 1946 I am not interested in it. I am merely interested in creating employment in the next two years after which I am hoping that industry will be restored and it will not be necessary to stimulate artificially building operations at all. I am not concerned with the past, I am concerned with the future, in the next two years. If somebody had spent Rs. 50,000 in

[The Honourable Sir Archibald Rowlands.]

building a new house before 1946 that is his look out. But what I am prepared to do is by means of executive instruction to consider special cases where the building, which had been started for reasons peculiar to the individual who wanted to build and had to stop as a result of Government action owing to the withdrawal of materials, whether in respect of further expenditure in respect of that building after the 31st March any reduction should be given. I will give instructions to the income-tax authorities to examine these cases. If possible I will do something about it, although in fact the Bill does not in terms provide for such cases.

Sri M. Ananthasayanam Ayyangar: How can it be done without an amendment. You cannot do it by executive instruction.

The Honourable Sir Archibald Rowlands: You cannot increase a tax without specific legislative authority but you can interpret the provision liberally.

Sri M. Ananthasayanam Ayyangar: It may be favourable to the people but I do not agree with you in the matter of law.

Mr. President: In any case no taxpayer is going to object. The next amendment is in the name of the Honourable Member (Sri M. Ananthasayanam Ayyangar.)

Sri M. Ananthasayanam Ayyangar: I do not intend to move it. But I would like to move the third amendment:

"That in sub-clause (a) (iii) of Clause 3 of the Bill, in the proposed Clause (xiii), the following be added at the end namely:

'and any activities in the field of economics in relation to that business or industry'."

Sir, I want only to extend the scope of the definition of scientific research. I heard the Honourable Member say and it is also stated in the report of the Select Committee that the words scientific research are the words used in the United Kingdom Act and they cover activities relating to industry or business. If it is so I am only trying to extend what is implied in the words scientific research to make the words clear. I believe there can be no objection on the other side to accepting this amendment.

Mr. President: Amendment moved:

"That in sub-clause (a) (iii) of Clause 3 of the Bill, in the proposed Clause (xiii), the following be added at the end namely:

'and any activities in the field of economics in relation to that business or industry'."

The Honourable Sir Archibald Rowlands: This point was argued out in the Select Committee at which unfortunately for reasons of health my friend was not able to be present and the general feeling was that it would be a mistake to try and define more closely what was meant by scientific research that what is already in the Bill. We do not say chemistry, physics or electronics. My friend will realise that economics is not an exact science just as political science is not an exact science. It will not be left to the Income-tax authorities to interpret the words. It would be left to an independent body: it may be an organ of the Government or it may not be and they will have to decide if a piece of economic research is directly related to the industry in question. But I am not prepared to tie myself down to the expression economic research. It is too wide and vague.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): The Government should have some control over the kind of research that is made and the results that are achieved and as far as possible the result of such researches should be made available to the general public and I hope that some of the researches do not end in the same kind of disaster as this atomic bomb.

The Honourable Sir Archibald Rowlands: I am not sure that it would be a good thing to spread the knowledge of the atomic bomb. I do not think we can tie down private firms to give their secrets to their rivals. A great

deal of research will be carried out under the aegis of the Department of Scientific Research, which would be made available to everybody and they will have access as far as may be to the results of the research. But if a firm today undertakes some research of its own in its own laboratory for its own purpose, it is allowed already. I do not think we can reasonably expect firms which carry on some research to improve its own processes to make it available to the public. If we have nationalisation of industries that is another matter but so long as private enterprise exists I do not think it is a reasonable proposition. But there will be a great deal of research carried out under the aegis of Government and the Universities which will be made available to everybody concerned.

Sri M. Ananthasayanam Ayyangar: He merely wants to know if there will be a co-ordination of all these researches.

The Honourable Sir Archibald Rowlands: I hope my Honourable friend will soon have an opportunity of co-ordinating them.

Sri M. Ananthasayanam Ayyangar: I do not propose to move my amendment in view of the undertaking given by the Honourable Member and in view of the instructions which he proposes to issue. I beg leave of the House to withdraw the amendment.

The amendment was by leave of the Assembly withdrawn.

Mr. President: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Mr. President: Clause 5.

Sri M. Ananthasayanam Ayyangar: I want further elucidation regarding this matter. What is sought to be added to the proviso gives a concession and makes the profits not chargeable to the maximum amount, but the concession seems to be a poor concession, where the person has no other income. Even in the case of a man in receipt of a small income the maximum will be charged. I was not able to follow my Honourable friend and if he speaks louder and clearer I will be able to follow, and I will not press my objection.

Sir John Sheehy: We are trying to amend section 41. The main provision says that if there is a trust and if the money in this trust is to be shared out in specific amounts among the beneficiaries, these beneficiaries will be taxed on their share. The provision which we are dealing with now is covered by the first proviso to Section 41 which says:

"Provided that where any such income, profits or gains or any part thereof are not specifically receivable on behalf of any one person."

That is, there is no allocation of the money.

"or where the individual shares of the persons on whose behalf they are receivable are indeterminate or unknown, the tax shall be levied and recoverable at the maximum rate."

There is no question here of a person who is entitled to a share and has got it. No specific part of the money is allocable to any one person and that is why the maximum rate is applicable. This proposal gives a concession. Instead of assessing the trust at the maximum rate, we assess at the rate applicable to the income of the trust. For example if the income is Rs. 3,000 we would not apply the maximum rate of five annas, but we assess Rs. 3,000 at the one anna rate.

That is the amount of tax will be one anna in the rupee on Rs. 1,500. It is a very substantial concession, if I may say so.

Sri M. Ananthasayanam Ayyangar: My difficulty was only this. You say "while such persons have no other personal income." Suppose they have a personal income of Rs. 100.

Sir John Sheehy: Then the Trust is taxable at the maximum rate, that it at five annas.

Sri M. Ananthasayanam Ayyangar: In that case does the Honourable Member think if that concession is a concession at all?

Sir John Sheehy: It is a good concession because any Trust which has been established since 1939, when this Act was made, would naturally take into account all these provisions. The provision only applies to a few old Trusts. In fact this was all that we were asked to do in the way of relief for these trusts and this was accepted by the Select Committee last year. Nobody hitherto has raised a single question on the clause until Mr. Ayyangar raised it now.

Sri M. Ananthasayanam Ayyangar: I have received several letters.

Sir John Sheehy: Then you should put them before the Central Board.

Sri M. Ananthasayanam Ayyangar: Will the Honourable Member put a limit, say, "no income beyond Rs. 1,000"?

Sir John Sheehy: I would not accept that Sir, without further consideration.

Mr. President: The question is:

"That Clause 5 do stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill

Clause 1 was added to the Bill

The Title and the Preamble were added to the Bill.

The Honourable Sir Archibald Rowlands: I move:

"That the Bill as amended, be passed."

Mr. President: Motion moved:

"That the Bill as amended, be passed."

Sri M. Ananthasayanam Ayyangar: Sir, I have nothing more to say except a word or two about the working of this Income-tax Act. The persons who are working it think they are little nawabs, that they can do all sorts of things and that they can threaten people. They keep the assesses waiting at their doors for a long time. Merchants and others have to lay aside all their business and wait for a long number of days at their doors. I would only request the Honourable Member to issue instructions to speed up the process and appoint, if necessary, such other officers so that the period of delay might not be more than a month, at the most. There is delay and slackening on the part of the persons working the Act and hardship is felt by various persons in as much as they have to come a number of days and stand at the gates of the officers.

Pundit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): I intend to bring to your notice one small point, with reference to section 2 of the Bill. Already I stated at the time the Budget was on, that materials for building construction were not available. I beg to submit for your consideration that the real object of the Finance Member was that on account of the reduction in war expenditure there would be unemployment, and that with a view to meeting that unemployment it was desirable that building operations should be stimulated. May I bring to your notice, Sir, that when there are no materials available how will the people concerned take advantage of it? In some big cities where materials are available there might be some stimulation of building operations. I can understand that. But in regard to the mofussil, it will be regarded as a very cruel joke. On the one side the Finance Member says he is giving some concession to capitalists who can build houses. On the other side we find that there are no materials available. Suppose in a mofussil town, say the headquarters of a district, a person wants to build a house—I am not speaking of rural areas only but of towns. There the price of bricks is about seven or eight times the pre-war level. No girders are available and

no cement either. Therefore, I submit that this concession to building operations is a cruel joke. On the one side people look at the concession and on the other they find themselves unable to build houses. This is my first objection.

Secondly this appears to be a class measure. Some take advantage of it; others are deprived of that advantage. I am also one of the persons who pay income-tax. I wish to take advantage of the concession. But how can I? My humble submission is that if the Government are really giving a concession they should arrange and see that the concession can be availed of. Otherwise the concession is of no use. As a matter of fact this is no real concession. It is very illusory. But my objection is that it is not practically possible to take advantage of even this illusory concession. Therefore I submit that if the Finance Member is serious he ought to take steps to see that materials are made easily available to the people at large.

Prof. N. G. Ranga: In this I am obliged to bring to the notice of the Finance Member as well as the Department concerned that there is corruption in this Department and they have to be careful. They were pleading that the war was on, the E. P. T. was there and there was great inducement for corruption. But even before the war had started there used to be corruption and complaints had been made.

Mr. President: I am afraid all these general remarks about the administration of the Income-tax Department will not be relevant at the time of the third reading of the Bill.

Prof. N. G. Ranga: I have already made my remarks about them.

The Honourable Sir Archibald Rowlands: This is rather an important point. This House has privilege, and I will guarantee to spend the rest of my few weeks to see if Prof. Ranga will give me his evidence to pursue the matter to the bitter end.

Prof. N. G. Ranga: I have to respect your ruling, Sir. I only wanted to say this: my Honourable friend Mr. Gwilt said the other day that even his room was not a privileged room.

The Honourable Sir Archibald Rowlands: But this is.

Prof. N. G. Ranga: I do know that there are some corrupt people and I hope that the Finance Department will take sufficient steps and care to root out such of this corruption as is possible even if they cannot completely remove it.

The Honourable Sir Archibald Rowlands: I am seeking my Honourable friend's help to do so.

Mr. President: I shall put the motion to the House. The question is:

"That the Bill as amended, be passed"

The motion was adopted.

INDIAN OILSEEDS COMMITTEE BILL

Sir Pheroze Kharegat (Secretary, Agriculture Department): Sir, I move:

"That the Bill to provide for the creation of a fund to be expended by a Committee specially constituted for the improvement and development of the cultivation and marketing of oilseeds and of the production, manufacture and marketing of oilseeds products, as reported by the Select Committee, be taken into consideration."

Sir, there is not much that I have to say in this connection; but I would like to explain very briefly the few changes that have been made in the Bill in Select Committee. The most important of these is in section 3 of the Bill where the method of levying the cess has been altered.

The original proposal was that the cess or duty should be levied on oilseeds entering the factory. That has now been altered and the cess will be levied on oils which leave the factory. The reason for this alteration is to exempt oil cakes from the cess. In order to compensate for the loss which will result from this

[Sir Pheroze Kharegat]

change, the Bill now provides that a customs duty should also be levied on oilseeds which are exported. The position is that a cess of $\frac{1}{2}$ per cent, *ad valorem* is already levied on oilseeds which are exported, and this cess that is proposed in the Bill will be in addition thereto. But the probability is that this cess will soon cease to bring in any very large amount of income, because the exports of oilseeds have already dwindled from 13½ lakh tons to 3½ lakh tons; and with the suspension of the export of groundnuts, that is prevailing at present, the probability is that these exports will become more or less negligible in the near future. If that happens, I am afraid we may have to come up again before the legislature to reconsider the rate at which the cess is levied.

The other alteration which has been made in the Bill is in connection with the constitution; that is, the number of members. The main alteration made here is that the representatives of growers have been increased from 15 to 21. Certain other small alterations have been made in respect of the other representatives on the committee; but they do not call for any special remarks.

The only other point I would like to refer to is the position of the States. The Bill naturally does not extend to Indian States but it is our hope that Indian States will levy a corresponding duty on oil which is extracted in mills in Indian States and we hope that that will also be made over to the committee; but, that will be a matter of negotiation. In the meantime, the States are represented or at least one of the important States will be represented on the committee and we hope that that will induce the States to come in on the scheme and take part in the work of this committee.

Mr. President: Motion moved:

"That the Bill to provide for the creation of a fund to be expended by a Committee specially constituted for the improvement and development of the cultivation and marketing of oilseeds and of the production, manufacture and marketing of oilseeds products, as reported by the Select Committee, be taken into consideration."

Prof. N. G. Ranga (Guntur cum Nellore; Non-Muhammadan Rural): Sir, I am glad to be able to support this Bill. I am glad to say that a very large number of the suggestions that we made on the two occasions on which this Bill came up for discussion in this House came to be incorporated in the Bill by the Select Committee. My Honourable friend, Sir Pheroze Kharegat has shown a very great spirit of accommodation, with the result that, unlike many other Bills that go to Select Committee, this Bill comes back from the Select Committee with the unanimous support of the Select Committee. It certainly is a matter for congratulation for all concerned on this committee that there are no amendments suggested to this report today.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): There is one.

Prof. N. G. Ranga: I am sorry I have not seen it. But that does not mean that I am perfectly satisfied with the Bill as it is. I am prepared to work it. There are two fundamental objections that I take to it. One is in regard to the financial aspect of it. I have always held the opinion that it is the duty of the State, especially the Central Government, to finance all such committees and their activities; because in the Provinces our peasants contribute nearly 60 per cent of the revenues; about 20 to 25 per cent is contributed by the agricultural labourer and the artisan labour of our rural India; and only the remainder of 15 to 20 per cent comes from the middle and richer classes, so far as the Provincial Governments are concerned. My Honourable friend the Finance Member the other day gave us an estimate as to the new trend that now leads taxation policy as well as the activities of the Central Government, he said 54 per cent of the central revenues come from the rich people and 46 per cent from the poorer people, whereas it used to be much worse before, so far as the poor people are concerned.

The Honourable Sir Archibald Rowlands (Finance Member): 55 and 45.

Prof. N. G. Ranga: I do not wish to go into details now. I only wish to say this much, that out of the 55 per cent, which is supposed to be paid by the rich people, a good proportion (I am not venturing on any figures just now) comes from the middle classes, and from the rural masses and the poor people, because of the existence of black markets and these controls and the scarcity of various commodities, that prevail today in our country. Therefore the poor people are paying, even as far as the Central Government is concerned, a much larger portion towards the Central Government than the rich people. Under these circumstances, it stands to reason that the agricultural masses of this country must obtain special priority in all expenditure which the Central Government incurs on social development. So far it has not been so. I do not know who invented this particular procedure—I rather suspect it was Sir Jeremy Raisman—but anyhow whoever it was, the Finance Department here has been rather very unfair towards our peasants, with the result that whenever any such Bill came up for consideration in this House and any such committee came to be established—they are known as commodity committees—the provision was made that the peasants alone had to pay for all that these committees were expected to do. I have always contested that proposition. On every occasion that I found to express that opinion, even on the Public Accounts Committee, I mentioned it; and I am glad to learn, though not on the floor of the House, that so far as the Rice Bill was concerned, Government were able to see the strength of my point of view and withdrew their Bill and got the necessary funds from the Finance Department, after the present Finance Member has come in, in order to finance their rice research and all those things.

I only wish that the Government had also agreed to place all the funds needed by this committee also at its disposal, without expecting it to depend for its revenues on this cess. I wish to assure by Honourable friends on the other side, both the Finance as well as the Agriculture Members, that I am also aware of the fact that the funds that we in the committee have agreed to place at the disposal of the committee will not at all be enough for the activities that this committee has got to carry on; but we have advisedly made it so low in order to persuade the Central Government to place at least as much funds at the disposal of this committee as the committee finds for itself through the cess; and I trust that it will be possible for us to get an assurance from the Finance Member that he will try his best to place at the disposal of this committee, as well as similar committees that will have to be established or that might have been established already, as much funds as they need, so that they can carry on agricultural research and also improved marketing facilities for our peasants. I may also say that in England for instance there is no such thing at all. It is true that universities also carry on a lot of work in that country, especially the universities of Saint Andrews, and Oxford and Cambridge, and also Abingdon,—I forget the name now—also Bangor in North Wales.

The Honourable Sir Archibald Rowlands: Forestry.

Prof. N. G. Ranga: Yes in forestry. But that work is being very much supplemented by the Central Government today, and Government foots the whole Bill; and I do not see any reason why our Government should not also do the same thing here.

Then I come to the other point—the constitution of the committee. My Honourable friend Sir Pheroze Kharegat has an idea that there should be a sort of parity between the three interests concerned—the Government, the middlemen or the merchants, and the growers. I do not agree with him. My view is that two-thirds representation should go to the growers and one-third alone should be shared between the Governments and the merchants. Under the present dispensation, it is true the merchants hold a key position. Their good will has to be won and therefore their co-operation may have to be invoked but that is no reason why so much of representation should be given to these merchants. And we are hoping that the whole of the marketing will be taken up either by the State or by co-operative organisations and in course of time we hope to succeed in that direction. If so, there will be no legitimate need at all!

[Prof. N. G. Ranga]

for any trader or any merchant to be represented on any of these committees. Well, anyhow, even in this regard Sir Pheroze Kharegat has tried to meet our point of view to some extent with the result that today this Bill comes to the House with a greater provision for peasants' representation than there had been on earlier occasions. I have only one more remark to make. We have made provision in regard to the salaries that this committee has to pay. We fixed the maximum salary at Rs. 2,000. Sir Pheroze Kharegat was not very happy about it. He thought that the men will not be willing to come for Rs. 2,000 and he wanted at least 2,500. We could not agree. We were also aware of one thing. So far as the Congress is concerned, our highest salary in the past was Rs. 500. Now, owing to inflation and other difficulties, we are prepared to go up to Rs. 1,500.

The Honourable Sir Archibald Rowlands: Plus nothing?

Prof. N. G. Ranga: Plus nothing or plus something it does not matter. The point is we are prepared to go up to Rs. 1,500. I am not quite sure what the latest position is. We have come up to Rs. 2,000 here. I am nervous about this. I think this two thousand limit is too high. For the time being we are prepared to make experiment with it. This means a warning to all the Government officials on that side, that in future they must be prepared to carry on with a maximum salary of Rs. 2,000 and no more. Two thousand is a very big sum. I was myself earning a thousand rupees a month and I know how far it would go. I knew also how much I was wasting in my unregenerate days. Therefore I can easily say Rs. 2,000 is all too high and a time may come when it will be possible for us to induce our own highly specialised technical people to come and serve us for much less than Rs. 2,000. I hope that the Committee when it comes to function will try to obtain its highest officials on salaries which will be lower than Rs. 2,000.

There has been some sort of dispute between some associations in certain cities and certain parts of the country as to why they should not be named and representation should not be given to them, and a good bit of lobbying has been carried on. Some of us found ourselves very much inconvenienced by their rival claims for representation. After having considered all their claims we came to the conclusion that it will be much better not to name any of these rival claimants for representation so far as this item (r) in clause 4 is concerned, that is, in regard to trade associations. We have made provision for four seats there and these four seats may have to be distributed as between the various oilseed trade associations. It is quite possible an association may call itself oilseeds trade association. Another association may call itself by another name but yet carry on legitimate trade in oilseeds. It is for the Government, present as well as the future, to evaluate their representative capacities and then fix the organisation which has to be given representation. If there are two organisations or more rivalling for membership, then it will be well for Government to give them representation alternatively, so that all the organisations may get representation in proper time, by rotation. No one organisation will go with a sense of grievance. I hope that the Bill as it has emerged from the Select Committee will commend itself to all members of the House and I am very happy to associate myself with this Bill.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): I was a junior partner in the Select Committee and what Prof. Ranga and Sir Pheroze Kharegat did in their combined wisdom was very convincing to us. There is one matter which I want to bring to the notice of the House and the Government. That is about the rule-making power given to the Government. This power has been in existence for a long time and I do not go so far as to say that it should be taken away from the Government but both as members of the public and as members of the legal profession we have known that this power has been a source of annoyance and tyranny in the hands of the Government, as in many cases it means a negation of the law. You know

very well what the famous jurist Lord Hewart said about delegated legislation in his 'New Despotism'. It seems to me that this is not only bad in theory but bad in practice. It may be asked why as a member of the Select Committee I did not put in a minute of dissent or give notice of an amendment. The reason is that I did not want to strike a discordant note when the Bill was passed with so much unanimity, particularly as this would raise a question of bigger policy. I did not think I would be justified in introducing that controversy in the report.

I would therefore appeal to Sir Pheroze Kharegat to consider the question of bringing the rules before the House, after the Government has framed them, for the House to pass them. This will not take much time. Unless the set of rules are more complicated than the Act itself, Government need not fear that there will be unnecessary controversy. Because a legislature which has passed a certain Bill will certainly not be acrimonious in the matter of rules unless the rules depart from the spirit of the Act itself. I would also appeal to the Honourable the Leader of the House to take up this question as a matter of policy in the Cabinet itself because it is not only in this piece of legislation that the question of rule-making power comes in, but a large number of cases are already there and a large number of Bills will come into existence and in many of them the question of rule-making power will arise and will exist. Therefore, I would expect the Members of the Executive Council to take up this question because times have changed and the people and the legislatures are becoming more and more democratic and therefore the rule which will be practically on parity with the law itself—the rules will have statutory position and status, and the practical effect of the rule will be part of the law—should be subject to the principle of legislative process before it becomes operative. I do not see any reason why the rules also shall not be subject to that legislative process. I am raising this point on this small opportunity, but I would expect the Members of the Executive Council to take up this question as a matter of policy and I hope that it will be possible for the Government to agree with me that a rule which has the effect and status of law will also be subject to the same criticism and wisdom of the House as the law itself.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, ordinarily when my Honourable friend Prof. Ranga agrees to any proposition that involves the interests of agriculturists and their products, I agree, because I feel that I am on safe ground when I say ditto to anything that Prof. Ranga says in that connection. But still, Sir, ignorant as I am of the exact implications of Bills like these, I should very much like my Honourable friend opposite to enlighten me on one or two points. First of all, if it will not be entirely irrelevant to the issue, I should very much like to know if he is quite satisfied with the working of similar other Acts that refer to other products, as we have a number of such committees working in the country. Last year we created a few, and I should like to be assured that they are working satisfactorily. I am glad, Sir, to find that the definition of a 'mill' given in this Bill is that it is a factory because when I first glanced through the Bill, I was rather frightened lest our agriculturists in the villages should have to pay any extra cess on their household productions. Any little domestic mill that crushes oil can be called a mill; but I am relieved to find that under clause 2(f) of the Bill, a mill is the same thing as a factory and I do hope that this meaning will be adhered to, and that there will be no harassment of any persons who work in the villages themselves.

Then, Sir, I also find that the word 'collector' is defined in clause 2(b). Now, Sir, a collector in my Province at least is the same person as a District Magistrate who is a very prohibiting sort of creature. I should be the last man to give any extra power to this particular functionary; and if possible I should like to take away many of the powers that he enjoys. I should like to be assured that this 'collector' as envisaged in this Bill, will not be the same person as the 'Collector' and 'District Magistrate' that we know of in the districts. I should also like to be assured that there would be absolutely no harassment in the working of clause 18 of the Bill. I am always afraid of collectors and their

[Shri Sri Prakasa]

subordinate officials being empowered to enter without notice, premises private or semi-public, and carry on investigations of all sorts. They never send responsible persons to do this work. Oil mills and factories in Benares, for instance, have had to suffer a lot of inspection under the Defence of India Rules, and I know what unnecessary harassments they had to undergo and how they could not escape persecution without adopting methods that would not be regarded as legal. I also know that many innocent persons were proceeded against for various things which they did or did not do, although I was assured, from such investigations as I could make, that they were really innocent; that the law itself was so complicated that they should have been acquitted for any ignorance or misunderstanding on their part. As things are in the country, I am extremely nervous of giving any power to small functionaries to enter premises and to carry on investigations of the sort mentioned in clause 13 of the Bill.

I know Sir, that clause 14 contains a provision that if the collector or his subordinate does something, he is liable to some punishment and some fine. I do not know of any collector in this country who has been prosecuted for anything that he has done, although I think most of them can be prosecuted every day of their lives if the law were only properly worked. In these circumstances, I should like my Honourable friend to enlighten me and other Members of the House who may also need more information, that these points will be looked into by him; that they have been looked into in the working of other similar Acts; that no harassment will be allowed to be suffered; and that no miscarriage of justice will take place; and that, as a result of the working of such Acts, real progress has been made by the industry concerned and that happiness has been brought to towns and villages alike.

Sjt. B. S. Hiray (Bombay Central Division: Non-Muhammadan Rural): Sir, I am also a Member of the Select Committee and I am glad to know that Sir Pheroze Kharegat accommodated us as much as possible. I am particularly glad to note that he has accepted my amendment to shift the cess from the oilseeds to oils. I was of opinion that if the cess was to be collected from oilseeds it would have been shifted to the growers and hence the suggestion was made; and I am glad to know that it has been accepted. This Act, Sir, if properly worked out, I am quite certain, will do much good to the growers as well as to the traders. The most important section of this Act is the constitution of the committee and therein we find that most of the members nominated or recommended by Provincial Governments are to form the committee. In this respect, I should like to tell that the representatives of growers to be recommended by the Provincial Governments should be the nominees of the Growers Association. I want to see that Growers Associations are formed more and more in various Provinces. The growers have not yet organised themselves as much as the traders or other intelligent classes have organised themselves. Hence it is my request that institutions like co-operative societies, taluk development associations, multi-purpose societies, etc., in which growers are particularly interested should be consulted and representation should be given to them. On various occasions we find that though a representative of growers is to be taken some one who does not know anything about the growers or their conditions is taken. That is not proper and I hope such things will not happen and real representation will be given to the growers. The Central Government also has been given large powers in selecting many of the members of this committee. I trust that the Central Government will select the best men for the purpose. In this respect it may be said that various associations of the merchants or traders may press their claims, but we find that if proper sifting is done and—as suggested by Prof. Ranga—proper scrutiny is made, and if in such cases also the Provinces concerned are consulted, the work of the Central Government will be much less heavy. Hence I should like to recommend that whenever a representative of traders or merchants is to be taken into the committee the Provincial Government concerned should also be consulted so that there may be proper representation.

Another thing I should like to say is this. The work of the committee is such that any conclusions that they may come to should be made widely known to the growers. We find that the results of many researches are not known to the people concerned; for instance, with reference to the Imperial Cotton Committee the good seeds of the committee are not available to the growers. It should not happen that even if research gives good results the growers should not benefit by it. The growers are all illiterate people and the results of research should be carried to their homes. Therefore I should like research to be carried on by this committee and at the same time the results of the research taken to the growers' door.

My last point is this. In clause 3(a) we find the words "whether the oilseeds are produced or imported from outside British India". I think these words are redundant and should be done away with. They do not throw any light at all on the clause and should go.

Sir, I support the Bill.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I am one of those who like Prof. Ranga were agitating for a measure of this kind. But though, as he said, it does not meet our requirements we still welcome it as a piece of legislation of which the working is to be seen in practice. The Honourable Member in charge of this Bill said that the finances which are allowed under it may not be sufficient and he may perhaps be obliged to come before this House for an increase in the rates; and what I was able to gather from what he said was that he would request only an increase under clause 3 (a), because he said that exports are going to be very negligible and any increase therein would not meet the demand. So the only increase will be on oil extracted from oilseeds crushed in British India. I am afraid this will be prejudicial to the industry, not only to the oil miller but also to the grower of the seeds. If the Honourable Member finds that he is short of funds he should apply to the Finance Department and get whatever he wants, i.e., the balance over and above the cess that is being collected for the utilisation of this fund.

The next thing I want to say is this. The President of the committee is to be the Vice-Chairman of the Imperial Council of Agricultural Research. This morning in reply to a question the Secretary of the Agriculture Department stated that the term of the present Vice-Chairman of the Council is to be extended, or has been decided to be extended by two years. If I had known this I would have put in an amendment to this; but it was very late and I thought the Honourable Member would not accept any amendment given after 12 o'clock this morning. Somehow or other this Government has been laying down qualifications for officers of this kind which would exclude all Indians from getting any of these jobs. The other day the Food Secretary was giving an answer about jobs in his Department. The Regional Controller, the Director of Supplies, the Director of Rationing,—the qualifications prescribed for these high jobs have been prescribed in such a way as to exclude all the available Indian material and provide only for Englishmen and men returning from military service. As a matter of fact this morning I wanted to put a question to the Honourable Member whether these qualifications have been prescribed only with a view to exclude Indians from getting any of these posts. I would request my Honourable friend to amend clause 7 so as to enable Indians with high qualifications to occupy that post.

Then clause 9 states the purposes to which the fund is to be applied. What is being done in this Department is this. From the reports I find that in every page you find only Latin words; we do not know what the meaning of those words are, and these reports are always in the English language. The people who are to be benefited by these do not know English. I would therefore request that provision be made for translating these reports into the various provincial languages and make them cheap and easily available to those for whose benefit they are intended. And all Latin names should be avoided; I am not able to pronounce them and I do not know how to spell them. I do not know why this Latin should be continued in this country where we do not want even the

[Sri R. Venkatasubba Reddiar]

English language but insist on our own national language. I cannot understand why this system is being continued.

My Honourable friend Mr. Sri Prakasa laid stress on the undesirability of entrusting the powers to the Collector. All this work is entrusted to the Revenue Department of which the Collector is the head; any new measure is given to them for being worked out. We know how slowly they work. The system of issuing ration cards is entrusted to the Revenue Department; and then if you apply for a permit to take rations outside it comes very late, so that when it reaches us it is not at all useful. If we want something to be done there is no use going to them; their work is heavy and they do not find sufficient time to attend to our needs or demands.

Then the inspection of the mills is to be done by the Collector or some one empowered by him, during the working hours. Now in our own district we find that on account of the deficiency in electric supply and other reasons almost all the mills are working at night, from 8 to 10 or from 10 to 1 or 2 o'clock in the morning. I do not know whether it would enable these officers to go even in those hours because it only says 'working hours'. You cannot expect anybody there who is responsible to keep the figures. If the mills are to work, they can be worked with the assistance of those mechanics who are there and who will not be responsible for keeping any of these accounts. The man who is in charge of accounts will not be found at night. I would like to have this point clarified.

With these observations, Sir, I commend the Bill as it has come from the Select Committee for the acceptance of this House.

Mr. Leslie Gwilt (Bombay: European): Sir, when I spoke on the motion to refer this Bill to a Select Committee. I made mention of the fact, as I did when speaking on the same motion in the last Session, that unless the cess is levied on oil entering British India from the States, a substantial amount of revenue will be lost to Government. I was glad, therefore, Sir, to hear my Honourable friend, Sir Pheroze Kharegat, say that Government proposed to wait until the Bill is passed and then approach the States and seek their co-operation to the extent of applying the same levy as is made in British India. That, Sir, is a perfectly fair proposal on their part for not only is there a representative of the States a Member of the Oilseeds Committee, but of course, the States will participate in the benefits of research, etc.

As my Honourable friend the mover has pointed out, the Select Committee in their wisdom have substituted the levy of the cess from 'nuts entering' to 'oil leaving' the factory and they have reduced the cess from two annas to one anna. I understand, the percentage of extraction of oil from groundnuts is something less than 40 per cent. of the weight of the nuts, so that in effect the cess has been reduced from two annas to about five pies. My Honourable friend, Sir Pheroze Kharegat, gave a timely warning that the cess may well need, in view of this, to be raised in order to provide sufficient money in the funds, for, as he has shown, there has been a reduction from 13½ lakhs tons in 1939 of exports to virtually a complete embargo today. I am not at all sure that it is wise to impose a further and compensating two annas cess on exports which is in addition to the half per cent. cess already in being on the export of nuts. On the face of it is a small amount but it may, in days to come—and I am speaking of days to come and not the present days of scarcity—provide just that margin, which will hamper competition in the world markets.

I have just one more point. The Committee now, I think, consists of 61 members. I do not know how it will function, but I think, I can assure the Chairman, whoever he would be, that if Prof. Ranga is on the Committee he need hardly take any notice of any one else! I served on the Select Committee, and I feel, Sir, that if on no other occasion, Prof. Ranga then definitely gained for himself the reputation of 'The Oilseeds King' and he seemed to confirm

that in his speech when he said that 'we' approve the Bill. No doubt he was using the regal WE.

Prof. N. G. Ranga: It was not Royal WE!

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): It was Ranga WE!

Mr. Leslie Gwilt: Subject to what I have said, I support the motion.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): Sir, I support the motion wholeheartedly. I have only one observation to make, and that is a question I want to ask any member who was on the Select Committee. The answer to that will help me in deciding whether I should move the amendment notice of which, I admit, was given very late. I am referring to clause 4, sub-clause (s). This provides for representation for Members of this Legislature on the Committee. We had such committees previously for coconuts and for tobacco. Both those Acts provided that the Members elected from this Honourable House should be elected members from among their own number; that the members elected should be elected members and that they should be elected by elected members. I remember, Sir, when this Bill was before this Honourable House last time and when it was not certain whether this will go to a Select Committee, I had put in an amendment to this effect. I do not know whether the Select Committee considered this or not, or whether after considering it they rejected the idea. If this is so, then I would not like to go against the unanimous decision of the Select Committee. I would therefore like to be enlightened on this particular point. On the whole I give my wholehearted support to this motion.

Sir Pheroze Kharegat: I will first deal with a point raised by my Honourable friend, Mr. Sri Prakasa, as regards the working of similar committees elsewhere. The Indian Central Cotton Committee has been in existence now for about twenty years and in that period as a result of its activities the acreage under long staple cotton has doubled itself. When they started their work long-staple cotton covered only one-third of the total area. Within this period long-staple cotton now covers three-fourths of the area and the probability is that in another few years we will have replaced all the short-staple by long-staple.

[At this stage, Mr. President vacated the Chair, which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

That is just one instance of the type of work that is done by these Committees. As far as I am aware, every one of these Committees has been doing excellent work. But in connection with agriculture it has to be borne in mind that it takes a number of years before a new variety can be evolved, and, therefore, one does not see the results at once but if you look over a long period it is found that a great deal has already been done.

The same remark, in a different form, would apply to his other question. The Cotton Committee Act provides for the Collectors collecting the cess. In these twenty years has anyone had any complaint from any cotton mill that there has been any harassment? Exactly similar is the case of clause 13 about which so much concern has been expressed; it follows almost word for word what is provided in the Cotton Act. It has been administered as such for twenty years and there have been no complaints, and I am hoping that in future there will also be no complaints. But undoubtedly care will have to be taken, as suggested by the Honourable Member, to ensure that low-paid officers are not sent out to do this work, and the work is put in charge of responsible gazetted officers. Mr. Sanyal referred to the question of rules. These rules are not rules of the D.I.R. variety. Moreover, it is provided that these rules will be framed by the Committee itself in the first instance. Therefore what will happen will be that these rules will be framed in consultation with a large non-official body and those are the rules that will be finally accepted by Government. Therefore, there need be no fear that Government will exercise arbitrary powers and impose undesirable rules in this connection.

Mr. Sasanka Sekhar Sanyal: Is there anything in the Bill itself which makes it obligatory on the part of Government to consult either the Committee or a non-official body before the rules are framed.

Sir Pheroze Kharegat: There is nothing in the Bill but the practice has always been that these rules are framed in consultation with the Committee. In fact, they are framed first by the Committee and they come up to Government for confirmation.

It was said that the Committee should work for the benefit of the agriculturist and the results of research should be made available to the agriculturist. With that of course I wholeheartedly agree and as I mentioned in reply to a question sometime ago, Government have recently appointed a special staff for translating some of these publications into Urdu and Hindi and we have asked Provincial Governments to make further translations into their own provincial languages.

As regards the use of Latin names, there is just this little difficulty that for technical reasons all plants are referred to in scientific publications by their Latin names in order to distinguish them from other plants in accordance with the scientific classification that has been adopted all over the world, and it is simply for the benefit of the scientist that these Latin names are sometimes given in brackets in order that there may be no confusion as to what exactly is the plant that is meant. The term groundnuts would probably cover two or three different types of plants, and the scientists wish to know which of those types is really intended and meant. That is the only object of using these names.

In making the nominations, or rather appointments, undoubtedly Government will have to act in consultation with Associations of Growers in the one case and the Trade in the other. If there are Co-operative Associations, they will also doubtless be consulted by the Provincial Governments. Now that popular Governments have come into the Provinces, or at least in most Provinces, there need be no apprehension that the nominees of the Provincial Governments will be persons who are not representative of the growers actually.

Prof. N. G. Ranga: The question of finance!

Sir Pheroze Kharegat: As regards the funds of the Committee, the position, as I have said, is not very clear and there may be some difficulty. But I understand, and I am authorised to state that the Honourable the Finance Member is extremely sympathetic to all these cases of funds for research, and will be prepared to consider any applications if and when they are made.

A suggestion made by Prof. Ranga that if there is more than one association they should be given alternate representation, will be borne in mind when making these selections.

There is only one other point I think, and that is as regards the size of the Committee. It has been said—I think it was Mr. Gwilt who asked the question as to how a Committee of sixty-one members is going to function. In actual practice what all these Committees do is that they split up into sub-committees. They appoint sub-committee for finance, a sub-committee for agricultural work, a sub-committee for technological work, a sub-committee for marketing work, a sub-committee for statistics and so on, and the greater part of the work is done by these sub-committees and the recommendations of these sub-committees then come up before the main Committee which confirms them or modifies them occasionally.

Mr. Leslie Gwilt: A main committee of sixty-one!

Sir Pheroze Kharegat: That is the main Committee but as most of the work has already been done, there is very little for the main Committee to do except to confirm, or occasionally to modify some of the particular items.

I think, Sir, that covers all the points that have been raised.

As regards Mr. Ishaq Seth's question this particular item was not considered specifically by the Select Committee.

Prof. N. G. Ranga: Therefore it can be taken up now.

Sir Pheroze Kharegat: I have no objection if Honourable Members feel that this amendment should be taken up.

Sri R. Venkatasubba Reddiar: What about the President? There has to be an amendment about the President.

Sir Pheroze Kharegat: I am afraid it is too late to make that sort of amendment; and after all most of the work of these Committees is done locally by the Vice-President and the main function of the President is to preside at certain meetings and I think we may leave things as they are for the present.

Mr. Deputy President: The question is:

"That the Bill to provide for the creation of a fund to be expended by a Committee specially constituted for the improvement and development of the cultivation and marketing to oilseeds and of the production, manufacture and marketing of oilseeds products as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Mr. Deputy President: Clause 4.

Haji Abdus Sattar Haji Ishaq Seth: I have an amendment in this connection.

Mr. Deputy President: The Honourable Member Ishaq Seth has given notice of an amendment. Does the House give him the permission? If there is no objection, the Honourable Member can now move his amendment.

Haji Abdus Sattar Haji Ishaq Seth: Sir, I move:

"That in sub-clause (s) of Clause 4 of the Bill, before the word 'members' in line 3, the word 'elected' be inserted and the following be added at the end: 'from among their number'."

What my amendment seeks to provide is that out of the six members who represent the two Houses of the legislature, the four that are allotted to this House should be elected by the elected members of this House from among their own number. The sub-clause provides that these members are to represent the consumers of oilseed products. I do not say that the nominated members do not and cannot represent them but in the very nature of things the elected members are really the representatives of the public, including the consumers and therefore for the purpose of satisfying the need to have their representatives I think the only way to ensure that is to get them from among the elected members. I have precedents in support of this position. As I mentioned in my observation on the previous motion two acts of this legislature which constituted committees for Coconut and Tobacco have identical provisions, which are in conformity with my amendment. I therefore suggest that the membership allotted to this House should be confined to the elected members. By this I certainly mean no derogation to the nominated members. I am moving this amendment just in conformity with the previous legislation of the same character.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): Why from among their own numbers?

Mr. Deputy President: Amendment moved:

"That in sub-clause (s) of Clause 4 of the Bill, before the word 'members' in line 3, the word 'elected' be inserted and the following be added at the end:

'from among their number'."

Mr. Leslie Gwilt: It is not often that I do not see eye to eye with my Honourable friend the Mover but I, as an elected member, oppose this amendment on the ground that the House as now constituted contains a number of nominated members, those members should have the rights of the remainder. I have to emphasise that I am an elected member, and though there may

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have been precedents in the past, the fact remains that they were wrong ones. On these grounds I oppose this motion.

Prof. N. G. Ranga: Sir, I cannot agree with my Honourable friend. I agree with this amendment. I should rather apologise to my Honourable friend Mr. Ishaq Seth that we on the Select Committee who should have thought of it, did not think of it. This is a very good amendment and I do not know why my Honourable friend wishes to oppose it. Certainly there are some members who are nominated and for whom I have a lot of respect. One or two are obliged to be nominated, because this present constitution does not provide any chance for them to come here in their representative capacity. But it is neither our fault nor their fault. We are working under a dispensation by which we are obliged to have the present arrangement. At the same time, after all apart from these three or four people who have a representative capacity or who can assert their representative capacity in any other legislature or in any other more democratic dispensation there are the other members who cannot really lay claim to any representative capacity. We do not want the people who have to be elected on behalf of this House to have to approach or to have to depend for their election upon those gentlemen who really do not have any representative capacity except that representative capacity which the British Government confers on them. I do not wish to make any disparaging remarks about the nominated members. But look at some of these nominated members. Four days ago there used to be a member called Mr. Greenfield and today he is not here, he has been translated to the other House. My Honourable friend Sir Ramaswami Mudaliar who is as good a member to be in this House if there is to be another dispensation as anyone of us, really came here the other day and took the oath of allegiance. Two or three months hence he will be taken away to some other country and when he comes back he will have to take another oath of allegiance. This is the sort of nominated members we have here. They are like actors on the stage or like cinema stars. Some of them are soloists who show themselves in five or six different characters in the same day. Once with a beard, another time without any beard at all, sometimes with a bald head, and sometimes with a bullet head and so on. I do not think that I have to say anything more in support of the motion that only elected members shall be given this privilege or opportunity of electing their representatives to come and function here on this committee as representatives of the people of this country and not the nominated members. So far as those three or four members who have no other chance of coming here except as nominated members but who at the same time have some people behind them are concerned I can only express my sympathy for the time being and request them to wait for a short while, when they will also or people like them will also have a chance of sitting in a legislature like this in their representative capacity.

Mr. Deputy President: The question is:

"That in sub-clause (a) of Clause 4 of the Bill before the word 'members' in line 3, the word 'elected' be inserted and the following be added at the end:

'from among their number'."

The motion was adopted.

Mr. Leslie Gwilt: Sir, I have one point to make with regard to this clause. The Select Committee reduced the representatives of the Vanaspati industry from two to one. In that I do not think they were wise. I know that there is a considerable amount of objection or prejudice in certain quarters to vegetable vanaspati, which is an excellent cooking medium. I feel that the industry is likely to provide a considerable amount of technical and possibly scientific knowledge and as I said the Committee was not wise in cutting down the personnel from two to one. I hope, Sir, that at some future date the committee will take cognisance of what I have said on this particular point and will consider restoring the one which the Select Committee has reduced.

Mr. Deputy President: The question is:

"That clause 4 as amended stand part of the Bill."

The motion was adopted.

Clause 4 as amended was added to the Bill.

Clauses 5 to 19 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill

Sir Pheroze Kharegat: I move:

"That the Bill as amended be passed."

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadian): Can it be done, Sir? Unless you suspend the rule the third reading cannot be done on the same day.

Mr. Deputy President: If the House is unanimous I will have no hesitation in suspending the rule.

Sri M. Ananthasayanam Ayyangar: Let it be asked.

Diwan Bahadur Sir A. Ramaswami Mudaliar: It is within the power of the Chair to suspend the rule and to allow the third reading of the Bill to be taken up immediately. I request, the amendment passed not being of such a nature as to require a review of the entire Bill, that you do suspend the rule and allow the third reading to be taken up.

Mr. Deputy President: I think the amendment is not of a very vital nature and I suspend the Standing Order.

Motion moved:

"That the Bill as amended be passed."

Prof. N. G. Ranga: Sir, I have to follow up the remarks of my Honourable friend, Mr. Reddy, when he took objection to the Vice-Chairman of the Imperial Council of Agricultural Research being made the President of the Committee. I sincerely hope that at the earliest possible moment my Honourable friend Sir Pheroze Kharegat will take steps to amend this so that it may be possible for this Committee to have its own non-official Presidents or at least an official President who will not be the Vice-President of the Imperial Council and whose hands will be freer to deal with the affairs of this Committee. I know it for a fact that this Vice-President has to preside over so many Committees that are being constituted by this House as well as by the I.C.A.R. that he really does not have sufficient time to study the questions that come up before these Committees. I do not wish to say anything more because the present Vice-Chairman is not very popular with us as I have made clear at question time this morning and we are sorry that the Government has given extensions to this gentleman. I sincerely hope that in their dispensation it may not be impossible for us to have an equally efficient, able and more popular Indian officer as the Vice-Chairman of the I.C.A.R.

The only other point I want to make is this. We have made provision in this for growers' associations and in defining the phrase "approved growers' association" we have said that it is an association of growers approved by resolution of the Committee for the purposes of clause (g) of section 4. I wish to say that it is the duty of every well-wisher of growers of oilseeds as well as growers of all other agricultural produce to organize our people not only as a whole as kisan congresses but also into various commodity organizations. My Honourable friend Mr. Hiray stated that those organizations are not there just at present and therefore other organizations may have to be consulted. May I venture to make an appeal to the members of this House, and through them to others outside? It is the duty of all of us, members here as well as outsiders to try to help our peasants to organize themselves. For a very long time this Government has been neglecting its own duty in this regard. In England, for instance, Government has gone out of its way to help the

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sh farmers to organize themselves more and more strongly. The British Government recognizes farmers' associations in England, takes them into consideration on every possible occasion and pays heed to their advice. Here our Government has not been doing it. Only recently they have just taken it in hand and they are still hesitating whether they should proceed much further than what they have done. So far as industrial workers are concerned, our Government has certainly taken various steps like passing the Indian Trade Unions Act, and have encouraged that labour to organize itself. My Honourable friend, Dr. Ambedkar, shakes his head. He is an extraordinary gentleman. He forgets in the evening what he has done in the morning. Only this morning he introduced a Bill for the welfare of Mica workers. Provision has been made therein for equal representation for employers as well as employees. Why has he made this provision? This is because workers have to be encouraged to organize themselves. I am going to move a lot of useful amendments in regard to that. He has done that because Government has taken special steps to help those workers to organize themselves. Government has shown very great partiality for industrial labour because they are afraid of it. They are smaller people and they have come to be organized. There have been political parties who have come to help them. I suggest that Government should take the earliest possible steps to help our peasants to organize themselves and also to help all of us in our effort to organize our peasants. In this regard I suggest that Government should not try to get round this particular provision by simply saying that they have consulted a village panchayat or a co-operative society or taluk development organisation which was brought into existence by some of the Provincial Governments, or any such thing. They ought to take into consideration *bona fide* growers' organisations and consult them, take their advice and see to it that this Committee becomes a really representative Committee of growers as well as others. I know that on so many occasions, although the Government said that they were anxious to bring in the real representatives of the people, in actual practice they avoided doing so. I do not wish to give any more details now. I only wish to express this hope that the Government will do their best to see that growers are given their legitimate, real, effective and hundred per cent representation on this Committee in the manner it has been intended and not circumvent it in any way.

Mr. Deputy President: The question is:

"That the Bill as amended be passed."

The motion was adopted.

FACTORIES (AMENDMENT) BILL

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

"That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration."

I do not think it is necessary at this stage for me to make any very lengthy observations on the Bill as it has emerged from the Select Committee. The Bill had originally seven clauses. Out of the seven clauses it is only four clauses to which the Select Committee have made certain amendments. Those amendments are largely speaking in the direction of liberalising the original provisions contained in the Bill in favour of the workmen. Although I find that some of the amendments made in the Select Committee to the original draft of the Bill have gone somewhat beyond the intentions of the Government, I do not propose to raise any objections to the Bill as it has emerged from the Select Committee. I am prepared to accept it in the form in which it now stands. Sir, I move.

Mr. Deputy President: Motion moved:

"That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration."

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadian Kural): I am glad to associate myself with the Bill as it has emerged from the Select Committee. I know that there are some of us who are rather unhappy because they think that we have gone a bit too far. But as the Government is a present constituted, it can be seen that the Government certainly does not think only of the labour: it also thinks of capitalists; it does not think only of workers who are working in the factories but also of the employers as well as the administration. Therefore if Government has come to see eye to eye with us, it must mean that really not only the workers but also the capitalist are properly looked after, so far as these provisions are concerned. After all what is it that we have asked for? So far as overtime is concerned, the original Bill provided only for $1\frac{1}{2}$ times, as compensation for the additional exertion that workers have to put in. We only suggested that it should be raised to two times. Is that too much? I hope that those friends of ours who are not free to say 'yes' to us because of the special mandates they may have received, will be able to feel that after all we are not so unreasonable although we may not be able to agree with them.

I need not say anything more at this stage. My Honourable friend Dr. Ambedkar, I must say, has, certainly contrary to my expectations, tried to be as conservative, as he possibly could in order that he might please not only himself but also his colleagues and the whole of the Executive Council.

Mr. Vadilal Lalubhai (Ahmedabad Millowners' Association: Indian Commerce): Sir, at the outset let me tell this House that the industrialists in this country have agreed to a 48-hour week. (Interruption) Yes, we have. We all in this country feel that the time has come when there should be a 48 hour week. In the Labour Conference that was held last year, our representatives said also that there should be a 48 hour week. At the same time they also sounded a note of warning that if you do it at present for all industries, we are in for trouble; and I specially refer to the textile industry. Today there is a shortage of cloth as we all know: there is a famine of cloth. That is why in that conference the industrialists said that so far as the textile industry is concerned, we should see that we do not rush things and get into a position where we may have to lose considerable production, if we pass this 48 hour week for the textile industry, at this stage.

I will just come to the position as to the 48 hours week in this present Bill with the exemption as stated therein. Originally in the 7th Labour Conference the Government proposed a 48 hour week and said that it would help in running three shifts—especially in the textile industry. We are all aware of the fact that there is a shortage of labour in this country today, and especially in the textile industry. Last year we had a huge fall in production only because of this one fact that there is no sufficient trained labour available. Many looms and spindles are going idle, and that is how the production in the industry is not what it ought to have been. At this time if we start off with certain ideals which may not be fulfilled, I feel a time will come when we would repent of having all of a sudden hurried to the conclusion of a 48 hour week for the textile industry. In the Bill that was drafted as a departmental Bill, the Honourable Labour Member went for a 48 hour week for all kinds of industry. I do not understand what has happened between this draft departmental Bill and the present Bill as it is that an exemption has been sought to be granted for certain industries, that they may be allowed to work 54 hours a week for not more than six months at a time, if the Provincial Government thinks it fit in the public interest. If we go through the Statement of Objects and Reasons we find these words in para. 3:

"Exemptions granted during the war by which certain factories were permitted to work beyond the limits fixed in section 34 will have to continue for some time in a few cases, e.g.,

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in the textile industry, for so long as there is a cloth shortage in the country. The amendment proposed in section 44 will achieve this objects when such exemptions are required in the public interest."

Mark the words "will have to continue for some time, and specially for the textile industry." The Government does say that you will have to grant exemption for the textile industry; but the Government does not feel that it ought to do it here—I shall come to that later. Thus it is a certainty that exemption will have to be given. In that case it would have been fair and honest to have given that exemption here and not to have left it to the provinces. We know how difficult it is, to make labour organisations realise the public situation and to work more, even in the public interest. We know that the Defence of India Rules provide that in this emergency, when there was cloth shortage, the textile mills should work ten hours and not nine. Did any mills work ten hours instead of nine? What is the statutory position today? Practically ten hours work period. So it is not easy even if you grant exemption, even if you want to work more, it is not possible to work more. The labour organisations will certainly object to it; and the result will be that you will have to work 8 hours a day. As we say, we are prepared for 8 hour a day, in the textile industry also; but let it not be said that we did not draw your attention to the harm that this 8 hour a day is going to do under the present circumstances. If from 9 hours you make it 8 hours immediately, I say the provision for exemption is going to be of no use to you. It will not be easy for the Provincial Governments to grant this exemption. There are going to be labour troubles if they are going to grant these exemptions. It is better here and now that we look to it and see that the textile industry runs smoothly and in a way that it can supply more cloth to the public who are starving for want of cloth. Just as I gave you the example of the D. I. R. rules about ten hours, not being followed, similarly the exemption now is not going to be followed. If we work 8 hours, the result is going to be 10 per cent. less production not only in cloth but also in yarn. Theoretically it would be 11 per cent; but now the industry is so well organised that in case you reduce it from 9 to 8 hours there is not going to be any more increase in production owing to increased efficiency than say half a per cent. or three-quarters of a per cent; but thus there will be a ten per cent. reduction in the production. What does 10 per cent. amount to? It comes to 600 million yards of cloth. Can we afford to lose that amount of cloth today? Are we prepared to take that responsibility here and divest the country of this extra production? Rather we should devise all means that are humanly possible to increase production by hundreds of millions of yards. Let me tell you that this Bill if passed just now as it is will only do this, that after six months we will feel that we have made a huge mistake and we ought not to have passed this Bill and the results would thus be very disastrous. At present the distribution system of cloth is coming to a high level. There was lot of disturbance in the distribution side. There was lot of disturbance in the production side of the cloth. Slowly and slowly all these things are being mended. We should devise ways and means to see that we have more production than at present and we must do all we can to see that we have more production.

Now, Sir, coming to the difference between the Bill as drafted as departmental Bill and the present Bill; how is it that the change has come about. I feel that the Government must have felt and has felt that cloth production is in danger and that is why they have put in this exemption clause. I do not know how it is going to satisfy the Industries Department of the Government. I also warn the Industries Department of the Government of India that if they want this Bill let them also take the responsibility of cloth famine which is going to come. So far as the production side of the question is concerned, I hope my remarks will not be misunderstood. I do not mind if people misunderstand but it is not a question of understanding or misunderstanding but this is going to be the result. I have given notice of certain amendments. There are two points which I would refer to about the spread over. It is said that we should try three shifts. With the present labour shortage it is not

possible today. We should see that it is made possible later on and to make it possible a certain time limit ought to be given to the textile industry and then we should say that you ought to be able to train up enough labour and by that time if you don't train up, it will be your fault. It will not be Government's. If enough labour is trained up, slowly and slowly three shifts will be coming up and if that happens then naturally you will have more production. That is the way you should go and not the way suggested in the present Bill.

There is another thing about what my friend Prof. Ranga suggested about the over time payment from 1½ to 2 times. I do not mind paying but I would ask my Honourable friend who represents labour, Mr. Guruswami, whether it is going to help labour to have this twice overtime rate. I say it is impossible to work the industry economically with twice the overtime rate and so what will happen is that the overtime would be reduced to a nullity. That will be a small difficulty for the industry but it is going to be a greater difficulty for labour. The difficulty will be this. Labour is getting a little overtime now and that is going to be stopped by making this provision. Will it be possible that they get this extra payment? I do not think so and I hope my friend Mr. Guruswami will say whether he believes in it, or my friend Dr. Ambedkar; but so far as the money side is concerned I have agreed to it and I do agree to it and that is why I have not moved any amendment.

Mr. S. Guruswami (Nominated Non-Official): I had not intended to participate in this debate in order to facilitate the easy passage of the Bill but in view of the remarks that have fallen from my Honourable friend, Mr. Vadilal Lallubhai, I want to say a few words.

I am constrained to say that labour took an extremely compromising attitude in this matter. We wanted to co-operate with other interests to see that all are treated fairly. If the recommendations of the Bhore Report are read carefully the standard week prescribed by the report is for India a 45 hour week but we have accepted 48. Organised labour as represented by the All-India Trade Union Congress has demanded 44 hour week but we accepted 48 hours. The All-India Railway Men's Federation on the basis of the actual practice prevailing in a big workshop at Lillooah demanded 42 hour week but we have accepted 48 hour week. What is the intention? Our intention was to get a compromise but the capitalists will never be satisfied with any amount of compromises that the workers offer. The intention in prescribing double overtime was to discourage overtime and encourage more employment. We do not want to earn money by over time work. Workers want a reasonable standard of the basic wages to which the workers are entitled and that is why we have prescribed on the basis of the practice that is prevailing in certain countries that overtime should be double the normal time rate in order to discourage overtime and encourage more employment. My friend conjured up visions of production being affected by the passage of the Bill. This is an old story. Whenever legislative attempts are made to reduce the working hours, the capitalists have been making this kind of objection in order to delay the introduction of the measures. 48 hour week was a reasonable proposition at one time but it is an out of date proposition today. It should be 42 hour week and we have agreed to 48. I expect the capitalist members to realise that we have made a compromise and whatever individual objections are made in regard to the details of the Bill, we are going to see that the Bill as it has emerged from the Select Committee is passed without any amendment. With these words, I will support the Bill as it has been presented to the House.

I want to say another thing. There is the question of spread over. I raised the question, even if we agree to 40 hours week, by providing loopholes in the spread over you can sabotage that legislation. In the Select Committee, we reached a fair compromise. I see that two members of the Congress Party have tabled amendments. I take it that these amendments represent only the individual views of the members who have tabled those amendments and I do hope that in spite of the amendments that have been tabled by two

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members of that party, we will have the fullest co-operation of all the popular representatives in securing the easy passage of this Bill. With these words, I again lend my support.

Sjt. N. V. Gadgil (Bombay Central Division, Non-Muhammadan Rural): I want to say few words on this Bill. Before I proceed I want to make one thing clear, that we are anxious to pass this Bill as recommended by the Select Committee and I want to assure my friend Mr. Guruswami that that is the attitude of the Congress Party. It is not that we have taken this attitude today but it has been clearly stated in the Congress election manifesto. Now in the Select Committee some of us wanted to go further and as has been stated by Mr. Guruswami there were some who wanted to reduce maximum hours of work to 40, 42 or 44. Labour organisations all over the country really want further reduction. Not only they approve of this 48 hours week, but if possible they want to reduce the maximum working hours to 42, some to 40 and some to 44 a week. So, we are all of the same mind but the difficulty today is this. This Government, in spite of the Honourable Dr. Ambedkar is a capitalist Government and it may not like to walk all the distance that some of us may like to cover. Therefore to strike a middle course this 48 hours week was accepted and as has been said by my Honourable friend Mr. Vadilal Lallubhai even the industries have accepted it. The capitalists always accept everything in theory, but when it comes to practice, they always present us with an array of difficulties created by themselves alone. Now, Sir, if we reduce the week further than 48 hours, it is just possible that employers may reduce the wages. Therefore, my point of view in the Select Committee was and is now that unless minimum wage legislation is undertaken by the Government and passed, it will not be in the interest of labour to further reduce the maximum hours of working. I understand some such legislation is now in the offing and it will be certainly welcome. Now, Sir, some difficulties have been pointed out by my Honourable friend Mr. Vadilal Lallubhai, more especially in connection with that industry in which he is mostly interested and of which he is the accredited representative here in the House. He has sounded a note of warning, but we are not afraid of such warnings. If during the last six years, any industry has profited at the cost of the poor most it is the textile industry. Personal friendship, apart, I want to state very clearly that the textile industry is the one industry which has kept three-fourths of the Indian population half clothed during the last three or four years, . . .

An Honourable Member: And you want to reduce it still further.

Sjt. N. V. Gadgil: I am agreeable. He wants to say that you may have these 48 hours a week in all industries except the textile and the special plea is that if this Bill is accepted, there will be shortage of cloth to the extent of one-tenth.

Mr. Vadilal Lallubhai: I did not say so.

Sjt. N. V. Gadgil: I heard it all right. I make no mistake about it. Now, Sir, this shortage he has worked out to about 11 per cent. But this Bill provides in clause 5 what he really wants. If there are circumstances which warrant that exemptions should be given not only to this industry or other industries for the matter of that, any industry, in public interest, then that clause is there. That proviso is there in clause 5 of the Bill which states:

"Provided that if in the opinion of the Provincial Government the public interest so requires, the Provincial Government may from time to time by notification in the official Gazette, extend the operation of any such order for such period, not exceeding six months at any one time as may be specified in the notification".

I think, Sir, this power is much larger than what is contained in the Defence of India Act. I agree with my Honourable friend Prof. Ranga that it is too much. Under the Defence of India Act the power is there as long as the war lasts and six months thereafter. Now, Sir, in this proviso the power given to the Provincial Government is not only when war is there but if public

interest requires such exemption, then the Provincial Government certainly can exempt it six months at a time, then another six months, and in this way it can be renewed, and there is no limit to such renewals, it may be twice, thrice, four times, in fact till the Greek Kalends. Why should my Honourable friend Mr. Vadilal Lallubhai feel that when this provision is there, it is not sufficient to cover all the circumstances and contingencies which he has stated today before this House. He says, I shall see it within six months. What I am able to gather from his arguments is this that Provincial Governments will not be able to invite the operation of this proviso because there will be so much pressure from labour, I think he has a poor opinion of the Provincial Governments that are coming into existence. The Provincial Governments will certainly take the labour view point into consideration as well as public interest and if on a fair consideration of both, the Provincial Government thinks that it is in the higher public interest that the operation of this proviso should be invited, I think they will boldly and firmly do it.

Mr. Vadilal Lallubhai: That is all vague.

Sjt. N. V. Gadgil: Then, Sir, he said that this Bill should be passed but its operation should be delayed by a few months or by a couple of years. I think that if it is done, then it means that this Bill is passed and it remains on the statute book without its being brought into operation at all. There may be many Provinces which are willing to bring it into operation immediately. Why should we by delaying the bringing into operation of this legislation prevent such advanced provinces from bringing into operation such of the provisions as are contained in this legislation. I submit, Sir, that this proviso to clause 5 is quite sufficient and in fact more than sufficient to cover, as I said, all the circumstances which according to my Honourable friend would necessitate the working of 48 hours week not to be brought into operation immediately. Then, Sir, he referred to another point, namely the payment to labourers. He said that he was agreeable to this because he was in agreement with it in the Select Committee. But he warned that the labourers themselves might not be profited by this provision. He stated that there was shortage of cloth, therefore the working week should be even sixty hours, I want to say that we do not want to be clothed by exploiting labour. Our comforts should not be based on want of satisfactory working conditions for labourers. I am prepared to cut my clothing needs by not only one-tenth but by one fifth and if most of us follow Mahatma Gandhi then the cut will be nearly 50 per cent, but under no circumstances should we agree to the suggestion that mills should be allowed to work for 60 hours or more under the pretext that there is shortage of cloth. If the whole industry is nationalised and handed over to the country, if Mr. Vadilal Lallubhai and his friends are prepared to do that, then there is some moral justification for us to approach labour to agree for 60 hours week because of the benefit that will inure to you and to us, all.

The Assembly then adjourned till eleven of the clock, on Thursday, the 4th April 1946.

those whose service was local and whose contract provided for discharge at short notice.

(d) There are at present 33 British Service Nursing officers and 19 British V. A. D. in the Combined Military Hospital at Dehra Dun.

(e) The total number of nursing personnel serving in India Command as on 9th March 1946 is:

Q. A. I. M. N. S.	2,491
I. M. N. S.	525
Auxiliary Nursing Service	1,591
British V. A. Ds.	513

The greatest difficulty has been experienced throughout the war in obtaining Indian members of the nursing services, and we would gladly have taken many more had they come forward.

The release of Indian Nursing Officers and Nursing Cadets who have undertaken liability for service for the duration of the war is based on the age and length of service principle as for the rest of the Army. Voluntary deferments of release are accepted.

In the financial year 1946-47 it is planned to transfer to the U. K. about 1,800 British Nursing officers and all V. A. Ds. subject to the availability of shipping.

(f) I lay a statement on the table showing the pay and allowances admissible to Nursing officers of the British and Indian Army and to Nursing Cadets of the Auxiliary Nursing Service. There is no difference in pay between a European and an Indian in the same Service.

Statement

AUXILIARY NURSING SERVICE

General Service

Pay—	Rs.	
Certificated Nurse	135—5—175	} With free mess sing and mess servants.
Uncertificated Nurse	100—2—120—3—126	
Field Allowance	20 p.m.	
Expatriation Allowance	30 p.m.	
Uniform Allowance—		
1st year	190 *	
2nd year	75	
Subsequent year	100	

*Rs. 265 if exempted from preliminary training.

	Rs.	As.	P.
War Service increments	20	0	0 p.m. after 3 years.
	11	0	for each subsequent year.
Japanese Campaign Pay	26	11	0 p.m.
Proficiency Pay—			
Grade I	2	0	0 p.m.
Grade II	4	0	0 p.m.
Grade III	6	0	0 p.m.

STARRED QUESTIONS AND ANSWERS

PAY

	Q.A.I.M.N.S. Rs.	I.M.N.S. Rs.	
Principal Matron	823	669	} I.M.N.S. officers; when serving over- seas, are entitled to an expatriation allowance which is Rs. 60 for Prin- cipal Matrons, Rs. 50 for Ma- trons and Rs. 40 for Sisters.
Matron	540—31—697	419—28—559	
Senior Sister	473—12—509	357—11—390	
Sister after 10 years	448	335	
Sister after one year	360—12—420	258—11—313	
Sister on appointment	329	230	

NOTE :—(1) Charge pay for both services are admissible at rates varying from Rs. 28 to Rs. 83 according to the number of beds in the Hospital.

NOTE :—(2) Free furnished quarters, fuel and light are provided in kind.

ALLOWANCES

	Q.A.I.M.N.S. £	I.M.N.S. Rs.
Uniform Allowance	Initial outfit 50 Annual maintenance 15 Addition grant on completion of 6 years 10 Initial tropical kit allowance 12 Annual maintenance grant for tropical kit 5	1st year 300 2nd year 85 Subsequent years 150
Field Allowance	Rs. 30	Rs. 30
Theatre Sister Allowance	Rs. 17	Rs. 17
War Service Increments	Principal Matron to Matron Rs. 46 p.m. after 3 years Rs. 15 p.m. for each subsequent year. Senior Sister and below Rs. 34 p.m. after 3 years Rs. 11 for each subsequent year	Principal Matron to Matron. Rs. 40 p.m. after 3 years. Rs. 13 p.m. for each subsequent year. Senior Sister and below Rs. 30 p.m. after 3 years. Rs. 10 p.m. for each subsequent year.
Japanese campaign pay	Senior Sister and below Rs. 46 p.m. Senior Sister and below—	Rs. 40 p.m.

Mr. Frank R. Anthony: Is it not a fact that there is very considerable difference in the basic emoluments as between the I. M. N. S. and the Q. A. nurses?

Mr. P. Mason: Yes, Sir.

Mr. Frank R. Anthony: Then how does the Honourable Member say that there is no difference in pay between them?

Mr. P. Mason: I did not say anything of the kind. What I said was that there was no difference between the emoluments of British and Indian members of the same service. I did not say there was no difference between different services.

LEGISLATIVE ASSEMBLY

Thursday, 4th April, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBERS SWORN:

Mr. Ram Nath, M.L.A. (Government of India: Nominated Official); and
Mr. Kaikobad Sorabji Shavaksha, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

RACIAL DISCRIMINATION IN NURSING SERVICE

1545. *Sri R. Venkatasubba Reddiar: Will the War Secretary please state:

(a) if his attention has been drawn to a letter in the *Hindustan Times* of the 9th March, 1946, of an Indian Nurse about Racial Discrimination in Nursing Service;

(b) if the facts stated therein are correct that there are about 700 Indian military personnel and only 50 Britishers in the hospital at Dehra Dun;

(c) if it is a fact that all the Indian nurses and sisters have been discharged; if not, how many have been discharged out of how many before;

(d) how many British nurses are in the combined Indian Military Hospital now;

(e) how many nurses, British and Indian, are now in service in all the military hospitals throughout India, and how it is planned to discharge them in the coming financial year; and

(f) the scale of pay drawn by (i) Indian nurses and sisters, and (ii) British nurses and sisters, together with details of all the allowances that are given to them?

Mr. P. Mason: (a) Yes, Sir. I have seen the letter.

(b) Of the 505 beds occupied in the Combined Military Hospital at Dehra Dun on the 24th of last month, 470 were occupied by Indian patients and 35 by British.

(c) The term "Sister" in the nursing service is a rank and there were no Indian sisters in the hospital; the only Indians on the nursing staff were five of the eight locally recruited members of the Auxiliary Nursing Service who were discharged after one month's notice, in accordance with the terms of their contract. The other three were Anglo-Indians. Orders have been issued for the discharge of all local service members of the A. N. S. by the 1st of this month throughout India; there are 163 of these of whom 78 are Indians, 27 Europeans and the rest Anglo-Indians. The reason for this decision is that local service members of the A. N. S. can be employed only in stations in which they have chosen to serve. With the end of hostilities, and the closing of many hospitals, many nursing officers had to be moved back from forward areas and many became surplus to requirements and it was obviously the first step to discharge

Copies of the Debates of the Legislative Assembly and of the Council of State are obtainable on sale from the Manager of Publications, Civil Lines, Delhi.

Mr. Frank R. Anthony: Is it not a fact that Indians cannot get into the Q. A.?

Mr. P. Mason: Yes, that is so.

Prof. N. G. Ranga: What happens to these Indian nurses who are being discharged?

Mr. P. Mason: There are very elaborate arrangements between the office of the D. M. S. and the office of the Director General of the Indian Medical Services, and there are arrangements for their re-settlement through the Central Medical Bureau which is in touch with various provincial medical bureaux. And if all that one hears is true about the shortage of nurses in the provinces, I imagine that they will be re-employed almost at once.

Prof. N. G. Ranga: But what is the special objection to re-employing all the Indian nurses who are available in these various hospitals and services and sending away the British nurses?

Mr. P. Mason: The Auxiliary Nursing Service has general service members and local service members. All the local service people are being discharged on the 1st of this month, because they only serve at one station. And it is obviously inconvenient at the present time, when our services are contracting and we are closing the hospitals, to keep on people who have only contracted for local service. That is why we are getting rid of them. And they are in fact giving way to British nurses who have been looking after Indian troops in forward areas during the war because there were not sufficient Indian nurses coming forward for the purpose. And personally I feel that a great debt of gratitude is due to these British nurses; but I do think that we must gradually aim at getting rid of all the British nurses; that is to say, we must take the total numbers which are required, British and Indian, and try as far as possible to have them all Indian; and I am having that question examined.

Sri R. Venkatasubba Reddiar: Is there any objection to Indian nurses being appointed to the general service?

Mr. P. Mason: Only their own objection.

Sri R. Venkatasubba Reddiar: Why are not Indian nurses now recruited for general service, when they are coming out?

Mr. P. Mason: These particular people would not accept general service but insisted on local service because presumably they live at home with their parents.

Sri R. Venkatasubba Reddiar: Were they offered these posts and they refused?

Mr. P. Mason: Yes, Sir; they insisted on being engaged on local terms.

Sardar Mangal Singh: The Honourable Member said that sufficient numbers of Indian nurses are not coming forward. May I know what steps Government have taken to train Indian nurses?

Mr. P. Mason: I can only say that I know that during the war every effort that we could think of or make was made; because I know—and I heard in conference after conference throughout the war—how anxiously we did want Indian nurses. What special steps were taken I cannot say without notice.

Sardar Mangal Singh: Have any training institutes been opened?

Mr. P. Mason: As I said, I shall require notice.

RETENTION OF SUPERANNUATED OFFICERS IN MILITARY ACCOUNTS DEPARTMENT

1546. *Sri R. Venkatasubba Reddiar: Will the Honourable the Finance Member please state:

(a) the number of officers employed in the Military Accounts Department, including the Military Finance Department, as on (i) the 1st April, 1939, and (ii) the 1st March, 1946;

(b) the number of such officers who are over 55 years of age;

(c) how long it is proposed to continue these superannuated officers, or whether it is proposed to replace them forthwith by normal promotion and normal recruitment at the bottom of the grade; if not, why not;

(d) how many of these superannuated officers are Europeans or Britishers, and how many Indians;

(e) whether he proposes to satisfy himself personally in each and every case that extensions of service that have been given are completely justified; and

(f) whether it is a fact that there are standing orders in his Department that all cases of extensions of officers should not be granted automatically but that each case is reviewed on its merits and that the normal promotion of officers, even after the cessation of hostilities, is not impeded or retarded?

Mr. B. O. A. Cook: (a), (b) and (d). A statement showing the required information is laid on the table of the House.

(c) The superannuated or retired officers are holding temporary war posts, which it is at present not possible to abolish due to pressure of demobilisation and post-war accounts adjustment work. These posts will be abolished as soon as circumstances permit.

(e) There is no reason to believe that the existing extensions were in any case not completely justified and sanctioned after proper review in accordance with standing orders.

(f) Standing orders exist requiring each case to be reviewed on its merits and limiting the extension at any one time to one year. No interference with normal promotion is caused by these extensions.

Statement showing the information as to the number of Gazetted Officers, etc., employed in the Military Accounts Department including those on deputation to the Military Finance Department.

	Military Accounts Department	
	Superior Service	Subordinate Accounts Service
(a) (i)	58 (Regular Cadre)	89
(ii)	56 (Regular Cadre) 238 (Emergency Cadre)	773 (Excluding the staff employed under the Chief Controller of Factory Accounts).
(b)	40 (including those re-employed)	56 (all are re-employed).
(d) Europeans	10	...
Indians	30	56

Seth Yusuf Abdool Haroon: With reference to part (b) of the reply, may I know the total number?

Mr. B. C. A. Cook: That is given in the statement.

Seth Yusuf Abdoola Haroon: May I know the total number of officers over 55 years of age? It is very easy for the Honourable Member to find out from the statement.

Mr. B. C. A. Cook: 40 in the Superior Service, and 56 in the Subordinate Service.

Seth Yusuf Abdoola Haroon: With reference to the Honourable Member's reply to part (d) of the question, is it not a fact that those people who are retained in the Service are Europeans?

Mr. B. C. A. Cook: No, Sir. Certainly not, as will be seen from the statement?

Seth Govind Das: How many of them are Europeans and how many Indians?

Mr. B. C. A. Cook: Sir, the utility of laying the statement on the table of the House will largely disappear if I have to quote from it piecemeal; but if the Chair so desires I can read out the whole statement.

Prof. N. G. Ranga: In view of the fact that these superannuated officers have to be paid at maximum scales of salaries since they are seniormost officers, would Government consider the advisability of fixing a maximum number of extensions that any officer may be granted, so that there will be some sort of fixity just as there is today a maximum age on reaching which every officer is expected to retire?

Mr. B. C. A. Cook: It is very exceptional to give an extension to anybody after he has reached a certain age. In the superior service people can retire at 55 but may be extended, and should not be retained after 60 except in very exceptional circumstances. I do not think that any change in those orders is necessary.

Prof. N. G. Ranga: In view of the fact that the Finance Department know what is happening in all the other departments, they cannot possibly plead that it is only in exceptional circumstances that such extensions are being granted. They made an excuse of the war and began to give these extensions

Mr. President: What is the question?

Prof. N. G. Ranga: What is it that the Finance Department propose to do in order to create a certain amount of stability in this matter, that is to say only a particular number of extensions would be granted, and not more?

Mr. B. C. A. Cook: The existing rules provide adequately for the purpose.

Seth Govind Das: Is it not a fact that generally these extensions are given to Europeans and not Indians?

Mr. B. C. A. Cook: Certainly not.

Sri R. Venkatasubba Reddiar: How long does the Government propose to continue this system?

Mr. B. C. A. Cook: As long as the present emergency in that department continues. There is very great pressure of work due to the release of soldiers. Accounts have to be brought up-to-date before a soldier can be discharged; and until our accounts are absolutely up-to-date we shall have to continue to re-employ a certain amount of retired officers.

Sri R. Venkatasubba Reddiar: Does this sort of work require any special qualifications?

Mr. B. C. A. Cook: Sir, I must have notice of that.

TERMINATION OF CERTAIN OFFICERS' SERVICE IN SECRETARIAT AND ATTACHED OFFICES

1547. ***Sri R. Venkatasubba Reddiar:** (a) Will the Honourable the Home Member please lay on the table a comparative statement of the number of officers drawing Rs. 500 and above in all the Government of India Secretariat and Attached Offices as on the 1st April, 1939, and as on the 1st April, 1946?

(b) How many officers' services have been terminated during the current financial year ending the 31st March, 1946?

The Honourable Sir John Thorne: (a) The information asked for in respect of the year 1939 is not readily available. The time and labour involved in collecting it would be considerable and I do not think I would be justified in initiating such an enquiry at the present time.

(b) I am collecting the information and will lay it on the table.

Seth Govind Das: Sir, I rise to a point of order. Many a time it is said that the labour and time involved in replying to such and such question will be so much that the Honourable Member does not think it advisable to go into it. May I know what criterion after all is fixed for this sort of reply?

Mr. President: I do not think any general criterion can be laid down. It depends on the nature of the question and the information asked for.

RETRENCHMENT OF SUPERANNUATED PERSONNEL GRANTED EXTENSIONS

1548. ***Sri R. Venkatasubba Reddiar:** (a) Will the Honourable the Finance Member please state what steps Government have taken or propose to take to effect economy in expenditure?

(b) Do Government propose to retire forthwith all the staff who had attained the age of superannuation from 1939 and onwards, and who are still in service?

(c) Do Government propose to return to Provincial Governments and other bodies any officers who had been lent to the Government of India for war purposes?

(d) Do Government propose to offer the same concessions to officers and staff nearing the age of superannuation, that were given at the time of the last retrenchment in 1930 or thereabouts?

(e) If the answers to (b) to (d) above are in the negative, will Government state the reasons for the same?

Mr. B. C. A. Cook: (a) The review of expenditure is a continuous process. On the conclusion of hostilities all war authorities were reviewed and will continue to be so reviewed. Rough estimates of the personnel discharged show that 2,89,000 persons of all categories have already been relieved. The Defence Department has been abolished; the Supply and Industries and Civil Supplies Departments have been amalgamated into one department.

(b) and (e). Orders have already been issued to the effect that re-employed pensioners in clerical and inferior grades should not be retained save in exceptional cases. Even in respect of superior posts Government have no intention of continuing persons in employment beyond the normal age of superannuation, except where their retention is deemed to be essential.

(c) With the termination of hostilities, the Government of India will have to return all officers who have been borrowed from provincial Governments, etc. Considerable reductions have already been effected by the return of officers borrowed from commercial concerns and the return of officers approved by the Government. About 19 I.C.S. officers have already been so returned.

(d) and (e). No Sir. The necessary reduction can be effected by retrenchment of temporary staff, in whose cases there is no necessity to offer the concession suggested.

MUSLIMS' SHARE IN POST-WAR INDUSTRIAL DEVELOPMENT.

1549. ***Captain Syed Abid Hussain:** Will the Honourable Member for Planning and Development please state:

(a) whether in the post-war industrial development of India full share of industry has been reserved for the Muslims according to their percentage in population, if not, why not; and

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

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(b) whether in the zonal distribution of factories the Muslim majority Provinces would be getting their proportionate quota; if not, why not?

The Honourable Sir Akbar Hydari: (a) and (b). I invite the Honourable Member's attention to paragraph 9(1) and 14(5) of the Government of India's statement of Industrial Policy, issued last April, of which a copy will be found in the Library of the House. The policy of dispersing industry over the whole country, having due regard to relevant economic factors, has been followed in allocating quotas of production among different provinces; and accordingly the Muslim majority provinces are getting their due share. The licensing within provinces is being done in accordance with the recommendations of the Provincial Governments concerned.

DISCRIMINATORY TREATMENT TO BRITISH AND INDIAN PERSONNEL DISMISSED BY COURT MARTIAL

1550. *Prof. N. G. Ranga: With reference to the answer to starred question No. 1061, dated the 19th March, 1946, and my supplementary question on it, will the War Secretary be pleased to state:

(a) whether it is a fact that, in the case of the British personnel of the Army, clemency and concession by way of paying pension, etc., even when anyone is dismissed by Court Martial are shown more frequently and generously than in that of Indian personnel of the Army; and

(b) in how many cases in 1940 to 1946 the British and Indian personnel were so favoured, and how those cases of clemency and concession compare with those of the British and Indians who had not been so favoured?

Mr. P. Mason: I assume that the Honourable Member refers to the Indian Army. On this assumption, the answers are:

(a) No, Sir.

(b) The total number of personnel of the Indian Army dismissed by sentence of Court Martial during the period 1940-46 was 14,658. Pensions were granted in five of these cases, four Indian and one British.

ISSUE AND WITHDRAWAL OF LICENCES FOR FIRE-ARMS

1551. *Prof. N. G. Ranga: Will the Honourable the Home Member be pleased to state:

(a) whether Government have any information as to how many licences have been issued for possessing fire-arms; if so, how many such licences are today effective in each Province;

(b) how many licences were withdrawn during 1942-45 in different Provinces;

(c) whether it is a fact that in the case of some, the prices of the guns surrendered were paid and in that of others, the prices were not paid; in how many cases, such prices were not paid, and why;

(d) whether it is a fact that local officials refused to pay such price to the former owners of arms because they refused to subscribe for war loans; and

(e) whether Government have issued or propose to issue instructions to their local authorities to issue fire-arms more liberally to peasants living near forests to protect themselves and their crops from wild animals?

The Honourable Sir John Thorne: (a) and (b). I place on the table a statement showing the number of licensed and exempted weapons, i.e., rifles, revolvers and pistols, breech-loading weapons and muzzle-loading weapons, in the possession of the public throughout British India in 1942, 1943 and 1944. This is the latest information available bearing on the question asked.

(c) Sub-sections (2) (b) and (3) of Section 16 of the Indian Arms Act, 1878, lay down the circumstances in which the depositor is entitled to receive the sale proceeds of weapons surrendered or in which the weapons are forfeited. I have no details of the number of cases in which the value of weapons was, or was not, paid.

(d) I have no information. If the Honourable Member will give particulars enquiry will be made.

(e) Government have issued no such instructions. The Honourable Member's attention is invited to the answer given by me to part (b) of starred question No. 1807, on the 27th March, 1946.

Statement showing the total number of licensed and exempted weapons of different kinds in the possession of the public in 1942, 1943 and 1944

Provinces	Year	Rifles	Revolvers and Pistols	Breech Loading Weapons	Muzzle Loading Weapons
Madras	1942	2,532	3,746	22,356	30,870
	1943	2,456	3,445	20,505	27,814
	1944	2,504	3,432	20,811	28,968
Bombay	1942	5,664	3,731	20,013	16,230
	1943	5,743	3,734	19,894	15,845
	1944	5,664	3,781	20,110	15,434
Bengal	1942	3,623	3,836	47,069	11,047
	1943	3,628	3,716	46,055	10,706
	1944	3,692	3,774	46,765	10,310
U. P.	1942	9,759	5,415	46,788	23,186
	1943	9,633	5,304	47,031	22,061
	1944	9,763	5,215	46,996	21,838
Punjab	1942	4,187	5,211	33,061	8,600
	1943	3,916	5,157	33,800	8,801
	1944	4,134	5,003	33,265	8,619
Bihar	1942	2,206	1,010	16,663	3,221
	1943	2,173	1,061	15,898	3,156
	1944	2,158	1,031	15,682	2,977
C. P. and Berar	1942	4,047	884	12,716	27,727
	1943	4,095	877	13,496	26,412
	1944	3,968	859	12,043	26,712
Assam	1942	1,197	860	9,994	15,241
	1943	1,198	889	10,047	15,222
	1944	1,218	884	9,776	14,049
N. W. F. P.	1942	4,754	5,974	33,382	6,414
	1943	4,761	6,009	33,920	6,470
	1944	4,267	5,907	33,144	6,433
Orissa	1942	577	140	2,974	9,467
	1943	551	136	2,901	12,182
	1944	548	130	2,851	9,510
Sind	1942	1,743	1,827	17,092	1,896
	1943	1,676	1,722	16,388	1,901
	1944	1,661	1,759	16,378	1,845
Delhi	1942	740	547	2,659	109
	1943	770	621	1,812	107
	1944	752	652	2,770	113
Ajmer-Merwara	1942	664	164	851	5,152
	1943	706	185	1,035	4,456
	1944	688	188	1,062	4,490
Coorg	1942	314	229	3,422	9,532
	1943	321	234	3,458	9,549
	1944	321	237	3,488	9,574

Prof. N. G. Ranga: Why is it that the Government do not propose to issue instructions to Provincial Governments to issue licences liberally to peasants living in forests in order that they may protect themselves and their crops?

The Honourable Sir John Thorne: The administration of the Arms Act has been delegated to Provincial Governments and, so far as my provincial experience goes, Provincial Governments are fully aware of the need of doing all they can to assist people who have cultivation on the edge of jungles in keeping down the depredation of wild animals, but in answer to the question on March 27th I said that I should be glad of any suggestions as to measures that can be commended to Provincial Governments for more effective check on the depredation. I am not certain myself that, especially with, as I understand, some lack of ammunition, the issue of more licences would in itself have much effect on crop protection.

Seth Govind Das: With respect to part (b) of the question, may I know whether certain licences were cancelled because there was a doubt that certain people took part in the movement of 1942?

The Honourable Sir John Thorne: I have no specific information about that but if my Honourable friend will study the statement which I am laying on the table I think he will see that there has been no great diminution in the number of licences in the years after 1942.

Seth Yusuf Abdoola Haroon: Is the Honourable Member aware that in Bengal from certain prominent people fire-arms are being withdrawn and letters are being issued that the Government of Bengal feels that there might be deterioration in the political situation and therefore for safe custody they are withdrawing these fire-arms under instructions from the Central Government?

The Honourable Sir John Thorne: There are no such instructions. I have no information on the subject except that I saw an article or a letter in a newspaper the other day.

Shri Sri Prakasa: With reference to part (e) of the question, would the Honourable Member kindly tell us what his own policy is with regard to the Centrally administered areas in this behalf?

The Honourable Sir John Thorne: I do not think there has been any complaint from the Centrally administered areas. Of the Centrally administered areas the one where there is most likelihood of depredations caused by wild animals is Coorg, and there a great number of the inhabitants are not subject to the Arms Act.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware that the District Magistrate of Poona cancelled certain licences for revolvers of respectable and leading citizens like the first class sardars of Deccan and others? What were the powers under which the District Magistrate withdrew the licences? If they were under the Defence of India Rules, may I enquire whether such powers will be withdrawn in future so that they may not be exercised?

The Honourable Sir John Thorne: I have no information about that.

Khan Abdul Ghani Khan: Is it a fact that there is a definite rule that no Indian woman can possess fire-arms for self-protection,

The Honourable Sir John Thorne: I have not studied the rules with care but I should be very much astonished if there were any such rule.

Sreejuti Rohini Kumar Chaudhuri: May I know whether either the Provincial Government or the Government of India have any powers of revision in cases of arbitrary cancellation of gun licences?

The Honourable Sir John Thorne: I think there are powers.

Mr. Leslie Gwilt: Am I not correct in saying that in certain cases where an individual had more than one revolver the licence for the second revolver was cancelled and that the fire-arm was taken over for military purposes?

The Honourable Sir John Thorne: I think that is possible, but I cannot answer it without notice.

Sreejuti Rohini Kumar Chaudhuri: I could not hear the reply of the Honourable Member to my question. We on this side do not hear anything and have to sit dumb.

Mr. President: Honourable Members are not as dumb as that.

The Honourable Sir John Thorne: The question as I understood it was as to whether there is vested in any authority the power of revision if a licence is cancelled. I said that to the best of my belief there is such a power of revision.

Khan Abdul Ghani Khan: Would the Honourable Member kindly find out whether there is such a rule, because I know from my personal experience in the North West Frontier Province a revolver for my wife was refused on the ground that Indian women were not allowed to carry fire-arms. It was not considered necessary for them to protect themselves. The rule should be changed.

Mr. President: That is a suggestion for action.

TRANSFER OF ANDAMAN AND NICOBAR ISLANDS TO H. M. G.

1552. ***Prof. N. G. Ranga:** Will the Honourable the Home Member be pleased to state:

(a) if Government are aware of the strategic importance of Andaman and Nicobar Islands in the light of 1942-44 war experiences; if so, what steps Government propose to take or are taking to increase the value of these islands from the strategic view point;

(b) whether there is any truth in the rumour prevailing in certain quarters that the islands are likely to be transferred to the British Government;

(c) whether Government will consult the House, before they entertain any such negotiations with the British Government over these islands; and

(d) whether Government will assure this House that no such transfer will be made until and unless the National Government comes in and the constituent Assembly considers the strategic interests and needs of this country?

The Honourable Sir John Thorne: (a) The Government are aware of the strategic importance of the Andaman and Nicobar Islands, and are giving due weight to the fact in their consideration of the plans for the post-war security of India.

(b) No.

(c) and (d). Do not arise.

Prof. N. G. Ranga: That is a hypothetical answer which has been given so far as parts (c) and (d) are concerned. It may be that at present there is no truth in the rumour prevailing in certain quarters that the islands are likely to be transferred to the British Government. But will Government give an opportunity to this House to discuss the strategic importance of the Andaman and Nicobar Islands and also its place in the whole of the strategical plan of India?

The Honourable Sir John Thorne: That is not a subject with which I am directly concerned and I think if the Honourable Member wants more information or an undertaking on that subject he should put down a question to the official representing the War Department.

CONVERSION OF ALL INDIA RADIO INTO A CORPORATION

1553. ***Sri R. Venkatasubba Reddiar:** (a) Will the Honourable Member for Information and Arts be pleased to state if it is a fact that Mr. C. Barns, Director of News, All India Radio, has suddenly proceeded to England early this month?

(b) Has he gone on leave or deputation?

(c) If he has gone on deputation, what is the purpose of his visit, and how long will his deputation to England last?

(d) Has the attention of Government been drawn to press reports that a scheme is actively under the consideration of Government to convert the All India Radio into a private corporation?

(e) Has the visit of Mr. C. Barns, Director of News, All India Radio, to England anything to do with this proposal?

(f) Will Government kindly place on the table of the House full facts regarding the proposal?

(g) In view of the vital importance of the proposal, do Government propose to give an assurance that no final decision will be made regarding transformation of the All India Radio into a private body without the express approval of the Central Legislature?

The Honourable Sir Akbar Hydari: (a) Mr. Barns proceeded to U. K. on the 3rd March, 1946.

(b) He went on deputation.

(c) He went to U. K. to study the British Broadcasting Corporation's methods of production and scheduling of News and Foreign broadcasts. He returned on the 23rd March, 1946.

(d) Yes.

(e) No.

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

Sri M. Ananthasayanam Ayyangar: May I know whether there is actually a proposal to convert the All India Radio into a private corporation? My question is with reference to the reply to part (d).

The Honourable Sir Akbar Hydari: I have said 'No'. There is no proposal to convert it into a private corporation. As the Honourable Member is aware I am considering associating with the direction of the A. I. R. representative Indian gentlemen and ladies.

Sri M. Ananthasayanam Ayyangar: Will it be merely an advisory body or will it have any hand in the administration?

The Honourable Sir Akbar Hydari: So long as the public fisc has to pay the major portion of the cost this body has necessarily to be an advisory body.

TERMS OF SERVICE OF MR. C. BARNS, DIRECTOR OF NEWS, ALL INDIA RADIO

†1554. ***Sri R. Venkatasubba Reddiar:** (a) Will the Honourable Member for Information and Arts kindly state the terms on which Mr. C. Barns, Director of News, All India Radio, formerly News Editor, was appointed? When did he obtain his first appointment, and for what period?

(b) Is it a fact that after his first term of five years, he was given another term of five years? If so, what are the revised terms of his appointment?

(c) At the termination of his extended term of appointment, will Government kindly take timely appropriate steps to secure the services of an experienced Indian journalist to fill the post of Director of News, All India Radio?

The Honourable Sir Akbar Hydari: (a) *First Part.*—A statement showing the terms on which Mr. Barns was originally appointed is placed on the table of the House.

Second Part.—He was appointed on the 9th September, 1937, on a five years, contract.

(b) *First Part.*—Yes.

Second Part.—A statement showing Mr. Barns' monthly rates of pay under the current contract is placed on the table of the House.

(c) It is too early for me to make any commitment at this stage.

*Answer to this question laid on the table, the questioner having exhausted his quota.

Statement showing the terms on which Mr. Barns was originally appointed

	Basic Pay	Sterling overseas pay
	Rs.	£
1st year	1,000	30
2nd year	1,050	30
3rd year	1,100	30
4th year	1,150	30
5th year	1,200	30

Statement showing monthly rates of pay of Mr. Barns for the current contract

	Pay *
	Rs.
1st year	1,650
2nd year	1,700
3rd year	1,750
4th year	1,800
5th year	1,850

* He does not get any sterling overseas pay under the current contract.

GUIDANCE OF ALL INDIA RADIO NEWS POLICY BY H. M. G.

†1555. ***Sri R. Venkatasubba Reddiar:** (a) Will the Honourable Member for Information and Arts kindly state whether it is a fact that the Director of News, All India Radio, is a subordinate in all matters (news policy as well as administration) to the Director General, All India Radio?

(b) Is it a fact that the Director of News receives his guidance and direction of news policy directly from the British Government or through the Home and External Affairs Departments of the Government of India?

(c) Do Government propose to take steps to appoint an Indian as Director of News?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) No.

(c) It is too early for me to make any commitment at this stage.

DETENTION AND RELEASE OF DETENUS

1556. ***Prof. N. G. Ranga:** Will the Honourable the Home Member be pleased to state:

(a) if his attention has been drawn to Mahatma Gandhi's article "High-Handedness Exposed" in the *Harijan* of the 17th March, 1946, and his quotations

†Answer to this question laid on the table, the questioner having exhausted his quota.

from the Bombay High Court Judgment over the illegal detention of Messrs. Shah and Sathe and to his conclusion "there can be no doubt that all persons similarly detained, no matter in which province, should immediately be discharged without a doubt";

(b) whether Government have considered or propose to consider their position vis-a-vis the detenus who are still languishing in jails due to their detention orders in the light of this High Court Judgment and Gandhiji's advice;

(c) how many detenus are still in jails in all Provinces;

(d) when do Government propose to release them all; and

(e) when Messrs. Jai Prakash Narain, Dr. Lohia and Satyaranjan Bakesh are to be released?

The Honourable Sir John Thorne: (a) I have seen the article.

(b) The Government of India are satisfied that no one is illegally detained under their orders.

(c) 2,439 on March 15th. Of that number Sind accounts for 2,214.

(d) and (e). I cannot undertake to give any date for the release of Messrs. Jai Prakash Narain and Ram Manohar Lohia. The release of the others is a matter for the Provincial Governments.

Seth Govind Das: May I know if the release of Messrs. Jai Prakash Narain and Ram Manohar Lohia is being considered or not being considered at all?

The Honourable Sir John Thorne: It is being considered as I have said several times in this House.

Seth Govind Das: By what time will Government come to a decision?

The Honourable Sir John Thorne: I am afraid I am unable to give a date.

Sri M. Ananthasayanam Ayyangar: Is it a fact that the Home Department recommended their release but the Military authorities or the Defence Department is standing in the way?

The Honourable Sir John Thorne: No, Sir.

Prof. N. G. Ranga: Why is it that the Government of India are not releasing these men? What is the consideration that prevents them?

The Honourable Sir John Thorne: I do not understand the question. The Government of India are considering the matter.

Shri Sri Prakasa: Would the Honourable Member tell us the date of the order which was served last on them extending their detention and also the terms of that order?

The Honourable Sir John Thorne: They were two different dates in December last.

Shri Sri Prakasa: What are the terms of the order?

The Honourable Sir John Thorne: That I cannot answer without notice.

Shri Mohan Lal Saksena: In view of the opinion expressed by this House regarding the release of Messrs. Jai Prakash Narain and Ram Manohar Lohia, did the Government consider the question of their release?

The Honourable Sir John Thorne: Yes, Sir. I made that quite clear.

Sardar Mangal Singh: There was a proposal that the Government of India wanted to prosecute Mr. Jai Prakash Narain. I want to know whether that proposal has been finally dropped.

The Honourable Sir John Thorne: There is no present intention to prosecute him.

Sri M. Ananthasayanam Ayyangar: May I know if there is a proposal to release all political prisoners to clear up the atmosphere and create a better one for the negotiations that are going on?

The Honourable Sir John Thorne: Proposal by whom?

Sri M. Ananthasayanam Ayyangar: The proposal in answer to the public desire, emanating from the Government and the Home Member himself.

The Honourable Sir John Thorne: There is no proposal, Sir.

Sri M. Ananthasayanam Ayyangar: Will the Honourable Member give an opportunity to these two gentlemen who are leaders in their own sphere to meet the Secretary of State and the Cabinet Mission to press their case, so long as the Honourable Member and the Government are adamant.

The Honourable Sir John Thorne: I have not considered that.

Shri D. P. Karmarkar: Does the Honourable Member realize that the continued detention of these two gentlemen is giving rise to grave doubts in the public mind regarding the transfer of power to Indians?

The Honourable Sir John Thorne: I suggest, Sir, that it is a matter of opinion.

Shri Sri Prakasa: Will the Honourable Member let us know the conditions, if any, under which the Central Government transferred these two persons to the U. P. Government and the authority of the U. P. Government over these prisoners?

The Honourable Sir John Thorne: I do not know what is meant by 'transfer'. They have not been transferred to the U. P. Government.

Sri M. Ananthasayanam Ayyangar: If the Secretary of State or the Cabinet Mission desire to have an interview with these three members will the Honourable Member arrange for one?

The Honourable Sir John Thorne: It takes two to make an interview. I do not know whether the Secretary of State would wish to have an interview.

Prof. N. G. Ranga: Are we to understand that the U. P. Government has complete authority in this matter and do as it likes, either to release them or not to release them?

The Honourable Sir John Thorne: No, Sir.

EFFECT OF CUT AGAINST FILM PUBLICITY, ETC., ON CHARITABLE INSTITUTIONS

1557. ***Mr. R. C. Morris:** Will the Honourable Member for Information and Arts please state whether Government are aware in view of the cut passed by the House of the total demand in respect of Films, Field Publicity, Research and Reference, and Arts, St. Dunstan's, who care for the blind in India, and other such charitable institutions are likely to suffer financially owing to the withdrawal of the extremely good films showing their work, and the non-provision of further publicity on their behalf?

The Honourable Sir Akbar Hydari: Unfortunately, Sir, the answer is in the affirmative.

Mr. R. C. Morris: Will the Honourable Member consider handing over these films to the institutions concerned in order to enable them to carry out their propaganda work?

The Honourable Sir Akbar Hydari: If the Honourable Member refers to the films already produced like the one on blindness and so on, I will consider that. But I cannot hand over the equipment and the staff to these institutions.

Mr. Leslie Gwilt: The question asks for information not only in respect of St. Dunstan's but also "other such charitable institutions". Will the Honourable Member be good enough to give the House any information he may have as regards the other charitable institutions which have been affected by this unfortunate cut, the results of which were completely unforeseen?

The Honourable Sir Akbar Hydari: So far as I am aware, there have been three, what may be called, humanitarian films produced. One is a film of St. Dunstan's "Victory Over Blindness". It was shown in Delhi the other day and has been released in English, Hindustani, Bengali, Tamil, and Telugu versions.

The other two films which have also been produced and released by the Information Films of India are "The Heart of Humanity" dealing with the Red Cross organisation and "Mute Martyrs" regarding cruelty to animals.

Prof. N. G. Ranga: What happens to these films? Are they not kept by the Department and will they not be available to be displayed by any cinema which desires to do so?

The Honourable Sir Akbar Hydari: Under the existing rules we have certain powers to make cinemas exhibit these films in rotation.

Prof. N. G. Ranga: Even in the absence of the Films Section in the Honourable Member's Department will it not be possible for him to enforce those rules, take the films to the cinema companies and see to it that these films are being displayed?

The Honourable Sir Akbar Hydari: There is no point in enforcing the rules unless we are producing more films.

Prof. N. G. Ranga: But the films that have already been produced are not going to be destroyed.

The Honourable Sir Akbar Hydari: They will remain in the Library of the Department. But my Honourable friend will understand that these three films do not exhaust the field.

Diwan Chaman Lal: Will the Honourable Member consider the possibility of making another film entitled "Cruelty to Human Beings" and depict the life of Mr. Ram Manohar Lohia, Mr. Jai Prakash Narain, and the other detenus?

Dewan Bahadur Sir A. Ramaswami Mudaliar: The cut prevents him from doing so.

MUSLIM REPRESENTATION IN RESERVE BANK OF INDIA, LAHORE

1558. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Finance Member be pleased to state whether it is a fact that communal proportion in appointments is not observed by the Reserve Bank of India in the matter of contract of Treasurership of the Bank?

(b) Is it a fact that contract of Treasurership is nowhere granted to a Muslim firm?

(c) Is it a fact that the contract of Treasurership (Khazanchi) in the Lahore Branch of the Reserve Bank of India is held from the beginning by a firm of Bikaneris, who do not reside in the Punjab?

(d) Is it a fact that in the Punjab a large number of Muslim firms are in a position to undertake the service efficiently?

(e) What steps do Government propose to take to give representation to Muslim firms in the matter of Treasurership?

Mr. B. C. A. Cook: (a) to (d). The appointments referred to are the concern of the Reserve Bank and Government have no information.

(e) None, Sir.

Mr. Ahmed E. H. Jaffer: Does not the Reserve Bank come under the Finance Department of the Government of India?

Mr. B. C. A. Cook: No, Sir. It is not a Government institution.

Prof. N. G. Ranga: But is it impossible for the Government of India to obtain information about the personnel and management of the Reserve Bank of India?

Mr. B. C. A. Cook: It is not the responsibility of the Government of India to do so.

Mr. Ahmed E. H. Jaffer: Cannot the Honourable Member comply with the desire of a Member of this House in obtaining the required information?

Mr. President: I don't think that arises out of this question.

RECRUITMENT OF STAFF IN GENERAL HEADQUARTERS

†1559. ***Hafiz Mohammad Abdullah:** (a) Will the War Secretary kindly state if it is a fact that the present staff in the General Headquarters has been recruited through the General Headquarters Clerks Trade Testing School after training and test and that it is proposed to appoint suitable personnel for post-war establishment without any competitive examination?

(b) What is the prewar, present and proposed or estimated post-war ministerial establishment of the General Headquarters?

Mr. P. Mason: (a) (i) Yes, Sir. A large percentage of the staff in Defence Headquarters has been recruited through the GHQ Clerks' Trade Testing School.

(ii) The policy for the filling of post-war permanent vacancies in the offices of War Department, as in the case of other Government of India Offices, has not yet been finally settled.

(b) Ministerial Establishment (all categories)

Pre-war	Present 1st April 1946	Future
886	7,485	Not yet fixed.

REVERSION OF DEPUTATIONISTS AND RETENTION OF TEMPORARY CLERKS IN DEFENCE HEADQUARTERS

†1560. ***Hafiz Mohammad Abdullah:** (a) As stated in reply to parts (b) and (d) of starred question No. 950 of the 13th March, 1946, "that it is considered to be more fair to revert the deputationists to their parent offices than to throw out or employment temporary personnel who are efficient and that there is no question of keeping on temporary personnel who are inefficient and also that it seems fair to spread the discharge over a wide area so that only the most inefficient go", will the War Secretary please state if it is a fact that so far as possible the deputationists of above average and outstanding merits will not be reverted before temporary clerks who are inefficient or less efficient?

(b) As stated in reply to part (f) of starred question No. 950 of the 13th March, 1946, "that the deputationists as a class will revert before temporary clerks are retrenched, but any special case will be considered on its merits," does the Honourable Member propose to review the cases of the deputationists in category 'B' (above average) and category 'A' (outstanding for whom employment must be found) who have qualified for marks 200 and above in consultation with the Branches in which they are serving?

Mr. P. Mason: (a) No, Sir. It is the policy of War Department that, with possible exceptions, all deputationists should revert to their parent offices before any temporary clerks are discharged compulsorily. Some of the clerks who may be thus retained will undoubtedly be less efficient than the deputationists. War Department, however, considered that as they were prepared to accept the services of these clerks during the war, it would be unfair to discharge them without making every effort to keep them on.

(b) The question of reviewing the reversion of a deputationist is examined on the merits of the appointment which he is filling and not on the merits of the deputationist. In exceptional cases where efficiency will suffer seriously by the immediate reversion of a deputationist, he is kept on until satisfactorily replaced by some other individual.

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

DEPUTATIONISTS IN DEFENCE HEADQUARTERS

1561. *Hafiz Mohammad Abdullah: (a) Will the War Secretary please state whether it is a fact that a Routine Order has been issued recently under which, if a deputationist resigns his substantive post with a view to be considered for post-war vacancies like a temporary clerk, he is deprived of the benefits of his war services and, consequently, of any option but to revert to his substantive post?

(b) Is it a fact that the deputationists submitted to the War Secretary by name a printed memorial in November, 1945, on which no orders have been passed for the last four months and that they are being turned out without getting a reply to their memorial?

Mr. P. Mason: (a) Yes, Sir.

(b) No, Sir. They were acknowledged but individual replies were not given since the general policy of the War Department in this respect was made known to all concerned in Defence Headquarters by the issue of an instruction dated the 28th January, 1946 which was republished in Routine Orders.

MUSLIM REPRESENTATION IN DISTRICT AND CIVIL COURTS OF DELHI

1562. *Choudhury Md. Abid Hussain: (a) Will the Honourable the Home Member give the ratio of the Muslim employees in the District and Civil Courts of Delhi?

(b) Is it a fact that since the last forty years no Muslim has been appointed as a clerk of court to the District and Session Judge at Delhi?

(c) Is it a fact that by the order in July, 1945, the District and Session Judge of Delhi confirmed two Muslim clerks with the remark that Muslim ratio by that order was in order?

The Honourable Sir John Thorne: (a) Muslim representation is 41.9 per cent. in civil courts and 48 per cent in criminal courts.

(b) Yes. Since 1904 the post of clerk of court to the District and Session Judge, Delhi, has been filled by senior Hindus, because according to the rules the most senior official has to be appointed to this post with the approval of the High Court of Judicature at Lahore.

(c) Yes; but the High Court has since set aside the order.

ADMINISTRATIVE SUB-JUDGE, DELHI

1563. *Choudhury Md. Abid Hussain: (a) Will the Honourable the Home Member please state if it is a fact that for the last five years the post of Administrative sub-judge at Delhi is enjoyed by a non-Muslim?

(b) Is it a fact that six appointments of Naib Nazirs have been made by the Administrative sub-judge at Delhi within the last five years and not a single post was given to a Muslim?

(c) Is it a fact that there is a large number of complaints against the present senior sub-judge at Delhi?

The Honourable Sir John Thorne: (a) No. The post was created in January 1936, and a Hindu held it for a year. It was then held for about four years by two Muslims in succession, then by a Sikh until May 1943, when the present incumbent, a Hindu, was appointed.

(b) Four posts of Naib Nazir have been created during the last five years and were filled by Hindus. Appointments to these posts are made by promotion, to which the rules regarding communal representation do not apply.

(c) No.

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

STAFF TO CHECK CORRUPTION AMONG MEMBERS OF JUDICIARY IN DELHI

1564. *Choudhury Md. Abid Hussain: (a) Will the Honourable the Home Member please state whether it is a fact that the Central Government have appointed some staff to the Anti-Corruption Department to safeguard the interest of litigants of Delhi and check corruption among the members of the judiciary in Delhi? If not, do Government propose to take such steps in the near future?

(b) Is it a fact that there is one post reserved for Muslim among Stenographers and that there is no Muslim Stenographer at present?

The Honourable Sir John Thorne: (a) No. Government are not aware of any allegation of corruption against members of the judiciary in Delhi and the second half of the question consequently does not arise.

(b) Yes.

Sri M. Ananthasayanam Ayyangar: May I know the number of posts reserved for Scheduled Caste members?

The Honourable Sir John Thorne: What posts? Stenographers?

Sri M. Ananthasayanam Ayyangar: One post has been reserved for Muslims. May I know how many are reserved for Scheduled Castes?

The Honourable Sir John Thorne: I would require notice.

Prof. N. G. Ranga: Is there an Anti-Corruption Department, Sir?

The Honourable Sir John Thorne: No, Sir.

Prof. N. G. Ranga: Is there any Section, Department, or Directorate at all in the Home Department whose principal business it is to put down corruption in the services?

The Honourable Sir John Thorne: There is a Special Police Establishment, whose duty is to detect offences of corruption.

MANUFACTURE OF RADIOS IN INDIA

1565. *Sardar Surjit Singh Majithia: Will the Honourable Member for Planning and Development please state:

(a) whether it is a fact that Government desire to encourage the manufacturing of radios in India;

(b) whether any import licences for obtaining Plant and Machinery from the United States of America for the manufacture of radios have been granted;

(c) how many applications are pending for the issue of such import licences from the United States of America and for how long; and

(d) if it is a fact that the Punjab Electric Lamps and Radio Manufacturing Company, Limited, Lahore, asked for the permit for obtaining the latest Plant and Machinery from the United States of America and for which they have completed all negotiations; and whether the sanction has been accorded to them; if not, why is the delay?

The Honourable Sir Akbar Hydari: My Honourable Colleague the Commerce Member, will answer the question on 8th April, 1946.

REQUISITIONING OF ANAND PARBAT (RAMJAS COLLEGE AND SCHOOL) ESTATE, DELHI, BY GOVERNMENT

1566. *Shri Mohan Lal Saxena: Will the War Secretary be pleased to state:

(a) the number of private bodies whose property is affected by the Ordinance issued by His Excellency the Viceroy in December, 1945;

(b) the places where such property is situated;

(c) the area covered by it;

(d) the price demanded by each proprietor;

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

(e) the expenditure incurred by Government on effecting necessary changes in each property and the amount spent on erecting permanent and temporary buildings in each case, separately;

(f) the compensation likely to be paid to each owner; and

(g) if it is a fact that Government had passed orders for the return to the owners of the Anand Parbat Estate, formerly occupied by the Ramjas College and School, but requisitioned by Government for erecting an Experimental Wireless Station which has now been abolished?

Mr. P. Mason: (a) to (f). It is presumed that the information is asked for in respect of acquisition of property falling under Section 19A of Act XXXV of 1939, as inserted by Ordinance No. XLV, of 1945.

The information is being collected and I shall lay it on the table of the House in due course.

(g) Orders are being issued for the release of the Ramjas College property.

RETURN OF ANAND PARBAT (RAMJAS COLLEGE AND SCHOOL) ESTATE, DELHI

1567. ***Shri Mohan Lal Saksena:** Will the War Secretary please state:

(a) if it is a fact that the Delhi Tuberculosis Hospital is being shifted from its present site to the Anand Parbat, if so, whether Government are aware of the fact that the residents of Karol Bagh are opposed to the location of such a hospital there;

(b) if it is a fact that in January, 1946, the Delhi Provincial Students Conference passed a resolution requesting Government to return the Anand Parbat Estate to the Ramjas College Society in the interest of educational facilities for rural areas;

(c) if it is a fact that the Ramjas College Society is opposed to the sale of the said estate and is requesting for its return;

(d) why Government thought it necessary to hold consultations with the Vice-Chancellor, Delhi University in connection with the said Estate; and

(e) if Government are aware of the fact that there was a very large number of students from rural areas in the Ramjas College and School and in their hostels when these institutions were situated at the Anand Parbat; if the education of such students has not been adversely affected by the changes?

Mr. P. Mason: (a) No, Sir.

(b) to (e). In view of my reply to part (g) of question No. 1566, it does not seem necessary to make enquiries.

TREATMENT OF CERTAIN I. N. A. MEN

1568. ***Shri Mohan Lal Saksena:** Will the War Secretary be pleased to state:

(a) whether it is a fact that twelve I.N.A. men in the Bahadur Garh Camp have been separated from their comrades and confined in a small cage; if so, for what reasons; and

(b) whether it is a fact that the Commandant of the Camp has written to the General Headquarters asking for a summary court martial of these men?

Mr. P. Mason: (a) Twelve of the men at Bahadurgarh were accommodated in a separate enclosure because they were not amenable to the orders of the Commandant and were exercising a bad influence on the other men whose behaviour was good.

(b) No, Sir. If he had wanted to, which he does not, he could have tried these men by summary court martial without reference to higher authority.

I might add that the men who are in the Camp at Bahadurgarh were not members of the Indian National Army; they were men who fought on the side of the Axis Powers in Europe against their former comrades.

Prof. N. G. Ranga: Are these twelve people kept together?

Mr. P. Mason: Yes.

Prof. N. G. Ranga: How big is that enclosure? Is it as big as this chamber?

Mr. P. Mason: I am afraid I do not know.

Seth Yusuf Abdoola Haroon: May I know the definition of bad influence?

Mr. P. Mason: I must refer him to the dictionary.

Shri Mohan Lal Saksena: May I know if they are being still kept separate?

Mr. P. Mason: Separately from the others, yes; but they are kept together among themselves.

Diwan Chaman Lal: What were the orders of the commandant which they disobeyed?

Mr. P. Mason: I think it was a general lack of amenability to discipline. I do not think it was any specific order.

Prof. N. G. Ranga: For how long will they be detained like this?

Mr. P. Mason: As I have repeatedly said I thought the whole lot would be out by the end of this month. I was prevented the other day from giving information on this subject; but it will be of interest to know that a total of 16,000 men have now either been released or are going through the pipe-line for release, that is, are on their way to release; and of about 4,000 remaining at present most will be released I think this month or so.

Shri Mohan Lal Saksena: Have they been deprived of other privileges as well?

Mr. P. Mason: I think not, but I am not sure.

Seth Govind Das: Is there sufficient accommodation where they are confined, or it is something like the much-talked of Black Hole of Calcutta?

Mr. P. Mason: My impression is that there is no confinement and there is no restriction of space whatever.

Shri Sri Prakasa: Will the present punishment go against their early release as envisaged in the Honourable Member's answer?

Mr. P. Mason: No; it is not a punishment at all.

Shri D. P. Karmarkar: May I be permitted, Sir, to put these questions 1569 to 1572? I have been authorised in writing by Pandit Malaviya.

Mr. President: They will be taken up at the end.

BAD PRINTING OF Sarang

1569. ***Shri D. P. Karmarkar** (on behalf of Pandit Govind Malaviya):

(a) Will the Honourable Member for Information and Arts kindly state why the printing of the *Sarang* the Hindi programme journal of the All-India Radio is not as good as that of the English Journal the *Indian Listener*?

(b) Is it a fact that many subscribers of the *Sarang* have got their subscription transferred to the *Awaz* or the *Indian Listener* on account of the (i) bad printing of the *Sarang*, (ii) late publication on account of which it does not reach them in time?

(c) Is it a fact that the printing press in which the *Sarang* is printed was purely a lithographic press and that there were no proper arrangements for printing matter in Devanagari types before the contract for printing the *Sarang* was first placed with it? If so, why was the contract placed with it?

The Honourable Sir Akbar Hydari: (a) The reason is that the two journals are printed at two different presses.

(b) No.

(c) First part—No.

Second part—Does not arise.

These questions and answers have, however, been printed serially in these Debates.

Ed. of D.

Seth Govind Das: Will the Honourable Member see that the Hindi journal is sent to a better press and printed better, because there is great demand for it?

The Honourable Sir Akbar Hydari: I will consider that.

TALKS IN HINDI AND URDU FROM VARIOUS STATIONS OF ALL-INDIA RADIO

1570. *Shri D. P. Karmarkar (on behalf of **Pandit Govind Malaviya**): Will the Honourable Member for Information and Arts kindly state how many talks in Hindi and how many in Urdu were broadcast from each Station of the All-India Radio during November and December, 1945? How many of these were given by persons other than those in the regular employ of the All-India Radio?

The Honourable Sir Akbar Hydari: The information is not readily available. It will be laid on the table of the House in due course.

Shri Mohan Lal Saksena: May I know why this information is not readily available. It can be had just across the road. Is it to evade supplementary questions that such a reply is given?

The Honourable Sir Akbar Hydari: If you will kindly read the question—it is not your question—it asks how many talks in Hindi and Urdu were broadcast from each station of the All-India Radio during November and December 1945. Just think how long it would take to collect that information.

Shri Mohan Lal Saksena: This question is in regard to broadcasting. I put a question in regard to a particular official and it was said that the information is not available, although ten days' notice has been allowed.

Mr. President: The Honourable Member said that the information is not readily available.

Shri Mohan Lal Saksena: It is available.

Mr. President: That is a matter of opinion.

Prof. N. G. Ranga: May I ask for information about the Delhi station?

The Honourable Sir Akbar Hydari: I will lay it on the table.

SCRIPT OF NEWS BULLETINS OF ALL-INDIA RADIO

1571. *Shri D. P. Karmarkar (on behalf of **Pandit Govind Malaviya**): (a) Will the Honourable Member for Information and Arts kindly state whether it is a fact that the Hindustani News Bulletins broadcast from the All-India Radio are written in the Persian script?

(b) If so, are Government prepared to introduce the Devanagari script also in translating their news bulletins from English?

The Honourable Sir Akbar Hydari: (a) Yes, but the bulletins are written in the Devanagari script also, depending on which script the news reader finds convenient.

(b) Yes, whenever necessary.

HINDI AND URDU QUALIFICATIONS OF HINDUSTANI TRANSLATORS IN ALL-INDIA RADIO, DELHI

1572. *Shri D. P. Karmarkar (on behalf of **Pandit Govind Malaviya**): (a) Will the Honourable Member for Information and Arts kindly state how many Hindustani translators and announcers are employed by the Delhi Station of the All-India Radio? What are the qualifications of each of these in Hindi and in Urdu?

(b) How many Hindustani feature, Hindustani drama and other programme writers are there in the employ of the Delhi, Lucknow and Lahore Stations of the All-India Radio? What are the qualifications of each in Hindi and Urdu?

The Honourable Sir Akbar Hydari: (a) Announcer—eight; Translators—nil. Their qualifications in Hindi and Urdu are as follows:

Read Urdu up to Matric	...	...	...	...	1
Read Urdu up to B.A.	...	...	...	...	1
Read Hindi up to Matric	...	...	...	...	1
Read Hindi up to B.A.	...	...	...	...	1

One Lady has read both Hindi and Urdu up to Matric

(b) The information is not readily available. It will be placed on the table of the House in due course.

REVIVAL OF OLD RATES OF PAY FOR GOVERNMENT SERVANTS

1573. *Mr. Madandhari Singh: (a) Is the Honourable the Finance Member aware that the Revised Scales of pay sanctioned for the Central Government employees in 1931 are too meagre due to changed conditions?

(b) Will he kindly consider the desirability of immediately replacing the Revised Scales of pay by the old rates of pay, until such time as the whole question is examined in detail by the proposed commission? If not, why not?

(c) Do Government propose to give any further relief to the Central Government servants to alleviate their distress caused by the abnormal rise in prices? If not, why not?

Mr. B. C. A. Cook: (a) Yes; Government are aware of this view and have decided to appoint a Pay Commission to go into the question. The Commission is expected to come into being shortly.

(b) and (c). No, Sir. It is not desirable to anticipate the Pay Commission's recommendations. Government have already granted war and dearness allowances to Government employees to compensate them for the increased cost of living, and these allowances are kept under constant review.

Shri Mohan Lal Saksena: May I know what is the personnel of this Commission?

Mr. B. C. A. Cook: It has not yet been decided upon.

Prof. N. G. Ranga: In view of the fact that the personnel of the commission even has not been decided upon and the further fact that the Honourable Member himself has admitted that he is aware of the fact that the pay sanctioned is too meagre, why is it that the Government of India do not propose to give these people some temporary relief before the commission comes to make their recommendations?

Mr. B. C. A. Cook: Temporary relief is already given in the shape of war and dearness allowances.

Prof. N. G. Ranga: But that is a general temporary relief given to all others on the basis of the existing pay; and since the existing pay of these unfortunates is already too low, necessarily the dearness allowance and other things also are lower?

Mr. B. C. A. Cook: It may be that we are slightly overcompensating people on the old rates of pay; but our view is that persons on the revised rates of pay, with war and dearness allowance in addition, are on the whole not doing too badly.

Shri Mohan Lal Saksena: May I know whether it is proposed to include non-official members of the Assembly as well on this commission?

Mr. B. C. A. Cook: I think not, but I am not certain.

BAN ON CONFIRMATION OF PERSONS OFFICIATING AGAINST PERMANENT POSTS

1574. *Mr. Madandhari Singh: (a) Will the Honourable the Home Member kindly state whether any embargo has been put on confirmations of persons officiating against permanent posts in the Central Secretariat, attached and subordinate offices? If so, from what date?

(b) Does he propose to consider the desirability of removing this ban forthwith, especially when the war conditions no longer exist now? If so, what is the date from which he proposes to remove this ban? If not, why not?

The Honourable Sir John Thorne: (a) and (b). The Honourable Member is, I presume referring to the reservation of permanent vacancies for men with war service. Government announced in June 1942 that permanent vacancies would be filled on a temporary basis only. These posts will now be filled permanently in accordance with the reservation orders which allot 70 per cent. to men with war service and 30 per cent. to the men who held the posts temporarily during the war.

The reservation of permanent posts for men with war service has been discontinued from the end of 1945.

SEIZURE OF I. N. A.'s MARCHING SONG GRAMOPHONE RECORDS BY CALCUTTA POLICE

1575. *Sree Satyapriya Banerjee: Will the Honourable the Home Member be pleased to state:

(a) whether his attention has been drawn to the United Press News that the police authorities in Calcutta have seized the gramophone records of the Indian National Army's Marching song manufactured by the National Gramophones Record Manufacturing Company, Limited, of Bombay;

(b) whether he is aware that the song referred to in (a) above is very popular amongst the Indian masses and is sung throughout the length and breadth of India; and

(c) whether the action of the police authorities in Calcutta has the sanction of the Government of India?

The Honourable Sir John Thorne: (a), (b) and (c). I have seen a press report. Any such action would be entirely within the powers of the Provincial Government and no question of sanction by the Government of India arises.

Prof. N. G. Ranga: Is it being done in pursuance of any orders or advice sent out by the Government of India?

The Honourable Sir John Thorne: No.

Sree Satyapriya Banerjee: In view of the fact that the song is very popular, will the Honourable Home Member see his way to issue instructions to the Government of Bengal to release the records?

The Honourable Sir John Thorne: The Government of India have no power to issue any such instructions.

Sree Satyapriya Banerjee: Is it not a fact that the Government of India have general power to issue instructions to Provincial Governments?

The Honourable Sir John Thorne: If I am to explain the constitutional position, that as a general proposition is correct, that the Government of India has no power in a matter of this sort. It is true that there is an emergency provision for the period of the emergency due to the war; but I should certainly not consider it proper to interfere with the Provincial Government in a matter of this sort, on the strength of a temporary provision of that kind.

Shri D. P. Karmarkar: Will the Honourable Member agree to place a copy of the song on the table of the House in order to enable Members of this House to judge whether it should have been banned?

The Honourable Sir John Thorne: I think that might be addressed to my colleague on my right.

Shri Mohan Lal Saksena: May I understand that this record is not banned in Delhi and other centrally administered areas?

The Honourable Sir John Thorne: As far as I am aware, no.

ARREST OF MR. JOGINDRA KUMAR BANERJEE AND OTHER INDIANS IN GERMANY BY BRITISH AUTHORITIES.

1576. *Sree Satyapriya Banerjee: Will the Honourable the Home Member be pleased to state:

(a) whether Mr. Jogindra Kumar Banerjee alias Biren Banerjee was arrested by the British authorities along with twenty-five other Indians in Germany in July, 1945;

(b) whether the said Jogindra Kumar Banerjee alias Biren Banerjee is still under arrest there;

(c) the reasons for his arrest as also for the arrest of twenty-five other Indians referred to in (a);

(d) whether Government are aware that the said Jogindra Kumar Banerjee alias Biren Banerjee has his wife and a little boy of two years old living in Berlin who are in great distress and without anybody to look after them; and

(e) if the answers to (d) above be in the affirmative whether Government propose to consider the desirability of his release and repatriation; if not, why not?

Sir, I find a mistake in the question—it should be Jogindra Kumar Banerjee alias Binu Banerjee, and not Biren Banerjee.

The Honourable Sir John Thorne: I can only trust that my answer relates to the person intended by the questioner.

(a) He was arrested in Germany in July 1945. I have no information about how many others were arrested along with him.

(b) As far as I am aware he is still in detention.

(c) He was arrested I understand in the interests of security.

(d) I have no information, but I understand that in all cases of necessity maintenance allowances are being paid.

(e) It is for the authorities in Germany to decide whether he can be released. The question of his repatriation has not yet arisen.

Sree Satyapriya Banerjee: Is the security of the British Government still in danger and this danger still continues to exist?

The Honourable Sir John Thorne: I cannot answer for the British Government.

Prof. N. G. Ranga: Is it not possible for the Government of India to use their good offices with the authorities in Germany in order to see that this gentleman is released early?

The Honourable Sir John Thorne: I think it would be beyond the proper function of this Government to press for the release of a person about whom we know so little in relation to his arrest as we do about this person.

Prof. N. G. Ranga: In view of the fact that he happens to be an Indian national, what is the difficulty about making inquiries and ascertaining whether he deserves release and, if so, in pressing for his release?

The Honourable Sir John Thorne: I am prepared to make inquiries. Whether the Government of India would press for his release obviously depends on the result of the inquiries.

Prof. N. G. Ranga: In regard to the maintenance allowance for his wife and son, will Government consider the advisability of making a suitable arrangement?

tenance allowance? After all his family cannot be made to suffer for whatever this gentleman is supposed to have done during the war.

The Honourable Sir John Thorne: I am not quite certain whether the Honourable Member himself is quite certain that there is a wife. But as I have said in my answer I understand that in all cases of necessity maintenance allowances are being paid.

Prof. N. G. Ranga: Is it being paid in this case?

The Honourable Sir John Thorne: That I cannot answer. According to my information there is no wife.

Mr. President: He is not certain as to whether there is a wife.

GRANT OF GRATUITY, ETC., TO K.C.O.'S AND V.C.O.'S.

1577. *Babu Ram Narayan Singh: (a) Will the War Secretary please state if Government are aware that in the post-war period of the 1914-18 war, the pensionary emoluments admissible to the Kings Commissioned Officers and Viceroy's Commissioned Officers bore a ratio of 3:1 approximately, while after this war this ratio in the matter of war gratuity has gone up to 65:1 so as to provide in the case of second Lieutenant and Captain £30 and 35 per month, respectively, and to the Viceroy's Commissioned Officers Jemadar and Subedar only Rs. 5 and Rs. 7 per month, respectively, while numerous pecuniary benefits, such a marriage allowance, separation allowance, children's allowance, and the entire non-admission of other pecuniary benefits in the case of Indian other ranks even when they are fighting shoulder to shoulder in the same imperial war as the British personnel?

(b) If the reply to (a) be in the affirmative, will he please state the basic principle governing the proportion referred to in (a) as regards war gratuity and the entire non-admission of other pecuniary benefits in the case of Indian personnel?

(c) Does he propose a revision of the basic principle so as to abolish this difference in the rates of war gratuity referred to in (a) and also to recognize the desirability of granting all other pecuniary benefits in the case of Indian personnel for the duration of war in the same way as in the case of British personnel?

Mr. P. Mason: (a) No, Sir. The ratio in the matter of war gratuity now admissible to a Lieut. and a Jemadar and that admissible to a Captain and a Subedar is not 61:1, as the Honourable Member suggests, but 4:1 and 3:1 respectively. A Second Lieut. and a Captain get war gratuity at the rate of 25s. and 35s. respectively (and not at the rate of £30 and £35 per month) for each completed month of reckonable service.

(b) Does not arise.

(c) No, Sir. It is not proposed to revise the basic principles governing the grant of war gratuity. The question of the grant of pecuniary benefits to Indian personnel is already under the consideration of the Post-War Pay Committee.

Prof. N. G. Ranga: Why does not Government take some steps to abolish these discriminations by reducing the special allowances and various other privileges that are granted to personnel other than the Viceroy's Commissioned Officers?

Mr. P. Mason: I do not understand what discrimination the Honourable Member is referring to.

Babu Ram Narayan Singh: In view of the fact that the British personnel get marriage, separation and children allowances and such other allowances, whereas the Indian personnel get nothing, will the Honourable Member say when these distinctions will be abolished?

Mr. P. Mason: As I have already said, marriage, separation allowances, etc., are being considered by the Post-War Pay Committee.

PROSECUTIONS AGAINST PRODUCTION OF FALSE WIDOWHOOD CERTIFICATES THAT OBTAIN WAR PENSIONS.

1578. *Babu Ram Narayan Singh: Will the War Secretary please lay on the table of the House a statement showing the number of widows of Indian officers and soldiers prosecuted in criminal courts of British India, for producing false widowhood certificates to enable them to receive pensions on account of their husbands' death in wars, with relation to those (i) who got enlisted in the Army before the 6th August, 1918, (ii) who were enlisted after the 6th August, 1918, (iii) who died before the 6th August, 1918, and (iv) who died after the 6th August, 1918, and also showing (v) the maximum punishment awarded, (vi) the minimum punishment awarded (vii) the amount recovered by way of fines, and (viii) the amount recovered by way of voluntary refund of the amount of pension supposed to be irregularly drawn, and (ix) the number of acquittals by British India courts?

Mr. P. Mason: I am afraid this information is not available and could not be collected in any reasonable time, if at all.

INCONVENIENCE TO BURMA INDIAN REFUGEES OWING TO CLOSING DOWN OF CERTAIN EAST COAST PORTS.

1579. *Prof. N. G. Ranga: Will the War Secretary be pleased to state:

(a) if he is aware of the inconvenience experienced by the people, especially the Burma Indian refugees owing to the closing down of East coast ports, particularly Kalingapatam, Barua, Gopalpur, etc.;

(b) now that the war is over, why their reopening is being delayed; and

(c) when they will be reopened?

Mr. P. Mason: (a) No, Sir. These ports were opened in July 1945.

(b) and (c). Do not arise.

UNSTARRED QUESTIONS AND ANSWERS.

QUALIFICATIONS AND FUNCTIONS OF INDUSTRIAL ADVISER TO GOVERNMENT OF INDIA.

176. Sri V. Gangaraju: Will the Honourable Member for Planning and Development please state:

(a) the requisite qualifications for the Industrial Adviser to the Government of India, and his functions; and

(b) the qualifications of the present incumbent of the said office; and his experience in the industrial field?

The Honourable Sir Akbar Hydari: (a) The function of the Industrial Adviser is to work closely with expert panels, which have been constituted by the P. & D. Department to investigate into the possibility of developing industries in India, to correlate their reports, and to submit an industrial plan to Government. Primarily the post demands experience in posts of high administrative responsibility and sound judgment.

(b) The present incumbent is a retired officer of the I.C.S. who has held responsible posts under the Governments of Bombay, Sind and an Indian State, including that of an Adviser to the Governor of Bombay. He has had no direct experience in the industrial field.

EXTENSIONS IN SERVICE TO GAZETTED OFFICERS UNDER CENTRAL GOVERNMENT

177. Seth Sukhdev: (a) Will the Honourable the Home Member be pleased to state how many gazetted officers working under the Central Government in various Departments are under extension of service?

(b) Do Government propose to stop the grant of further extensions and cancel those already granted in order to solve the problem of unemployment among the educated classes?

The Honourable Sir John Thorne: (a) The information is being collected and will be laid on the table when complete.

(b) The Honourable Member's attention is invited to the replies given by me on 21st February and 8th March to starred questions Nos. 414 and 791 respectively. Extensions of service are granted only in the public interest and it is not therefore possible either to stop the grant of further extensions or to cancel those already granted.

INCOME-TAX OFFICERS IN SIND WHO FAILED DEPARTMENTAL EXAMINATIONS

178. Seth Sukhdev: Will the Honourable the Finance Member be pleased to state how many Income Tax Officers in Sind who failed to pass their departmental examination are being retained in their jobs and not reverted to their original jobs?

Mr. B. C. A. Cook: There are eight Income-tax Officers in Sind who failed to pass the departmental examination completely and are being retained as Income-tax Officers, without being reverted, for want of men who have passed the examination fully.

DEMobilISED MILITARY OFFICERS TAKEN IN CIVIL EMPLOYMENT UNDER CENTRAL GOVERNMENT.

179. Seth Sukhdev: Will the Honourable the Home Member be pleased to state how many demobilised military officers have been taken in civil employment under the Central Government in various Departments during the last six months.

The Honourable Sir John Thorne: The question should have been addressed to the Honourable the Labour Member. It has accordingly been transferred to the list of questions for the 12th April, 1946, when it will be answered by the Honourable the Labour Member.

MOTION FOR ADJOURNMENT

STRIKE BY THE WORKERS OF THE GOVERNMENT OF INDIA PRESS, CALCUTTA

Mr. President: I have received a notice from Sree Satyapriya Banerjee of his intention to move for the adjournment of the business of the Legislative Assembly for the purpose of discussing a definite matter of urgent public importance, namely:

"Strike by the workers of the Government of India Press, Calcutta, on account of the failure of the Government to redress their grievances."

I find that the Honourable Member had put in a question on the subject some two or three days back and wanted to have it answered as a short notice question, but the Honourable Member for Labour did not accept the short notice question. At that time there was no strike actually going on. The present notice alleges a strike. There, it was a question of impending strike. Is there any strike at all?

The Honourable Dr. B. R. Ambedkar (Labour Member): I have no information with regard to this matter.

Sree Satyapriya Banerjee (Chittagong and Rajshahi Divisions; Non-Muhammadan Rural): I have definite information that there is a strike going on and yesterday's *Free Press Journal* also contained that news.

Mr. President: The source of the information is the *Free Press Journal*?

Sree Satyapriya Banerjee: The Leader of the Opposition has also got a telegram

Mr. President: Is the Honourable Member in a position to state some that of the strike. Is the whole Press on strike? Which it

Sree Satyapriya Banerjee: Yes, Sir, about 1200 workers are involved.

The Honourable Dr. B. R. Ambedkar: The position is this. A notice of strike was given on the 13th of March by the press workers of the Calcutta Press. Similar notices of strike were given by presses belonging to the Government of India located at various other places. The Calcutta Press workers gave a list of 13 demands and the Government has taken into consideration all of them and has made the following concessions to the press workers—compensation leave granted for attendance on gazetted holidays on which the press is closed, promotion of piece workers to classes above efficiency bar accelerated, increased rates of dearness allowance to have retrospective effect from 1st July 1944 instead of from 1st January 1945; half the dearness allowance to count as pay for calculation of pension; inferior servants to draw pension up to a limit of half average pay; the full period of strike will be treated as leave on average pay and debited against leave account due to uncertain conditions; an officer on special duty appointed to report on anomalies existing in the pay and conditions of service of the press workers; hours of work have been reduced from 48 to 44 for day shifts and from 44 to 38 for night shifts; piece-workers have been granted 23 days' holiday with pay, same as salaried workers.

With regard to other demands which relate, for instance, to revision of scales of pay and increase in subsidy rates, Government has informed all workers in all the presses belonging to Government that this matter must remain pending until the report made by the Salaries Commission, and Government therefore is not in a position at present to make any announcement with regard to these demands.

I may tell the House that so far as the strike in the Delhi press is concerned, these concessions have been accepted by the workers and they have gone back to work. I do not see any reason why the same attitude should not be taken by the press workers in the Calcutta press. I understood just now from office that one of the demands which they are pressing immediately is that further reduction should be made from 44 hours to 40 hours. I am unable to say anything definitely immediately, but that is a matter which I am prepared to consider. I do not think that any useful purpose will be served by discussing this matter on an adjournment motion.

Sree Satyapriya Banerjee: Sir, it may be within the knowledge of the Honourable Member that the Regional Commissioner of his Department recommended 42 hours and he turned down that proposal and insisted on 44 hours. Moreover, Sir, the workers of the Bengal Government Press work only 40 hours a week.

Mr. President: That is cross-examination on the merits. I am at present wanting to know how, in view of what has fallen from the Honourable Labour Member, the matter is of sufficient urgent and public importance.

Sree Satyapriya Banerjee: Sir, so many workers are involved and the lives of such a large number of workers and their dependents are at stake, being faced with starvation; Sir and if that is not a matter of sufficient urgent and public importance, I do not know what else can be.

Prof. N. G. Ranga (Guntur cum Nellore; Non-Muhammadan Rural): Sir, may I also make one submission. If it is possible for the Department to send any special officer to go and explain their own concessions to these workers and reason with them, it may be possible for them to prevent the continuance of this strike. After all, 1300 workers going on strike is a very serious matter even from the point of view of Government getting all their work stopped there.

The Honourable Dr. B. R. Ambedkar: I understand there is a Regional Labour Commissioner stationed in Calcutta who has been instructed by the

[Dr. B. R. Ambedkar]

Labour Department to get into touch with the workers and see what can be done.

Seth Govind Das (Central Provinces Hindi Divisions; Non-Muhammadian): The Honourable Member said that notices have been received about strikes in various presses. Is there any strike or danger of a strike anywhere else besides Calcutta?

Mr. President: I do not think that is relevant to the present issue. In view of what the Labour Member said, I do not think the matter is of such a type that I should give my consent to the adjournment motion being moved.

FACTORIES (AMENDMENT) BILL—*contd.*

Mr. President: The House will now proceed to the consideration of the Factories Bill.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadian Rural): Sir, when the House rose yesterday I was speaking on the point whether it was necessary to exempt the textile industry from the immediate operation of this Bill. The grounds that were made were principally that there was a shortage of cloth. I pointed out that if it was a matter of public interest certainly there was a proviso in clause 5 giving power to the Provincial Governments to exempt relevant industry from the operation of this Bill for a period of six months at a time. If there is a shortage of cloth and hence public emergency we are to ask all labourers to work for more than the maximum 48 hours it means that if there is a public danger or a public emergency the labourer is to be called upon to make a sacrifice. I want to know for whom he is to tire, toil and sweat. Why is it that we should not accept the principle of equality of sacrifice? Scarcity whether it is natural or man-made is always a period of boom for the capitalist. Today the Excess Profits Tax is gone, and if this shortage of cloth continues without any reduction of prices on the part of the millowners it will only mean that this public difficulty has been turned into an opportunity for a few millowners. That is hardly fair. I want to point out whether this year the shortage will be of that proportion to which reference was made by one of our speakers yesterday. On the 28th March in Bombay a meeting of the Textile Control Board was held and it was presided over by Mr. Krishnaraj M. D. Thackersey who gave a summary of the whole position, and he stated as follows:

"In the calendar year 1945 the Indian cotton mills produced 4,687 million yards of cloth and 1,625 million pounds of yarn, as compared with 4,811 million yards of cloth and 1,623 pounds of yarn in 1944 and 4,715 million yards of cloth and 1,620 million pounds of yarn in 1943."

Then he says further:

"In 1946 I will not be far wrong in forecasting that if the production of Indian cotton mills continues on the same scale as in 1945 the quantity of cloth which will be available per head of the population of India will be increased, following the reduction in the Government taking against military requirements."

Now, we know that quite a large quantity of cloth is exported. Why should that export be allowed if it results in the exploitation of labour? If Government come forward with this Bill they are morally bound to see that the export of cloth is stopped or reduced to some extent to make the whole position equitable. Now, Sir, I want to bring to the notice of the House that the proportion of production will be more for the year 1946. What the millowners are afraid of is that they will be pressed for reduction of prices as was suggested in the speech of the Honourable the Finance Member. This House will find what Mr. Thackersey, the Chairman of the Textile Board has to say:

"Even in the weaving section, as far as the classes of goods manufactured from Indian cotton are concerned, the margin of profit to the industry has been so reduced that any further reduction in price may result in the mills finding it necessary to close down."

Here great anxiety is shown for the production of cloth, but if it comes that the production of cloth is not going to be profitable to the extent to which it was in previous years, they threaten to close down the mills. One who comes to a court of equity must come with clean hands. I therefore submit that as I said yesterday, the exploitation of labour must cease. Now Sir, it was pointed out yesterday that there was not sufficient skilled labour and the cloth shortage was due partly to the fact that labour was not sufficient. I have before me the speech delivered by Sir Badridas Goenka at the Nineteenth Annual session of the Federation of Indian Chambers of Commerce and Industry to which my Honourable friend Dr. Ambedkar was rightly invited and I was wrongly invited and he says:

"With an acute shortage of cloth we are unable to increase production because of our inability to obtain textile machinery which is urgently required; with large labour resources, we are unable to utilise them effectively and maintain employment on account of absence of equipment."

So, Sir, the real reason for shortage of cloth is not want of labour, but want of sufficient material equipment. I therefore submit that I do not share the anxiety of my Honourable friend at any rate to the extent to which he has expressed it in his speech where he assumed that there was likely to be great shortage in the next year. This Bill has made provision in clause 5 whereby the Provincial Governments are authorised in public interest to grant exemption. I therefore submit that the Bill as has been recommended by the Select Committee should be passed.

Miss Maniben Kara (Nominated Non-Official): Sir, I rise to support the Bill as amended by the Select Committee. I wish to point out that while entirely agreeing with the Minutes of Dissent of many of my Honourable friends of the Select Committee, I make it very clear that my Honourable friend Mr. Guruswami and myself are very anxious to get immediate relief to the workers in the way of reduction of hours of work. We certainly feel that in a country like India, where the health of the workers is so poor, where the food of the workers is equally poor, the hours of work should be immediately reduced, in order to increase the efficiency of the working classes. If the efficiency of workers is improved, it will certainly go towards improvement of industry. Certain welfare measures which were adopted from time to time in other countries were with a view to improve the efficiency of the industry. I do hope that the day has come when the employers in this country also realise that certain facilities in the shape of reduction of hours of work, minimum wage, provident fund, recognition of trade unions, (things which are recognised in all civilised countries, but which are denied to workers of India) are essential for development of industry. All these measures, if they are brought into force, will certainly help to increase the production, and will guarantee better efficiency in industry, which would eventually help the growth of industry. Now, Sir, about the reduction of hours of work, the attitude which my Honourable friend Mr. Guruswami and myself have taken,—for 48 to 50 hours a week—is not because we consider that this is the ideal to be achieved. We certainly share the opinion of some of our friends in this House that the hours of work should still further be reduced, but we know that if we press for this today, it will not be possible for us even to get what is proposed in this Bill. So long as in this country production is going to be viewed from profit motive and not for satisfying human needs, there will always be such threats as has been pointed out by Honourable Mr. Gadgil from Mr. Thackersey and his friend for closing down mills. Closure of mills is the usual threat of the employers. No sooner do they realise that they will have to part with a slight profit on their own side, they come out with such threats. Is there any body in this House who would say that the demand for clothing 400 millions of people in this country is satisfied? Can there be anybody who can talk of over production? I am surprised that such threats should come at this time when everybody agrees that there should be reduction in prices of cloth and there should be increased production.

Now, Sir, about the export of cloth:

Maniben Kara:

It is clear that those who advocate export of cloth are doing it simply because they realise they can get better market in other countries where they can make better profits. India being a poor country, it is always difficult to get profit in the home market. Of course at present owing to war difficulties, there is shortage of cloth, but I am thinking in the terms of normal times. I also know that if the industry is left in the hands of private enterprise then there shall always be a cut in wages of workers, because they will try to compete and capture markets of foreign countries, particularly of Japan. My position is that home demand should be satisfied, but the home demand cannot be created in the country so long as we live in this feudal social system. Home demand will have to be satisfied first. I am surprised that employers should complain of shortage of labour in a land where there are millions of people going unemployed. It is absurd on the face of it. I can imagine that workers may not be trained, but as industries will grow and the conditions of workers is improved, the wages increase, the hours of work are reduced when people can get enough food to eat, thousands of workers will flock to the cities for industry. As long as the industry remains in the hands of a few, these complaints of shortage of labour will continue, threats of closing down of mills will also be continued. Internal home market will never be created.

Lastly as I said in the beginning, I do not feel that the Bill as amended is an ideal one, particularly for those who are working among labourers. But we welcome this measure most sincerely and heartily and I hope that the House will accept this Bill. I take this opportunity for expressing that there are several deficiencies in the Factories (Amendment) Bill. My Honourable friend Dr. Ambedkar has chosen certain things which will give immediate relief to the workers in certain aspects. I do hope that this House will soon pass a Resolution appointing a Committee to go through the entire Bill and suggest amendments which are very badly required. I trust that the House will pass the Bill as reported by the Select Committee.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association: Indian Commerce): Sir, before the Honourable the Labour Member replies, I would like the Honourable Member in charge of Industries and Supplies Department to reply to the points raised by me in my speech yesterday.

Mr. President: On what question?

Mr. Vadilal Lallubhai: On the working of the Textile Mills.

The Honourable Dr. B. R. Ambedkar: I propose to deal with that point. I have been asked by my Honourable colleague to speak on that point and I am quite competent to speak because every Member of this Government can speak on behalf of the Government as a whole.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I have to say something on this question unless the Honourable Member is agreeable to my speaking afterwards.

Mr. President: Even if he is agreeable I do not think I can permit it under the Rules after the Honourable Member has replied to the debate.

The Honourable Dr. B. R. Ambedkar (Labour Member): So much has been said already that it is not necessary to say more.

Mr. President, Sir. The debate that has preceded so far has really left very little for me to say because what has been said by the one side against the Bill has, if I may say so, been effectively replied by the other side, and, therefore, certainly at this stage there is no great necessity for me to repeat what has been said already. If I rise at all it is to deal with the criticism that has been made by my Honourable friend, Mr. Vadilal Lallubhai. I have listened to his speech and I must say that I have been quite unable to understand what complaint he has to make with regard to this Bill. I am quite aware and everybody else is that today there is a threat of cloth famine and that whatever we do with regard to the amendment of the Factories Act affecting the pro-

visions relating to hours of work, we should be cautious to see that the situation with regard to cloth is not aggravated. My reply to the criticism of my friend is this that we have not only taken into consideration the situation regarding cloth famine, but we have taken into consideration the situation that might arise with regard to the shortage of other articles of consumption, and the Government of India has not only introduced an amendment which would give relief to the cotton industry but is so widely worded that it would also give relief to many other industries which are engaged in producing consumers goods. I do not quite understand why he is not satisfied with so general a provision which not only gives him relief but also gives relief to many other industries. I am still unable to understand the significance of his comment.

He made two other points to which I think he is entitled to a reply from me. The one comment that he made was—I have got the text of his speech before me—that this exemption ought to be given by the Government of India itself in this very Act and not to be left to the discretionary authority of the Provincial Government. My answer to this criticism is twofold: In the first place, as my Honourable friend knows, granting exemption is what in law is regarded as an exercise of executive authority under the constitution which is now in operation; although labour is placed in concurrent list that fact merely gives the Government of India the authority to make the law. It does not give the Government of India authority to put that law into execution. All execution must remain in the hands of the Provincial Government and if, therefore, we have not granted exemption straight-away in this Act it is because it is beyond the powers of the Central Legislature to do so. The second difficulty which I find in meeting the demand that he has made is this: It is impossible for the Government of India to single out any particular industry such as the cotton textile industry to be mentioned in the Act itself for exemption without at the same time giving a list of other industries which might require similar exemption. It is impossible for anybody in the Labour Department to anticipate the needs of other industries and to make specific provisions in that behalf. He expressed the fear that Provincial Governments will not grant the exemption for which they have been empowered very readily, and if I understood him correctly he said that labour in Provinces will create difficulties in the matter of Provincial Governments granting such exemptions. I do not share the fear because I believe that the Provincial Governments while they would undoubtedly listen to such reasons as labour may have to put forward against granting exemptions will no doubt bear in mind the exigencies of public needs and public interests and do what may be needful in the circumstances. Therefore so far as his first point is concerned, I do not think that I can meet it because the law will not permit me to do so, and, secondly, I do not see why the Provincial Governments should not be trusted to do what is needful in the interest of the public in general.

The other question which he raised was whether the Industries and Civil Supplies Department was prepared to take responsibility for this measure. I do not think he should have raised this question because if he had only taken into consideration the way in which the Government of India operates, he would have known that no measure can go before this House unless it has had previously the consent of the Executive Council in which the Member in charge of Industries and Civil Supplies has every right to make his say, but I can say positively that the Labour Department had paid the greatest consideration to what was urged by the Department of Industries and Civil Supplies in this matter and it is at their instance that clause 5 was introduced in this Bill. They were apprehensive that while the general provisions regarding the restriction of hours of labour were essential and necessary and could not be postponed, yet the circumstances in which this country was placed with regard to certain articles should also be borne in mind, and it was at their express instance that this clause was introduced. I hope my Honourable friend will be satisfied that the Industries and Civil Supplies Department has in no way been rushed by this Bill and that this measure has their fullest support. Sir, I move.

Mr. President: The question is:

"That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President: I shall take clause 2 first and clause 1 at the end. There is an amendment to clause 2 by Messrs Vadilal Lallubhai and Ramalingam Chettiar.

Mr. Vadilal Lallubhai: I have got to make some observations. Dr. Ambedkar says that the law does not provide for exemptions but as the amendment has been drafted it is possible that it will come under the law. I would like to know whether the amendment of clause 2 as drafted by me does come under the law.

Mr. President: I am not clear as to what the Honourable Member is driving at.

Mr. Vadilal Lallubhai: The Honourable Member said that the law did not provide for exemption. If he reads my amendment to clause 2 he will see that there is no legal bar. I would like to know whether it is because that there is a legal bar that he wants to oppose my amendment or there are other reasons.

Mr. President: I believe the Honourable Member has clarified the position sufficiently in his speech. I do not think there can be any doubt on the question. He said that the legal bar was one argument. There was a further argument also that, in his opinion, whatever is necessary will be done by the Government. Am I right?

The Honourable Dr. B. R. Ambedkar: Yes, Sir.

Diwan Chaman Lall: May I say a word regarding the point which has been raised by my Honourable friend behind me. I think there is a little misapprehension in regard to the legal position. I do not think there is anything preventing the Government of India from moving an amendment taking upon themselves the power to give the necessary exemptions in cases where applications are made. It is a matter of administration and it is obviously not possible for the Government of India to come to a decision when applications are made regarding certain industries in any particular Province. If people come up to the Government of India and ask for exemptions, my Honourable friend may not have the necessary facts to come to a decision. The only possible practical method is to leave it to the Provinces to decide in certain emergent cases. I want to make the position clear as far as we are concerned. We are not in favour of wholesale *ad hoc* exemption being given in respect of the provisions which are now before this House. What I would suggest is this. Only in the case of an emergency where the Provincial Government is definitely satisfied that an emergency of a national character has arisen, only then should any exemption of this nature be given, keeping in view the circumstances of that particular industry and keeping in view the circumstances of the particular province. Therefore I submit that my Honourable friend is perfectly right in leaving it to the Provinces and not taking responsibility upon himself, even when he had the legal authority to do so. Under the Government of India Act it is perfectly true that labour is on the Concurrent List but it does not take away the power that the Honourable Member possesses to legislate in regard to any matter connected with labour. The administration obviously is not in the hands of the Central Government except where the Central Government takes into its own hands the powers to administer. The administration is entirely in the hands of the Provinces. I do not know why my Honourable friend behind me is anxious that the Centre should take the power into its own hands and not allow the Provinces to undertake the enquiries which will be necessary before these exemptions are given. Therefore I submit that this is the proper method. It is a method which is generally adopted in regard to labour legislation emanating from the Centre and there is nothing wrong in it. But at the same time I want to reiterate the point that I placed before the

House that in no circumstances should these exemptions be given on a wholesale basis. They should be given after a careful and proper enquiry into the necessity of giving these exemptions and only after satisfying themselves that the labour concerned in the matter of these exemptions is siding with them and is not opposed to this particular change. I submit that the scheme of the measure as it stands is the right scheme and should not be interfered with.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Sir, I think there is unanimity so far as the general proposition is concerned that the hours of labour should be reduced from 54 to 48 as a maximum but the difficulty comes in only in regard to certain emergencies. Now there is an emergency owing to cloth and yarn scarcity. It is only in that regard that some industrialists had told my Honourable friend that he should make an exception in their case and therefore he has come forward with this proviso giving power to the Provincial Governments to make exemptions. In giving this exemption even in regard to this particular emergency I have one proposal to make and that is that so far as the weaving section of the textile industry is concerned there need be no exemption at all. We have got handloom weavers in this country 2½ million of them active workers and 10 million depending upon them, who are now suffering for want of yarn to carry on their occupation. They are employed only to the extent of 25 per cent. They want more and more yarn. Therefore we are extremely anxious that more yarn should be placed at their disposal. If that can be facilitated by introducing 48 hours maximum limit in regard to the weaving mills, certainly we would like that to be done immediately. But so far as the spinning mills are concerned we are quite prepared to countenance any Provincial Government giving an exemption in their case, so that they can be enabled to produce more yarn and place it at the disposal of the handloom weavers. I speak subject to all the observations that have fallen from the lips of my Honourable friend Diwan Chaman Lall. We have confidence in the Provincial Governments. Now that popular Provincial Governments are coming in they should make a regular and systematic enquiry when applications are made by industries for exemption in their favour and they should satisfy themselves in an open manner that there is a definite case made out. Then alone an exemption should be given. Therefore my point is that in regard to the spinning mills my Honourable friend the Labour Member should keep a watchful eye and see to it that the weaving mills are not given this exemption but only the spinning mills.

Mr. Vadilal Lallubhai: I would like to make one point regarding the textile industry very clear. It is not the textile industry which has asked for any exemption, let me tell you. It is the Government of India who think that an exemption ought to be granted. Para. 3 of the Statement of Objects and Reasons says:

"Exemptions granted during the war by which certain factories were permitted to work beyond the limits fixed in section 34 will have to continue for sometime in a few cases, e.g., in the textile industry for so long as there is cloth shortage in the country. The amendment proposed in Section 44 will achieve this object when such exemptions are required in the public interest."

My advice to my fellow brothers in the industry will be that it is not for us to ask for any exemption, because even in the textile industry we have agreed to a 48 hour week. We have to consider that there may be cloth famine and that is why Government should consider whether it is worthwhile to have more production or not. It is not that for our interest we want a 54 hour week. A 48 hour week is quite enough for us and my advice to my fellow brothers in the industry is that it is not for us to ask for exemption, because it is not for our benefit that we should ask for exemption. If there is need for more cloth the Central or Provincial Governments should come forward and ask us that we should work for 54 hours and they should see that labour would be prepared to work for 54 hours. It is for the Government to ask both labour and industry whether they are prepared to work 54 hours and it is not for industry to ask for 54 hours. I would like to make this position clear about the industry.

Mr. President: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Mr. President: Clause 4.

Sri T. A. Ramalingam Chettiar (Madras: Indian Commerce): Sir, I beg to move the amendment that stands in my name:

"That in Clause 4 of the Bill, for the words 'ten and a half hours or where the factory is a seasonal one, eleven and a half', the word 'twelve' be substituted".

I am very sorry that the discussions in this Assembly have proceeded more as a matter of antagonism between labour and the managements rather than, as they should be, a matter of adjustment between the two. Labour after all will be able to get higher wages, more comforts and everything else only if there is profit. If there is no profit industry cannot be worked. Industry cannot work and the labourer will not get any advantage. It ought to be a matter of co-operation between labour and capital so as to produce the best by the efforts of both. If in our country we are going to attain anything like better conditions for labour, it can only be attained by co-operation and not by the sort of antagonism that is being engendered by discussions by various Members. As I said, Sir, the main condition will have to be production. It is indeed that which is going to help both labour and capital to earn their reward. The idea that the capitalist is earning large profits, is making huge profits, and that labour is being denied its proper share of the profits is at the bottom of all this trouble in the field of industry. If anything like equilibrium is to be established, it can only come by giving a share to labour in the actual management of the mills, by regulating the conditions of work in the mills and then sharing the profits when profits are obtained. These are the only two things which can in any way bring about the necessary co-operation for betterment of the industry and for the increase of production. The actual conditions of labour in the factory have to be adjusted with reference to the organisation of the work that has to go on in the factory itself. If, in the view that the labourer ought to have a greater leisure or that he will have to hang about there for a few hours or that he is not supplied with particular comforts as things stand at present, if these are going to stand in the way, and if arrangements are made so as to be unsuitable for the proper organization of work in the factories, then both labour and capital will suffer. I have been advocating for a pretty long while that all internal work should be managed by a joint committee, a work committee as it is called in America, which will undertake the internal organization. I have also been suggesting that labour, capital and the management should be given a minimum remuneration and all profits over and above the minimum remuneration should be shared in the proportion of 50 per cent. for labour, 35 per cent. for capital and 10 or 15 per cent. for the management. The proportion I have mentioned is not a matter of absolute standard. It is a matter which will have to be adjusted with reference to conditions obtaining at a particular time and also with reference to the factory or to the industry concerned. Unless some such arrangement is come to, I fear it will not be possible for us to have a smooth arrangement for giving due remuneration for all the persons concerned in industries and to avoid conflicts and misunderstandings as they exist today. For instance, the question of reduction of hours is being dealt with in this Bill. I fear this will be an illusory sort of help to the labourers, for what will be the effect of this legislation on wages? Will industry be able to pay the same wages they have been paying for nine hours hereafter. Or, are they going to reduce it? There will be trouble again. Industry will naturally say "For nine hours work we paid you so much; for eight hours we are going to pay less". Will the labourer be benefited by it?

He won't. The labourer will certainly prefer to work longer hours, if necessary, to earn higher wages. Any way, I am only saying what difficulties there are by dealing with these matters piecemeal. If we are going only to take up one question of leisure, or another question of some other comfort to be given to the labourer, it may affect him in other ways with the result that he won't reap the benefit which we had in view in passing a legislation of this sort. I would suggest to the Labour Member, if he is going to have anything more to do with labour problems in the Government, that he may think of bringing in a comprehensive measure which will secure for the labourer a due proportion of the profits that are earned and which will secure proper distribution of the profits among the several persons interested in the industry itself. I was induced to make these remarks because the amendment which I am now proposing relates to a matter of adjustment and organization of work in the factory itself. My friends who are thinking that they are helping labour think that if you give the labourer leisure at one end or the other he is going to make use of it and everything will be settled. It will not be the case. Those who know the working of factories know very well that the work in the factory has got to be organised: it cannot be done by merely saying "You can have a few hours this way or that." If for instance under this Bill they are employing two batches of labourers, each batch will have to be allowed to work the proper time eight hours are allowed for each batch to work for the whole day and these 8 hours cannot be worked continuously and will have to be divided into two portions. Any other division than half and half will create trouble in the organisation of working the factories. I am speaking as a man who has got some practical experience of the working. If you are going to introduce different periods for different shifts, it will certainly interfere with the organisation of the work in the factories. It will not be possible to control the work that is being done in the factories; it will not be possible to take note of the persons who are coming on at different times to the mill to start work. So it is only in the interests of better organisation of work and not in the sense of reducing the remuneration of the labourer or in any other way affecting his interest that I have brought forward this motion.

The objection that has been raised is that if there is a gap of 4 hours, if there are two batches working four hours each, if the first batch works 4 hours, and the second batch will work for 4 hours, during the interim period of 4 hours the first batch enjoys leisure: that is the argument which is brought forward by those who want this spreadover. My answer to them will be this: there are exceptions probably in Bombay and other places like that; but in upcountry, in most factories quarters are being built for labourers and probably if materials become cheaper in the course of a year or two, all the labour in the factory will be provided with quarters in the vicinity itself. If that is done, these labourers will not have to hang about as they will otherwise have to do.

The other thing I want to say is that even otherwise it will not be possible to organise the work. The organisation of work is difficult. Supposing for 2½ hours as it is now proposed—if the first batch works for four hours and then the second batch works for 2½ hours and then the first batch comes again, what is the second batch to do again? There will be some gap there also with the result that we will not be able to manage the two batches of men; we ought to have several batches—probably three or four batches to come in at various periods at different times; and they will have to start work in different ways and at different times, with all the confusion that will arise there. Anybody who has seen the working of a factory will realise what mischief will be done if different sets of people are introduced into the factory at different times and start work at different times. It is on account of that that I have chosen to give notice of this amendment. I hope the Honourable Labour Member will not consider that this is a motion brought in the interests of the employers, but it is in the interests of the organisation of work of the factory itself, in which both the capitalists and the labourers are interested. It is only with that view that I have brought it. I hope that he will accept the amendment.

Mr. President: Amendment moved:

"That in Clause 4 of the Bill, for the words 'ten and a half hours or where the factory is a seasonal one, eleven and a half', the word 'twelve' be substituted".

The Honourable Dr. B. R. Ambedkar: Sir, I am afraid I am opposed to this amendment. There are two objections which I see. One objection is a general one. The Honourable Mover of this amendment seems to hold the opinion that if employers in any particular industry have devised a particular plan of employing their labour in their factories, then the law ought to be so framed that it would suit the practice that is prevalent. That is a position which I am not prepared to accept. Many employers may devise many means that may be primarily in the interests of the employers and I think it would be wrong on the part of the State to accept the obligation that in whatever legislation they may propose, the legislation should be made to suit the practice and that the law should not alter the practice if it is found that the practice is bad. That is my first argument why I am unable to accept this amendment.

The second argument which I have against this amendment arises from a direct consideration of the matter. If I have understood my Honourable friend correctly, the sort of way in which he employs his labour could, I think, be described in a simple manner in some such fashion: he has as a matter of fact two corps of labour under him, which for purposes of explanation may be called 'A' corps and 'B' corps! and the way he would like to employ them would be somewhat in this fashion: 'A' corps would start work at 8 a.m. and work till 12 Noon. At 12 Noon they will be discharged from their duty; and after 'A' corps has been discharged at that time, 'B' corps would come in and work till 4 o'clock in the afternoon. At 4 p.m. 'B' corps would be discharged and 'A' corps would again come in and work till 8 p.m. At 8 p.m. 'A' corps will be discharged and 'B' corps will be brought in for work and would work till 12 midnight. That, if I understood him correctly, would be the method by which he would work his labour

Sri T. A. Ramalingam Chettiar: Quite right.

The Honourable Dr. B. R. Ambedkar: Now, it seems to me that this arrangement is fundamentally opposed to the principle of spreadover. What is the principle of spreadover? It is this, that as far as possible no worker should be required to stay on the factory premises for any period longer than is necessary for the full employment of the maximum hours prescribed by law. In this Bill we are providing that the maximum hours per day should be 9. If the amendment was accepted, the worker would have to be kept on the premises, for three hours more, which I submit is not in consonance with the general principle of spreadover. A factory, if I may say so, is not a garden and certainly today has not got all the amenities which a factory ought to have; and it is very desirable that an employee should be allowed to quit the factory as soon as he possibly can get back to his home, breathe free air, and enjoy such amenities as he can and make the best use of the leisure that the law gives him. For these reasons, I think this amendment is not a good amendment and I am therefore not prepared to accept it.

Diwan Chaman Lal: I think my Honourable friend has said the correct word in regard to the question of spreadover but I would like my Honourable friend who moved this amendment to remember that we are discussing now a question which was never considered under the Indian Factories Act until the last amendment after the Royal Commission on Labour reported on this subject. There was absolutely no provision from the moment the first Factories Act was brought on the legislative list until the time when the 1934 legislation was brought in. This question of spreadover was never tackled legislatively till then. When we were going around the country taking evidence in regard to this matter on the Royal Commission on Labour we were struck by the attitude of certain employers who were quite willing regardless of the interests of the workers to keep men on the premises practically from 5/30 in the morning till 7 at night. Now, I ask my Honourable friend to remember that the period between the time a worker comes into the factory and the time he finally leaves

in the evening is a period of tension. He is not really free and it often happens that a worker is on the premises for 11, 12 and 13½ hours. Take the jute mills. There we found that men, women and children called up early in the morning were put on to work for two or three hours, then taken off work for another two hours and then put on to work again. In the interval it was impossible for them to go to their *bustees* which are a long distance away from the factories with the result that they had to lie down on the floor in the factory compound until they were called back two or three hours later. The result is that the workers were available for the management from 5/30 till late at night.

This happened not only in the jute mills but in South Indian cotton mills. In the case of a couple of cotton mills in the south we discovered that a similar practice prevailed. Let me refer my Honourable friend to a little paragraph on page 47 of the Royal Commission's report. This is what they reported:

"The question of maximum intervals, or spreadover, which is not touched by the present Acts, requires attention. In the majority of factories, intervals are not unduly long or numerous, but there are important exceptions. An extreme instance is afforded by two South Indian cotton mills working in shifts, in which one shift has to work for two periods of five hours each, separated by intervals of 7 hours. For a man on this shift, 7 hours is the longest period of absence from the factory on working days. It is only fair to add that the shifts are interchanged at regular intervals; but even so, the arrangement is one which ignores the needs of the operatives. In the Bengal jute mills, the great majority of the adult operatives begin work at 5-30 A.M. and finish at 7 P.M. with intervals variously arranged and this is true also of some of the children. The night is thus reduced to 10½ hours, a period which is further reduced for many by reason of the distance of their homes from the factory. It is at least questionable if the present practice in most jute mills is in conformity with the International Labour Convention relating to night work for women, which India has ratified; but whatever view be taken on this point we believe that, in the interests of the operatives, not less than 11 hours should be secured for both men and women."

This was in the year 1931 and I submit that in the present conditions of industrialisation, as it is going to develop and as it has developed during this war, it is absolutely necessary to obtain for the worker the maximum amount of leisure, if we are going to build up a nation of A-1 men and not a nation of the C-3 variety. I do submit that my Honourable friend should be able to arrange his working hours in his factories so that he can get the amount of work he wants within the hours laid down under the Factories Act and that he should not allow the amount of spreadover that he is wanting. We have come to a decision in the Select Committee, a majority decision no doubt, that in section 38 of the said Act for the word "thirteen" the words "ten and a half hours, or where the factory is a seasonal one, eleven and a half" shall be substituted.

Up to the present moment, this was the position in regard to the seasonal factories. Now, we are wanting that 13 hours be reduced to 10½ and where there is a seasonal factory an extra half an hour is permitted, due to exigencies. Now, my Honourable friend wishes 10½ hours to be made 12 for seasonal factories.

Mr. President: He wants 12 hours for all.

Diwan Chaman Lal: Yes, both for seasonal and perennial factories. He is a businessman. He is an industrialist. Does he not actually know that no worker really works in a factory for a period of 12 hours? In actual practice, all the evidence tends to show that the actual hours of work amount only to 8½. Evidence was taken from millowners on this point and the millowners themselves admitted this fact. My Honourable friend knows that the workers cannot get the rest they need in the premises of the factory itself. The worker loiters about instead of taking the ordinary type of rest he would be entitled to. Here we have made a provision in regard to this matter—up to 10½ hours or where the factory is a seasonal one, eleven and a half hours. I pressed my objection even to this but in order that there should be no difficulty in getting through this important measure I am quite prepared not to obstruct in the passing of this measure, so that my friend before he vacates his office—I hope he will still be available for such good purposes—may bring in a comprehensive measure so that we may be able to deal with this question from the humanitarian point of view and not merely from the point of view of the employing class. Remember these are our own men. They are going to make the nation of tomorrow. They are the men on whom India will depend for its industrial

[Diwan Chaman Lall]

production, defence and it is up to us to take this opportunity of building up a nation of real men and not mere automata who are brought into the factory at dawn when it is dark and who leave the factory when it is dark, with not the slightest amount of leisure for their own cultural purposes. My Honourable friends, the owners of factories, can take their golf clubs and play golf, play their tennis and other games but what happens to a worker who is kept working for 11½ hours? What can he do? By the time he gets back to his *basti*, it is time for him to prepare his own meal and retire to bed and then wake up early in the morning to march to the Factory. I submit that the time has come when we must look at it not only from the point of view of ordinary humanity, but equally from the practical point of view. It is a well known fact that these workers engage in the production of goods in the Factories for not more than 7½ to 8 or 8½ hours a week, although their nominal hours of work may be much longer. Now, Sir, on page 42 of the Royal Commission's Report my Honourable friend will find what the effect of all this is:

"At the same time, the great importance which the Indian worker attaches to adequate leisure is a truth underlying it. It is also important to remember that, in the cotton mill industry in particular, there are still opportunities for increased effort on the part of the operative. So far as we are aware, there is no industrial country, except possibly China, where so little is expected from him in effort and so much in attendance at the factory. The average number of looms given to each weaver in India is less than two and one spinner is ordinarily required for each side of a frame."

These are matters which will have to be considered later on when nationalisation of industry takes place in India, when the question will be tackled by a National Government. Meanwhile it is necessary to place on record this fact that it is absolutely essential to provide leisure for the working classes and the proposition which my Honourable friend mooted in the shape of an amendment will not give that necessary amount of leisure and I do hope the House will reject it and support the provisions of the Bill as they have come before the House through the Select Committee, inadequate as they are, in the hope that sooner or later my Honourable friend will take an opportunity of bringing in a comprehensive amending measure.

Mr. President: The question is:

"That in Clause 4 of the Bill, for the words 'ten and a half hours or where the factory is a seasonal one, eleven and a half', the word 'twelve' be substituted."

The motion was negatived.

Mr. President: The question is that clause 4 stand part of the Bill.

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 to 7 were added to the Bill.

Mr. President: Clause 1.

Mr. M. A. F. Hirtzel (Bengal: European): Sir, I move:

"That in sub-clause (2) of Clause 1, for the words 'on such date as the Central Government may, by notification in the official Gazette, appoint', the words, 'on the first day of January 1947' be substituted."

Sir, the only purpose of this amendment is to try to avoid disorganisation which might arise owing to shortage of industrial labour at the time of the passing of this Act.

Mr. President: Amendment moved:

"That in sub-clause (2) of Clause 1, for the words 'on such date as the Central Government may, by notification in the official Gazette, appoint', the words, 'on the first day of January 1947' be substituted."

Mr. S. C. Joshi (Government of India: Nominated Official): Sir, I move:

"That in the amendment to clause 1 of the Bill, moved by Mr. Hirtzel, for the word and figures, 'January 1947', the word and figures 'August 1946', be substituted."

Mr. President: Amendment moved:

"That in the amendment to clause 1 of the Bill, moved by Mr. Hirtzel, for the word and figures, 'January 1947', the word and figures 'August 1946', be substituted."

Sri M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): I have yet another amendment, Sir, which is an amendment to the amendment to the amendment. I want to substitute 'May' for 'August' in the amendment moved by Mr. Joshi.

Mr. President: Why have this amendment as an amendment to Mr. Joshi's amendment? Why not have it as an amendment to Mr. Hirtzel's amendment? That will be the proper thing.

Sri M. Ananthasayanam Ayyangar: I will have it as an amendment to the original amendment.

Mr. President: Then the form of the amendment will be:

"That in the amendment to sub-clause (2) of Clause 1 of the Bill, moved by Mr. Hirtzel, for the word and figures 'January 1947', the word and figures 'May 1946' be substituted."

Sri M. Ananthasayanam Ayyangar: Sir, I move:

"That in the amendment to sub-clause (2) of Clause 1 of the Bill, moved by Mr. Hirtzel, for the word and figures 'January 1947', the word and figures 'May 1946' be substituted."

Sir, the object of my amendment is this. I had a talk with persons from my Party who are in charge of mills and they tell me that it will take only two or three days to make adjustments of this kind unless my Honourable friend wants one full year. What my Honourable friend Mr. Vadilal Lallubhai wanted by way of exemption for textile mills has been indirectly achieved by the amendment of my Honourable friend Mr. Hirtzel of the European Group who wants the Act to come into force in January. What can be achieved in two or three days is sought to be delayed for a longer period I request the Government to accept my amendment and give effect to this measure immediately.

Mr. President: Amendment moved:

"That in the amendment to sub-clause (2) of Clause 1 of the Bill, moved by Mr. Hirtzel, for the word and figures 'January 1947', the word and figures 'May 1946' be substituted."

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. President: I will now put to the House the amendment of Mr. Ayyangar.

The question is:

"That in the amendment to sub-clause (2) of Clause 1 of the Bill, moved by Mr. Hirtzel, for the word and figures 'January 1947', the word and figures 'May 1946' be substituted."

The motion was negatived.

Mr. President: I will now put the amendment of Mr. Joshi. The question is:

"That in the amendment to Clause 1 of the Bill, moved by Mr. Hirtzel for the word and figures 'January 1947', the word and figures 'August 1946' be substituted."

The motion was adopted.

Mr. President: I will now put the motion of Mr. Hirtzel as amended. The question is:

"That in sub-clause (2) of Clause 1, for the words 'on such date as the Central Government may, by notification in the official Gazette, appoint', the words, 'on the first day of August 1946' be substituted."

The motion was adopted.

Mr. President: The question is:

"That Clause 1 as amended stand part of the Bill."

The motion was adopted.

Clause 1 as amended was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. B. R. Ambedkar: Sir, I move:

"That the Bill as amended be passed."

Mr. President: Motion moved:

"That the Bill as amended be passed."

Shri Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): Sir, you are allowing the third reading on the same day. Have the Standing Order been suspended?

Mr. President: As no one has objected, the question does not arise. But even if it had arisen I would have suspended the Standing Order.

Mr. Vadilal Lallubhai: I had originally an intention to reply to my Honourable friend Mr. Gadgil but I would not do so. I quite realise that after all, his information is derived from a sentence in one paper here and a sentence there in some speech or other. I know he has very little time these days to study the facts and figures, and so if he makes mistakes they are surely not intentional. That is why I do not want to reply to my Honourable friend; otherwise I have plenty of statistics with me in my bag here, but it is not necessary to give them in reply at this juncture. Anyway we must try and do our best to see that the country has more cloth and devise ways and means to that end, so that not only we may clothe ourselves sufficiently but also clothe people outside this country in time to come who may be in need of that cloth. But until that time, as we are now reducing our cloth production we must see that no cloth is henceforth exported and Government must take steps not to allow this export any more; and that we may now all work together and find out ways and means whereby more cloth may be made available.

Prof. N. G. Ranga: Sir, I have only two things to say. The Congress does not believe in the profit motive, with due deference to my Honourable friend the Finance Member; and, secondly, the Congress certainly can afford to accommodate Sanatanists on whichever side they may be, because Congress stands for the toiling millions of this country. In whichever position any one of these gentlemen may find himself, either as capitalist or employer or organiser or manager or expert, he certainly will find an honoured place in the social economy as Congress conceives it, provided he is there to serve his community and not to impose his own will upon it and not make his own self-interest appear to be the public interest or try to profiteer at the cost of the rest of the society. Mahatma Gandhi has made it perfectly clear that he stands for a society in which there will be no place at all for the profit motive

Mr. President: Order, order; I am afraid this general discussion again will not be relevant for the purpose of the third reading of the Bill. The discussion is restricted to the Bill as it has come out with amendments.

Prof. N. G. Ranga: I am grateful for your reminder, Sir, because the point that I wanted to make has already been made effectively and I have nothing more to say except to express my happiness that this Bill has been passed so expeditiously.

Sjt. N. V. Gadgil: Sir, I wish to say only one word. Whatever figures I quoted were from the industrialists themselves, and there may be a difference of opinion among them. The one thing I wish to say is that when there is a public difficulty it should not be the opportunity for a small section to exploit. If there is shortage of cloth and if workers are asked to work for more than 48 hours, then out of this difficulty no millowner should get one copper coin. The Finance Member has given them exemption from the Excess Profits Tax. He would have heard, if he were here, what I quoted from the speech of the Chairman of the Textile Control Board. The Chairman says that they would have to close down the mills because they could not afford to have the present price structure. They have got exemption but their attitude is hardly one of gratitude to the Honourable Member.

The Honourable Sir Archibald Rowlands (Finance Member): I do not expect gratitude.

Pandit Mukut Bihari Lal Bhargava (Ajmer-Merwara: General) Sir, I wish to make a few observations at this stage. I regard this measure as a piece of legislation which will give immediate benefit and relief to the suffering masses of the country. But there are certain points that I should like to bring to the notice of Government. Government in this country are the biggest employers of labour. In the railways not less than 9 lakhs and 62 thousand people are employed. Similarly in the Posts and Telegraphs Department the number of employers run to a couple of lakhs. By this Bill the Government have accepted the principle that the maximum number of hours in a week for which labour can be expected to work is 48. Therefore the question naturally arises what will be the position of the Government in respect of its own employees. I respectfully submit that the lot of railway employees and of the Posts and Telegraphs employees is no better. In certain conditions it is much worse than the ordinary labourer working in any factory. This legislation has got application only to those workers who are working in factories; it has got no application to railway employees and other Government employees. I do not think there exists any legislation in respect of postal employees, but so far as the railway employees are concerned, it is only Chapter VI (A) which has been added by the Railway Amendment Act of 1930, but even that Chapter VI, as judging from the modern point of view, is a piece of reactionary legislation...

Mr. President: Order, order. I am afraid that discussion will not be relevant to the subject.

Pandit Mukut Bihari Lal Bhargava: Very well, Sir. The railway employees are expected to work up to 60 hours, and intermittently up to 84 hours and they are entitled to over time only at the rate of 1½. I respectfully submit that when the Government is the biggest employer of labour in India, they should consider the advisability and the desirability of bringing legislation in respect of its own employees in consonance with the principles that are being adopted in respect of workers in factories.

With these observations, Sir, I support the motion.

Diwan Chaman Lall: I welcome this measure, which is about to be adopted by this House, with certain reservations which I want the House to note. As far as we are concerned, we would have welcomed a shorter working hour week. We would have welcomed it for several reasons, one of those being that in this post-war period of planning and reconstruction, in this period when we are faced with large scale unemployment it would have been advantageous to lower the working week in order to absorb large numbers of men who might be thrown out of employment. And this is only one of the methods, and a very effective method, of re-absorbing a large labour force which would ordinarily be thrown out of their jobs.

The other observation that I would like to bring to the notice of this House is this: I am very glad that the Select Committee accepted the suggestion that I made in raising overtime payment from 1½ to 2 times the figure that was suggested. My Honourable friend is to be congratulated in accepting that suggestion. That is some ordinary measure of relief which is given to a hard pressed worker who because of the necessity of production is engaged for longer hours of work than are laid down under this measure. But at the same time I would have liked, as the matter was discussed on the Select Committee, that some steps should have been taken to raise the age limit of the worker in this measure, namely take away the right of the employer to employ a child of 17 years and thereby, by amending the definition of adult, raise the age limit to 19. I do hope that this suggestion that I make will be duly considered by my Honourable friend in the interest not only of the working classes but of the general level of our physique in this country, and the necessity of building up that physique in the post-war period.

Some criticisms have been raised in regard to this measure which I think are somewhat mistaken. For instance, it has been said, and a bogey has been raised,

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that if you reduce the hours of work in the textile mills, there is going to be a decrease in production. I do not believe that, Mr. President, I am one of those who is quite convinced in my own mind looking at the history of labour legislation in regard to hours of work, that this bogey—which is not a new bogey, a bogey which has been raised since 1907 when the Factory Labour Commission was appointed and even before when four committees from 1875 to 1907 were working with regard to this matter,—came up constantly and was kept before the public eye on behalf of the employers: if you reduce the hours of work, efficiency would be less and production would be less. On the contrary it has been found after very careful investigation that we ourselves made, running over a period of nearly two years, examining factories all over the country, taking evidence even in England with regard to this matter, that this state of affairs is incorrect. What we have discovered is this: There may be an immediate fall for a little while, but the efficiency of the worker actually increase. On the last occasion when the hours of work were reduced from 60 to 54, there was a temporary fall, but in the end all the evidence showed that increased efficiency had been obtained and production had gone up. There are other measures for increasing production. My Honourable friends ought not to be satisfied with machinery on which the date is 1892. Today it is not the question of the man, it is the question of machinery: it is not the man who is really responsible for higher production, it is the machinery that is capable of giving you higher production. Instead of one man looking after two looms, as a result of new inventions it is possible to get hold of such machinery as will be operated by one man but two hundred looms at a time. My Honourable friends who are in this business know that this is going on in America.

Mr. Vadilal Lalubhai: I hope you will do it.

Diwan Chaman Lall: My Honourable friend did not do it. Ten years ago we pressed them to do it. In his own home town Ahmedabad, in the Shahpur Mills, he will find machinery today which is marked '1892' and then he complains...

Mr. President: Shahpur mills do not exist now.

Diwan Chaman Lall: I am very glad they do not exist now. Probably they do not exist because of their inefficiency. Had they replaced their machinery by setting up a modern mill they would have certainly succeeded and made enormous profits as other mills have done. But let this plea not be raised in this House that any reduction of hours of work or any amelioration of the condition of working classes is going to result in lower production. As I have said, production is purely a question of machinery and not of working man. Therefore, I submit that this bogey should be laid at rest.

Similarly another bogey has been raised regarding double overtime payment. It has been said that if you double the rate of payment for overtime, no employer is going to pay overtime. Why? If the necessity is for my Honourable friends to get more work out of the labourer and engage him even overtime, then why should production go down? Why should the employer not want to employ a man merely because he has to pay double the rate? I do submit that payment of double the rate for a few hands at any particular time is not going to raise the cost of production to such a limit that the employer will be forced to say 'I will not pay overtime'. On the contrary my Honourable friends,—those who are in the textile industry; I do not happen to be in the industry myself—know they have made enormous profits during the war. They will continue to make enormous profits after the war, and they will do so as long as there is shortage, but let not this plea be taken by those who want short production in order to keep the prices high—let that excuse not be advanced by those who want to utilize this opportunity of keeping production low in order to keep the price of the commodity high. I hope no such attempt will be made by any millowner in any part of India. They must realize that the needs of the country are greater at the moment, and they must help society with better rate of production in times of scarcity in

which we find ourselves today. Now, Mr. President, there is nothing very much more to say in regard to this measure except once more to make the plea to my Honourable friend that he should not hesitate to overhaul the entire machinery of the Factories Act. The Factories Act originated in the year 1911. It was amended again after the recommendation of the Royal Commission on Labour in 1934. It has been tinkered with ever since and I submit that the time has come, not for tinkering, but for a comprehensive measure in order to place the Factories Act on the Statute Book in a manner which suits modern conditions and human conditions. I hope the time will come when all these industries regarding which we are passing this legislation will not be exploited for private profit but for the benefit of the nation. When that time comes it will be the duty of my Honourable friends who sit along with me to see to it that real decent human civilized legislation for labour is brought on the Statute Book. Meanwhile, there is a duty cast on my Honourable friend and I may say that the times are changed. There was a time when it was almost impossible to get the Honourable Member in Charge of Labour to move a single inch to get him to do anything in respect of the working class. Time and again whenever conventions in Geneva had to be ratified, they were brought to the House and voted down. Those times are gone and I am glad to see that there is a move on but the pace is not fast enough and I do hope my Honourable friend will take an early opportunity of making a comprehensive revision of this labour legislation.

Mr. S. Guruswami (Nominated Non-Official): The labour representatives in the House have supported the passage of this measure on certain conditions. We want the Government to apply the principles of the Bill to other Government undertakings like the railways, and to semi-government undertakings like the Port Trusts. Mr. Chaman Lall rightly pointed out that the application of the Factories Act is very unsatisfactory. If the Factories Act in this country had been properly framed, the benefit of this legislation would have gone to a larger number of workers such as dock workers as in England. The intention of reducing the working hours is not only to give to the labourer all the rest he deserves but also to see that there is more employment of labour. The intention of providing double normal rates for overtime is to make it unprofitable for the employer to use the existing men for overtime work and at the same time avoid evading his liability for increasing employment. When you are facing unemployment in the country, the reduction of the working hours is the first question that every right-minded employer should tackle. I hope the Labour Member will see to it that the working hours are reduced and that although there is no express legislative provision by which the workers will be protected against being affected adversely, he will see to it that the workers wages are not reduced by this measure. Again, in regard to the standard of working hours let me quote the famous saying of Abraham Lincoln: "As long as there are able bodied men willing to work and unable to find employment, so long are the working hours too long." That is the test by which the working hours in any industry should be tested. I should say that even a 42-hour a week is too long a period, when there are so many able-bodied men willing to work and unable to find honest labour. Therefore when the workers have supported this measure, let it not be understood that we are committed only to 48 hours. The implication of this Bill is that it should promote more employment. The implication is that the Government standard of working hours from 54 to 48 should be reduced without reduction of the basic wages. The Government owe it to themselves and the public to see that other Government undertakings do not sabotage this measure and adopt 60 hours week as the railways are doing, because in certain undertakings like Port Trusts under the control of the Central Government, there is no statutory restriction of working hours at all. Therefore, I should like to make it clear that although we have co-operated and we have moderated our demands in a spirit of compromise let it not be understood that we will keep quiet until the labour movement has been successful in securing adequate protection.

With these words I support this measure.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): When I made mention of a reference to Select Committee, the Labour Member opposed the idea. He said that he would circulate the opinions to all concerned for the information of this House. But I hope he will realise the benefit now that it has come through the Select Committee. We wanted to go further than he was prepared to go but a threat was held out by him which induced the labour representatives in this House to keep their hands off and even vote against us. We wanted that the hours should be further reduced because there are some factories which work even lesser hours than 48. Then we wanted to do away with the distinction between seasonal and perennial factories. We succeeded in part. We reduced the hours from 54 to 50. The other thing was that we wanted to bring to the notice of the Select Committee and also to the Honourable Member the need for a measure for minimum wages. A threat was held out by two of the members representing factories, that if you reduce the hours of work, it would mean a reduction of wages. But I would like to take what Mr. Chettiar said in this light was that the Honourable Member for Labour should have come up with a Minimum Wages Bill in the first instance, and then should have thought of reducing the number of hours of work in the week. If he had said it is that sense, I really welcome his suggestion and now I would like

Sri T. A. Ramalingam Chettiar: Without fixing the minimum wage this won't go very far to help the labourer.

Sri R. Venkatasubba Reddiar: But because this Bill has sought to reduce the hours of work, I do not think the factory owners would try to reduce the wages of the labourers. At any rate, to avoid all this, I request the Honourable the Labour Member first to introduce the Minimum Wages Bill, which I find is in the programme of the list of Bills which is sought to be introduced in this Session. I expect him to do it and to carry this Bill through in this Session as at least in the coming Session.

With these few observations, I commend this Bill to the House.

The Honourable Dr. B. R. Ambedkar: I do not think I need say anything at this stage except to express my gratitude to the House and to the Members of the Select Committee who have so greatly co-operated with me in carrying this measure through. With regard to the many suggestions which have been made by many speakers who have spoken on this motion, all that I need say is that whichever Government comes into operation it will undoubtedly have to bear those suggestions in mind. As my Honourable friend, Diwan Chaman Lal said, we are not living in the same time when the Factory Commission reported. Time has advanced. The world has advanced and we have to show that we too, like other modern countries have a regard for the moral standards on which our industrial relations are to be based, and I have no doubt about it that what they have said will be borne in mind and that their suggestions will be given effect to.

Sir, I thank the House for the courtesy they have shown me.

Mr. President: The question is:

"That the Bill as amended be passed."

The motion was adopted.

PROVIDENT FUNDS (AMENDMENT) BILL

Mr. B. C. A. Cook (Government of India: Nominated Official): Sir, I move:

"That the Bill further to amend the Provident Funds Act, 1925, as reported by the Select Committee, be taken into consideration."

The Bill has emerged from the Select Committee who have reported unanimously on it and have suggested two amendments of substance, the remainder being of a formal nature.

The purposes of the two amendments of substance have been fully described in the report and I can add nothing to that description. They are based on considerations of equity and Government will be glad to accept them. Sir, there is a

rather cynical old proverb which says that it is a wise child that knows its own father. I shall be very glad to support any claim of my Honourable friend Mr. Ayyangar to be the father of these two amendments.

I must also pay tribute to him and the other non-official Members of the Select Committee for their labours. This subject is a somewhat arid one and is perhaps almost repellent to the ordinary parliamentarian. It has none of the glamour and publicity which might apply to more exciting issues, and any work done on it, (and the work has been well done) must be its own reward. Sir, I move.

Mr. President: Motion moved:

"That the Bill further to amend the Provident Funds Act, 1925, as reported by the Select Committee, be taken into consideration."

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, it is not a very big Bill and I am extremely obliged to my Honourable friend for having showered compliments upon me which I do not think I deserve, having regard to the nature of the Bill itself. But I would only commend for the acceptance of the House with respect to the other Bills the wholesome practice which the Honourable Member thought fit to inaugurate in the case of this Bill. He took hold of me and the others who had tabled some amendments. He took us into his room and then brought other members of his staff. We discussed the amendments before we met in the Select Committee, settled what the amendments ought to be and finally when we met in the Select Committee there was no difficulty. If matters are settled in a similar manner, there ought to be no gulf between us as there appears to be on all Bills. Even in the Select Committees there is a broad gulf between us. We do not meet beforehand and that is why there is a lot of difficulty even on matters which are accepted in the Select Committee and we come here to the House, take up the whole matter once again and fight on the floor. Even after the Bill emerges from the Select Committee we pursue the matter in the House. I am glad to inform the House that there is no such gulf nor difficulty here, because we agreed on the amendments.

The amendment is a simple one. There was a defect in the previous act. If a provident fund subscriber died only one person had the right to receive the money and if that man had died the contingency was not provided for. It was not provided that another person could receive the provident fund money in case the original man who had been nominated should pass away. A further devolution was not provided for. That lacuna has been made up and in that way there is an improvement over the original Bill. Some defects in the rules have been modified. I commend this Bill for the acceptance of the House.

Mr. Leslie Gwilt (Bombay: European): Sir, I support this motion and there is but one observation I have to make. The Select Committee have reported unanimously. I cannot understand why the provisions, being as desirable as they are, merely apply to the bodies and to the provident funds which these bodies administer in the Schedule of the Provident Fund Act of 1925. They do not apply to the much larger number of provident funds which are run by commercial concern. The statement of objects and reasons stated that the Bill was being introduced as a result of a number of cases that had come before the High Courts, and I would like the Honourable the Mover to tell us whether any cases have come before the courts resulting from misunderstandings in the application of the relevant points in regard to Provident Funds run by commercial concerns. I hope, Sir, that if the Honourable the Mover agrees with what I have said, at a date in the near future he will introduce a further Bill providing the same clauses to operate in respect of provident funds of commercial concerns.

Mr. B. C. A. Cook: Sir, the only point which needs any reply is that of the Honourable Mr. Gwilt. I think he himself will recognise that his observations are strictly outside the scope of this Bill. It is of course correct that the provi-

[Mr. B. C. A. Cook]

dent funds of commercial concerns are not covered by the Provident Funds Act of 1925. Incidentally, I know of no such litigation of the type described by Mr. Gwilt. There are of course certain provisions regarding provident funds in the Income-tax Act, and the Honourable Member is aware that in order to secure certain benefits under the Income-tax Act commercial provident funds have to comply with certain rules. But on the point as to whether Government would agree to promote legislation to confer on commercial provident funds the protection which is given by section 3 of the Provident Funds Act of 1925, I think, Sir, that Government would first have to be assured that such protection is in fact sought by the depositors and the custodians of the funds concerned; and if such assurance were received I have no doubt that Government would consider the matter very seriously.

Mr. President: The question is:

"That the Bill further to amend the Provident Funds Act, 1925, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Mr. B. C. A. Cook: Sir, I move:

"That the Bill as amended be passed."

Mr. President: The question is:

"That the Bill as amended be passed."

The motion was adopted.

MERCHANT SEAMEN (LITIGATION) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I move:

"That the Bill to provide for the special protection in respect of civil and revenue litigation of serving merchant seamen, be taken into consideration."

Sir, the objects of this Bill will be quite clear, as you will find, from the statement of objects and reasons. This body of merchant seamen have done deeds of great valour and courage and I should say that due to their work and reputation the name of India today stands very high in the world of mercantile marine. It is only fair that when these people go out they should not be made victims of such litigation which might put them into difficulties. In fact cases came to our notice in which we found that in the absence of these seamen from their homes suits had been instituted of various types and they had to come back to undo the mischief sometimes successfully and sometimes not. Indian soldiers have got certain privileges by which they are protected in matters of such litigation. This legislation we took a very long time to come here, as we had to consult Provincial Governments and settle the details. This measure is necessary in the interest of serving Indian merchant seamen.

Mr. President: Motion moved:

"That the Bill to provide for the special protection in respect of civil and revenue litigation of serving merchant seamen, be taken into consideration."

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Though I have got an amendment in my name, before I consider whether it is worth while to move it, I would make certain general observations. I have got certain misgivings. If my Honourable friend, the Commerce Member will remove those misgivings well and good. If on the other hand he

thinks the doubts which I shall express ought to induce him to expand or modify the provisions, then I shall request him to do so. The Honourable the Commerce Member obviously thought that the matter is a very simple one. He did not therefore consider it advisable to elicit opinion or refer it to Select Committee. Certainly the object is a very simple one. But there is nothing which is simple in law and legislation. It will therefore be better if he consolidates the wisdom of more heads so that his object can be more expeditiously achieved. For example, my Honourable friend has on the whole conceived this Bill more or less with the seamen as a defendant, and, as he has just observed, that the merchant seaman who has been and is rendering valuable service is away from the home he should not be annoyed with litigation. The question is if his annoyance is confined only within the sphere of his being a defendant alone. Suppose there is some cause of action in respect of some property which is looked after by other persons. How can he do anything when he is away? The process of getting a plaint drafted, sent from court to court to uncertain destinations which may not reach him at all, is neither expeditious nor solvent and may be abandoned altogether. The Honourable Member has done something with the seaman as a defendant in his mind, namely that the Collector shall intervene and do something which will bring about a postponement of the proceedings. But there ought to be a similar provision where it is necessary for the seaman to be a plaintiff and he cannot sue. The Civil Procedure Code does not allow any other man signing the plaint unless there is some authorisation. But that does not arise here. The Collector should be given some power under which he can intervene and take upon himself the cause of action affecting the seaman. There are cases of an imperative character involving far too irreparable injury for compensation or remedy in the distant future. I am speaking of those things. I shall expect my Honourable friend to enlighten us upon this point, namely, when a seaman is away and such a contingency as that I have described arises, what provision he has made by which somebody will set the law in motion, which opportunity would have been available to him if he were an ordinary man under ordinary circumstances.

Regarding the question of pre-emption I wonder why my Honourable friend who is a resident of my Province of Bengal should have agreed to a Bill which leaves out pre-emption proceedings out of the sphere of application of this Bill. In Bengal, and in other Provinces as far as I have gathered from my friends, the right of pre-emption is more or less the most cardinal right to be fought in the courts or to be settled outside the courts. If a man cannot get his right of pre-emption enforced it is no use giving him relief in respect of other matters which are comparatively of a secondary character. Suppose the brother of the seaman sells a land to a stranger. It is against the interests of the other brother and also against social interest nowadays that there should not be disintegration of holdings and that there should not be multiplicity of ownership. Therefore not only in his private interest but in the social interest the brother who is abroad has to exercise the right of pre-emption in respect of that portion which has been sold by his brother to a stranger. This pre-emption is excluded from the purview of this clause. I say that is not fair. And that is a matter in respect of which I expect my Honourable friend to throw some light.

So far as the question of limitation is concerned, there is another aspect of it. Suppose I am a seaman and I have sold my portion of the property and I have gone away to serve as a merchant seaman. Suppose after that a proceeding has been instituted by somebody, some fraud or pretender, to do away with my transaction. I am a defendant but the normal privilege of reopening a defence is not open to me and in that case, I cannot sue. If you would be good enough to refer to clause 8 you will find that although the proviso to clause 6 applies only to pre-emption when the seaman is an applicant or a plaintiff, still in clause 8 the exclusion of the limitation is enlarged in scope. It is made applicable to a case in which a seaman is a party. He may be plaintiff or defendant, petitioner or respondent. This inconsistency between the proviso to clause 6 and clause 8 should be rectified. There must be something either bad in drafting or some confusion in the construction of the whole

[Mr. Sasanka Sekhar Sanyal]

Bill. I hope the Honourable the Law Member will also apply his mind. It will be a pleasure for an experienced lawyer like him to do so though he is now out of practice.

The Honourable Sir Asoka Roy (Law Member): I hope to go back soon.

Mr. Sasanka Sekhar Sanyal: Then he ought to make a humble beginning now. I am afraid I am not expressing myself so clearly as I ought to do. But since the President is looking into the matter and my Honourable friend the Commerce Member is also a lawyer, at one time a very prominent lawyer, it will not be difficult for him to understand that clause 6, apart from the injustice of the matter namely that seamen should not be excluded, contemplates the applicant as a possible pre-emptor and clause 6 contemplates him both as a pre-emptor and as a party against pre-emption. The result of that is that while in clause 7 limitation has been provided for and in clause 8 limitation has been extended, between the two we have been driven into a position in which no remedy would be available for a seaman who may hereafter come and claim for reopening of a decree which claim he would have had even under the ordinary law. That is the importance of the matter.

Suppose a seaman is abroad and a proceeding has been instituted against him and the petitioner has not notified to the court that he is a seaman within the meaning of clause 3. That clause is not obligatory—it only says:

“If any person presenting any plaint, application or appeal to any Court has reason to believe that any adverse party is a serving seaman, he shall make a statement accordingly in the plaint, application or appeal.”

It does not say that if he does not comply with this, he will suffer in consequence. Therefore he may or may not do so, and the court does not know that in these pre-emption proceedings the defendant is a seaman, and an ex-parte decree or order is passed. Under the ordinary law, when he comes back he can go to court and say that he was not aware of the proceedings and therefore he could have asked the court for a setting aside of proceedings; but since this special law has been enacted which deals with a special question, this law is applicable. But it will not be available to him for purposes of advantage, but only for purposes of impediment. Between clauses 7 and 8, the position will be that a seaman who might have something to say in pre-emption under the ordinary law would be forced down to an exclusion of that privilege. Therefore the position is two-fold. If the Government really wants that the seamen on account of their absence should not be put to any hardship, they should get all the advantages in the matter of pre-emption, as in other matters, whether they are plaintiffs or defendants. In the second place, so far as the question of limitation is concerned, the entire thing has to be recast, because my learned and Honourable friend's desire certainly is not that in his anxiety to do something for these people, he should land them in such a situation that it will open the flood gates of litigation: in trying to do them good, he may be forging a weapon, though unwittingly, which would destroy the very object with which he has been proceeding.

I have got amendments on the clauses and I will deal with them when they come; but I would earnestly appeal to him to understand when we point out possible pitfalls. There also the same course is open, either to ask for some public opinion which may or may not be necessary—but if he thinks that what I have been saying—I do not claim that what I am saying is infallible but—is a possible view point, it is much better to safeguard against all these contingencies; and if my friend agrees at least in part with what I have said, he ought either to move for Select Committee himself or if there is a motion for Select Committee from any other side, he ought to accept it: he will not lose more than three or four days to make the necessary drafting changes. With these observations I will wait for my friend's reply and then I will consider whether I will move my motion for circulation.

Sri S. T. Adityan (Madura and Ramnad cum Tinnevely: Non-Muhammadian Rural): Sir, I have got a motion for Select Committee; shall I move it?

Mr. President: Let him answer first.

Mr. Leslie Gwilt (Bombay: European): I would ask the Honourable Member only one question. I would ask him whether as a result of this Bill the special protection that it provides . . .

Mr. President: I think it will be better to let the position, explained by the Honourable Member, be further clarified; and then of course we will see as to what the further position is.

The Honourable Dr. Sir M. Azizul Huque: Sir, I may say that my friend is under a certain misapprehension as regards some of the points he has raised. But of course being like him, as he has said, at one time at least knowing a little bit of law, I do not dare to enter into the domain of legal controversy. But one thing I must say, that I do not think any one has yet seen an infallible law or one which is absolutely perfect. At the same time we must all do our best to see the law as well enacted and legislated as we can.

I wish first to draw attention that this Bill has been drafted more or less on the model of the Indian Soldiers Litigation Act 1925—IV of 1925. Since 1925 that law has been functioning; and so far there has not been any case in which any of those superfluous points which my friend has raised was ever the subject matter of controversy in court or elsewhere. In other words, the difficulties which my friend anticipates have not arisen, in spite of the war being on for five or six years and in spite of the millions of soldiers being away from their hearths and homes: there has not been one case in which the difficulty in operation, as my friend contemplates, has happened; and therefore having regard to the number of Indian seaman, which is much smaller than the army, I feel there will be no difficulty as my friend contemplates. As regards pre-emption, if my friend will see section 6 of the Indian Soldiers Act, there also it is exactly the same language, namely, the jurisdiction of the court has been made discretionary in the matter of pre-emption proceedings, though in another matter it has been made more or less mandatory. I shall read the relevant section:

“Provided that the Court may refrain from suspending the proceeding and issuing the notice if—

(a) the proceeding is a suit, appeal or application instituted or made by the soldier, alone or conjointly with others with the object of enforcing a right of pre-emption, . . .”

Therefore this section is exactly the same as it is in the other Act; and having regard to the fact that it is a special question, we thought it was better to follow the same line.

I think it will be relevant if I quote from a speech at the time this Indian Soldiers Act was passed. The question of excluding the pre-emption from the mandatory provision of the law was raised and the speech in answer which was given is relevant to the present issue. “The court will have a discretion to refrain from exercising its powers under that clause in the case of proceedings relating to rights of pre-emption:” in other words, not that the court will have no power, but in one case the court will do it and in the other case the court may have the power to do it; in other words, it is purely discretionary. The court will have to consider whether it is a matter of such a character that the provision should be applicable or not. And the reason is fairly obvious. But I may as well quote again from the speech and that there may be no misapprehension.

“It was considered by all the local governments whom we consulted and by the authorities whom they in their turn consulted that suits for pre-emption did lie in a peculiar category and it was represented, I think, with good reason that if pre-emption were to be allowed to subsist for long or indefinite periods there will be a great lack of security to those actually in possession. You have for instance the case of the possessor of the land who desires to build. If there is a chance of a right of pre-emption being subsequently enforced, he is obviously in a very embarrassing, possibly in a very injurious position. One of the main objects with which this Bill has been framed and one of the main objects

[Dr. Sir M. Azizul Huque]

which the legislation it is intended to amend was framed, is to maintain the natural and legitimate rights of the soldier and at the same time to place no serious disability upon the third parties and it is in pursuance of that principle that this exception has been made."

Well, Sir, that is literally applicable to the facts of today, namely, the power is discretionary and the court will consider whether in the circumstances in which the right of pre-emption is the subject matter of the suit it is a case which should obstruct all further proceedings in the absence of the seaman who may or may not be an essential by necessary party. If seaman is a single defendant, the court may grant it; if it is a joint suit, the court may not grant. That is a matter left to the court.

Then the question as to whether the seaman is plaintiff or a defendant is naturally another aspect. Here is a man who is trying to get certain rights enforced in court against me in my absence. Naturally I have a right to see that my rights are protected when a litigation is entered into at a time when I am absent and I am not aware of it. But the position if I am a plaintiff is entirely different. All the laws, the Civil Procedure Code as well as the other provisions provide enough means by which a man who enters into litigation of his own accord as a plaintiff may be able to subsequently carry on the litigation in his absence. The Civil Procedure Code provides it. As regards new cases the proposed limitation clauses gives him a further protection and even if it does not, this later provision which has been referred to by my friend will give him ample protection.

As regards the limitation question, if my friend will read carefully he will find that here again it is exactly on the same lines as the Indian Soldiers Act. If he will read carefully he will find that in computing the period of limitation provided in this Act, namely, in section 7, there is a certain power given to the court as to the period of limitation. Now, that is with reference to the one class of cases. Another class is about period of limitation under the Indian Limitation Act or under any other law for the time being in force and therefore this section is a wider section in which it is contemplated that whatever a man has a right, against him or for him, in which he can himself exercise the right or against whom the right should or should not be exercised he should have the right to get himself protected by excluding that period of time in which he is not within the country. I hope that in the circumstances my friend will feel that this is for the time being at least the best we could do having regard to the explanation I have given and having regard to the different issues which are involved. That is all I have to say.

Mr. President: May I point out the difficulty which I feel in reading this. Clause 8 says 'to which the seaman is a party'. Will it not be possible for any person to have the period of limitation extended by the simple device of making a seaman a party irrespective of the fact whether he is a necessary party or a proper party. Is my point clear?

The Honourable Dr. Sir M. Azizul Huque: You are referring to clause 8?

Mr. President: Yes, apart from other discussions and points raised.

The Honourable Dr. Sir M. Azizul Huque: I take it that if that case arises it will be for the court to decide whether the seaman is a necessary party or the litigation has been brought in to defeat the objects of the law.

Mr. President: I am merely making a suggestion about the wording of the clause. All that is necessary under the section is that the seaman should be a party.

The Honourable Dr. Sir M. Azizul Huque: Quite right. This is exactly what is found in section 11 of the Indian Soldiers Act. Here it is for the Indian soldier, we propose to have it for the Indian seaman. If a right like that is sought to be defeated, surely the court has ultimate authority to deal with the matter.

Mr. Leslie Gwilt: The Honourable Member in his speech said that the Bill had been designed on the model of the Indian Soldiers Act. May I ask

whether the Bill provides the special protection in respect of civil and revenue litigation of serving seaman that the Indian Soldiers Act provides. I feel it has not been brought into line with the protection provided to serving soldiers and sailors as regards the postponement of proceedings; if I am right perhaps he will be good enough when he replies, to explain why there is this disparity?

The Honourable Dr. Sir M. Azizul Huque: That is explained in the statement of Objects and Reasons. The same protection has been afforded here subject to one departure, namely:

"whereas in that case there is no limit to the number of times a suit or proceeding can be compulsorily postponed, in the case of merchant seamen it is proposed that there shall be only one compulsory postponement and subsequent postponements shall be at the discretion of the court. This distinction has been made in view of the fact that a merchant seaman is not compelled to the same extent as a member of His Majesty's Forces to be absent from his home for long periods."

That makes it quite clear.

Mr. President: May I know what the Honourable Member, Mr. Sanyal, wishes to do in view of the explanation. I find there is an amendment in his name for circulation, also one in the name of Mr. Jaffer and two Select Committee motions in the names of Mr. Jaffer and Mr. Adityan.

Mr. Sasanka Sekhar Sanyal: I understand that Mr. Adityan is moving his Select Committee motion.

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): I do not propose to move my amendments.

Mr. President: Then Mr. Adityan can move his motion if he thinks it should be made, after hearing the explanation.

Sri S. T. Adityan: Sir, I move:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. Sir M. Azizul Huque, Sri R. Venkatasubba Reddiar, Mr. Sasanka Sekhar Sanyal, Shri D. P. Karmarkar, Syed Ghulam Bhik Nairang, Seth Yusuf Abdoola Haroon, Mr. E. L. C. Gwilt, Sardar Mangal Singh and the mover, with instructions to report by the 15th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

In moving this, I do not want to make a lengthy speech. The difficulties have been pointed out by my Honourable and learned friend Mr. Sanyal. We know the difficulties which have arisen in courts and they do arise every day in courts in the case of the Soldiers Litigation Act, especially in the small cause courts. There are a large number of inaccuracies in the present Bill. In a number of places, the meaning is not clear. The policy of the Bill is all right but the drafting defects cannot be remedied by discussion here and now. It can only be done in the Select Committee. I move.

Mr. President: Amendment moved:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. Sir M. Azizul Huque, Sri R. Venkatasubba Reddiar, Mr. Sasanka Sekhar Sanyal, Shri D. P. Karmarkar, Syed Ghulam Bhik Nairang, Seth Yusuf Abdoola Haroon, Mr. E. L. C. Gwilt, Sardar Mangal Singh and the mover, with instructions to report by the 15th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Leslie Gwilt: Sir, I notice my name is included in the list. I was not consulted in the matter, but I have no objection to serving, if I am here in Delhi. I doubt whether I shall be, if it is going to be more than a week or ten days. With your permission and the permission of the House and unfortunately my Honourable colleague is not here to consult him—I should like to substitute the name of Mr. R. C. Morris in place of mine.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): We did not notice any other Member on the European Group Benches and there was only Mr. Gwilt sitting there and that is how we mentioned his name.

[4TH APRIL 1946]

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadian): Sir, I rise to support the Motion for sending the Bill to the Select Committee. Sir, my point is this. My Honourable friend Mr. Sasanka Sekhar Sanyal pointed out certain difficulties which might arise in the administration of the Act. My Honourable friend Sir Azizul Huque says that the Bill is exactly on the model of the Soldiers' Litigation Act, where no difficulties have arisen. He therefore says that the Bill should be passed according to that light. But everybody knows that times are changing and difficulties with regard to cases and laws arise every day, and everybody knows that when a measure is enacted, the ideas and intentions of the legislature are interpreted in hundreds of ways by astute lawyers. Sometimes the law is interpreted in quite a different manner, which was never the intention of the legislature. Besides, Sir, this is a new measure. By this Bill certain special rights are to be created for certain sections of the people. Such being the case, legislators ought to see that in passing such a measure, other people may not be put to disadvantage. With these remarks, I submit that if it is not possible to circulate the Bill for eliciting public opinion, at least it should go before the Select Committee, where all the defects can be remedied.

The Honourable Dr. Sir M. Azizul Huque: Sir, I am rather pained that my Honourable friend, in spite of the Explanation that I have given, is thinking of referring the Bill to the Select Committee. Sir, this reference to Select Committee is as good as saying that we should postpone the Bill for the next few months. Naturally, 15th April is the date on which it would be reported and after that sometime will have to be given to Honourable Members to give notice of amendments. As you, Sir, are aware, we have very heavy work ahead. During the course of the next week, there will be discussions on supplementary demands, there is the U. N. R. R. A. question, there is also the question whether a date should be given for Planning and Development, there is the second Insurance Bill, quite apart from other matters which are before the House. I find that this Bill will be practically blocked out. I have said repeatedly that you cannot have a perfect law. Here is a law which has followed the model of a law which has been in operation for 15 years. If any difficulty arises, it will be open for my Honourable friend Mr. Sasanka Sekhar Sanyal, the Law Member of the future to change this law and bring an amending Bill.

Mr. Sasanka Sekhar Sanyal: If there is to be a future Law Member, it will be certainly a man of much higher calibre than Mr. Sanyal.

The Honourable Dr. Sir M. Azizul Huque: I have got a high esteem for my Honourable friend Mr. Sasanka Sekhar Sanyal. I have been associated with him in Bengal Legislative Assembly and he belongs to a district neighbouring to me. That is another consideration. I feel that the only way in which the House should approach matters like these is whether it is not an improvement on the existing state of affairs. It may not be cent per cent improvement according to him, but it really gives much better relief than what is at present provided. It is far better that we should undertake legislation rather than protract the day of this legislation. After all legislation is not such an easy matter and whoever may be the future Law Member, I can say to him that he will find how difficult it is to get a law passed. If you have to send it to the Provincial Government, you have sometimes to send it to the High Courts, consult the best legal opinion in the country, obtain technical advice. I feel that it is a very difficult thing. I do not know where my Honourable friend Babu Ram Narayan Singh gets his experience of hundreds of cases, coming as he does from Bihar, where from not a single seaman comes. I can understand if some Honourable Member from Madras or Bengal or Bombay saying this. This is the first time I hear that any seaman comes from Bihar.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): They are all at sea.

The Honourable Dr. Sir M. Azizul Huque: Anyway it is not because that I am not anxious to accommodate the Opposition. Had it been possible for this law to be passed at a later date in the session, having regard to the state of business, I would have consented to the motion for reference of the Bill to the Select Committee. I have never been obstinate or obdurate in my views especially in legislation. Having had a certain amount of parliamentary experience, I should certainly like to accommodate the House, if I may, but I am afraid I will not be able to do so in this case and I therefore most regretfully have to oppose the motion for referring the Bill to the Select Committee.

Sri M. Ananthasayanam Ayyangar: Sir, I am very sorry to see the attitude adopted by the Honourable Member in charge of this Bill. If he says, that the date for presentation of the report of the Select Committee should not be put so late as the 15th April, I can understand that position. I can understand his anxiety to finish this legislation in the course of the Session. In that case, we can reduce the time to the 10th or 11th April by which time the Select Committee report should be presented to the House. This Bill contains about ten clauses. It no doubt follows the Indian Soldiers (Litigation) Act, 1925. I am obliged to the Honourable Member for extending the provisions of this Bill to seamen also. They may be in need of such help. The question is how far we can go, whether this is enough. The fact of the matter is that the Bill is drafted in his Department, the Honourable Member, himself, I take it, has not had much time to go through the provisions of the Bill meticulously with care. Somebody prepares the Bill in his Department and he comes to this House and says, here is the Bill. He places it on the statute book. If we do not agree to his proposition, he immediately threatens us, he brow-beats us and at the point of the bayonet he says have this Bill or no Bill at all. He talks in this strain because of the strength of votes behind him. If he is imbued with this idea by all means, let him carry this measure without giving an opportunity to the House to see whether the provisions are all right. According to me, even if one Honourable Member wants to go through the provisions of the Bill carefully and satisfy himself about the legality of the provisions or otherwise, he must be given an opportunity to do so. There is no use of rushing Bills in this fashion. The Honourable Member ought to give proper weight to the opinions expressed on this side of the House and take the House with him. I have unfortunately been noticing in my Honourable friend of late an attitude which does not show respect to this House. I have noticed it not only in the present instance, but in other matters also. All right, he is strong enough to force his will through the House

The Honourable Dr. Sir M. Azizul Huque: I am very sorry that my Honourable friend should speak in this way. I had explained to the House the reason why I could not accede to the motion for reference of the Bill to the Select Committee. In spite of what I said, my Honourable friend accuses me. It is not fair.

Sri M. Ananthasayanam Ayyangar: Fair or unfair, I have been noticing this attitude in my Honourable friend. Doubts have been raised by some Honourable Members of this House regarding this legislation. The Honourable the President himself felt doubts which he raised. His only answer is that no Bill could be perfect. I say is human creation perfect? Why should you and I be struggling to reform the world. Let us all die and make no efforts to improve the world. All that we ask is let us sit across the table and discuss the provisions of this Bill. If necessary, let us finish the discussion soon and present the report of the Select Committee by the 10th so that it can be made into in this session itself. There are important provisions in the Bill which require careful consideration. For instance there is the provision extending the period of limitation for applications by seamen and similar other provisions which we should carefully go through and decide.

There is this honest doubt.

Mr. President: Order, order. I think instead of carrying on this discussion in an unfortunate atmosphere, the time for the report of the Select Committee might be shortened and an attempt made to pass the Bill before the 18th. Will that be possible?

The Honourable Sir Askoa Roy: One difficulty is that after being passed by this House the Bill would have to go to the upper House, and we cannot keep them waiting without doing anything.

Mr. President: What is the last day of the sitting of that House?

The Honourable Sir Asoka Roy: They are anxious to go away as soon as they can.

Sir George Spence (Secretary Legislative Department): The length of their sitting depends on what happens in this House, and every effort should be made to finish the Bills to be passed into Law this session in this House by the 12th April. If this Bill goes to a Select Committee and is not reported on until the 15th, we could not take it up in this House till the 22nd unless you approved its normal interval to be curtailed.

Mr. President: I appreciate that. I was going to suggest that much time may not be taken in discussing the clauses after the Bill has come back from the Select Committee because there may be little or no room for discussion. So far as I am concerned, I am prepared to waive the objection about notice and the House will perhaps agree to that, so that the legislation may be expedited. I am only making a suggestion.

The Honourable Dr. Sir M. Azizul Huque: Sir, I am agreeable to whatever suggestion you make. But I must say that even after I gave all that explanation my Honourable friend Mr. Ayyangar was not prepared to believe me, and he thought my attitude was bad. I regret that once again; my attitude only was that the Bill should be passed this session.

Sri M. Ananthasayanam Ayyangar: The report of the Select Committee may be submitted in three days' time. I only want that people should sit together and look into it. Therefore instead of the 15th we can say 9th.

Mr. President: I take it that the House is agreeable to that. The report may be submitted on the 9th and the Bill may be taken up immediately.

The Honourable Dr. Sir M. Azizul Huque: Then I hope, Sir, you will kindly suspend the rules.

Mr. President: That is certainly the understanding; the House has agreed to that. But two amendments will be necessary, one as regards the date and the other as regards the name of Mr. Gwilt.

Sri M. Ananthasayanam Ayyangar: Sir, I move:

"That in the amendment, for '15th April', '9th April' be substituted and for the name 'Mr. E. L. C. Gwilt', the name 'Mr. R. C. Morris', be substituted."

Mr. President: The question is:

"That in the amendment, for '15th April', '9th April' be substituted and for the name 'Mr. E. L. C. Gwilt', the name 'Mr. R. C. Morris', be substituted."

The motion was adopted.

Mr. President: The question is:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. Sir M. Azizul Huque, Sri R. Venkatasubba Reddiar, Mr. Sasanka Sekhar Sanyal, Shri D. P. Karmarkar, Syed Ghulam Bhik Nairang, Seth Yusuf Abdoola Haroon, Mr. R. C. Morris, Sardar Mangal Singh, and the mover, with instructions to report by the 9th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

HINDU MARRIED WOMEN'S RIGHT TO SEPARATE RESIDENCE AND MAINTENANCE BILL; AND

HINDU INTER-CASTE MARRIAGE REGULATING AND VALIDATING BILL

PRESENTATION OF REPORTS OF THE COMMITTEE ON PETITIONS

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, I beg to present the reports of the Committee on Petitions on the following two Bills:

(1) A Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances by Dr. G. V. Deshmukh.

(2) A Bill to regulate and validate marriages between different castes and sub-castes of Hindus by Shri Sri Prakasa.

TRADE MARKS (AMENDMENT) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I move:

"That the Bill further to amend the Trade Marks Act, 1940, be taken into consideration."

In doing so I will explain that this is essentially a matter of great importance, having regard to the future post-war industrial and commercial developments. The Trade Marks Act as it stands is only effective in British India; there have been considerable difficulties because a trade mark applicable in British India had no effect in Indian States and *vice versa*.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President, (Sir Mohammad Yamin Khan).]

Understanding has now been arrived at and it is proposed to have reciprocity arrangements between Indian States and British India *vis-a-vis* the Trade Marks Act. It is therefore necessary that this Act should be amended with a view to empowering Government to take up such matters with Indian States and also to extend the scope of the work of the Trade Mark Registry so that the Registrar of Trade Marks will have power to deal with trade marks not only in British India but also such trade marks as will have effect in Indian States. Also, as you are aware, the Indian States are not one but run into a few hundreds, and naturally with the big States which have trade marks of their own it had to be a matter of considerable discussion and negotiation. I am glad to say that they have ultimately agreed that in the best interests of the future we should have one trade mark pattern for the whole country. It is with a view to empower Government to take all necessary steps that this Bill has been framed. Sir, I move.

Mr. Deputy President: Motion moved:

"That the Bill further to amend the Trade Marks Act, 1940, be taken into consideration."

Sri S. T. Adityan (Madura and Ramnad *cum* Tinnevely: Non-Muhammadan Rural): Sir, I move:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. Sir M. Azizul Huque, Diwan Chaman Lall, Mr. Vadilal Lallubhai, Shri D. P. Karmarkar, Sri M. Ananthasayanam Ayyangar, Mr. Muhammad Rahmatulla, Mr. Mohammad M. Killedar, Syed Ghulam Bhik Nairang, Rai Bahadur Devendra Mohan Bhattacharyya, Mr. Leslie Gwilt and the mover, with instructions to report on or before the 11th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Deputy President: Amendment moved:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. Sir M. Azizul Huque, Diwan Chaman Lall, Mr. Vadilal Lallubhai, Shri D. P. Karmarkar, Sri M. Ananthasayanam Ayyangar, Mr. Muhammad Rahmatulla, Mr. Mohammad M. Killedar, Syed Ghulam Bhik Nairang, Rai Bahadur Devendra Mohan Bhattacharyya, Mr. Leslie Gwilt and the mover, with instructions to report on or before the 11th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Shri Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): Sir, I would like to make one correction in this motion. In place of Mr. Ananthasayanam Ayyangar, Mr. Satakopachari's name may be substituted.

The Honourable Dr. Sir M. Azizul Huque: Without prejudice to what I have got to say I think it is only fair that when names are selected, this should be done in consultation with this side, because I find that my Registrar of Trade Marks, who is a Member of this House, and he is an expert, has not been taken as a Member of this Select Committee.

Sri S. T. Adityan: Sir, I owe a personal explanation. As far as the number of my party is concerned, I filled it up and passed it on to the Whip of another Party to go and consult other Party Whips. If there is some mistake, I wish to be excused for that.

Shri Satya Narayan Sinha: Sir, I move that the name of Mr. K. S. Shavaksha be added to the members of the Select Committee.

Mr. Deputy President: Well, I need not read the amendment again. I have substituted Mr. Satakopachari's name in place of Mr. Ayyangar's, and have added Mr. Shavaksha's name.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): I would like to say a few words. Sir, with your long experience, you will agree with me that in matters of this kind when even an agreed motion for reference to a Select Committee is made, all Members must have an opportunity to make their observations with a view to help the members of the Select Committee to bring about proper amendments. That is why some time is given. There ought not to be any impression that in any matter there is such an amount of hurry.

The Trade Marks Act was passed in 1940. Certainly it is legitimate for any Honourable Member to make enquiries as to why, when the Act was passed in 1940, this question of reciprocity was not taken up then. Only five years have passed since then, and this question of reciprocity has cropped up. The House would like to know how many trade marks have been registered in British India, how many trade marks have been registered in Indian States, how many trade marks which were registered in the Indian States have been registered in British India since 1940 when the Trade Marks Act was passed? What is the need which has impelled the Government to enter into reciprocal arrangements with the Indian States? Is there such a demand for that? How many of the States are prepared—by now negotiations must have gone on with the Indian States—to allow such a concession or are anxious for such a reciprocal measure. The Honourable Member should have placed those things before the House. It is legitimate for any Honourable Member to ask the reasons for bringing forward an amendment of this kind so shortly after the Act was passed. This amendment may be good, but that is no justification for moving an amendment Bill so shortly after the Act was passed in 1940. Many other considerations also may arise, but I would pause for an answer before I proceed further with the Bill.

The Honourable Dr. Sir M. Azizul Huque: I think it will be preferable if I give my reply to all the points together.

Sri M. Ananthasayanam Ayyangar: He may.

The Honourable Dr. Sir M. Azizul Huque: I think the point which my Honourable friend has raised with his usual ability and he has certainly been able to make out a good case for referring the Bill to a Select Committee by asking questions, placing certain facts, wanting information, provoking inferences and so on. First of all in the year 1941, the question of reciprocity with the Indian States was not a matter of any importance, because at that time quite a number of States were not prepared to have an Act of that type. Since then five major States—Jaipur, Travancore, Mysore, Cochin and one other—have actually passed Trade Marks Act. A number of other States, numbering about twenty, have already their Bill ready and they are on the point of enacting them into Acts. It is on that point that we came to know that individual

steps are being taken in different States and if India is going to become a place where there are going to be five hundred trade marks in five hundred different States and Provinces, it would be a desperate situation to deal with. It was at that time that we did intervene and our officer has visited all the different States, discussed things with the various States, and has come to an understanding that they are prepared to fall in line with the British India, provided we also give them reciprocity. It is because of that we have put forward this Bill. We have held up proceedings of the Indian States. We have not got the necessary power at present. The power is given by this Bill. It is by virtue of that power that we can legally proceed. But if we do not proceed, the Indian States will proceed in their own way, and my Honourable friends should realize how difficult it will be to rectify if once all these individual steps are taken. That is why there is this necessity of a law in 1946, and not in 1940. It is as a result of numerous visits, discussions, and negotiations that we have arrived at an understanding with the Indian States. And as it has been explained in the Statement of Objects and Reasons:

"Corresponding amendments will be made in the Trade Marks Acts of the Indian States so that infringement actions on trade marks and certification of trade marks registered in British India may be filed in any of the reciprocating Indian States, thus making it unnecessary for the proprietor of a trade mark to register a trade mark more than once in India."

It is for that reason that this Bill has been brought in.

I find, Sir, that whereas my Honourable friend was able to show some legal defect, at least in language, in another case—although I do not accept that—he has not been able to point out any defect in this Bill, and therefore, Sir, I do not see any reason why we should refer this Bill to a Select Committee. Therefore I oppose the motion.

Sri M. Ananthasayanam Ayyangar: I never realized that I was expected at this stage to point out defects in legal language in clause (a) (b) or (c). We only considered the merit.

Mr. Deputy President: The question is:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. Sir M. Azizul Huque, Diwan Chaman Lall, Mr. Vadilal Lalubhai, Shri D. P. Karnanar, Sri T. V. Satakopachari, Mr. Muhammad Rahmat-ulla, Mr. Mohammad M. Killedar, S. ed Ghulam Bhik Nairang, Rai Bahadur Devendra Mohan Bhattacharya, Mr. Leslie Gwilt, Mr. K. S. Shavaksha, and the mover, with instruction to report on or before the 11th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was negatived.

Mr. Leslie Gwilt (Bombay: European): I have an amendment to move. I am not moving my first, but my second amendment and I must draw attention.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): The motion that the Bill be taken into consideration is not before the House yet. We have only just dealt with the question of the Select Committee which has just been negatived.

Mr. Deputy President: The question is:

"That the Bill further to amend the Trade Marks Act, 1940, be taken into consideration." The motion was adopted.

Mr. Leslie Gwilt: Sir, I have two amendments and I propose to move the second. I am afraid drafting is not one of my strong points and there is a slight alteration to be made in the preamble to the amendment, for which I ask the permission of the House.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): On a point of order. You are taking the Bill into consideration. We are not at this stage considering any amendments.

Mr. Deputy President: The consideration is finished.

The Honourable Sir Asoka Roy (Law Member): Clause 2 has been taken up.

Mr. Leslie Gwilt: I will start yet a third time and I hope, Sir, if any member has anything to say, he will say it now or for ever hold his peace in regard to this particular clause! I would once again repeat that I proposed to move the second of my two amendments and also to make a very small alteration in the preamble to that amendment, the wording of which is:

"That for Clause 2 of the Bill, the following clause be substituted, namely :—"

Mr. Deputy President: Will the Honourable member hand over what he has?

Mr. Leslie Gwilt: You should have had one Sir. The word "the" before "Deputy Registrar" at the end of the line in Clause 2A shall be altered to "any"; and the words "in the official Gazette" shall be included in the sentence commencing with 2B "The Central Government may by notification 'in the official Gazette'".

I hope, Sir, I may have permission to make these alterations.

Sir, I move:

"That for Clause 2 of the Bill the following clause be substituted;

2. Amendment of section 4, Act V of 1940.—For sub-section (2A) of section 4 of the Trade Marks Act, 1940 (hereinafter referred to as the said Act), the following sub-sections shall be substituted, namely :—

"(2A) The Central Government shall appoint two or more Deputy Registrars of Trade Marks to discharge under the superintendence and direction of the Registrar such functions of the Registrar under this Act as he may from time to time authorise them to discharge; and any reference in this Act to the Registrar shall include a reference to any Deputy Registrar when so discharging any such function.

(2B) The Central Government may by notification in the official Gazette authorise the Registrar to delegate any particular functions of the Registrar to officers other than the Deputy Registrars of Trade Marks."

Mr. Vadilal Lallubhai (Ahmedabad Millowners Association: Indian Commerce): Is he not moving his former amendment?

Mr. Deputy President: The Honourable Member has explained and obtained the permission to make this change in his second amendment.

The Honourable Dr. Sir M. Azizul Huque: There is a slight change.

Mr. Deputy President: Amendment moved:

"That for Clause 2 of the Bill the following clause be substituted;

2. Amendment of section 4, Act V of 1940.—For sub-section (2A) of section 4 of the Trade Marks Act, 1940 (hereinafter referred to as the said Act), the following sub-sections shall be substituted, namely :—

"(2A) The Central Government shall appoint two or more Deputy Registrars of Trade Marks to discharge under the superintendence and direction of the Registrar such functions of the Registrar under this Act as he may from time to time authorise them to discharge; and any reference in this Act to the Registrar shall include a reference to any Deputy Registrar when so discharging any such function.

(2B) The Central Government may by notification in the official Gazette authorise the Registrar to delegate any particular functions of the Registrar to officers other than the Deputy Registrars of Trade Marks."

The Honourable Dr. Sir M. Azizul Huque: I am quite prepared to accept it.

Diwan Chaman Lall: May I ask my Honourable friend what exactly it means? It is easily said that we accept this amendment. But what are the implications of it? Do I understand that according to the amendment of my Honourable friend there is no necessity under this Act to refer to any particular appointed officer of the position of a Registrar or a Deputy Registrar or two Deputy Registrars as my Honourable friend wants? Is it a fact that now the duties of a Registrar can according to this amendment be performed by any officer and is there any definition of that officer, whatever his rank might be? An officer may be a sub-inspector of police, or he may be an officer of the army or a person of the Department itself. What does my Honourable friend mean by deputing duties which are statutory duties under this Act, to almost anybody that the Registrar may be pleased to appoint to carry on the duties?

He can by merely nominating his own bearer or cook calling him an officer depute all those duties which are statutory duties of his and say that he has deputed these duties to an officer. Surely my Honourable friend Sir Azizul Huque would see that there is a vast difference between specifying a particular officer of a particular rank and defining what that rank is and merely giving authority to the Registrar to appoint any officer of his choice. This is a very serious matter and I do hope my Honourable friend now will take back the hasty approval he gave to this particular amendment and consider it carefully, because it goes to the root of the problem as far as the discharge of authority is concerned under the provisions of this Act.

Mr. Vadilal Lallubhai: May I know what prompted Mr. Gwilt to move his amendment No. 2B. Why is 2B necessary at all? According to me there is no necessity.

Mr. Leslie Gwilt: My point here is that the most appropriate people shall be delegated to do any particular function of the Registrar.

Diwan Chaman Lall: It is not in the amendment. There is no such thing as a most appropriate person in the amendment and what is a most appropriate person?

Mr. Deputy President: The Honourable Member is required to explain what he means by an officer.

Mr. Leslie Gwilt: An officer other than the Deputy Registrar; read the amendment I maintain that the person who is best authorised to make that appointment in the day to day administration is the Registrar himself. If my Honourable friend Diwan Chaman Lall disagrees with me all I can say is that it is then a matter of opinion.

The Honourable Dr. Sir M. Azizul Huque: Sir, I might explain the point which my friend Diwan Chaman Lall has raised. If my friend will see section 2 in the Bill it is said there "The Central Government may appoint a Deputy Registrar of Trade Marks and such other officers as it thinks fit to discharge under the superintendence and direction of the Registrar such functions of the Registrar under this Act as he may from time to time authorise them to discharge." In other words, the power of delegating that authority was in the Registrar who could authorise either the Deputy Registrar or any other person. That was in the Bill as drafted. The proposed amendment rather makes it more rigid. It cuts down the power of the Registrar and says that it should not be in the authority of the Registrar to give his authority which vested by law in him to anybody else; it says further that two or more Deputy Registrars shall be appointed and they can discharge under the superintendence and direction of the Registrars such functions as he may from time to time authorise them to discharge; but any other category of officer will not be able to discharge the duty of the Registrar and he can not delegate such power. He can delegate only to the Deputy Registrar. That is also the existing law as it stands, but in future there should be at least two Deputy Registrars. I might say the question of two Deputy Registrars is a long-drawn controversy between Calcutta and Bombay and we thought that it is better that there should be a Deputy Registrar both in Calcutta and Bombay to function under the Registrar. But if there is any other function which my friend says should be delegated, the Central Government by notification in the official Gazette, can authorise the Registrar to do so. Therefore my friend's amendment really limits the power which was originally contemplated under the Act. I hope my friend will see that his purpose is really gained by the amendment. If the original Bill had said that it would be possible for the Registrar to give any power to anybody, the present amendment restricts it. He could delegate it only to the Deputy Registrar and in any other case it is the Central Government which can authorise him to do so by notification in the official Gazette.

Mr. Vadilal Lallubhai: Sir, the idea behind these amendments seems to me to be that probably Mr. Gwilt and so also the Honourable Sir Azizul Huque thought that there may be an overwhelming amount of work and that is why

[Mr. Vadilal Lallubhai]

they may require not two but more Deputy Registrars and even that may be insufficient and so they may have a number of officers who may be authorised. This power according to me is too wide to be given to the Registrar. You can have two or more Deputy Registrars, but why is it that other officers are to be given these powers? I do not understand why there should be so many officers who would have these powers. If you have a Deputy Registrar it naturally means that he will be empowered to do the work of the Registrar, while if you appoint officers, they will have to be delegated certain powers probably that may create more complications, more office establishments, more clerks and all that. It is going to be too expensive.

The Honourable Dr. Sir M. Azizul Huque: I did not say anything on this as I thought that my friend was aware of the position in regard to trade marks. The position is that the total number of applications received up to the 16th March was 1,37,202. The total number of applications examined was 7,782. The number on which original orders had been passed was 76,956. The total of applications registered was 22,802 and the total still to be examined 50,430. The office is already overwhelmed with work. There is a Deputy Registrar and an Assistant Registrar and with the idea of the Indian States coming in it will be impossible for one Deputy Registrar to deal with the volume of work and that is why it is suggested that there should be two. It is a very technical job.

Mr. Deputy President: The question is:

"That for Clause 2 of the Bill the following clause be substituted;

"2. Amendment of section 4, Act V of 1940.—For sub-section (24) of section 4 of the Trade Marks Act, 1940 (hereinafter referred to as the said Act), the following sub-sections shall be substituted, namely:—

"(24) The Central Government shall appoint two or more Deputy Registrars of Trade Marks to discharge under the superintendence and direction of the Registrar such functions of the Registrar under this Act as he may from time to time authorise them to discharge; and any reference in this Act to the Registrar shall include a reference to any Deputy Registrar when so discharging any such function.

(2B) The Central Government may by notification in the official Gazette authorise the Registrar to delegate any particular functions of the Registrar to officers other than the Deputy Registrars of Trade Marks."

The motion was adopted.

Mr. Deputy President: The question is:

"That Clause 2 as amended stand part of the Bill."

The motion was adopted.

Clause 2 as amended was added to the Bill.

Clauses 3 to 14 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. Sir M. Azizul Huque: I move:

"That the Bill as amended be passed."

Mr. Deputy President: Motion moved:

"That the Bill as amended be passed."

Mr. Leslie Gwilt: I owe an apology to the House in not having circulated this amendment to my second amendment. I should have done that and it would have made the position clearer to the various parties if I had.

There is one point in regard to this on which I would like some information from the Honourable the Commerce Member in regard to the Deputy Registrars. My amendment provides for the appointment of two or more. Now, Sir, he will know as well as myself that there is a suspicion in Calcutta, that there is a move to remove the Deputy Registrar from the office there. I hope, Sir,

that this amendment will to some extent allay that suspicion and I would be grateful to the Honourable the Commerce Member if he will tell us that there is no substance in that fear.

The Honourable Dr. Sir M. Azizul Huque: I am aware of the position of Calcutta specially in the matter of the development of trade marks and patent law and other special laws of that character, I hope anything which I might say, might not be misunderstood as I belong to that Province. At least the number of Law Members which we have had from that Province shows the development and practice of law in Bengal, and I think the Leader of the Opposition himself a distinguished lawyer will add support to it. I have therefore no hesitation in giving that assurance. I am aware of the controversy. I had to pass through the storm of controversy. I have tackled that controversy. It is not the intention of Government, at least so long as I am in charge, that there should be any removal of the Deputy Registrar from Calcutta. Nobody can say of the future. I do not want to probe into the future except giving an assurance under the existing scheme of things.

Diwan Chaman Lal: Will the Honourable Member tell us whether he has considered the feasibility, or desirability of appointing a Deputy Registrar for Northern India? I take it that the position is that anyone who wants to register a trade mark has to go to the Honourable Member's Province or Bombay and get it registered. It is very undesirable that with the development of invention and industry today people should be forced to undertake these long journeys and go a long distance in order to get this particular matter settled for them, instead of having local authorities on the spot who know the conditions better and getting them authorised for this particular purpose. Since my Honourable friend has succeeded in getting this amendment through in so far as officers are going to be authorised by the Central Government who can take on such of the functions of the Deputy Registrar as may be given to them, there should be no difficulty, I take it, in authorisation being given to other Provinces apart from Calcutta and Bombay. I hope my Honourable friend will immediately issue the necessary orders authorising not any officer but really responsible officers of the nature of, let us say Directors of Industries who would be in a better position to carry into effect the terms and provisions of this Act.

The Honourable Dr. Sir M. Azizul Huque: This is already provided for by sub-section 2 of Rule 84 (2) by which there is already the power in the hands of the Central Government under the rules to provide for the establishment of Branches of Trade Marks Registry for facilities in working the Act. I will certainly have this matter looked into whether a case has arisen in which it is necessary to establish such an officer or such a branch anywhere in Northern India. If my Honourable friend will also kindly consult the special interests concerned and supply me with materials I would certainly be pleased to consider it. I do feel that the more and more the work of Government is distributed throughout the country it is better for everybody. Therefore, on principle I agree, but it depends entirely on the nature of the work. I will have that matter looked into.

Mr. Deputy President: The question is:

"That the Bill as amended be passed."

The motion was adopted.

INDIAN COMPANIES (AMENDMENT) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): I move:

"That the Bill further to amend the Indian Companies Act, 1913, be taken into consideration."

Mr. Deputy President: The question is:

"That the Bill further to amend the Indian Companies Act, 1913, be taken into consideration."

The motion was adopted.

Mr. Deputy President: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. Sir M. Azizul Huque: Sir, I move:

"That the Bill be passed."

Mr. Deputy President: The question is:

"That the Bill be passed."

The motion was adopted.

RAILWAY COMPANIES (SUBSTITUTION OF PARTIES IN CIVIL PROCEEDINGS) BILL

The Honourable Sir Edward Benthall (Member for Railways and War Transport): I move:

"That the Bill to provide for the substitution of the Governor General in Council for certain Railway Companies in certain civil proceedings, be taken into consideration."

Mr. Deputy President: The question is:

"That the Bill, to provide for the substitution of the Governor General in Council for certain Railway Companies in certain civil proceedings, be taken into consideration."

The motion was adopted.

Mr. Deputy President: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. A. C. Turner (Government of India: Nominated official): I move:

"That in sub-clause (1) of clause 3 of the Bill, after the words 'Bengal-Nagpur Railway Company, Limited,' the words 'or the Bombay, Baroda and Central India Railway Company' be inserted."

Mr. Deputy President: The question is:

"That in sub-clause (1) of clause 3 of the Bill, after the words 'Bengal-Nagpur Railway Company, Limited,' the words 'or the Bombay, Baroda and Central India Railway Company' be inserted."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 3 as amended stand part of the Bill."

The motion was adopted.

Clause 3 as amended was added to the Bill.

Clause 1 was added to the Bill.

The Title was added to the Bill.

Mr. A. C. Turner: Sir, I move:

"That in the Preamble to the Bill, after the words 'Bengal-Nagpur Railway Company, Limited' the words 'the Bombay, Baroda and Central India Railway Company' be inserted."

Mr. Deputy President: The question is:

"That in the Preamble to the Bill, after the words 'Bengal-Nagpur Railway Company, Limited' the words 'the Bombay, Baroda and Central India Railway Company' be inserted."

The motion was adopted.

The Preamble, as amended was added to the Bill.

The Honourable Sir Edward Benthall: Sir, I move:

"That the Bill as amended be passed"

Mr. Deputy President: The question is:

"That the Bill as amended be passed"

The motion was adopted.

INDIAN COCONUT COMMITTEE (AMENDMENT) BILL

Sir Pheroze Kharegat (Secretary, Agriculture Department): Sir, I move:

"That the Bill further to amend the Indian Coconut Committee Act, 1944, be taken into consideration."

I may perhaps explain that the main object of the Bill is to make the Coconut Committee permanent. When the last Bill was passed in 1944 the Bill was so framed that the committee would expire within six months of the expiry of the Defence of India Rules. Now, this committee has been in existence for about a year, and it is now proposed to make it permanent and the way to do it that has been suggested is that certain verbal amendments should be made in the Act and that will suffice. In this connection I would like to explain that the constitution of the committee was settled after very considerable discussion between the states of Travancore, Cochin, Mysore and Madras. Months were spent in negotiating and deciding exactly what representation should be given to each portion of the country and that was embodied in the Act. It will therefore not be possible at the present stage to make any alteration in what was then agreed to, because it will mean not only an alteration in the Central Act, going behind the agreement that has been already accepted, but it will mean that the various states will have to pass different Acts and they might or might not agree, and there is a serious risk that if that attitude is taken up, the whole Bill may fall through. I would therefore earnestly request the members of this House to bear that fact in mind and to accept the Bill as it stands and not to try and amend it in any substantial particular.

Mr. Deputy President: Motion moved:

"That the Bill further to amend the Indian Coconut Committee Act, 1944, be taken into consideration."

Sri A. K. Menon: (West Coast and Nilgiris: Non-Muhammadan Rural): Sir, before I speak two words on this matter of taking up the Bill for consideration, I may be permitted to state that we never thought that this Bill would be reached today because there were several Bills before this. I have put in certain amendments in the office, and I hope the Honourable Member the secretary for Agriculture, will take notice of them and will consider them as having been given notice of in proper time, they were given today at noon.

Mr. Deputy President: What does the Honourable Member want me to do? There are two or three amendments for circulation and for select committee. I see that the Honourable Members are not willing to move either of those amendments which stand in the names of Mr. Jaffer and Mr. Reddiar and Mr. Ayyangar and Mr. Adityan. If those amendments are not moved

Sri A. K. Menon: I think there will be no objection for those amendments given by me being treated as being given in proper time. As far as this Bill is concerned, it was originally an emergency measure.

Mr. Deputy President: The Honourable Member is not at this time moving any amendment; but he can make general observations. I have not put the question yet.

Sri A. K. Menon: This measure was originally introduced as an emergency measure because during war time the necessity for oil and glycerine

[Sri A. K. Menon]

was felt; that was really the reason for introducing this measure in 1944. No doubt it has incidentally proved to be a blessing for the people of those parts in India where coconut cultivation is carried on extensively. It was then moved as an emergency measure and is likely to end six months after the emergency was declared to be over. Therefore I support the Bill, for it is now attempted to put the measure on a permanent basis. To the extent that it is sought to be made a permanent measure, I support the Bill; but to the extent that it does not enlarge the scope of the previous legislation, I must say that is unfortunate that the Honourable Member has not given more consideration to it; because his predecessor, the Honourable Mr. Tyson, promised improvement in the subsequent Bill when introduced in the shape of coir and coir industries being also made part of the Bill. I thought that those things that were promised to be introduced later on, would be introduced in this Bill, but I find that now the attempt is simply to make the old measure permanent. I thought that an attempt would be made to improve the measure. There is nothing in this measure to improve the previous Legislation. To that extent I must say it is unfortunate; but all the same I have given certain amendments to improve the scope of the Bill, and for improving the condition of the coconut growers. One of the things I want to suggest is that one of the functions of the committee should be to assist in the control of insects and other pests and other diseases of the coconut tree. Another function should be the promoting or encouraging of the cooperative movement among coconut growers and in the coconut industries, because the co-operative movement is not there now among them and these growers are admittedly unorganised; there are several defects and deficiencies in the previous legislation which ought to have been remedied, and the amending Bill ought to have been such as to include several other items also for the welfare of the growers of coconut. The Act ought to have been extended to include the coir and coir industries also; because that is also an extensive industry that is carried on in the west coast. The objection last time was that the Travancore State stood in the way; but with the present Diwan at the helm of affairs there, he will not say that the coir and coir industry should be made the monopoly of Travancore. Certainly if the State was properly approached, it would never have stood in the way of coir and coir industries also being brought within the scope of this Bill.

As far as it goes, this Bill is good but there are certain amendments that I have given notice of. As far as this industry is concerned, it is a matter that affects people of the West Coast, to a very large extent, than others of the Madras Presidency. 5,85,000 acres of lands are being cultivated in Malabar and its neighbouring parts and therefore this is an industry which ought to be given all the encouragement that is possible. I do not think that much result has been achieved by two years' working of the Coconout Act, the chief reason being that the committee meets only twice a year. Unless the Committee meets as often as possible, there will be no expeditious work and good results cannot be expected. This is a matter which depends on the attitude of the Government. The Chairman of the Committee is an important officer of the Agricultural Research Department. He has to preside over several committees of this kind, and therefore he is not able to hold as many meetings of the Committee as possible in order to expedite the work. I suggest that the committee should be presided over by a non-official so that it may meet as often as possible and do good to the coconut growers. So there is ample scope for improving the Bill. Instead of improving the Bill, it is sought to make the existing legislation, as it is, to be a permanent measure. Therefore I suggest that the Honourable member should agree at least to consider the amendments which have been given notice of by me and I hope he will also accept them. I support the motion.

Sri R. Venkatasubba Reddier (South Arcot cum Chingleput, Non-Muhammadan Rural): Sir, I have given notice of an amendment to refer the Bill to a Select Committee

Mr. Deputy President: When this question came up I asked Honourable Members whether they wanted to move the Select Committee or the circulation motion and no member got up. I asked if any of the Honourable Members was willing to move it. I named the members. If the Honourable Member was not in his seat, that cannot be helped. The Honourable Member can speak on the motion.

Sri R. Venkatasubba Reddier: This is a Bill which is in the nature of the Oil Seeds Committee Bill which was considered yesterday and disposed of. As a matter of fact, there was originally a suggestion that for all the oil seeds, including the coconut, there should be a composite committee but somehow or other this committee came into existence one year earlier than the other committee and after this committee was brought into existence the proposal to have a composite committee for all the oil seeds including coconuts was discussed and then as there was already a committee for coconuts it was thought that it would be sufficient if there was a committee to deal with the subject of oil seeds in India. So, the Bill was introduced in this House last session and was considered by the Select Committee and was disposed of yesterday.

It would have been better if this Bill is referred to a Select Committee. Some of us and especially those coming from the West Coast who are interested in this Bill belonging to all parties in this House want to make this Bill a perfect one. I am sorry the matter escaped my notice when the House was called upon to move the Select Committee motion. I hope that the Secretary for Agriculture will be able to accept the amendments tabled by Mr. Menon which we might consider tomorrow morning. They would very much improve the Bill in the light of the experience gained. I trust that the Honourable Secretary for Agriculture would be willing to take up this Bill tomorrow instead of rushing it through the House today. The Bill can be passed in the other House also in this session. The objects on which this fund has to be expended are not as exhaustive as they ought to be. I would like to make some suggestions. Once again I would request the Secretary for Agriculture to accept Mr. Menon's amendments and also some of the amendments which may be tabled in the course of the evening or tomorrow.

Mr. Deputy President: The question is:

"That the Bill further to amend the Indian Coconut Committee Act, 1944, be taken into consideration."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 5th April 1946.

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LEGISLATIVE ASSEMBLY

Friday, 5th April, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBERS SWORN:

Sir Gurunath Bewoor, C.I.E., I.C.S., M.L.A. (Secretary, Posts and Air Department); and
Mr. M. W. M. Yeatts, C.I.E., I.C.S., M.L.A. (Secretary, Department of Industries and Supplies).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

PRODUCTION OF SHARK LIVER OIL.

1580. *Prof. N. G. Ranga: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) the present position in the number of concerns, total quantities of production and the average rate of prices of the shark oil industry;

(b) whether any steps are being taken to protect it from foreign imports of cod liver oil, etc.; if so, what they are; and

(c) whether Government are taking any steps to produce shark liver oil in their own concerns and thus help the local industry with their researches and example?

Mr. M. W. M. Yeatts: (a) According to information available with the Government of India there are about ten important concerns in India engaged in the production of Shark liver oil. The total amount reported to be produced is about two million lbs. per annum. This varies with the season and the nature of the catch. The average price varies between Rs. 10 and Rs. 20 per gallon.

(b) Provision for the import of Cod liver oil, etc., has been made on the minimum level considered essential for civil needs, having due regard to the interests of the indigenous shark liver oil industry and to the quality of its produce.

(c) The Government of India have not undertaken production of Shark liver oil in any of their concerns but have helped the industry in the early stage of development by way of arranging tests of samples in their laboratories. The Governments of Bombay and Madras are understood to be producing large quantities of Shark liver oil under their own auspices and giving all possible help to fishermen and indigenous producers.

Seth Yusuf Abdoola Haroon: In view of the fact that this is an infant industry which has come up during the war, what sort of protection do the Government propose to give to this industry as against foreign industries?

Mr. M. W. M. Yeatts: The importation of cod liver oil has been definitely limited to the minimum necessary for civil needs of the country. There was an application for reduction of tariffs on the imported article, but this was refused in the interest of this industry.

Seth Yusuf Abdoola Haroon: Is the Honourable Member aware that the producer of shark liver oil in Karachi had applied to the Honourable Secretary's Department regarding this?

Mr. M. W. M. Yeatts: No, Sir, I am afraid I am not aware of that.

(3563)

Copies of the Debates of the Legislative Assembly and of the Council of State are obtainable on sale from the Manager of Publications, Civil Lines, Delhi.

Secretary General why is it that the Government of India do not consider it their responsibility to advance the cause of Indians in the Secretariat and see that as many Indians as possible are appointed in responsible positions?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Sir, if I may intervene to answer this question, it is not expected in this organisation that Governments would approach the Secretary General and use their influence. There was a sort of log-rolling that was going on in the League of Nations and it was considered undesirable. But it has been distinctly stated in the Charter itself and a Resolution has been adopted that, as far as possible, geographical and racial representation should be given due consideration in recruiting the staff of the Secretary General; and as a result of my personal discussions with the Secretary General I have no doubt that will be taken into consideration. I believe the External Affairs Department or the Home Department has issued a notification calling upon those who are desirous of applying to apply immediately to the Secretary General and get applications forwarded through the official concerned at the India Office, London. And I take this opportunity to say that those who want to apply for these appointments should apply direct to the Secretary General. No Government is in a position to recommend, and in fact recommendations of Governments are discounted for this purpose.

Prof. N. G. Ranga: Then what are the safeguards to ensure that the Secretary General will try to give adequate representation, keeping in view the geographical and racial representation?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The safeguard is that if the Secretary General does not carry out these instructions he will be subject to a censure motion on a Resolution in the General Assembly at the instance of the State or States concerned.

Prof. N. G. Ranga: Therefore is it not the duty of the External Affairs Department (though I should like to call it the Foreign Affairs Department) to watch the manner in which these recruitments are made, and if no adequate representation is given either to the geographical area in which we find ourselves, or the racial section in which we find ourselves, proper representation may be made to the Secretary General?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I have no doubt that the External Affairs Department—as it is now called—will watch the position and whosoever is the representative attending the General Assembly will bring it to the notice of the persons concerned.

Shri Mohan Lal Saksena: Is it not a fact that a request was made by the U. N. O. to this Government to make recommendations for appointments in the U. N. O. and this Government replied that there were no suitable candidates available?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: No, Sir; that is not a fact.

Seth Yusuf Abdoola Haroon: Has the attention of the Honourable Member been drawn to the editorial comment in the *Statesman* that the circular issued by the Home Department was not enough and it should be broadcast by advertisements, notices, etc?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I am not aware of that.

Seth Yusuf Abdoola Haroon: Will the Honourable Member see that the circular is advertised and opportunities given to various people to apply to the U. N. O.?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Since my return I have taken an opportunity of discussing this question of applications and appointments to the U. N. O. with the representatives of the External Affairs and Home Departments and the Establishment Officer, and I am convinced that proper steps will be taken to give due publicity to this matter.

PLANS FOR DISTRIBUTION OF FOODGRAINS IN FAMISHED AREAS OF SOUTH INDIA

1583. *Prof. N. G. Ranga: Will the Honourable Member for War Transport be pleased to state:

(a) if his attention has been drawn to the article published on page 47 of Mahatma Gandhi's *Harijan Weekly* of the 17th March, 1946, discussing the possible difficulties of transporting all the imported foodgrains to the needy South Indian Districts by road and rail to reach the famished in time;

(b) whether Government are considering the plans for running special trains, requisitioning special convoys of military and civilian lorries on the roads in order to convey grain from the ports to the Districts expeditiously;

(c) whether Government are trying to open all the ports on the East and West coast, which were closed during the war and to repair the country craft and develop the capacity of coastal shipping to transport foodgrains and thus supplement the work of the Rail and Road; and

(d) whether Government propose to place their plans before the Railway Central Advisory Council and Road Committee and seek their advice?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Special trains of foodgrains have frequently in the past been run from ports and Government will arrange to run them in the future whenever they are considered to be the best method of moving foodgrains rapidly. The Central Government has also drawn up a scheme for meeting the needs of all Provincial Governments and States for surplus motor vehicles available from Army disposals, a matter which has assumed greater urgency as a result of the need for additional transport vehicles for the movement of food. Replies from nearly all Provincial Governments have been received and the number of vehicles available for the transport of food by road is more than sufficient to meet the demands already received or likely to be received in future. Extra petrol is also being made available.

(c) War time restrictions on the use of Indian ports have been lifted and there is now no longer any ban on the movement of country craft round the Indian coast. As regards repairs to country craft, the Country Craft Organisation is still functioning and any request for assistance endorsed by that organisation will certainly receive the favourable consideration of Government.

The answer to the third portion of this part of the question is in the affirmative.

(d) The suggestion has been noted for consideration.

Shri Mohan Lal Saksena: When will the Honourable Member cease to call himself the Member for War Transport?

Mr. President: That does not arise out of this question.

Prof. N. G. Ranga: Are we to understand that all the foodgrains that are expected to be imported into this country from the U. S. A. and Canada can be transported to the needy places, specially in the Deccan and the south, with the arrangements already made or proposed to be made?

The Honourable Sir Edward Benthall: Yes, Sir. A detailed programme of import through the ports and distribution up-country is under active and immediate consideration.

Prof. N. G. Ranga: Can we have an assurance that Government are not leaving anything to chance?

The Honourable Sir Edward Benthall: We are leaving nothing to chance, but making out a programme in detail.

Seth Yusuf Abdoola Haroon: With reference to part (c) may I know if the Honourable Member proposes to release the country craft requisitioned during the war for transport of foodgrains by sea?

The Honourable Sir Edward Benthall: None was requisitioned.

Prof. N. G. Ranga: In view of the fact that the Government are committed to the policy of developing and helping every one of our industries in the country, is it necessary for the Government to wait until application comes from the concerns interested in the industry? Is it not the duty of the Government themselves to take it up and then provide whatever assistance they think proper?

Mr. M. W. M. Yeatts: That does not really concern my Department, but I think you can take it that every part of the field that it can cover is open to it and will be preserved for it. I have given you information on what has already been done.

Shri Sri Prakasa: Is the shark liver oil made out of the liver of sharks or is it taken out of sharks for the liver of men?

Mr. President: Order, order, next question.

SAFEGUARDING OF COTTAGE INDUSTRIES

1581. ***Prof. N. G. Ranga:** Will the Honourable Member for Industries and Supplies be pleased to state:

- (a) what section of their Secretariat deals with cottage industries;
- (b) whether there is any particular officer or Secretary whose special responsibility it is to study and look after the handloom weaving industry, woollen, sericultural industries, ceramics; coir manufactures, dolls, oil-extraction, hand made paper, etc;
- (c) the machinery now available for the Department to study, look after and advise the Department in connection with cottage industries;
- (d) what steps are being taken to study and protect cottage industries that have been rehabilitated during the war, against the foreign imports and Indian big manufacturing industries;
- (e) in the absence of any special or adequate staff or directorate, how the Department manages to study and advise Government upon every occasion whenever the interests of cottage industries have to be studied and safeguarded vis-a-vis the big manufacturers; and
- (f) whether Government propose to consider the advisability of developing a special or adequate directorate to devote to the study and safeguarding of cottage industries?

Mr. M. W. M. Yeatts: (a) There is no specific section for this subject.

(b) No, Sir.

(c), (d) and (e). The subject of 'cottage industries' is the primary concern of the Provincial Governments. They were advised in September 1944 to appoint special sub-committees of Provincial Industries Committees to make a review of small scale and cottage industries with particular reference to their types, capacities, locations, markets, availability of raw materials, etc. To assist the Provincial Governments in this important work and in particular, to ensure that the all-India aspects of the problem were subjected to careful examination, it was decided that the Economic Adviser to the Government of India should make a survey of these industries. This work is in progress and the Government of India are awaiting the recommendations of the Provincial Governments and the Economic Adviser's report. As soon as this initial ground is covered they propose to study in consultation with appropriate Departments and individuals the best way of following up the question. In the meantime so far as protection against foreign imports is concerned, if specific cases requiring protection are brought to the notice of the Government of India, they will consider what action should be taken.

(f) The matter will be considered on receipt of the report of the Economic Adviser to the Government of India and the recommendations of the Provincial Government.

Prof. N. G. Ranga: Are not Government aware of the fact that cottage industries have to be protected not only from foreign competition but also from mill made manufactures in this country itself?

Mr. M. W. M. Yeatts: That is correct. I think this problem arises in every country where you have an internal conflict, as well as so to say external one.

Prof. N. G. Ranga: Then in view of that fact, that protection is asked for and is frequently given also to save our industry—for instance the paper industry—may I know what machinery have the Government of India got to examine the relative effects of any protection that is being given to any of these industries upon the indigenous cottage industries and machine industries?

Mr. M. W. M. Yeatts: The Honourable Member has raised a very difficult point and I think he will also agree that it is by no means easy to make a study of these highly personal industries as against which it is much simpler to study big organised industries. That is one of the objects where we wanted this survey by the Economic Adviser so that he can really give us a better line of approach to see how best we can understand them and promote them and then address ourselves to them in ways most likely to be efficient.

Prof. N. G. Ranga: Have the Tariff Board been instructed to investigate this matter also when they consider applications from machine industries for protection so that cottage industries may not have to suffer in the meanwhile?

Mr. M. W. M. Yeatts: I think we can bring this point to the notice of the Tariff Board.

Prof. N. G. Ranga: Thank you very much.

ABSORPTION OF INDIAN STAFF OF LEAGUE OF NATIONS AND APPOINTMENTS IN U.N.O

1582. ***Prof. N. G. Ranga:** Will the Foreign Secretary be pleased to state:

- (a) if it is a fact that the Indian personnel of the League of Nations came to be entertained as a result of the representations made by the Government of India at various times;
- (b) if it is a fact that this House expressed on more than one occasion its dissatisfaction at the inadequate representation given to India on the League of Nations' Staff;
- (c) if it is a fact that the U. N. O. Secretariat has given notice to the existing staff of the League of Nations that they will not be automatically absorbed into the U. N. O. staff and that they have to take their chances along with all others who may apply;
- (d) what is to happen to the Indians who have been engaged by the League and who have gained experience in the working of an international organisation;
- (e) if the Government of India propose to see that the Indians who have gained experience in international affairs are utilised either by the U. N. O. or by the External Affairs Department; and
- (f) what steps are being taken by the Government of India to get an adequate number of Indians into the various categories of responsible officers of the U. N. O., and how Government propose to recruit them for the U. N. O.?

Mr. H. Weightman: (a) and (b). Yes, Sir.

(c) Government have no information.

(d) and (e). Indians will have to take their chance along with others similarly situated. Their re-employment under the United Nations Organisation is a matter entirely within the discretion of the Secretary General.

(f) I would refer the Honourable Member to parts (c) and (d) of my reply to question No. 887, asked by Sri M. Ananthasayanam Ayyangar, on the 11th March, 1946.

Prof. N. G. Ranga: In view of the fact that there was such a lot of log-rolling in the conference of the U.N.O. the other day for the appointment of the

Seth Yusuf Abdoola Haroon: Some country craft were requisitioned in Karachi for transport to the Makran coast, by the War Transport Department.

The Honourable Sir Edward Benthall: No, Sir. There were certain priorities of movement enforced, but, I do not think we ever requisitioned any craft in the War Transport Department.

Prof. N. G. Ranga: Will Government consider the advisability of calling a conference of the representatives of the Indian States and provinces concerned and of the Central Government in order that a co-ordinated plan may be worked out for the quick and immediate transshipment of the grain, as it is imported into India, to the needy places by road, rail and country craft?

The Honourable Sir Edward Benthall: That is being done at the centre in consultation with the provinces concerned. They are stating their requirements and where they want to move the grain and when, and we are working out movement programmes in much the same way as we worked out movement programmes for army purposes during the war.

UNION OF SOUTH AFRICA'S DEMAND FOR CONTROL OF FORMER GERMAN SOUTH WEST AFRICA

1584. ***Prof. N. G. Ranga:** Will the Foreign Secretary be pleased to state:

(a) if he has seen the Reuter's message of the 15th March from Cape Town, in the *Hindu* of the 18th March that General Smuts, Prime Minister of the Union of South Africa told the House of Assembly that at the next meeting of the U. N. O. South Africa would claim that the former German territory of the South West Africa, now under the League of Nations Mandate should be incorporated into the Union territory; and

(b) whether, in view of South Africa's anti-colour prejudices and policies, as exemplified by her ill-treatment of the Negroes, etc., and also her anti-Asiatic legislation culminating in the present Bills against the Indian settlers, Government propose to consider the advisability of instructing their delegates to the U. N. O. to take strong exception to this South African proposal and save the Negro residents of South West Africa from the unwanted guardianship of the South African Government?

Mr. H. Weightman: (a) Yes, Sir.

(b) The instructions to be given to India's representatives will be considered if and when the question of incorporating South West Africa into the Union territory is brought before the U. N. O. The next meeting of the Central Assembly of the U. N. O. is not due to take place until September.

Prof. N. G. Ranga: Is it not open to the Department to bring these matters to the notice of the Secretary General and expect him to circulate the opinion expressed by the Government of India to all the members of the U. N. O. and also the Security Council?

Mr. H. Weightman: I think it is very much wiser to wait for the application to be made.

Prof. N. G. Ranga: I should like to ask for some enlightenment from the Leader of the House. In a case like this when we feel strongly about the behaviour of another member of the U. N. O., is it not open to us to bring it immediately to the notice of all the delegates of the U. N. O. and also the members of the Security Council, through the Secretary General?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is a wider question than is implied in this particular question. Any matter in which a State is supposed to be acting contrary to the principles laid down in the Charter can be brought up before the General Assembly for discussion. The proper time for giving notice is about the time when the date of the Assembly is known and the meeting is convened. As regards this particular question, as the Secretary for the External Affairs Department said, application has first to be

made—South Africa may be considering it—and then it will be time for the Government of India to consider what instructions should be given to the representative who will be going on their behalf to attend the next session of the General Assembly.

Mr. Manu Subedar: In view of the fact that by this transfer Indians who are in the territory which South Africa is now seeking will be worse off, what steps, may I know are Government taking in order to bring this aspect of it to the notice of the United Nations Organization?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is one of the consideration which no doubt the Government of India will have in mind when they come to a decision as to the attitude that they should take through their representative on the application of the South African Government.

Mr. Manu Subedar: My question is what attitude will Government take and whether they will not take this attitude before the application is considered?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: They must take some attitude before the application comes up for consideration, but it is too early to anticipate what attitude the Government of India will take.

Seth Govind Das: Has the Government seen the whole plan of Field Martial Smuts which is now called the White Plan of taking all the South African, West African and East African territories under South Africa?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I am unable to say what the plans of the Field Martial are.

Sjt. N. V. Gadgil: Does the Government of India think that the South African Government is fit to control the former German territory of the South West Africa in view of its continued anti-Asiatic policy?

Mr. President: It is a question of opinion.

Sjt. N. V. Gadgil: What are the views of the Government of India about the former German territory of the South West Africa being given over to the South African Government in view of the continued anti-Asiatic policy of the South African Government?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That has already been answered.

GRIEVANCES OF WORKERS IN CORDITE FACTORY, ARAVANKADU.

1585. ***Sri M. Ananthasayanam Ayyangar:** (a) Will the Honourable Member for Industries and Supplies please state if he is aware of the great dissatisfaction that exists among workers of the Cordite Factory at Aravankadu, at the non-grant of a Hill Allowance to the extra-temporary artisans and the extra-temporary clerks?

(b) Is it a fact that in a memorandum submitted to the Government of India in March last year, this grievance was specifically mentioned?

(c) Is it a fact that the Municipalities of Ootacamund, Coonoor and the Railway workers on the Nilgiris and the employees of the Secretariat all get Hill Allowance?

(d) Is the Honourable Member aware that most of the labour of the Cordite Factory at Aravankadu comes from Mysore, Coimbatore, Pollachi and adjoining areas? What is the number of the locally recruited labour, and the number of outside workers?

(e) Is any war bonus being given to the workers of the Cordite Factory who are now in service? If not, why not?

Mr. M. W. M. Yeatts: (a) No, Sir.

(b) Yes, Sir.

(c) Yes, Sir, in the case of certain classes of employees of these municipalities. We have no information about Railway Workers on the Nilgiris and the employees of the Secretariat but enquiries are being made.

(d) All the Cordite factory's labour is recruited locally from surrounding villages.

(e) Yes, Sir.

CANTEEN FOR WORKERS IN CORDITE FACTORY, ARAVANKADU

1586. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable Member for Industries and Supplies please state whether it is a fact that workers of the Cordite Factory at Aravankadu have been repeatedly asking for the provision of a canteen in their Factory?

(b) Is it a fact that Dr. Shaffi, the Assistant Director of Rationing, visited the Factory in July last with a view to studying the conditions for opening a canteen and that he reported that a canteen might be opened?

(c) In view of the strong feelings of the workers in the Factory that their interests are being neglected and, in view of the avowed policy of the Government to start canteens in all the industrial establishments, will the Honourable Member be pleased to consider the advisability of opening a canteen for the workers of this Factory?

Mr. M. W. M. Yeatts: (a) Yes, Sir, on two occasions during the last twelve months.

(b) Yes, Sir, but he did not make any recommendation for the opening of a canteen at the factory.

(c) The existence of a real demand for cooked meals at this factory has never been really established. And in any case the labour strength has been greatly reduced and over-time has stopped and the necessity for opening a canteen is still less established.

Prof. N. G. Ranga: In view of the fact that the Labour Welfare Section of the Labour Department are themselves anxious to see that even private *entrepreneurs* start these canteens in all these factories, why is it that the Government continues its policy of not opening a canteen for the Cordite Factory at Aravankadu?

Mr. M. W. M. Yeatts: Actually tea and light refreshment have always been obtainable on payment and during the time when they worked overtime hot coffee and biscuits were given free. We found that the majority of people live quite near and their relatives brought their food to them, and that was why, as I have said, the existence of a real demand for cooked meals at this factory has never been really established.

Prof. N. G. Ranga: Is there any special shade or a room where these people can take rest and have their refreshment?

Mr. M. W. M. Yeatts: I cannot answer that off hand; I will ask if the Honourable Member likes.

SUGGESTIONS OF DR. M. S. KRISHNAN re MINERAL AND OTHER RESOURCES

1587. *Prof. N. G. Ranga: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) if his attention has been drawn to the report of a lecture delivered by Dr. M. S. Krishnan to the Geology Association of the Presidency College, Madras, on the 14th of March, as reported in the *Hindu* of the 14th March;

(b) What steps are being taken to obtain adequate quantities and build up reserves of copper, silver, nickel, platinum, tin, mercury, graphite and potash;

†Answer to this question laid on the table, the questioner having exhausted his quota.

(c) what steps are also being taken to develop and exploit hydraulic (electrical) power resources in all those Provinces which do not have coal mines within easy reach, so as to develop local industries;

(d) whether any steps are being taken to draw power from wind through wind mills and to popularise the use of wind mills; and

(e) whether Dr. Krishnan's suggestion of establishing "well-equipped laboratories" to "assess the quality and quantity of the various minerals" and also his suggestion that locally available minerals shall be utilised in preference to imports will be fully studied?

Mr. M. W. M. Yeatts: The question will be answered by the Honourable the Labour Member on the appropriate day.

NEED FOR SUPPLY OF CHEAP CLOTH TO CEDED DISTRICTS

1588. *Prof. N. G. Ranga: Will the Honourable Member for Industries and Supplies be pleased to state whether, in view of the outbreak of food famine in Rajalaseema (otherwise known as ceded Districts) as declared by the Madras Government itself and the extreme and special scarcity of cloth prevailing in the rural areas of these five districts, Government propose to grant a special *ad hoc* quota of any spare cloth with the Government of India—especially the standard cloth and other cheaper cloth for this unfortunate area and rush it by obtaining special Railway priority to that area and distribute it through the local authorities and Famine Relief Sub-Committees of the Ryots Associations?

Mr. M. W. M. Yeatts: We consulted the Madras Government about the point raised by the Honourable Member. That Government has informed us that there is no special scarcity of cloth in the rural areas of the Ceded Districts and no special measures by the Central Government for these Districts are necessary.

SYED MASUM ALI SUBZWARI'S SCHEME FOR MINIMIZING LOSSES DUE TO RAILWAY ACCIDENTS

1589. *Shri Mohan Lal Saksena: Will the Honourable the Railway Member be pleased to state:

(a) whether he has received any Scheme for minimising losses in Railway accidents from Sayed Masum Ali Subzwari, if so, when it was received and what action was taken thereon;

(b) whether it is a fact that the difference between Sayed Masum Ali and the Railway Board was that the Railway wanted him to hand over the Scheme unconditionally for testing it and deciding later on whether he was to be paid any Royalty, while Sayed Masum Ali wanted that the remuneration should be fixed before handing over the Scheme, the payment, of course, to be made after the Scheme has been tested; and

(c) in view of heavy loss of life due to Railway accidents, if he proposes to consider the feasibility of giving this and similar other schemes a trial?

The Honourable Sir Edward Benthall: (a) No scheme as such has been received, but merely an offer dated March 16th, 1946, to place a scheme before the railway authorities on pre-payment of a suitable fee or royalty.

(b) Yes. The Railway Board could not obviously commit themselves to the payment of any remuneration without first being acquainted with the nature and details of the scheme proposed.

(c) Any scheme submitted will be examined as to its practicability for adoption, but I am sure my Honourable friend will concede that a knowledge of the details,—or at least a rough outline—of the scheme is a pre-requisite to its consideration.

†Answer to this question laid on the table, the questioner having exhausted his quota.

Shri Mohan Lal Saksena: Will the Honourable Member consider the advisability of sending for the man and talking the matter over with him?

The Honourable Sir Edward Benthall: This matter has been up for a number of years. It was first raised in 1938 but my Honourable friend's friend has not yet paid us a visit.

Shri Mohan Lal Saksena: Is it not a fact that he does not want any payment in advance? He wants that he should be paid something when the scheme has been tried and found successful.

The Honourable Sir Edward Benthall: He apparently desires us to adopt the old French custom of buying a pig in a poke.

RESTORATION AND INCREASE IN TRAIN SERVICES ON CERTAIN SECTIONS ON B. N. & E. I. RAILWAYS

1590. *Khan Bahadur Habibur Rahman: (a) Is the Honourable the Railway Member aware of the inconvenience caused to the public by the discontinuance of the East Indian Railway trains running between Ranchi Road and Patna Junction? Does he propose to take steps to restore these trains between Patna, the permanent capital of Bihar and Ranchi the Summer Capital, in view of the fact that the position has eased up after the end of the war?

(b) Is he aware of overcrowding in the Oudh and Tirhut Railway trains? Is it proposed to increase the number of trains?

The Honourable Sir Edward Benthall: (a) The inconvenience, if it exists, has not previously been brought to the notice of the Railway Board. The restoration of particular train services is, however, a matter to be represented to the Railway Administration concerned through the local Advisory Committees, which have been expressly set up to acquaint railways with the needs of the travelling public. In the meanwhile, I am arranging for a copy of the question and of my reply to be sent to the General Managers, B. N. and E. I. Railways for information.

(b) Overcrowding is inevitable when the demands on transport exceed, as they still do, the available supply. Train services are increased as more stock and power become available. I might add that on the O. T. Railway from the cessation of hostilities up to the 1st January, 1946, 36 trains each way, representing an addition of 2,402 train miles per day, have been re-introduced.

MUSLIMS IN O. T. RAILWAY

1591. *Khan Bahadur Habibur Rahman: Will the Honourable the Railway Member please state the ratio of Muslims employed in the superior and lower grade services, separately, in the Oudh and Tirhut Railway?

The Honourable Sir Edward Benthall: The percentage of Muslims to the total number of gazetted and non-gazetted employees separately is as follows:

Gazetted officers	18.8 percent.
Subordinates	25 percent
Inferior staff	17 percent.

ABSENCE OF DAY-TIME SERVICE BETWEEN JAMALPUR AND BHAGALPUR ON E. I. RAILWAY

1592. *Khan Bahadur Habibur Rahman: (a) Will the Honourable the Railway Member please state if he is aware of the inconvenience caused to the public by the absence of any train between the hours of 8 A.M. and 8 P.M. between Jamalpur and Bhagalpur on the East Indian Railway?

(b) Is it proposed to reintroduce shuttle service between Jamalpur and Bhagalpur and also to extend the Gaya-Monghyr train to Bhagalpur?

The Honourable Sir Edward Benthall: (a) and (b). As I have said in reply to the Honourable Member's earlier question, this is a matter to be represented

to the Railway Administration through the L. A. Committee. I am however arranging to send a copy of the question and of my reply to the General Manager, E. I. Railway for information.

NEED FOR RURAL POST OFFICE AT PANDEPURA IN HUNTERGANJ THANA, HAZARIBAGH DISTRICT

1593. *Babu Ram Narayan Singh: Is the Secretary for Posts and Air aware that there is a great need for a rural Post Office at Pandepura in the Hunterganj Thana of the Hazaribagh District and that the people have applied for it? If so, does he propose to start a Post Office there?

Sir Gurunath Bewoor: Government have no information. The matter is within the competence of the Post Master General, Bihar and Orissa Circle, to whom a copy of the question is being sent for necessary action.

STARTING OF SAVINGS BANK IN POST OFFICE AT DANTAR, HAZARIBAGH DISTRICT

1594. *Babu Ram Narayan Singh: Will the Secretary for Posts and Air please consider the advisability of starting a postal Savings Bank in the Post Office at Dantar in the Hazaribagh District for the good of the people there?

Sir Gurunath Bewoor: The matter is one within the competence of the Postmaster General, Bihar and Orissa Circle to whom a copy of the question is being sent for taking suitable action.

PURCHASE AND SALE OF SHALLAC BY GOVERNMENT

1595. *Babu Ram Narayan Singh: Will the Honourable Member for Industries and Supplies please state:

(a) the total quantity of Shellac purchased by the Government from 1940 to 1945 from year to year;

(b) the total quantity of button-lac and seedlac purchased by Government any year from 1940 to 1945;

(c) the rate at which the articles referred to in (a) and (b) were purchased by Government;

(d) the machinery through which the purchases of articles referred to in (a) and (b) were made, and whether any commission was paid; if so, at what rate;

(e) the total amount of Shellac, button-lac and Seedlac so purchased which were spent by Government themselves; and

(f) the total quantity of all classes of lac sold all these years to America and other countries, and the profit made thereby?

Mr. M. W. M. Yeatts: (a), (b) and (c). A statement is laid on the table of the House. Government bought no button-lac during these years.

(d) Upto December 1943 the Shellac purchase was made by the Chief Controller of Purchase (Supply). After 1943, purchases were made by the Controller of Supplies, Bengal, assisted by the Shellac Liaison Committee. No commissions were paid.

(e) The purchases from 1940 to 1943 were for the requirements of the Indentors of the Government of India and Eastern Group Supply Council. Separate figures of amounts required against Government Indents are not available. Out of the total purchases, (395,082 lbs.) made in 1944 and 1945, 254,424 lbs. were on account of the Government of India.

(f) Total exports for 1939-40 were 760,000 cwts. Of these the United States took 500,000, the United Kingdom 77,000. In subsequent years the total exports varied a good deal and for 1944-45 were 488,000 of which 304,000 went to the U. S. A. and 104,000 to the U.K. These quantities were not bought by the Government of India nor exported by them. The question of profit does not therefore arise.

Statement showing the quantity of shellac and seedlac purchased by the late Supply Department during the years 1940-45 together with the rates of purchase

SHELLAC

Year	Total quantity purchased	Rates
1940	Quantities cannot be estimated as a rate contract was arranged and the Indentors drew their requirements direct	Rs. A. P. 53 13 0 per cwt. 47 13 0 " "
1941	591 cwts. (Purchased at different rates throughout the year according varying quotations)	52 0 0 " " 107 0 0 " " 106 0 0 " " 105 0 0 " " 64 8 0 " " 57 0 0 " " 94 0 0 " "
1942	9,599 cwts. (Purchased at different rates throughout the year according to varying quotations)	105 15 0 " " 110 0 0 " " 93 0 0 " " 76 4 0 " " 99 0 0 " " 103 0 0 " " 102 15 0 " " 89 6 0 " " 98 0 0 " " 109 0 0 " " 111 0 0 " " 100 0 0 " " 102 0 0 " "
1943	2,329 cwts.	98 0 0 " " 98 10 0 " "
1944 and 1945	3,528 cwts. (Separate figures for these two years are not available)	75 0 0 per Rail- way maund approxima- tely.
1940 to 1945	SEEDLAC 1,070 lbs.	64 0 0 per maund

GOVERNMENT MONOPOLY OF PURCHASE AND SALE OF LAC

1596. *Babu Ram Narayan Singh: Is the Honourable Member for Industries and Supplies aware that lac producers and manufacturers have both greatly suffered from the Government monopoly of purchase and the Control Orders? If so, does he propose to consider the desirability of immediately removing the said control and the Government monopoly of purchase in order to grant relief to the people concerned?

Mr. M. W. M. Yeatts: There is no Government monopoly in the purchase of lac. The Honourable member is perhaps referring to the purchase of lac by H. M. G. This is done by a representative of H. M. G. who purchases it in the open market like any other buyer. Other countries are also given export quotas, which they buy in the open market. India herself consumes 80 per cent. of her production of lac. The Control Orders only fix ceiling prices of lac for internal sales and exports. These ceiling prices have been fixed in consultation with the India Lac Cess Committee and have been increased from time to time to allow for the increase in the cost of production. No complaints have been received that the present ceiling prices are low. If any such complaint is received, Government are prepared to reconsider the matter.

Mr. Muhammad Nauman: May I know what was the chain used for procurement by His Majesty's Government for the purchase of these things?

Mr. M. W. M. Yeatts: They had an officer out here who bought their shellac.

Mr. Manu Subedar: Will the Honourable Member give us the relative price of shellac before the war and the latest ceiling price at which it is now sold?

Mr. M. W. M. Yeatts: I have not got that here. I will get it for you.

Mr. Manu Subedar: Will the Honourable Member give us some idea whether the increase permitted to the producers and manufacturers is in keeping with the general index number of manufactured articles in this country?

Mr. M. W. M. Yeatts: I would like to consider that.

Babu Ram Narayan Singh: May I know by what time the control order is likely to be removed?

Mr. M. W. M. Yeatts: That I could not say.

Mr. Manu Subedar: Is it necessary to continue the control order now if the supply is really available?

Mr. M. W. M. Yeatts: It is doubtful. I will consider that later.

Sreejut Rohini Kumar Choudhuri: Is the Government aware that the monopoly right for collecting shellac is sold by the Governor in the Excluded Areas of Assam?

Mr. M. W. M. Yeatts: I was not aware of that. I will note that.

PROVISION OF CLOTH FOR SHALLAC MANUFACTURERS

1597. *Babu Ram Narayan Singh: Is the Honourable Member for Industries and Supplies aware that lac manufacturers need cloth in large quantity in the process of manufacturing lac? If so, does he propose to make any special provisions to make sufficient cloth available to lac manufacturers?

Mr. M. W. M. Yeatts: Yes, Sir, I am aware that shellac manufacturers require a special type of cloth. The Government of India have received requests only from Bihar for this cloth. Their requirements are 200 bales a month, which we hope to be able to meet in full.

Babu Ram Narayan Singh: Is the Honourable Member aware that up till now they are not receiving sufficient cloth and the industry is suffering?

Mr. M. W. M. Yeatts: That is so, but actually that is because they were late in applying and did not give the Textile Commissioner time to arrange supplies. Now he hopes to arrange it for them.

Shri Mohan Lal Saksena: With your permission I will put question No. 1598 and the others that follow in the name of Dr. Sir Zia Uddin Ahmad. They are important and they relate to the train accident.

Mr. President: We will consider them at the end.*

*These questions and answers have, however, been printed serially in these Debates—Ed. of D.

BAGHAULI TRAIN DISASTER

1598. *Shri Mohan Lal Saksena (on behalf of Dr. Sir Zia Uddin Ahmad): (a) Has the Secretary for Posts and Air received any preliminary report from the Railway Inspector about the accident on the 4th March 1946 at the Bhagoli Railway Station, East Indian Railway?

(b) How many (i) passengers, and (ii) Railway servants are reported to have been dead and injured?

(c) What train was worked by the Driver for the Dehra Dun Express (10 Down) before being booked for this train?

(d) Was he not booked for this train out of his turn?

Sir Gurunath Bewoor: (a) Yes. A copy of the report has been placed in the Library of the House.

(b) The latest information shows—

Passengers: killed 41 and injured 77 Railway servants on duty: killed five and injured one.

(c) 5 Up from Lucknow to Moradabad. He had sufficient rest before being booked for 10 Down.

(d) Yes. The driver who was due to work this train was not found in his quarters and the driver of the ill-fated train who was next on the list was detailed to work this train.

THEFT AT TIME OF BAGHAULI TRAIN DISASTER

1599. *Shri Mohan Lal Saksena (on behalf of Dr. Sir Zia Uddin Ahmad): Did the Honourable the Railway Member make any enquiry about the theft committee by the gang of the Engineering Department at the time of the Bhagoli Railway accident?

The Honourable Sir Edward Benthall: The Honourable Member assumes as a fact that a theft was committed by gangmen of the Engineering Department. But in the large body of evidence gathered by the Government Inspector of Railways in the course of his inquiry into the accident, there is nothing to show that such a charge can be substantiated. No departmental inquiry, into this specific allegation is, therefore, called for, and none has been instituted.

Shri Mohan Lal Saksena: Was any theft committed at all? If so, was any other inquiry made, by the police?

The Honourable Sir Edward Benthall: Yes, Sir. The railway makes its own inquiry, but as Honourable Members are not willing to accept the findings of railway officers, an independent inquiry is made by the Government inspector; and the Government Inspector's report is as I have read out.

BAGHAULI TRAIN DISASTER

1600. *Shri Mohan Lal Saksena (on behalf of Dr. Sir Zia Uddin Ahmad): (a) Will the Secretary for Posts and Air please state the exact time of the Bhagoli Railway Station accident?

(b) At what time did the relief train arrive from Lucknow?

(c) At what time did the wounded arrive at the Lucknow Station?

(d) At what time did the dead bodies arrive at the Lucknow Station?

Sir Gurunath Bewoor: (a) About 5-55 A.M. on 4th March.

(b) 10-12 A.M., but the first relief train reached the site of accident at 9-46 A.M.

(c) 8-5 P.M.

(d) The dead bodies were transported by 32 Down, which left Bhagoli at 0-45 on the 5th March, 1946, and reached Lucknow by 3.15 hours.

BAGHAULI TRAIN DISASTER

1601. *Shri Mohan Lal Saksena (on behalf of Dr. Sir Zia Uddin Ahmad): (a) Will the Secretary for Posts and Air please state what staff was in attendance at night duty at the time of the Bhagoli Railway Station accident?

(b) What is the basic pay of each member of the staff?

(c) Is their single line or double line?

(d) Was the system of signalling defective?

Sir Gurunath Bewoor: (a) and (b). The required information is as follows:

Assistant Station Master	1	Basic pay Rs. 50
Pointsmen	2	" " Rs. 19 each
Token Porters	2	" " Rs. 12 each

(c) Single Line.

(d) No.

INDIAN AND FOREIGN WOOLLEN GOODS

1602. *Mr. B. P. Jhunjhunwala: (a) Will the Honourable Member for Industries and Supplies please state if it is a fact that the percentage of profit made by Government in most of the Indian manufactured woollen goods referred to in reply to starred question No. 1122 asked on the 20th March, 1946, varies from 40 per cent. to 65 per cent.?

(b) Will the Honourable Member please specify the cases in which the prices chargeable by Government to the dealers are lower than the prices payable by Government to the manufacturers?

(c) Is it a fact that prices payable to most of the woollen mills have been finalised up to the end of September, 1945? If so, what is the profit which has accrued to Government till then?

(d) Is it a fact that the foreign Worsted Suiting is selling in the market at Rs. 22 per yard?

(e) Is it a fact that the underlying policy of Government in selling the Indian manufactured woollen goods at such high rates is to encourage import of English woollen goods?

Mr. M. W. M. Yeatts: (a) No, Sir, it is not a fact.

(b) Blazer cloth, ail-wool rugs and cotton mixture rugs.

(c) No, Sir.

(d) Market prices of foreign worsted suitings vary from Rs. 20 to Rs. 30 a yard.

(e) No, Sir. If that had been Government's policy they would have had to fix the price of Indian woollen goods very much higher. As it is, the retail prices of imported woollen goods are anything from 75 per cent. to 170 per cent. higher than the retail prices of Indian goods fixed by Government.

Sri T. V. Satakopachari: Is it a fact that indigenous worsted suitings are as costly as the foreign worsted suitings?

Mr. M. W. M. Yeatts: No, Sir.

Prof. N. G. Ranga: Is it not a fact that the indigenous stuff is being purchased at a lower price and sold at a much higher price in order to encourage imports to come into this country?

Mr. M. W. M. Yeatts: No, Sir.

Prof. N. G. Ranga: Why do Government insist on making profit?

Mr. M. W. M. Yeatts: Government do not insist on making profit.

Mr. Manu Subedar: Have Government examined the grounds on which foreign woollen goods come here and are sold at so much higher prices than the Indian woollen goods? Why is the price of the imported so very much higher than the Indian woollen goods? Has the Honourable Member considered that?

Mr. M. W. M. Yeatts: They are undoubtedly higher. I cannot say why.

OPERATION ON MR. SUBHAN, DRIVER, O. T. RAILWAY

1603. *Khan Bahadur Habibur Rahman: (a) Will the Honourable the Railway Member please state if it is a fact that one Subhan, Driver of the Oudh and Trihut Railway, Benares District, was operated upon on his chest by Dr. I. B. Chaudhary, Divisional Medical Officer-in-charge of the Railway Hospital, Oudh and Trihut Railway, Gorakhpur?

(b) Is it a fact that the said Divisional Medical Officer was succeeded by another District Medical Officer, Dr. Roy, who operated the Driver again, and that the said Divisional Medical Officer stitched the wounds without the necessary care?

(c) Is it a fact that the said Driver developed high fever and pain after the stitching of the wounds?

(d) Will the Honourable Member be pleased to state as to how many times the said Driver was operated upon on account of this, and what was the final finding about this operation and stitching of the wounds of Subhan Driver, by the two Divisional Medical Officers of the Oudh and Trihut Railway, Gorakhpur?

The Honourable Sir Edward Benthall: (a) The reply is in the affirmative.

(b) The reply to the first portion is in the affirmative. As regards the latter portion, every possible care was taken at the time of the operation and the wound was not stitched at all but was left open to improve the drainage.

(c) No; the Driver had a temperature and slight pain before the second operation as the wound was not draining well.

(d) Three operations in all were performed. The third operation was not necessitated by any flaw in the preceding two operations. The man is now convalescent, his wounds having nearly healed.

Mr. Muhammad Nauman: May I know with reference to part (c) that during the operation the tube was left and the wound was stitched with the tube in it?

The Honourable Sir Edward Benthall: I do not think it was stitched with the tube in it but I think the tube was left there.

Mr. Muhammad Nauman: Eventually it meant that it was stitched when the tube was in it. It was not medically correct to do so and the gentleman was put to all this trouble because of the inefficiency of the doctor.

Mr. President: Next question.

Mr. Muhammad Nauman: But no reply has been given.

Mr. President: It is simply an expression of opinion after the answer and no question.

Mr. Muhammad Nauman: No, Sir.

Mr. President: The next question has been called.

OPERATION ON MR. SUBHAN, DRIVER, O. T. RAILWAY

1604. *Khan Bahadur Habibur Rahman: (a) Will the Honourable the Railway Member please state if it is a fact that the officiating Principal Medical Officer stationed at Gorakhpur during February, 1946 did not take up the case of Mr. Subhan, Driver of the Oudh and Trihut Railway, Gorakhpur,

when complications of serious nature were noticed after the operations were performed by the District Medical Officer on his chest?

* (b) Is it a fact that the said Driver was sent to the Civil Surgeon of Gorakhpur for X-Ray and operation who did not admit him there?

(c) Is it a fact that the said Principal Medical Officer did not come to the help even at this stage and left the said Driver to the care of the junior Medical Officer?

(d) What records of efficiency are necessary for promotion to the Principal Medical Officer's post, and what are his duties connected with his office in the matter of treatment?

The Honourable Sir Edward Benthall: (a) and (c). No, Government are informed that the Principal Medical Officer gave the requisite attention to the case.

(b) Government understand that the Driver was sent to the Civil Surgeon, Gorakhpur, only for X-Ray of the chest, the X-Ray apparatus in the Railway Central Hospital having gone out of order.

(d) Efficiency is judged from reports on an officer given by the Head of the Department and the Head of the Railway Administration. As regards the second portion, while the Principal Medical Officer is not required to undertake actual treatment in all cases himself, his advice and assistance is taken in serious cases.

Mr. Muhammad Nauman: Was it not a serious case in which his advice was necessary?

The Honourable Sir Edward Benthall: His advice was given.

APPOINTMENT OF MR. AGHA, PRINCIPAL MEDICAL OFFICER, O. T. RAILWAY

1605. *Khan Bahadur Habibur Rahman: (a) Will the Honourable the Railway Member be pleased to state if it is a fact that the permanent Principal Medical Officer has gone on leave?

(b) Who is officiating there, and what are his qualifications?

(c) Is it a fact that the officiating Principal Medical Officer, Mr. Agha, has got no foreign qualification of the medical side?

(d) Is it a fact that the Principal Medical Officer hitherto appointed in the Oudh and Trihut Railway have always been those who possessed foreign qualifications?

(e) Is it a fact that the present officiating Principal Medical Officer has a permanent pay of Rs. 659 and by promotion to this office he is suddenly drawing Rs. 1,750?

(f) Was any effort made to bring some suitable man from any other State Railway to fill this temporary vacancy?

The Honourable Sir Edward Benthall: (a) On the presumption that the Honourable Member is referring to the O. T. Railway, the reply is in the affirmative.

(b) Dr. C. M. Agha is officiating as Principal Medical Officer, O. T. Railway, with effect from 14th January, 1946, A. N. He possesses the degree of M. B., B. S. and the Diploma of Public Health (Lucknow).

(c) Yes.

(d) Yes.

(e) No; he was drawing Rs. 800 in grade II of the revised scale of pay for District Medical Officers prior to his temporary promotion as Principal Medical Officer on Rs. 1,750 p.m.

* Answer to this question laid on the table, the questioner having exhausted his quota.

(f) The question was duly examined but, in view of the short duration of the vacancy, namely, six months, and the desirability of keeping the cadres of the different railways separate as far as possible, Government did not consider the transfer of an officer from another railway necessary.

SUPPLY OF CLOTH TO RETAILERS IN DELHI

1606. *Mr. Muhammad Nauman: Will the Honourable Member for Industries and Supplies be pleased to refer to reply to starred question No. 1110, of the 20th March, 1946, given, by the Honourable Mr. A. A. Waugh in which he said that there were 964 cloth dealers in Delhi to whom quota of one bale each per quarter was given, and state whether it is a fact that the Director, Civil Supplies, Delhi, in his letter No. 13862/R.K.(T.), dated the 15th October, 1945, informed the Secretary, Cloth and General Merchants' Association, Delhi, that there were more than 1,600 retailers to whom cloth was given for distribution? If so, does he propose to make a full statement of the number of retailers in cloth between June, 1945, and February, 1946, and also give in bales the quantity given to each retailer during the specified period and also the total quantity of bales distributed through Muslim and non-Muslim retailers during this period?

Mr. M. W. M. Yeatts: The figure of 964 dealers mentioned in the reply to question No. 1110 was the number of dealers to whom a quota of one bale per quarter was given, which was the information asked for by the Honourable Member. The total number of retailers is, as stated by the Director of Civil Supplies of the Delhi Administration in the letter to which the Honourable Member refers, of the order of 1,600. I am sure the Honourable Member will realise that to prepare the statement desired would call for a very considerable expenditure of time and labour by hard worked offices which we should like to avoid. If the Honourable Member could cast his requirement in some simpler fashion we should be glad to meet him.

DELHI'S QUOTA OF FENT CLOTH

1607. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Industries and Supplies please state if it is a fact that in the same letter No. 31862/R.K.(T), dated the 15th October, 1945, the Director of Civil Supply, Delhi, informed the Secretary of the Cloth and General Merchants' Association, Delhi, that "in future Delhi will get six per cent. of its quota from Bombay and Ahmedabad," meaning that 6 per cent. of the total quantity of production of the Ahmedabad and Bombay Mills, with regards to "fents" in these mills will be available for Delhi quota? If so, what has been the position during November, 1945, to February, 1946, and what quantity of "fent cloth" (stating number of bales) were received from the Bombay and Ahmedabad mills, and were they 6 per cent. of the total production? If not, why not?

(b) Is it a fact that "fents" have always been treated as "un-rationed cloth," and were proposed to be sold through the retailers in cloth in Delhi whereas "Local Mills" in Delhi have sold out their production through their own agencies and with the consent of the Director, Civil Supply, Delhi? If the reply is in the negative what is the position?

Mr. M. W. M. Yeatts: (a) The Honourable Member has apparently misunderstood the meaning of the words used by the Director of Civil Supplies, Delhi, in the letter quoted. The statement of the Director of Civil Supplies meant that Delhi would retain six per cent. of the quota for which it was the distribution centre; it clearly did not mean that six per cent. of the total production of mills in Bombay and Ahmedabad would be earmarked for Delhi. During the period from November 1945 to February 1946, Delhi received 114 bales of fents from Bombay and Ahmedabad.

(b) Yes, Sir, fents have been treated by the Delhi Administration as un-rationed cloth. Fents from mills outside Delhi have always been sold in Delhi through retailers. The local Delhi mills, until the 18th October 1945, sold

their fents through their own retail shops, with the consent of the Director of Civil Supplies, Delhi.

DISTRIBUTION OF LONG CLOTH AND MUSLIN PRODUCED IN DELHI MILLS

1608. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Industries and Supplies be pleased to state if it is a fact that the total production of cloth by local mills in Delhi like Birla Mills was not procured from these mills for the purpose of distribution by "Ration System" of the Delhi Province during June, 1945, to February 1946?

(b) What quantity in yards of long cloth and muslin, were produced by mills situated in the Delhi Province during the said period of June, 1945, to February, 1946, stating quantity of each of the varieties, separately, name by name of each mill and also how this long cloth and muslin was distributed and sold in Delhi and what quantity was sent out of Delhi and through what agencies?

Mr. M. W. M. Yeatts: (a) Yes, Sir, it is a fact.

(b) The production of long cloth by the Delhi Cloth Mills during the period from June 1945 to February 1946 was about 2,755,000 yards. Their production of muslin in this period was 707,000 yards. Of these quantities, the amounts distributed in Delhi were 572,000 yards of long cloth and 217,500 yards of muslin. The balance was despatched to places outside Delhi. The Birla Mills during the same period produced 1,388,000 yards of which 97,680 yards of muslin and 68,880 yards of long cloth were distributed in Delhi, the balance going to places outside Delhi. The places outside Delhi to which cloth produced by these two mills is sent are the Punjab, the U. P., the N. W. F. P. and Ajmer. Distribution is effected through dealers nominated by the Provincial authorities in these areas in accordance with the Government of India's all-India cloth distribution scheme.

Mr. Muhammad Nauman: Is it a fact that the distribution was not done through the mills' own agencies but it was done through Government agency and through such approved dealers as the Government appointed?

Mr. M. W. M. Yeatts: I do not quite follow the question.

Mr. Muhammad Nauman: Is it a fact that the cloth produced by the Delhi Cloth Mills and the Birla Mills which was sent out of Delhi was distributed through Government agency?

Mr. M. W. M. Yeatts: Each Provincial Government indicates where its receipts of cloth will go. They say this cloth will go to such and such a place and that cloth will go to such other place and so on and these despatches are made accordingly.

Mr. Muhammad Nauman: They were not done through the mill agencies by themselves?

Mr. M. W. M. Yeatts: No, Sir, as far as I know.

Seth Govind Das: Is it a fact that the ration rules do not apply to mill-owners and they can use any amount of cloth produced by them in their mills?

Mr. M. W. M. Yeatts: No, Sir.

SALE OF FINE AND SUPERFINE CLOTH BY DEPTS OF DELHI CLOTH MILLS

1609. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Industries and Supplies be pleased to state the total quantity in yards of cloth produced by the Delhi Cloth and General Mills Company Limited, during June, 1945, to February, 1946?

(b) What quantity of cloth in yards was marked "coarse", what quantity in yards was marked "fine" and what quantity in yards was marked "super-fine" cloth?

(c) Is it a fact that all fine and superfine quality cloth was sold by the Delhi Cloth and General Mills, during June, 1945, to February, 1946, through their own nine depots in Delhi and was sent out of Delhi through permits procured by this mill in their own name? What is the detailed position, what quantity of cloth was permitted to be taken away from Delhi by this Mill and why?

(d) Is it a fact that no portion of "fine and superfine" quality cloth produced by the above mills was supplied to any other ration shop? If the reply is in the negative, what is the position? If the reply is in the affirmative, what are the reasons?

Mr. M. W. M. Yeatts: (a) About 47,429,000 yards.

(b) Coarse 44,234,000 yards; fine 1,859,000 yards; superfine 1,336,000 yards.

(c) Yes, Sir, it is a fact. I have already given in my answer to the Honourable Member's question No. 1608 all the information I have regarding despatches of fine and superfine cloth from the mills in Delhi to places outside Delhi.

In our all-India distribution scheme we try to interfere as little as possible with established trade channels. That is why fine cloth continues, as in pre-control days, to come to Delhi from mills outside, e.g., Ahmedabad, while fine cloth produced in Delhi is going to the Punjab. There is little transport wastage involved since Delhi is between the Bombay area and the Punjab. N. W. F. P., etc.

(d) Yes, Sir, it is a fact. Most of the fine and superfine cloth sold in Delhi comes from mills outside Delhi. None of this fine and superfine cloth from outside Delhi is supplied to the shops operated by the Delhi Cloth Mills: it is all supplied to other ration shops.

Prof. N. G. Ranga: Is it a fact that more outside fine cloth than what is absolutely necessary for the Delhi citizens is being placed at their disposal in all these shops here?

Mr. M. W. M. Yeatts: This business of allotting cloth all over the country is a continual division sum and it is our constant effort and watch to see that this continual division sum closely approximates to what is desirable.

Prof. N. G. Ranga: Is it a fact that Delhi is being specially favoured?

Mr. Muhammad Nauman: Does the Honourable Member realise that this means that a sort of monopoly for fine cloth is given to all these cloth shops of their own production?

Mr. M. W. M. Yeatts: As I said before fine cloth produced in Delhi goes outside Delhi, because before the war the trade channels ran that way and thus Delhi got fine cloth from the South and other parts of India actually drew similar cloth from Delhi. It was the object of the control for obvious reasons of convenience to disturb those trade channels as little as possible. That is how it happens that fine cloth made in Delhi goes outside Delhi, while fine cloth produced outside Delhi, for example Ahmedabad, comes to Delhi.

Mr. Muhammad Nauman: According to the Honourable Member's reply is it a fact that so far as Delhi distribution is concerned outside fine cloth was sold to these shops in Delhi?

Mr. M. W. M. Yeatts: No, Sir. None of these fine and superfine cloth from outside Delhi is supplied to the shops operated by the Delhi Cloth Mills. It is all supplied to other ration shops.

AMERICAN ROAD EXPERTS

1610. ***Sri S. T. Adityan:** Will the Honourable Member for War Transport be pleased to state:

(a) whether it is a fact that two officials of the Government of the United States of America have been invited to India to act as Road Experts;

(b) their names and qualifications;

(c) the remuneration proposed to be paid to them;

(d) whether it is not possible to get in India experts of equal ability; if not, what efforts were made by the Government to obtain the services of capable Indian experts; and

(e) how long the said American experts will be in India?

The Honourable Sir Edward Benthall: (a) and (b). As was explained in a Press Note published on March 9th, Major General Philip Fleming, the head of the Federal Public Works Administration in the U. S. A., and Mr. T. H. MacDonald, the head of the Public Roads Administration in the U. S. A., were invited by the Government of India to advise generally on India's programme of road development.

(c) None.

(d) The availability of experts of equal ability in India does not enter into the question. India has a very large programme of road development which will benefit greatly by friendly and independent criticism from international experts with experience of similar problems in other countries. The invitation was issued with this object. The technical and administrative problems connected with road planning and construction in India have much in common with those in the U. S. A. We may consider ourselves very fortunate in having the benefit of the advice and criticism of these distinguished experts.

(e) About four weeks.

Mr. Manu Subedar: May I know if Government have received the advice tendered by these experts?

The Honourable Sir Edward Benthall: No, Sir. They are still on tour.

Mr. Manu Subedar: Will Government make it available to the public when it is received?

The Honourable Sir Edward Benthall: I am not sure that it will actually be in the form of a report. It may be only verbal.

Mr. Ahmed E. H. Jaffer: Is it a fact that no Indian expert is available?

The Honourable Sir Edward Benthall: I could think of none who has been head of the Federal Public Works Administration nor of the Federal Roads Administration of the United States of America!

Sri S. T. Adityan: Is the Honourable Member aware that motor bus traffic in America is not so well developed as in India and therefore for road development we are much better than Americans?

The Honourable Sir Edward Benthall: I should hesitate to put that suggestion to the two experts!

Prof. N. G. Ranga: I hope these gentlemen will be treated as experts who come for a temporary stay in India and will not be appointed in long term jobs.

The Honourable Sir Edward Benthall: I suggest that is an insult to the two experts.

Mr. President: Did not the Honourable Member say in reply to part (c) of the question that no remuneration is being paid to these gentlemen?

The Honourable Sir Edward Benthall: Yes, Sir.

Prof. N. G. Ranga: I did not mean to make any sort of disparaging remark about these experts. We are only anxious in the light of our bitter experience of the past to see that experts are not brought in here from another country and afterwards made permanent officers of the Government of India. It does not matter if they come for a short period of three or four months.

The Honourable Sir Edward Benthall: The first gentleman I mentioned occupies a position equivalent to cabinet rank if such a portfolio of Public Works existed in the United States Administration. It is hardly likely that a gentleman of such distinction would come here on a permanent basis!

Sri S. T. Adityan: Have they got any experience of Indian road making material, such as granite, etc?

The Honourable Sir Edward Benthall: No, Sir.

Mr. Ahmed E. H. Jaffer: Is it a gesture on their part that they are working free?

Mr. President: Next question.

[SUPPLY OF CAPITAL GOODS BY GOVERNMENT]

1611. *Sreejut Rohini Kumar Chaudhuri: (a) Will the Honourable Member for Industries and Supplies please state if it is a fact that certain commercial firms were supplied with capital goods by Government during the war?

(b) If the answer to (a) above is in the affirmative, will the Honourable Member please state (i) which are the firms who got such capital goods, (ii) the machineries supplied to each firm, (iii) the cost of each of these machineries, and (iv) the terms at which the machineries were supplied to the firms?

(c) If the machineries were supplied as free issues, will the Honourable Member please state (i) to which firms such machineries were supplied as free issues, and (ii) how Government propose to dispose of these machineries?

(d) If any of the machineries or parts thereof have already been disposed of, will the Honourable Member please state (i) the machineries or parts thereof which have already been disposed of, (ii) the landed costs of each such machinery or parts thereof already disposed of, and (iii) to which firms and at what price such machineries or parts thereof have been sold?

Mr. M. W. M. Yeatts: (a) Yes, Sir.

(b); (c) and (d). As I am sure the Honourable Member will appreciate the nine specific points raised in these three parts represent a very large amount of detail. Each firm received different items and on terms varying with the item itself and the nature of the work to be carried out and the particular role to be played by that item in it. Each item has a different cost and so on. On the general question of disposal of items no longer required the position is that the standing principles of disposal are applied. These were given at length in the Honourable Mr. Waugh's answer to question 436, on 22nd February, 1946, and information on individual factories is given in the answer to question 664, of 5th March. The answer to that last question incidentally made clear the amount of time and labour involved in collection of material on this scale.

CONTROLLERS OF RUBBER

1612. *Sreejut Rohini Kumar Chaudhuri: (a) Will the Honourable Member for Industries and Supplies please state who were the first and second Controllers of Rubber?

(b) To which firm they were attached before joining Government?

(c) Were they holding any lien on their previous employment while they were in Government?

(d) Who is the present Controller of Rubber?

(e) To which firm he was attached before joining Government?

(f) Does he hold any lien on his previous employment?

Mr. M. W. M. Yeatts: (a) The first Controller of Rubber was Mr. J. P. Anderson and when he left Mr. J. A. Laidlaw took over the duties.

(b) Both Messrs. J. P. Anderson and J. A. Laidlaw were attached to Messrs. Dunlop Rubber Co. (India) Limited, before joining Government.

(c) Yes, Sir.

(d) Mr. P. N. Haksar.

(e) Messrs. Dunlop Rubber Co. (India) Limited.

(f) Yes, Sir.

INDIANS AND EUROPEANS IN RUBBER CONTROLLER'S OFFICE

1613. *Sreejut Rohini Kumar Chaudhuri: (a) Is the Honourable Member for Industries and Supplies aware of the fact that Sir Vyvian Board, the Controller of Rubber of the United Kingdom Rubber Control, did not belong to any of the Rubber Industries?

(b) What was the strength of the Indian and European Officers separately in the office of the Rubber Controller (India) in January, 1945?

(c) What was the strength of the Indian and European Officers separately, in the whole of the Directorate General of Supply in January, 1945?

(d) What were the expenses incurred by Government in the year 1944-45 for maintaining the Indian and European Officers, separately, in the office of the Rubber Controller (India)?

(e) What were the academical and other qualifications of both Indian and European officers of the Office of the Rubber Controller (India)?

Mr. M. W. M. Yeatts: (a) So far as this Department is aware, Sir Vyvian Board was not the Controller of Rubber of the U. K. Rubber Control. Mr. S. D. Ascoli of the Dunlop Rubber Co. of England was the Rubber Controller in the United Kingdom.

(b) Indians—13, Europeans—12.

(c) Indians—357, Europeans—117.

(d) Indians—Rs. 80,988 approx., Europeans—Rs. 2,40,600 approx.

(e) A statement is placed on the table of the House.

Statement

No.	Names of Indian Officers	Academical and other qualifications
1	Mr. P. N. Haksar, Tyre Rationing Officer.	Was Asstt. Distt. Manager, Dunlop Rubber Co. (India), Ltd. before joining the Supply Deptt.
2	Mr. M. R. Kaura, Dy. Director of Rubber Mfrs.	Was the local representative of a number of commercial firms before joining Supply Deptt.
3	Mr. N. Ramakrishna Aiyar, Asstt. Controller of Rubber.	M.A.—A permanent Assistant in Civil Aviation.
4	Mr. S. G. Ramachandran, Asstt. Rubber Purchase Officer.	B.A. (Madras University).—has had training in Accounts, Book-keeping, Radio Engineering & Commerce.
5	Mr. A. K. M. Pilla, Asstt. Controller of Rubber.	B.A. (Madras), M.Sc. (Lucknow) Fellow of the Chemical Society (London).—Specialist in Rubber Technology and Timber Technology. Member of the Institution of Rubber Industry (London).
6	Mr. L. B. Roy, Asstt. Director of Rubber Mfrs.	B.Sc.
7	Mr. C. K. Laxminarayan, Asstt. Controller of Rubber.	F.A.—Also passed highest Examination in Theory and Practice of Commerce, Banking and Economics conducted by the Govt. of Madras. Asstt. in Commerce before joining Supply Deptt.

No.	Names of Indian Officers	Academical and other qualifications
8	Mr. Z. A. Naqvi, Senior Supervisor, Muttra.	Licenciate in Agriculture.—Came from the Subordinate Agriculture Service, U.P.
9	Mr. Bisheshwar Dayal, Senior Supervisor, Muttra.	Ditto.
10	Mr. Bir Singh, Senior Supervisor, Muttra	Ditto.
11	Mr. Hamiduddin, Senior Supervisor, Muttra.	Ditto.
12	Mr. Narain Singh, Senior Supervisor, Muttra.	Ditto.
13	Mr. S. C. Damle, Progress Officer.	M.Sc., Associate of the Institute of Actuaries (London).

No.	Names of European Officers	Academical and other qualifications
1	Mr. J. P. Anderson, Controller of Rubber.	Was Sales Director, Dunlop Rubber Co. (India) Ltd., Calcutta, before joining the Supply Deptt. as C. R.
2	Mr. D. W. Hawkins, Dy. C. R.	17 years with Dunlop Rubber Co. Ltd. Ultimate position Sales Director, Dunlop Malayan Estate Ltd.
3	Mr. H. R. Walden, Dy. C. R.	Rubber Planter in Malaya for 23 years and for 12 years Manager of one of the largest Estates—the Coventry.
4	Mr. R. J. Morton, Senior Inspecting Officer.	Life experience in rubber planting in Malaya.
5	Capt. E. P. Hosken, O. S. D. (Wild Rubber).	Law Society (Intermediate).—15 years, practical experience in rubber.
6	Mr. J. A. Laidlaw, Director of Tyres.	Tyres specialist with several years, experience in tyre industry.
7	Mr. G. O. Safferey, O. S. D. (Retreading)	Repair specialist, tyre retreading.
8	Mr. P. Mitchell, Director of Rubber Mrs.	Trained at Goodyear Factory, Wolverhampton and employed by Goodyear Tyre and Rubber Co. Ltd. Holds company Degree for Tech. Qualification.
9	Mr. G. F. M. Bailey, D. C. R. (Calcutta).	Civil Engineer.
10	Mr. C. P. Liston, Rubber Purchase Officer (Cochin).	Crude Rubber Expert.
11	Capt. P. M. Laing, Resident Manager (Muttra).	Holder of Higher Leaving Certificate, 1931, of Scottish Education Deptt. and Diploma Course of Tropical Agriculture, 1937, of Aberdeen University. Was Assistant Manager with Malayan, American Plantations, Ltd. (1937-41).
12	Lt. H. J. Blake, Asstt. Manager	Before joining the Army was a Planter in America.

Mr. Manu Subedar: Do Government intend to continue the system of rubber control indefinitely or do they wish to modify it? If so, when?

Mr. M. W. M. Yeatts: It has already been considerably reduced.

Mr. Manu Subedar: Is it necessary to continue them any longer?

Mr. M. W. M. Yeatts: I was looking into it just the other day, and the only thing outstanding is the actual Government purchases of rubber. These will have to be liquidated and sold. Once that is done, I personally think there will be no need for the control.

LICENCES UNDER RUBBER CONTROL ORDER

1614. *Sreejot Rohini Kumar Chaudhuri: Will the Honourable Member for Industries and Supplies please state:

(a) when the Rubber Control Order came in force; and

(b) the basis of releasing crude and reclaim rubber, and issuing licences to the firms for manufacturing rubber goods for civil market under the Rubber Control Order?

Mr. M. W. M. Yeatts: (a) The Rubber Manufactures Control Order, which I presume the Honourable Member has in mind, came into force on 1st September, 1942. This Order was superseded by the Rubber Manufactures Control Order, 1944, which came into force on 1st September, 1944. The Order was cancelled with effect from the 1st January, 1946.

(b) The release of crude and reclaim rubber was made on the principle that there should be no manufacture of non-essential rubber articles for civil consumption and that the manufacture of essential rubber articles for civil consumption be restricted to the minimum considered necessary. The rubber allocated for the latter purpose was distributed amongst the manufacturers on the basis of their surplus capacity after taking into account Government orders placed with them.

UNSTARRED QUESTIONS AND ANSWERS

QUALIFICATIONS REQUIRED OF DISTRICT MEDICAL OFFICER, N. W. RAILWAY

180. *Pundit Thakur Das Bhargava: (a) Will the Honourable the Railway Member kindly state if it is a fact that the post of Chief Medical Officer is likely to fall vacant in the North Western Railway in near future?

(b) Are there any Indian District Medical Officers qualified according to the provision of paragraph 127 of the State Railway Establishment Code, Volume 1, in the North Western Railway?

(c) Is there any European District Medical Officer who is qualified in terms of paragraph 127 mentioned above to become Chief Medical Officer in the North Western Railway?

The Honourable Sir Edward Benthall: (a) The present Chief Medical Officer on the North Western Railway is due to retire on 14th February, 1948; it is not possible to state whether the post will be vacant before that date.

(b) Yes, five. I would, however, add that in accordance with a decision taken last year, the condition ordinarily applicable under the provision of the rule mentioned in this part of the question has been relaxed in favour of those Divisional Medical Officers who joined service before 8th January, 1930, the date on which it was prescribed that the possession of the Diploma of Public Health would ordinarily be insisted on when considering promotions to the rank of Chief Medical Officer.

(c) The only European Divisional Medical Officer on the North Western Railway does not possess the diploma but, as the result of the decision referred to in my reply to part (b), is not ineligible for promotion as Chief Medical Officer.

SUPPLY OF BRASS AND COPPER SHEETS TO RETAILERS

181. Sri R. Venkatasubba Reddiar: Will the Honourable the Member for Industries and Supplies please state:

(a) if he has received a representation from the Federation of All-India Metal Merchants and Manufacturers Associations, Sudder Bazar, Delhi, regarding

the condition of the non-ferrous metal industry and trade in this country at the present moment; if so, whether he has examined the allegations made therein thoroughly;

(b) if it is a fact that, owing to the monopoly system of giving imported brass and copper sheets only to big manufacturers, the retailers and the cottage industry are suffering considerably;

(c) how far the Brass and Copper Control Order of 1945 has affected the small dealers throughout the country;

(d) how long it is proposed to continue this control; and

(e) whether in the interests of the development of the cottage industry, Government propose to allot scrap and sheets in sufficient quantities to the smaller retailers and manufacturers of brass vessels, without any further delay; if not, why not?

Mr. M. W. M. Yeatts: (a) Yes, Sir, the points raised therein were examined and the Federation informed of Government's decision. The main point was that the control should be abolished. Government do not consider that the removal of the control at present would either increase supplies which is the root of the difficulty or lead to more even distribution.

(b) Government have not given any monopoly to big manufacturers. Between 70 per cent. to 90 per cent. of the imported Brass and Copper sheets are distributed to manufacturers of hand made utensils. In addition, they get a substantial portion of the indigenous brass sheets and 57 per cent. of the scrap made available by D. G. Disposals. As regards the imported brass sheets, the various regional associations recognised by this Department are required to make the distribution in the following manner:

Port	To manufacturers of hand made utensils	To manufacturers of machine made utensils
	Per cent.	Per cent.
Bombay	70	30
Karachi	90	10
Madras	90	10
Calcutta	90	10

The percentage reserved for the hand-workers is allotted to sub-associations in each small area. The sub-associations distribute the metal either to manufacturers who employ hand labourers or direct to the labourers. The cottage industry is suffering not because of any monopoly system but because there is a considerable overall shortage of brass in the country. The indigenous brass sheets and scrap metals meant for distribution to hand workers are also distributed through the sub-associations in the manner explained above. As regards "retailers" please see answer under (e) below.

(c) Under the Brass and Copper Control Order, Government have only fixed ceiling price of metals and utensils, etc. Metal is scarce and circumstances of scarcity affect inevitably all persons handling it. The objective of the control is to do what we can to minimise these effects and spread them. When a commodity is very scarce it generally happens that there are really no very small dealers at all, on account of the actual lack of material. Since the specific control referred to only fixed ceiling prices its real target is those who attempt to profiteer in prices.

(d) Until the supply position sufficiently improves.

(e) Every effort is being made to arrange for larger releases of brass and copper sheets and scrap to the manufacturers of vessels. Government are doing their best to get as much metal as is possible from abroad and have only recently arranged for the importation of about 10,000 tons of brass ingots from the U. K. There is however, a practical limit to the extent to which one can make releases to small retailers. This limit is set by the questions of staff and channels involved and also the amount of delay.

MANUFACTURE OF STARCH FOR TEXTILES FROM TAMARIND INSTEAD OF MAIZE

182. Prof. N. G. Ranga: (a) Will the Honourable Member for Industries and Supplies be pleased to state if he has received any representation from Pectin and Starch Products of Calcutta in January 1946, suggesting the manufacture of starch needed for textile product out of tamarind seed instead of as at present out of maize, and also drawing Government's attention to the researches of Dr. S. Krishna and Dr. W. A. J. Macmillan, who have approved of the use of tamarind seed pectin instead of Carbo Hydro starches?

(b) (i) How much of maize is now being consumed by the Licensed Starch Factories, and (ii) how many of them are there in India? Is it not a fact that licences have been granted to some of the factories as late as January 1946?

(c) Why the Conference suggested by the above mentioned Company between Government consumers, manufacturers and the Scientists has not so far been convened in order to examine the possibility of economising the use of maize by the starch factories and instead utilising tamarind for starch purposes?

(d) Do Government propose to explore every possible avenue of economising the use of foodgrains for non-food purposes?

(e) Will Government consider the advisability of exploring at least now the possibility of utilising tamarind seeds instead of maize and thus saving all the maize that is being now used for manufacturing starches for human consumption?

Mr. M. W. M. Yeatts: (a) Yes, Sir, the Food Secretary received such a representation.

(b) (i) The normal allocation of maize to Starch Factories is about 40,000 tons a year. This year, however, although a quota was originally given by the Food Department for this purpose, it has been cancelled owing to the general shortage of foodgrains.

(ii) The number of Starch Factories licensed under the Starch Control Order, 1945, is 23. Five of these licences were granted in January last, but it was made clear to the factories that they would receive no assistance in obtaining maize or other raw materials.

(c), (d) and (e). Government fully realises the necessity of economising in the use of foodgrains for non-food purposes. As already mentioned, maize allotments to starch factories have been cancelled. In a circular to all cotton textile mills issued in February the Textile Commissioner, at the instance of the Government of India, informed them that their requirements of maize starch would not be forthcoming, and drew their attention to the names of firms producing substitute products prepared from tamarind seed. In this list was included the name of the firm mentioned by the Honourable Member. Government did not consider it necessary to summon the conference suggested by that firm.

INDIAN COCONUT COMMITTEE (AMENDMENT) BILL—contd.

Mr. President: Further discussion of the Coconut Act Amendment Bill. We will now take the Bill clause by clause. Clause 2.

Sri A. K. Menon (West Coast and Nilgiris: Non-Muhammadan Rural): Sir I move:

"That in sub-clause (a) of clause 2 of the Bill, in the proposed clause (a) of section 2 between the words 'the Central Government' and the words 'to perform', the words 'other than the Collector of the District' be inserted."

The reason why I want this amendment is that whenever any legislation of this kind, either Central or Provincial, is passed, the duty of collecting the tax is always imposed upon the Collector of the district, even if the

12 Noon. Collector is not mentioned in the section; generally the Collector of the district is empowered to collect the revenue for the purpose. The Collector is always a heavily burdened officer and he cannot supervise the irregularities and vagaries of the subordinate officers in the Revenue Department; and when complaints are made to the Collector he prefers to accept the word of the Revenue Inspector as gospel truth. So practically the Revenue Inspector becomes the Collector of the District so far as the collection of tax is concerned, and the Collector do not supervise and redress the grievances of the people whenever there is any irregularity or whenever there is any highhandedness on the part of the Revenue Inspector. Therefore I would suggest that the District Collector may not be empowered to collect a tax of this nature, viz., the coconut duty, but some other officer of a Department which is more cordial with the people than the Revenue Department may be empowered to do it. Revenue officers have become very apathetic and unsympathetic, and they are very corrupt also, especially after the food administration has been introduced recently; and therefore I would suggest either the Inspector General of Registration or of the Co-operative Department or some other officer in a development department might be empowered to collect the revenue under the Act, and not the Collector of the District, because he is a heavily burdened officer who cannot supervise the collection of the tax properly; whenever any irregularity is committed he is not able to check it properly and therefore I submit that this amendment might be accepted: the Collector of the district should not be empowered to collect this tax but some other officer of the development department viz., of the Co-operative Department or the Agricultural Department or their subordinates, if power is delegated to them, may be the officers empowered to collect this tax. That is the object of this amendment.

Mr. President: Amendment moved:

"That in sub-clause (a) of clause 2 of the Bill, in the proposed clause (a) of section 2 between the words 'the Central Government' and the words 'to perform', the words 'other than the Collector of the District' be inserted."

Sir Pheroze Kharegat (Secretary, Agriculture Department): Sir, I am afraid I cannot accept this proposed amendment. I might point out that in the original Act the provision is that "collector" means the Collector of the district in which the mill is situated, or any other officer appointed by the Central Government. We have now already made the amendment here providing that Collector means an officer appointed by the Central Government; and in actual practice we have already appointed the officers of the Central Board of Revenue to do this work. Therefore this amendment is quite unnecessary as the members of the Board of Revenue are already doing this work and there is no reason for any change. I may further mention that the reason why we do not like the idea of debarring the Collector altogether is that in special circumstances, exceptions may arise in some out of the way places where the work may have to be entrusted either temporarily or for a longer period to the Collector of the district; and we do not wish to debar ourselves from the right of appointing the Collector in such special cases. In view of fact that the Central Board of Revenue are already doing the work, I would suggest that the amendment may be withdrawn.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Sir, we know only too well that the Central Board of Revenue have not got enough officers to look to this sort of work. They have themselves said so on very many occasions. Can the Honourable Member give us an assurance that they keep a close watch upon the number of officers and their status also, to whom the

Collector is now delegating his powers actually. That is the most important thing. It is no good saying that in exceptional cases the collector may have to be given this power. For the last one year this has been in force and what has been the experience? Has it been found that the Collector has been authorising too many people or too few people to act on his behalf? That is the most important thing. Supposing the Collector does not authorise too many people but only authorises a particular officer or set of officers in exceptional cases, and that is found to be so in actual practice, then of course it will be a different matter and we shall have no objection to the Honourable Member's suggestion.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): Sir, I find it very difficult to understand how my friend, by this amendment, is going to achieve the object he is aiming at. He wants to exclude the Collector of the district from being one of the collectors who have to collect this due. But in the explanatory speech he has made and that Prof. Ranga has made, what they want is that they want a number of officers to work as collectors

Prof. N. G. Ranga: No, no; we do not want too many to be authorised by the Collector to act on his behalf.

Mr. President: It is just the reverse.

Haji Abdus Sattar Haji Ishaq Seth: What he wants is that the Collector should not have the authority to nominate—I understand that; but I do not think a case has been made out for excluding the Collector from having the power to nominate his men. Whether the Collector does it or the Central Board of Revenue does it, I do not think it makes any difference; and it is not as if the amendment ensures that it is only the Central Board of Revenue that will appoint the officers. The only thing that the amendment tries to do is to exclude the Collector. I do not see there is any reason for it. I am sorry I cannot support it.

Sir Pheroze Kharegat: I have no hesitation in giving the assurance asked for by Prof. Ranga. The work has not been entrusted to the district Collectors—it has been carried on for the past year by the officers of the Central Board of Revenue and instructions have been issued to them also to ensure that the work is carried on by responsible officers and not entrusted to low paid men.

Sri A. K. Menon: Sir, I beg leave to withdraw the amendment. The amendment was, by leave of the Assembly, withdrawn.

Mr. President: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Sri A. K. Menon: Sir, I had given notice of a certain amendment but I find there is a small mistake which has crept into it, and therefore with the permission of the Honourable Member the Secretary for Agriculture, I would alter it to read as follows: I move:

"That in clause 4 of the Bill, between the words 'of the duty' where they occur for the second time and the words 'and to administer' the words 'and any other monies received by it', be inserted."

The object of the amendment is to bring clause 4 into conformity with clause 3. There is some difference between clause 3 and 4, but the purpose of both the clauses is almost the same. This is only a small amendment and I hope the Honourable Member will accept it.

Mr. President: I would treat this as a new amendment and as the member concerned gives his consent, I waive notice.

Amendment moved:

"That in clause 4 of the Bill, between the words 'of the duty' where they occur for the second time and the words 'and to administer' the words 'and any other monies received by it', be inserted."

Sir Pheroze Kharegat: I have no objection.

Mr. President: The question is:

"That in clause 4 of the Bill, between the words 'of the duty' where they occur for the second time and the words 'and to administer' the words 'and any other monies received by it' be inserted."

The motion was adopted.

Mr. President: The question is:

"That clause 4 as amended stand part of the Bill"

The motion was adopted.

Clause 4 as amended was added to the Bill.

Sri A. K. Menon: Sir, I move:

"That in Clause 5 of the Bill, after clause (i) of sub-section (2) of the proposed section 9, the following be inserted as clauses (j), (k), (l) and (m) and the present clause (i) be renumbered as clause (n):—

- (j) assisting in the control of insects and other pests and diseases of coconut trees;
- (k) promoting and encouraging the co-operative movement among the coconut growers and in the coconut industries;
- (l) adopting such measures as may be practicable for assuring remunerative returns to growers;
- (m) maintaining and assisting in the maintenance of such institutes, farms and stations as it may consider necessary";

The object of this amendment is to augment the functions of the Coconut Committee which has to administer the fund. No doubt the preamble says that it is to help the growers and to improve the marketing facilities and so on. It is always advisable to draw pointed attention to the particular objects and functions of the Committee. The Act as originally framed did not contain these things that are now sought to be introduced but these things were found in the Oil Seeds Committee Bill recently passed. They are very good and they ought to be part of the functions of this committee also. From the Oil Seeds Bill, which was also introduced by the same Honourable Member, these items have been picked up. We know that the coconut growers are poor, ignorant and unorganised and therefore if the co-operative movement is introduced among them it will be a very good thing. They will be able to guard against the lowering of prices and other evils. They will be able to look after their own affairs. As most of the remaining clauses of the amendment are self-explanatory, I do not propose to speak at length. I hope that the Honourable Member will accept it.

Mr. President: Amendment moved:

"That in Clause 5 of the Bill, after clause (i) of sub-section (2) of the proposed section 9, the following be inserted as clauses (j), (k), (l) and (m) and the present clause (i) be renumbered as clause (n):—

- (j) assisting in the control of insects and other pests and diseases of coconut trees;
- (k) promoting and encouraging the co-operative movement among the coconut growers and in the coconut industries;
- (l) adopting such measures as may be practicable for assuring remunerative returns to growers;
- (m) maintaining and assisting in the maintenance of such institute, farms and stations as it may consider necessary";

Prof. N. G. Ranga: I am extremely glad to support this amendment, moved by our coconut expert Mr. Karunakara Menon. I am very much anxious about the need for ensuring for our peasants remunerative prices. Not so long ago, I was touring in Malabar and wherever I went our coconut growers made a loud and insistent demand for remunerative prices. They were then suffering from uncontrolled imports of coconut and copra from Ceylon. For three or four years we had to put up a stiff fight in the Legislative Assembly in order to persuade the Government to put on an import duty on Ceylonese copra and coconut and to provide some protection to our own coconut growers in our own country. Therefore it is but natural that we should ask this particular committee to take up this particular matter and do all it possibly can to use its good offices with the Government of India and also in the markets and see that

our coconut growers actually receive remunerative returns. The original Act provided only for the maximum and minimum prices to be fixed for copra and there was no mention about coconut in it. Mere recommendations to fix maximum and minimum prices will not be enough. We are not so very particular about the maximum or minimum price. We are particular about the remunerative price that may be considered to be good enough in a particular year in a particular area and that is why I sincerely trust that the Government will see their way to accept this amendment and enlarge the scope of this Bill and the utility of this committee and see that they render all possible help to the committee with a view to see that remunerative prices are obtained by the coconut growers.

Sir Pheroze Kharegat: I may say at the outset that I am prepared to accept the proposed amendment. The only thing I would invite attention to is that in the original Bill, in clause (i) there is already a provision about improving the marketing of coconuts in India and abroad and I had always understood that that would ensure remunerative prices to the growers but as it is desired to make the matter quite clear I have no objection to the addition and I only hope that the Governments concerned, that is the Governments of Travancore, Cochin and Mysore, will also adopt the same amendment. Sir, I accept the amendment.

Mr. President: May I invite the Honourable the Mover's attention and also the attention of the Honourable Member for Government to the phraseology of sub-clause (k) which might be misunderstood "Promoting and encouraging the co-operative movement among the coconut growers".

I do not think it is the idea to give anything from the funds for the purpose of, for example, co-operative housing. Is that the idea? If that is included, I have nothing to say.

Prof. N. G. Ranga: Government have accepted the present wording 'co-operative movement'.

Mr. President: I believe what is meant is co-operative marketing and such other things.

Mr. P. J. Griffiths (Assam: European): The wording suggested by the Chair would be better.

Mr. President: I think what was intended was something in addition. I suggest the words "promoting and encouraging coconut growers and coconut industry on co-operative lines."

Sir Pheroze Kharegat: I think that would be much better.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): I suggest 'promoting cultivation of coconut and encouraging industry'—I think it should be something like that separately.

Sri T. A. Ramalingam Chettiar (Madras: Indian Commerce): I suggest organising and helping co-operative societies for the benefit of coconut growers and those in coconut industries.

Mr. President: That will be much wider in scope.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): I suggest, 'promoting and encouraging co-operative efforts'.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): I suggest that in the second line, in place of 'and' it should be 'in relation to'.

The Honourable Dr. Sir M. Azizul Hogue (Commerce Member): Is it intended by this Bill that it would also help that aspect which is industry proper. Is that the idea? In the main Bill itself, there is nothing in the nature of starting industry in coconut.

Prof. N. G. Ranga: Giving them a subsidy and appointing propagandists or giving them suggestions and so on. There are already co-operative enterprises and they need some guidance, some amount of subvention.

Mr. President: May I have the views of the Honourable the Law Member?

The Honourable Sir Asoka Roy (Law Member): May I suggest, Sir, that the amendment as framed by Mr. Karunakara Menon had better remain. I find that the Honourable Member has taken the language of the other Act which has gone through. In the Oil Seeds Committee Bill, the language is — 'promoting and encouraging the co-operative movement in the oil seeds industry'. I think if you leave the language as has been suggested in the Amendment itself, that would serve the purpose, instead of trying to alter it. I think the language is wide enough. It is clause (j) in the Oil Seeds Committee Bill.

Mr. President: The wording of the language in the Oil Seeds Committee Bill, is 'promoting and encouraging co-operative movement in the oil seeds industry', it is not among "persons" following that industry also. If we distinguish 'co-operative movement' from the "persons" employed in that particular industry, then the wording would include housing societies also. In the Oil Seeds Bill, it is restricted to the industrial conditions, whereas here the word 'growers' is used and there the difficulty arises. However, it is none of my business, as President, to advise as to what should be done.

Mr. P. J. Griffiths: The real point is this. We ought to make it clear which are the aspects of the co-operative movement with which this Bill is concerned. Those aspects are marketing and cultivation. Therefore the simplest phraseology would be 'promoting and encouraging co-operative marketing and cultivation among coconut growers'.

Mr. President: If all aspects of co-operative efforts for the promotion of industry are intended, then instead of restricting them to cultivation and marketing, the expression 'co-operative efforts' would be wider. It all depends upon the House. I am merely trying to ascertain the intention and the best form in which it should be put.

Sri T. A. Ramalingam Chettiar: What is to be done with reference to this is this. There are already co-operative societies dealing with insect pests in coconut. The second class of co-operative societies are for marketing as was mentioned by the Honourable Member from the European Group. The third Group are societies for coir making and fibre preparing. These are the different items of the industry where you want help most. We have to appoint specialists, experts for the purpose of teaching the better way of making coir and things like that. These are things which ought to be included in any amendment which we frame here. That is why I suggest a more embracing amendment than the present one. That is necessary because we have to deal with marketing on the one hand, dealing with pests and things like that in the second place and thirdly for introducing new industries for the purpose of utilising by products of coconuts like fibres, shells and things like these.

All these have to be covered and that is why I have made these suggestions. (Several Honourable Members rose to speak).

Sir Cowasjee Jehangir (Nominated Non-Official): Honourable Members are speaking three and four times. This is not a Select Committee.

Mr. President: The efforts are to have the best legislation. The rules of debate, as I interpret them, are for the purpose of having the best piece of legislation. It is apparently a small point that the Honourable Member wants to make so that the amendment can be made accordingly.

Prof. N. G. Ranga: I would suggest the words: "promoting and encouraging the co-operative movement in the coconut industry and co-operative production, cultivation and marketing among coconut growers".

Mr. President: I might just point out to the Honourable Member that if he goes on providing specific things, some others which are not put in might be excluded. What appears to me is this—and of course it is only an individual opinion and not a ruling of the Chair—

"Promoting and encouraging co-operative efforts among the coconut growers and for coconut industry" or "in coconut industry".

Diwan Chaman Lall (West Punjab: Non-Muhammadan): I would suggest: "promoting and encouraging co-operative efforts among coconut growers and those engaged in the coconut industry".

Sri A. K. Menon: I suggest:

"... growers and workers of co-operative industries".

Mr. President: Workers are included in growers.

Prof. N. G. Ranga: I think your suggestion is good, Sir.

Mr. P. K. Salve (Nagpur Division: Non-Muhammadan): Instead of "efforts" it should be "effort".

Sir Cowasjee Jehangir: When it is a question of important legislation and when you are going to adjourn in a few minutes I think the best course is to discuss it during lunch interval.

Mr. President: That will lead to adjournment and postponement of the consideration motion. It is a small and uncontested measure. We can put it immediately and I do not think there is any serious objection to that course. I shall put the amendment to the House. The intention seems to be clear. The question is:

"That in Clause 5 of the Bill, after clause (i) of sub-section (2) of the proposed section 9, the following be inserted as clauses (j), (k), (l) and (m) and the present clause (j) be renumbered as clause (n):—

- (j) assisting in the control of insects and other pests and diseases of coconut trees;
- (k) promoting and encouraging the co-operative efforts among the coconut growers and in the coconut industries;
- (l) adopting such measures as may be practicable for assuring remunerative returns to growers;
- (m) maintaining and assisting in the maintenance of such institutes, farms and stations as it may consider necessary";

The motion was adopted.

Mr. President: I now put to the House Clause 5, as amended.

The question is:

"That Clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clauses 6 to 10 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Sir Pheroze Kharegat: I move:

"That the Bill, as amended, be passed."

Mr. President: Motion moved:

"That the Bill, as amended, be passed."

Mr. P. B. Gole (Berar: Non-Muhammadan): I have got some difficulty about this Bill. If you look at the Statement of Objects and Reasons you will find, Sir, that the Act of 1944 will remain in force only up to the end of six months after the proclamation of emergency has been withdrawn. This present Act is an amending Act to the original Act which is itself to expire after six months. What becomes of the original Act then? These amendments will be incorporated in the law, but if the original Act is to expire after six months of the withdrawal of the proclamation of emergency, this will also expire. I am open to correction but I do not follow this. If the 1944 Act expires after six months, then the amended Act must also expire after six months. I should like to know what the position in law is. Otherwise there will be no use in passing this amending Bill.

Sir George Spence (Secretary, Legislative Department): May I explain?

[Sir George Spence]

On the view taken by Government the principal Act contains certain provisions which the Central Legislature could not have enacted apart from section 102 of the Constitution Act, with the result that if the principal Act were left alone these provisions would cease to have effect under the operation of sub-section (4) of that section six months after the revocation of the Proclamation of Emergency. The Bill seeks to deal with this position by a slight recasting of the relevant provisions of the principal Act so as to enable them to be related to entry 33 in List I (corporations whether trading or not having objects not confined to one unit) and thus to bring them within the normal competence of the Central Legislature. The Honourable Mr. Gole was, I think, under a misapprehension. He seemed to suppose that there was something in the principal Act itself which limited its operation to six months after the revocation of the Proclamation. This is not the case. The apprehension was that, if the Act were left alone, it would be hit by sub-section (4) of section 102 six months after the revocation.

Prof. N. G. Ranga: We are not able to follow him.

Sri M. Ananthasayanam Ayyangar: We are not able to follow the Honourable Member.

Mr. President: I do not know whether I have followed the Honourable Member correctly, nor is it my wish to express any opinion on the point. But as I understand the Honourable Member, the position is that, out of the provisions of the Act of 1944 there are certain provisions, for example, excise, which will be properly legislated upon by the Federal Legislature. There were other provisions which could not be passed by the Federal Legislature, so as to be binding on the provinces except under the provision of Section 102. What the present Bill proposes to do is just to get those provisions suitably altered so that proper legislation under such items as come within the Federal Legislature list is put through by this House, and that is why they are abolishing. I believe, the "committees" and creating a "fund". That is how I understood the explanation of the Honourable Member, but it is not for me to express an opinion on this point; and whether it would be legal or illegal, will not depend upon how the House votes or the Chair rules.

Mr. P. B. Gole: May I point out that this Bill is called the Indian Coconut Committee (Amendment) Act. Therefore this amendment will be there in the Act. But what will become of that Act?

Mr. President: The position that the Honourable Member has explained is this that, certain provisions of that Act being within the competence of the Government of India will remain. Only such provisions as could not be put through without recourse to Section 102 will fall through and it is only those provisions which are being changed now by this Amending Act. Is that the position?

Sir George Spence: Yes, Sir. That is the position.

Mr. President: Therefore, the whole Act will continue. I am giving his position, not the Chair's position. The Chair is not giving any ruling on this point.

Sri T. V. Satakopachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): In the Statement of Objects and Reasons it is stated that the Act will remain in force only up to the end of six months after the proclamation of emergency has been withdrawn. They will probably go on extending the emergency.

Mr. President: The position has been explained. Perhaps the Honourable Member did not follow. I will now put the motion.

Prof. N. G. Ranga: Sir, I have to make a submission. I will take only two minutes.

Mr. President: There are only two minutes for the House to rise. Has the Honourable Member got to make any important statement?

Prof. N. G. Ranga: Yes, Sir. And I will not take more than two minutes.

I have already conveyed my suggestions to the Honourable Member in charge, but if only to solve his difficulties, if he has to make any alterations at all in the manner in which this duty is to be levied and funds are to be built up, or the kind of representation to be given on this committee, he has to get the consent of the other consenting parties also—the Indian States. So I made the suggestion to the Honourable Member that he should take the earliest possible opportunity of convening a conference of the representatives of the Government of India and the various Indian States which are interested in this matter and place before them a comprehensive proposal for the amendment of this Act so that it will be possible for him to come forward again with an agreed Bill before this House and receive the support of this House to pass that Bill.

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

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

The Assembly re-assembled after Lunch at Quarter Past Two of the Clock. Mr. President (the Honourable Mr. G. V. Mavalankar) in the Chair.

PROTECTIVE DUTIES CONTINUATION BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I move:

"That the Bill to extend the date up to which duties characterised as protective in the First Schedule to the Indian Tariff Act, 1934, shall have effect, and further to amend the Sugar Industry (Protection) Act, 1932, be taken into consideration."

The protective duties on wheat, wheat flour, sugar, wood pulp, paper, cotton and silk manufactures, gold and silver thread and wire, iron and steel manufactures were first extended for a period of 2 years from the 1st April 1942 by the Protective Duties Continuation Act 1942, and subsequently for a further period of 2 years by the Protective Duties Continuation Act 1944. These as well as the protective duty on magnesium chloride imposed by the Indian Tariff (Second Amendment) Act 1939 will expire on the 31st March 1946. It has in fact already expired. The duties levied on all protective articles also include the amount of excise duties *plus* the temporary surcharge imposed by the Indian Finance Act 1942 and continued since then.

Although hostilities have ceased from August last, economic conditions prevalent in those countries have so far been too abnormal to admit of a proper tariff enquiry based on reliable data. The proposed amendment is therefore for a further extension of one year only within which period it is hoped that conditions will be stabilised so that it would be possible to decide finally as to what should be done with respect to each of these industries.

I do not think I should take up much time. I can explain that so far as wheat and wheat flour are concerned, owing to the need for facilitating imports of wheat in order to meet abnormal conditions arising out of the shortage of this commodity, the import duty on wheat was removed in 1941 by notification under Section 11 of the Indian Tariff Act. There is thus only a nominal entry of duty on wheat in the Statute Book. The Government also propose that similar action should be taken until the food situation improves as it would be easier to reimpose the duty by executive order if at all and when necessary, and it is therefore considered advisable to extend the protective duties on wheat and wheat flour. In effect it will mean only a nominal entry but not in actual fact. Yet it is felt that it is desirable in the interests of the future that this should find a place in the Statute Book even though temporarily and we should watch the situation in future.

The question of sugar industry is well known. It was investigated in 1930-31 by a Tariff Board which recommended the grant of protection for a period. The

[Dr. Sir M. Azizul Huque]

measure of protection suggested was Rs. 7/4 per cwt. for the first seven years and Rs. 6/4 per cwt. for the remaining period. By the passing of the Sugar Industries Act 1932, protection was granted to this industry till 1946, but the quantum of the protection was fixed up to 31st March 1938, and in regard to the remaining period, an obligation was placed upon Government to submit its proposals before the Legislature in 1938. In order to fulfil this obligation laid on the Government of India, under Section 3 of the Act, a Tariff Board was appointed in 1937 to enquire into the whole matter and that Board which was set up in 1937 recommended that the sugar industry should have protection for a further period of eight years. But as the Board's report was received late in 1937, it was not possible to complete this consideration in time to allow proposals being made before the Budget Session. The duty was therefore continued at Rs. 7/4 up to 31st March 1939 by the Sugar Industries Protection (Temporary Extension) Act, 1938. This duty but at a slightly lower rate of Rs. 6/12 was thereafter continued for another two years namely up to 1941 and this was done by the Sugar Industries Protection Act of 1939. There was no improvement in the general position of the industry and in view of the unsettled condition in war time, the duty of Rs. 6/12 per cwt. was first extended to 31st March 1942 by the Protective Duties Continuation Act 1941 and again up to 31st March 1944 by the Protective Duties Continuation Act of 1942. This duty was continued further up to 31st March 1946 by a similar Protective Duties Continuation Act, 1944. As the Honourable Members of the House are well aware, the position of the industry has since then not materially changed since the Protective Duty was last extended in 1944, and as I have said before, the unsettled conditions in the world still existing makes it desirable that we should have protective duties for a further period of one year, within which it might be possible for India to find out the exact position of the sugar industry, *vis a vis* such sugar as might come from abroad. It is in view of these circumstances, that this legislation has been brought.

The position of magnesium chloride is that in 1929 the Tariff Board reviewed the position of magnesium chloride and it recommended a protective duty of seven annas per cwt. This was raised to eight annas and nine pies by the emergency surcharge of 1931 and further enhanced to Rs. 1/5 per cwt. as a safeguarding measure against Japanese competition. The Tariff Board examined this question again in 1938 and recommended that the protection be extended to the industry for a further period of seven years and proposed a specific duty of fifteen annas per cwt. as a protective rate. Government accepted the recommendation of the Board as regards the period of protection but the duty was reduced to twelve annas, and this was given effect to by the Indian Tariff (Second Amendment) Act of 1939. This period also expired on the 31st March 1946, but in view of the present unsettled conditions, it is necessary that that duty should continue for at least one year more.

As regards wood pulp and paper, this question was also examined by the Tariff Board in 1937 and the extent of protection enjoyed by paper and the pulp industry was fully gone into by that Board which finally submitted its report in 1939 and it recommended that protection should be continued for seven years. The Government decided to continue the protection for three years, namely up to 31st March 1942. It was also decided that the question should be referred to the Tariff Board towards the end of that period so that more reliable data could be available and it might be possible to know exactly the position of the wood pulp and paper industry in the country. Actually in 1942 as is well known the conditions were so abnormal that these expectations were not fulfilled and the date was therefore extended for a further period of two years, namely up to the 31st March, 1944. There was no change in the position by that date and the date was therefore extended for a further period namely up to the 31st March 1946. The reasons which led to the imposition of the protective duty as also to the extension of the time from time to time are still there and it is in these circumstances that I have come before this House for a legislation to

extend the period of protection given by that Act for another period of a year, namely till the 31st March, 1947.

I do not think I need go into the details of cotton and silk manufactures. They almost stand on a parallel footing and this was also extended from time to time and the present duty have expired by the 31st March 1946.

The same thing is true of sericulture industry, gold and silver thread, the manufacture of which is one of India's minor industries. The competition in normal times was from France and Germany, which is for the time being non-existent but it is necessary that there should be an enquiry whether extension of protection is desirable and whether it should be continued.

The iron and steel manufactures were also similarly gone into by repeated tariff investigations and these dates have expired on the 31st March.

I feel, Sir, that this is a measure which does not involve the question of any principle except the question as to whether protection should be extended by a period of one year. On the 31st March, 1946 the existing protection expired and unless this legislation is on the statute book within 60 days there will be great risk to these industries and particularly to industries like sugar, iron and steel, paper wood pulp and even such industries as threads and others will be in great jeopardy. The economic conditions of the world are well known and the political conditions in India are still better known, I have not therefore brought any Bill for any long term period, not more than one year, within which time it is hoped not merely the economic conditions of the world would be judged in their proper perspective but we in India would also possibly know as to where we stand. In the meantime the Tariff Board which has been set up is very busy making enquiry after enquiry into such matters and we do hope that by the end of the year they will be able to come to a conclusion on all these points on which data are necessary to decide as to what should be the future policy in these matters.

Sir, I move.

Mr. President: Motion moved:

"That the Bill to extend the date up to which duties characterised as protective in the First Schedule to the Indian Tariff Act, 1934, shall have effect, and further to amend the Sugar Industry (Protection) Act, 1932, be taken into consideration."

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, my Honourable friend the Commerce Member has put forward what looks like a very innocent Bill and with his usual persuasive eloquence he has tried to persuade us that this is not only necessary before the end of March but that there is no large issue that is involved about it. What I feel is, I am not speaking in any sense of heavy criticism of this Government so far as this Bill is concerned, but the Bill does raise very important and far-reaching issues. For example, why is it that Government have not come to us with regard to all these articles giving us some idea as to the prices of these articles as produced and sold in this country and the prices of these articles as imported. If my Honourable friend had given us some such idea we would have soon realised that the major issue before the country today is not so much the issue of protection of some of these industries as the issue of the supply, the issue of making available to this country adequate supplies of some of these articles which are wanted by the civil population in particular, because till now it was the military that took the bulk of these supplies.

Let me illustrate one of these issues by the question of paper.

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): Sir, I have got an amendment to refer the Bill to a Select Committee, and may I move that amendment?

Mr. President: He may just move it and we will take it up later on. The Honourable Member who has been interrupted may speak on the amendment also.

Mr. Ahmed E. H. Jaffer: Sir, I move:

"That the Bill be referred to a Select Committee consisting of the Honourable the Commerce Member, Sir Muhammad Yamin Khan, Mr. Manu Subedar, Prof. N. G. Ranga, Mr. S. T. Adityan, Seth Yusuf Abdoola Haroon, Choudhuri Md. Abid Hussain, Mr. B. C. A. Cook, Rao Bahadur Sir V. T. Krishnamachari, Mr. Leslie Gwilt, Mr. Madandhari Singh and the Mover, with instructions to report by Tuesday, the 9th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. President: Amendment moved:

"That the Bill be referred to a Select Committee consisting of the Honourable the Commerce Member, Sir Muhammad Yamin Khan, Mr. Manu Subedar, Prof. N. G. Ranga, Mr. S. T. Adityan, Seth Yusuf Abdoola Haroon, Choudhuri Md. Abid Hussain, Mr. B. C. A. Cook, Rao Bahadur Sir V. T. Krishnamachari, Mr. Leslie Gwilt, Mr. Madandhari Singh and the Mover, with instructions to report by Tuesday, the 9th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Manu Subedar: Sir, I was giving the example of paper which is one of the industries included in the objects of this Bill, and the price paid to the manufacturer in this country for printing paper is eight annas as against about two annas before the war and the price of imported paper is about 10½ annas today including the duty which my Honourable friend wishes to include in this Bill. This morning, or is it yesterday, it was ascertained from the Honourable the Supply Secretary that woollens which came from abroad were sold at a very much higher price than woollen produced in this country. The other anomaly which I wish to bring to the notice of the House is in regard to cotton goods. There is a certain export quota which many of us have urged frequently on Government to stop altogether in view of the shortage of cotton goods to the people of this country. Government have not only encouraged this export by leaving it free to the millowners to make more money, so that all the millowners sought to export in the earlier stages of the control. But today while protection for the textile industry is being sought to be continued for a year by this Bill, the whole position about the export of cotton cloth out of this country, the import of cotton cloth into this country and the relative prices is still obscure. It has not been explained by the Honourable Member to this House. I am not saying that we should not pass this Bill. What I wish to emphasize is that the object of Government control over the industry has now widened on account of the experience of the war. Today what is the position? The arrivals of goods from outside with regard to any of these items are not only checked by the duty which they have to pay and which is protective duty but their arrivals are checked in several other ways. The House will remember one of these which I brought up the other day, in which I enquired from the Honourable the Commerce Member how many firms had got licences for import of provisions in the Bombay Presidency and he said that it was not in the public interests to disclose the quantity that was coming in.

The Honourable Dr. Sir M. Azizul Huque: I think my Honourable friend is mistaken. It is not the quantity but the names which I did not disclose. Since then I may explain I have made enquiries and I thought that it is only fair that I should give out the names if a similar question is put because I understand the names are regularly put up either in the Custom House or in our Export or Import office in Bombay. My impression was wrong and I take this early opportunity of rectifying it. I will be quite prepared to give the names if another question is put.

Mr. Manu Subedar: I am very glad that the Honourable the Commerce Member has realized what all of us felt on that day, that in this particular issue there was no public interest involved and that the request for information on our part was legitimate, and I am very glad that he will now publish the names.

I was saying that one of the methods of checking the total quantity of goods coming into the country, for the consumer who has large unsatisfied demand and for the shopkeepers whose stocks are low, is the import licence the key to which my Honourable friend the Commerce Member holds. The number of import licences given is limited on some fanciful basis which might have been quite all

right during the war but which is not justified now. The basis on which that Department works with regard to the issue of import licences is one to which criticism has come from the Indian Chamber of Commerce. (*Interruption*). And I hope my Honourable friend knows that the Chairman of the British Chamber of Commerce in Bombay also took the same view on the administration of controls. In fact he charged the Government with using the discrimination and hinted that Government was acting against commercial safeguard clauses which my friends here do not like. He brought this commercial safeguard clause as coming into the issue of the licences being given to various firms and he definitely alleged discrimination. At present it is not a question of protecting the industries which in most cases—certainly those mentioned here—are entirely and adequately protected. At present the issue is: by what means can you increase the quantity of goods coming into the country. Apart from the import licences basis, in so far as it is based on quotas or any other earlier calculations, the other difficulty is, as my Honourable friend mentioned in the course of replying to questions, that Government take care to direct import trade into the sterling area, and unless a man shows definitely that goods are not available in the sterling area—and this non-availability has got to be proved by the importing firm which proposes to import—and proves this, he is not given a licence! In other words, goods which are necessary to this country which may be available at prices which the trade considers reasonable—and in this matter the trade is the best judge of the situation—are not permitted to come into this country because they come from Continental countries or from U.S.A. and not from the sterling area.

Even if these two hurdles are passed with regard to the importation of goods, there is the third hurdle namely shipping space which is also still controlled by the United Kingdom Ministry of Shipping. Business in this country is restricted as and when they like, in whatever direction they like. This is another hurdle before goods coming to this country in large quantities.

Therefore I wish to put to this House and to this Government that the problem is not merely of protecting industries but the problem has got another side, namely of making adequate quantities available. If Government had come with a very clear picture of the situation, giving relative prices today and before the war, giving relative prices of the Indian article and the imported article I would have made suggestions that duties in the case of certain articles should be dropped and should be dropped immediately and at once. Let me give illustrations. Take paper, again. If foreign paper for printing cannot reach this country at less than eleven annas and if Indian paper is available at eight annas—and it is not adequate because good many people have to be restricted as to the use by quotas arbitrarily fixed—I would say this. This check on the consumption of paper is a check on the spread of knowledge, broadly speaking. In the light of this I would have said that this is the occasion when paper imported into this country may go duty-free for the next six months. Such an elastic arrangement and such an arrangement in which the Government would act promptly and properly without prejudice to the interests of the protected industry but at the same time bringing about the welfare of the consuming public, such elasticity it is futile to look into the actions of this Government. They have brought this Bill at the tail end of the session a circumstance about which the *Dawn* newspaper has complained. Why have they done so? When the war ended, did they not know that the tariff arrangements would have to be made, renewed, extended or expanded as the need may be. Why did they not appoint a Tariff Board at that time? Why did they not make arrangements for a permanent Tariff Board. I have repeatedly asked my Honourable friend what arrangements they are making with regard to the appointment of the Tariff Board as well as with regard to the question as to what is the permanent policy of this Government with regard to the industries established in India. My friend has constantly pleaded—I do not say without some justification, but I must say that we can easily circumvent the circumstances which he mentioned—"The whole world is in disorder and uncertain and India is also in disorder and uncertain. We do not know what will happen. Therefore we cannot have

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any permanent enunciation of policy." If you refuse to have a permanent enunciation of tariff policy on issues within the limits of such circumstances as we are living in, in that case this will be the permanent feature of Government policy, namely, mechanically going on repeating year after year, confirming and renewing the arrangements which have been made as they are, without intelligently looking into them. That does seem to be unsatisfactory. I wish my Honourable friend had given us the relative prices. A situation may arise when the Indian industry is not penalised and we want large quantities. Take for example the special tariff against Japan. Is there any sense today in the special tariff in the matter of cotton textiles against Japan, of 75 per cent.? It only disfigures your tariff schedule. It only engenders the feeling which you have created throughout the world that India has given a preference to the empire and a very heavy preference, as you will see, in the matter of textiles. We have got a bad heritage from those negotiations—the Clare-Lees Mody pact and the Ottawa pact. What impression do we give to the United States and other observers of the world, who probably did not take much notice of India in the old days, but who are very keenly watching everything we are doing? What impression do we give? We give the impression that we mechanically renew year after year those parts of the tariff which are necessary for the protection of industry and those which are not necessary. We also perpetuate a system of preferences which all of us condemned. Why do not Government come and take our vote directly on those preferences and they will find that there is not a man amongst us, amongst the elected Indians here, who will give any more any support for preferences to British Commonwealth countries. Why do they just renew mechanically these rates and these impositions which are there? Why do they not take this House into confidence as to what is the real position with regard to each of these industries? Not only that. The protection to Indian industry is not inconsistent with the arrival of a certain amount of goods from outside, wherever it is possible. But if those goods are coming from outside, why should not they be brought within reach of the consumer? Why is not there a duty for the time being and so long as it would not hurt the established industry, so that the consumer whose demand has been unsatisfied for months and years can get hold of a few of these articles, at all events, articles like paper which, as I said broadly speaking, involve the issue of the education of the people of this country?

Then, what I would like to tell this House is, why have Government been so slack in not appointing a Tariff Board even while the war was going on? It is possible for an Indian Tariff Board to evolve principles of protection under a given set of circumstances and then to apply it quickly as and when the occasion came. Government took six months to appoint a Tariff Board and now what is the situation? The Tariff Board have been sitting now since November and they have not yet decided on a single one of these industries as far as I know . .

The Honourable Dr. Sir M. Azizul Huque: I am afraid that that is rather an unkind criticism against the Tariff Board. I know they have finished a lot of inquiries which have gone to the press—a larger amount than ever before, and also worked at a very fast speed.

Mr. Manu Subedar: I was only referring to my failure to notice in the papers as a published piece of news that any particular industry had been definitely completed and reported upon by the Tariff Board, in which case I would have promptly turned my assault on my friend the Commerce Member and said "Why is he sitting tight on the Tariff Board report? Now that the report is made, why is he not coming out and acting on it?" But I do not want to be unfair to the Tariff Board, which is a well selected body, competently pursuing their task. Let it not be understood that I am attacking them; but I am entitled to raise the issue as to, first of all, why a period of six months interposed between the stoppage of hostilities and the appointment of the Tariff Board and why was not the Tariff Board appointed during the war. The next point I am coming to is this: as many as 18 or 24 a very large number according to me

have been referred to the Tariff Board for inquiry. I entirely agree with my Honourable friend that they are pursuing these inquiries with vigour and energy and they are coming out with their reports. But there is a large number on the waiting list, and why is it that Government have not thought it proper to multiply the Tariff Board if there is a large number of industries waiting? Why is it that they will not appoint a permanent body which they intended and entrust that permanent body with the disposal of the further numerous industries which have already applied—and a number which according to my information is constantly keeping on the increase? This is an issue of not merely renewing the old levies but an issue of adjusting the requirements of the people both from locally produced and from imported materials in certain directions. Take the question of steel. Why is it necessary if an industry established in this country can sell every ounce of what it produces at a controlled and given price, which is on examination by the Government declared to be remunerative to them,—why is it necessary then to stop the import of further steel from outside, which may be needed very badly, and to stop it by means of a heavy levy of protective duty? Whom does it protect? The producing company obviously do not need it at the moment if the sale of their entire output is assured of a given price. They do not need your duty. Then whom does it protect? These are questions which ought to be examined. As I said, let there be another and a permanent Tariff Board appointed quickly so that while investigating the proper foundations of a permanent tariff, it can also dispose of those industries whose applications are urgent and which are on the waiting list.

Then we have got in the last budget a new feature, a new fiscal feature and a very welcome and a very sound one, namely, that raw materials will be exempted from the import duty. Now this also is a new feature. This makes a difference in some cases; and we do not know whether the Honourable Commerce Member has worked out the effect of this particular provision. I am sure the Honourable Commerce Member with his multifarious duties cannot be expected to go into the direct effect on each one of the scores of industries which are operating in this country. Therefore, here again is an issue of a very general character but one which must be investigated by a permanent expert body of men who are not worried about their own future and who are constantly on the watch. A constant watch is all the more necessary in view of what my Honourable friend has already mentioned in this House—the changing situation and the uncertainties in the world of today and the uncertainties in India both economically and politically, and also, if I may say so, financially. In view of those uncertainties it is all the more necessary to scrutinise and to watch and to examine most closely the proposals and the changes and the effect of the changes.

Lastly, I come to the issue of control, which is a permanent feature between the public on the one side and the Government on the other. Nobody objects to control as such: in fact in a planned economy, controls will have to exist, probably to an extent much bigger than now. But these are not the kind of controls that we contemplate. Some of the controls of this Government are imposed arbitrarily; they are worked arbitrarily; and in some cases I would be in a position to demonstrate that they are worked not in the advantage of this country, but in the advantage of alien interests which may be established far behind the protecting walls of tariffs, such as my friend is now trying to pass. The controls are exercised rigidly in some cases and in some cases contrary to the interests of the people of this country. We want these controls to be revised, eliminated or otherwise adapted to a general and sound plan affecting the whole country. Tariffs are only one plank of this plan. As I said, the import control, the exchange control, the shipping control, and several other kinds of control, including the transport priority which is still operating, are factors which have assumed a much bigger importance today than mere questions of tariff. Has my Honourable friend the Commerce Member taken all these features into account? Has he thought out what machinery he will have and how promptly he will put this machinery in motion? Has he considered this issue in the light in which it appears to us? I am sure it is very probably not very different from the issue as it appears to him. But I suggest for his

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consideration that a permanent Tariff Board should be promptly appointed and it should be entrusted with the task of dealing with the list of industries which are still pending and also the issue of the duties on the industries mentioned in the Bill which we are renewing for a year. A year will be gone before we know where we are. At this time next year my Honourable friend the Commerce Member will again turn up and say—may I renew this for one year more? I would respectfully say that that is not our conception of handling this issue. I trust therefore that since the outlook of my friend and myself may not be very materially different on this issue it is entirely a question of creating the necessary machinery and responding in this matter to Indian public opinion which may have reached him from more than one quarter and adapting the arrangements made by the Government to the situation as it really obtains. Sir, I support the motion.

Prof. N. G. Ranga (Guntur cum Nellore, Non-Muhammadan Rural): I shall take up the last point my Honourable friend Mr. Manu Subedar so ably made. That is the need for closely watching the controls that the Government is imposing on our industries. As my friend Mr. Manu Subedar has said there are no two opinions about the need for imposing certain controls for the regulation of our industries and in times to come there must be many more controls. What is most necessary is to see that the concerned public are associated with the officers who are in charge of the administration of these controls as actively and as intimately as possible, so that these controls may work to the benefit of the industry and not to the disadvantage or to the thwarting of the interests of the industry. It is in this regard that I read that my friend Sir Ramaswami Mudaliar when he was in charge of the Commerce Department had instituted two committees, the Importers Advisory Council and the Exporters Advisory Council. I do not know what has happened to them.

The Honourable Dr. Sir M. Azizul Huque: They are in existence still.

Prof. N. G. Ranga: I hope that they will be summoned much more frequently than is the case at present. In addition there must be some councils in regard to every one of the industries for which the Government is obliged to impose duties. If that is done much of the mischief that today these industrialists are suffering from these controls may be minimised, if not completely eliminated.

Then, Sir, there is the question of the establishment of a permanent Tariff Board. For a very long time we have been making this demand. My friends the industrialists would like to have a permanent Tariff Board for different objectives—in the hope that whenever the need arises for them to increase the import duties the permanent Tariff Board would be there straight away to take up the consideration of that particular subject and offer them timely protection. In addition to that, there are those of us who also want a permanent Tariff Board for protecting our own cottage industries in their competition with the machine industries of our country. Till now this particular question has not been placed prominently before the various Tariff Boards that have been sitting from time to time to consider the demands that are placed before them by these various industries for protection. The time has now come when it is necessary for the Tariff Board to have on its composition one or two members who can claim sufficient familiarity with the economic conditions as well as the interests of the cottage industry and who can also look after the interests of the cottage industry while the discussions go on in the Tariff Board and when the Tariff Board makes its reports. When we are going to have a permanent Tariff Board, this need for providing on it representation of the cottage industries becomes much more important. I know it does not suit the interest of my friends on the other side to have these people who will put a spoke in their wheel whenever they ask for protection. I can assure them that I speak for real and genuine interests in this country and their genuine demands. There was a time when the cotton excise duty was inveighed against by almost every political party in this country. It was not considered at that time what effect it would

have on the handloom weaving industry and the handloom industry came to suffer as a result of that. There was no countervailing advantage to the handloom weaving industry. As the war is over, imports will be coming in now. The handloom weavers want cheaper yarn and the millowners want import duty to be imposed upon yarn imports, so that their own production can be properly safeguarded. There is a need for reconciling both the interests. It is there that I want this permanent Tariff Board on which the cottage industries shall be properly represented and they would be able to give you a proper solution. I can certainly venture a suggestion now, for what it is worth. If you want cheaper yarn into our country, decide upon the count of yarn that you want to be introduced. By those imports some of the spinning mills in this country are likely to be affected very badly. Give them a countervailing advantage so that they would be protected even while cheaper yarn is placed at the disposal of the handloom weavers. A formula can certainly be found. When I try to bring about a sort of compromise between the handloom weavers and the representatives of the millowners, as apart from the good offices of the Government, it becomes impossible to make the millowners agree to any formula because it is not in their own interests to place yarn as cheaply as possible at the disposal of the handloom weavers. (An Honourable Member: why not ask for nationalisation outright?) I do not know what my Honourable friend wants. I do not know whether he knows it in his own mind. That is the difficulty. I shall come to it later. I have that point in my plan. Let me finish this point about the permanent Tariff Board. It is for this and various other things that I want suitable and adequate representation on the Tariff Board.

There is an incidental point and that is that the Commerce Department should have a separate directorate in itself to aid it in regard to cottage industries, so that whenever the question of protection comes up for any industry, they will know how the proposals are likely to affect the interests of the cottage industries also. I shall give you one or two examples. Take sugar. When you give protection for sugar, naturally you have to think of the cane growers also. The Government of India Act itself had a provision calculated to protect the interests of the cane growers. We know now as a matter of fact that because this power has been delegated to the Provincial Governments some of the Provincial Governments have not been so much in favour of the cane growers as they have been in favour of the sugar manufacturers. They have raised the price of *khandsari* sugar while not raising the price of sugar cane, with the result that the sugar cane growers have been suffering. Only the other day I read in the *Hindustan Times* that in a place in the U. P. the cane growers finding that their cane could not be sold to the sugar manufacturers had to use it for manurial purposes in some places and in others they had to burn it. Such is the plight of the sugarcane growers. This protection was intended not only to benefit or to protect the sugar manufacturers but also the sugarcane growers, and yet it is not affording the sugarcane growers such protection as was intended by the Central Legislature as well as the Central Government. Has my Honourable friend the Commerce Member gone into this question and assured himself that necessary steps are being taken by Provincial Governments as well as the Central Government to give more protection than is given today,—adequate protection to the sugarcane grower,—before be thought of extending this protection to the sugar industry?

Then there is competition between *khandsari* sugar manufacturing and sugar manufacturing itself. Their interests have got to be reconciled. No information has been given to us as to how far they have been reconciled. We should like Government to study that problem. One of the objectives of the Government of India, according to the statement of Government's industrial policy, is to provide a high and stable level of employment. Government say there:

"Government consider that their industrial policy should be directed towards maintaining employment at the highest possible degree of stability and volume."

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How far are Government trying to implement this particular declaration of their own? In the sugar industry, for instance, not more than fifty thousand people are in fact employed all over India, whereas in the *khandsari* and *gur* manufacturing industries several lakhs of people are employed. What steps are being taken by Government in this Department or in other allied Departments to see that more encouragement is given to the *gur* and *khandsari* sugar manufacturing industries so that many more people can be employed there than can be provided with employment in sugar manufacturing itself? We do not have any information whatsoever on that.

Then take the paper industry. My Honourable friend Mr. Manu Subedar gave us the information that the local price is supposed to be eight annas, the import price is supposed to be 11 annas and there is a leakage of three annas; and he wants foreign paper to be imported as cheaply as possible. I am one with him in that, but at the same time we should see how the cheaper imports into our country are likely to affect our own hand-made paper industry. If it is likely to affect that industry badly I would rather have the import duty there to keep out these imports, so that it may be possible for our own hand-made paper to be manufactured and sold among ourselves. But at the same time what are we to do so far as these paper factories are concerned? Their costs of production are low and therefore they are able to supply it at eight annas. Let Government take charge of all this paper at the very source at eight annas, allow imports of paper at eleven annas, equalise the price as between these two, and then at a price decided upon by Government let it be sold to our people; so that both the paper manufacturing industry as well as the cottage industry of hand-made paper will be properly and effectively protected in this country. My Honourable friend Mr. Vadilal Lallubhai makes a very excellent suggestion that the difference of three annas between the import price and the home price may be put into a fund which will be utilised as a much-needed subsidy for the development of hand-made paper.

Sir, with regard to this hand-made paper I have to say a few words. There was a time when people used to ridicule Mahatma Gandhi's idea of producing hand-made paper in this country; but they did not realise at that time that there would very soon be a war and the production of paper in India in the factories would not be enough and from outside you might not be able to get any paper at all. Now that the war had come hand-made paper manufacturing has received a great impetus and production has gone up; many people have taken to it—thousands of people—in different parts of the country. What is to happen to these people? Has my Honourable friend thought of them? Has he thought of any sort of protection or other means of assistance to all these people in order to see that these people are not again thrown into the employment market? Most of these people are poor; some of the Provincial Governments also are going to be interested in it, but we do not know what Government propose to do. Indeed we know one thing, and that is that this Government does not want to help the hand-made paper industry. It leaves everything to the Provincial Governments and says it is a provincial responsibility, but when it comes to these bigger industries it becomes a Central responsibility.

Sir Cowasjee Jehangir (Nominated Non-Official): How can you help them?

Prof. N. G. Ranga: Here is a proposal that I have already made. Eight annas is the local price today and eleven annas is the import price. There is a difference of three annas. Purchase the entire local product as it comes out of the mills at eight annas and take the imported paper also at eleven annas, fix a sort of basic price at which all this paper—Indian and foreign—is to be sold in this country, and the difference of three annas is to be put into a fund to be utilised for the development of hand-made paper. Is that an impossible proposal? It does not even cost the Central Revenues; why should not they do it? On the

top of it, why should not they have a central training institute here, where they can train our own people,—call it a polytechnic or anything you like? Yes, these gentlemen from Bombay and other cities who are used to these modern conveniences go on ridiculing the very idea of cottage industries. The costliest paper that some of these gentlemen use for their invitations and which is imported into this country is itself hand-made paper coming from other countries. Some of it comes from Canada, for instance, and they pay the highest possible prices for that paper. Why not pay similar prices for our own hand-made paper, so that our poor workers will be able to find additional employment? That is where the real economics of this country comes in; that is where the genius of Mahatma Gandhi comes in; that is where the Indian contribution to the world's fund of economic thought comes in. Whereas the rest of the world was simply going along the lines of western industrialisation and mechanisation and rationalisation and all the rest of it with their skyscrapers and without any living space for any people who just turn into something like rat-holes, here is a man of the east and of India who has shown us all how to live in a healthy manner and in a sensible manner with hand-made goods and hand-made industries, even in this city of Delhi.

Now, Sir, let me come to my other point. I want to know what the policy of Government is with regard to industries. The Government of India will ask me to look into this statement of their industrial policy which was published by the Planning and Development Department. Time and again in this House I have been trying to remind these gentlemen in the different Departments of the existence of a statement like this. It looks as if this was published only for our information and not for their information, with the result that they do not try to give effect to this at all. Sir, there is the sugar industry and also there is the paper industry. What is it that the Government of India wish to do in order to control this sugar industry? Here I come to the point raised by my Honourable friend Mr. Ishaq Seth. They want it to be nationalised, and so do we. Is it merely a sort of lip sympathy to the idea of nationalisation or are we on both sides of the House just as earnest as my Leader was the other day who in the name of the Congress said that Congress stands for the nationalisation of these industries? If all of us are serious about it, let us take the earliest opportunity to move a Resolution in this House for the nationalisation of this industry and persuade or oblige this Government to take the earliest possible steps to study the ways and means by which this industry even can be nationalised. They have themselves included sugar as item 14 in the list of industries which are to be managed or controlled by the Central Government itself. They say:

"Government consider that for achieving the foregoing object—the objective of central control—the following industries should be centralized"

And one of them is sugar industry. It is to be centralized for what purpose? They say:

"To provide a high and stable level of employment"

I have already quoted it.

"To increase the national wealth by the maximum exploitation of the country's resources."

That is not being done efficient and effectively in regard to the sugar industry, as I have already stated, and paper manufacturing industry.

"To make the country better prepared for defence."

About this I have nothing to add just at present. Montague offered what is known as fiscal autonomy to our country, and there is a quotation here given by the Government itself:

"I accept the two fundamental principles underlying the recommendations of the Commission—i.e., Fiscal Commission—firstly, that in future Government should play an active part in the industrial development of the country; and, secondly, that Government cannot undertake this work unless adequate, administrative equipment, and so on"

But nothing was said there in regard to the welfare of the industrial workers who are employed in these various industries, or the sister industries which are cottage industries. It is in the interest of the consumers as a whole. Consumers

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and producers by themselves do not exhaust the whole of the community. I think it was Sir Jeremy Raisman who said last year that the State-managed industries or State-controlled industries should also try to prove to be sources of income and revenue to the State. We welcomed that announcement of policy on the part of Government on that occasion. But these points have to be taken into consideration. Has my Honourable friend instituted any enquiries to see how far as a result of the development of the sugar industry, which owes its present prosperity to the protection which was given in 1931, the interests of the workers in this industry have been protected? I have no information. Any how one thing we know. It has not as yet fixed any minimum wages, nor has the Government stipulated any minimum wages to be paid by the sugar industry. Secondly, it has not even begun to take the workers as profit-sharers or as partners as my Honourable friend, Mr. Ramalingam Chettiar, said yesterday. Even partnership with workers is considered to be a reformist move in the West. To that extent our own sugar industry has not started. The same sorrowful tale has to be told in regard to paper industry also.

Coming to the consumers as a whole, we know only too well that our sugar industry in this country has been trying to exploit our consumers. There are two ways. One is to fix a higher price, and the other is to control production and in that way force up the price. Yet another thing is not to try to improve their own efficiency. It has been alleged on many an occasion that our sugar manufacturing industry in this country is not efficient. Government has not taken any adequate steps to step up their efficiency till now and it is necessary, even the Fiscal Commission has made it perfectly clear, that a minimum standard of efficiency must be maintained by every industry which is in receipt of Government assistance. Nothing has been done in that direction. I think this is a very strong point which has also been repeatedly made by my Honourable friend, Dr. Sir Ziauddin. Then, there is the question of consumers. Sometime ago our sugar manufacturing industry in this country began to ask the Government to allow them to export sugar to other countries also. Why do they want to export sugar to other countries? Is it because they have reached satiation point of the consuming capacity of our own people for sugar. I suspect not. They want to keep up the price higher so that they can make bigger and bigger profits for themselves, and in order to do it they restrict their production in one sense and in another they want to keep the price high and because the price is too high our own consumers are not able to purchase it, and so they find themselves in possession of surpluses. These surpluses they must necessarily take to other countries to sell there either at prices which rule in our country or even lower prices. If they sell any commodity at a price which is lower than the home price, it is known as 'dumping'. I am not quite sure whether our sugar manufacturers have as yet succeeded in dumping sugar in other countries, but they certainly have that game up their sleeves. Therefore it is the duty of the Government to see to it—whether it is National Government or this Government—that no exports of sugar—for the matter of that export of any Indian manufactures—are allowed unless and until our own needs are fully satisfied at prices which are reasonable to the consumers as well as the producers. Our consumers are too poor and therefore they will not be able to pay the price which is considered remunerative by the industry. What is to be done? I have already answered it on the agricultural question; I shall answer it here as well. Government will have no escape from the necessity of having to subsidize the consumption of various commodities that will go into the necessities of life of the ordinary masses of our country. Then the question may be raised, at this rate Government will go bankrupt; if you go on subsidizing the necessities of the poor people, wherefrom is the Government to get that money. Russia has shown us the way. In regard to rich people—whose economic position is higher—they have got to purchase all these commodities. You grade your price according to the consumption that they are making. There you gain as much of a reserve

as possible. In that you finance the subsidization of the poorer people's consumption. It must be possible; it is possible; it has been found to be possible in Soviet Russia. I do not see any reason why it should not be possible in this country. Indeed even in England and America experiments have been made in that direction, and I want experiments to be made in that direction in this country. My Honourable friend till now has not made such an experiment. I do not want to be told 'we don't want to risk our central finances'. Let them make experiments to see how far they can possibly make their approach in that direction, and then devise their plan which may be enforced in regard to all these industries, particularly the paper industry and sugar industry, sugar especially.

Then there is the question of imports. The Government has at least accepted the national demand that it is their duty to protect all those industries which are needed for the development of our own national industries which are needed to safeguard the strategic interests of this country, and which are also needed to fully, properly and adequately exploit our own national resources so that in any emergency the country need not be dependent upon other countries for her essential industrial necessities. We accept it even from the point of view of the poorer people—artisans, peasants and workers and of the general public. That does not mean that the Government is absolved of its responsibility to see that at the cost of the general public the industrialist does not profiteer. (Interruption.).

Mr. President: Order, order. Let there be no interruption. I may remind the Honourable Member that what he is talking about is not very relevant. Because we are concerned with protective duties, the policy of protection will be within the scope of the discussion but he is trying perhaps to survey the entire field of the policy of industrialisation, protection and all that. That will not be so very relevant now and he has sufficiently done so.

Prof. N. G. Ranga: If the Honourable the President waited for five minutes he would have found

Mr. President: The President has waited for thirty minutes!

Prof. N. G. Ranga: But I was taking the House very rapidly over the whole gamut of the subject which unfortunately for us has not come up for discussion on the Finance Bill. It may

Mr. President: Order, order. He may now proceed.

Prof. N. G. Ranga: In regard to imports, as I said, we want our swadeshi industries to be protected and in that I have made my point. Cottage industries interest must be safeguarded. Exports ought to be allowed only when local needs are fully satisfied. Lastly, what is the control that the Government wishes to have over these industries which are being thus developed. The sugar industry owes much of its prosperity and most of its existence to the protection given by the legislature. What control do we have over it? Has not the time come to nationalise it? Here is the plant. It must be nationalised. There is no difficulty in it, not even the organisational difficulty.

The Honourable Dr. Sir M. Azizul Huque: Let us first settle that and then nationalize!

Prof. N. G. Ranga: He is a very resourceful man. He is there on behalf of the Government of India and God alone knows how many stools he is sitting on. Some gentlemen dance on two stools but this gentleman dances on more than two stools. The point remains that you should not play to the tune of these big industrialists but the moment any industry has reached a stage when it can be nationalized without any risk of either administrative inefficiency or bureaucratic control, it will be the duty of the Government to nationalize it. As to how it is to be controlled after that, I have already made one suggestion, namely, associate the public with the administration of such industries. I made this point in my speech on the railway budget. Introduce tripartite control—the workers, the consumers and the managers. Let these three people

[Prof. N. G. Ranga.]

go into the control of it and I am sure it would be possible to show that a nationalised industry can be run on much more efficient lines than private industry or even state-managed industries under the management of this Government.

I am glad you have given me this indulgence and I thank the House for letting me place these ideas of mine before them, and I trust that my Honourable friend will consider these points and see that at least the next time when he comes forward with this Bill for protection for industries he will be able to give us a much more satisfactory answer than he has given so far.

Mr. President: I understand that Government are willing to have this Bill referred to the Select Committee, particularly because the report is coming by the 9th.

The Honourable Dr. Sir M. Azizul Huque: Yes, Sir.

Mr. President: So the motion for reference can be taken along with the other Bill which is also I understand, to be referred to Select Committee.

The Honourable Dr. Sir M. Azizul Huque: I think they may be moved together and I will give one reply and you can take both the motions together.

Mr. President: Both can be referred to the Select Committee.

The Honourable Dr. Sir M. Azizul Huque: I might say that this Bill and the other Bill stand on a different footing. That Bill is in the nature of simply empowering the Executive Government to take action if the Tariff Board recommends. This Bill, I can quite understand, enters into the question of detailed imports of the different items. I feel that so far as the other Bill is concerned, whatever may be said of this Bill, there is hardly any case for reference to the Select Committee. It is for the Honourable Members of the House to decide whether they feel justified to empower the Executive Government which will come or which will function, to take action on the Tariff Board's report. That is a simple issue.

Mr. Manu Subedar: May I submit that the second Bill is entirely different and it is not a subject to which the Select Committee can do something. It is simply a question whether government could act when the House is not sitting.....

Mr. President: I am not particular either way. There is this one Bill which is to be referred to a Select Committee. As the other also related to protection, I put the point so that we might not have a repetition of the same debate again on the question of protection.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association: Indian Commerce): Let it be passed straight away without reference to the Select Committee.

Sri S. T. Adityan (Madura and Ramnad cum Tinnevely: Non-Muhammadan Rural): I wanted to move an amendment to the motion of my Honourable friend, Mr. Jaffer, to include two more names to the Select committee. I propose, that the names of Sri T. A. Ramalingam Chettiar and Mr. B. P. Jhunjhunwala be also added.

Mr. President: Is the Honourable Member agreeable?

Mr. Ahmed E. H. Jaffer: Yes, Sir.

Mr. President: The Honourable Member may now move his amendment:

Sri S. T. Adityan: Sir, I move:

"That the names of Sri T. A. Ramalingam Chettiar and Mr. B. P. Jhunjhunwala be added to the Select Committee."

Mr. President: Amendment moved:

"That the names of Sri T. A. Ramalingam Chettiar and Mr. B. P. Jhunjhunwala be added to the Select Committee."

The Honourable Dr. Sir M. Azizul Huque: I will not upset anything but I would like to say that but for the fact.....

Mr. Vadilal Lallubhai: I would like to say something on the Bill.

Mr. President: That is not now possible.

The Honourable Dr. Sir M. Azizul Huque: I would say a few words because reference has been made to several issues for which some answer should be given.

Sir, I was surprised that my friend should confront me with a question like that, namely, as to why this question could not be taken up earlier? My friend knows that the war was over in August last, and we immediately started to set up a tariff enquiry. Sir, it is well known that till August and even now it is extremely difficult to find out a suitable personnel for a tariff board. It is a task which is extraordinarily difficult and it was with the greatest difficulty that I was able to collect together the present Tariff Board members. Yet, I do not see, Sir, how things could be improved immediately by an amended resolution of Government by which the temporary character of the Tariff Board will be transferred to a permanent one.

My friend's argument was that it should be a permanent board. Well, I do not deny the necessity of a permanent tariff board at a later stage. But even today, to have a permanent tariff board will not be the solution of the problems that my friend thinks it will solve. After all so far as the present tariff board is concerned, my friend has agreed that its composition is such as to command the confidence of everyone in industry in the country as a whole, and I do not think that the Tariff Board will in any way be influenced in their decision as to what should be the proper attitude on tariff questions, simply because they are a temporary Board or that the question is not settled as to whether there should be a permanent Board now. I think the question of a permanent or temporary character is a bit too early, and Sir, speaking quite frankly, even if I thought that there should be a permanent tariff board today, I would hesitate to do it.

Sir, the political situation in the country is quite well known. It is not right on my part that I should tie the future with a permanent Tariff Board. The composition of that Board should be a matter for the representatives of the people and it is from that point of view that I have been hesitating for quite a long time in spite of all that has been said. The question of a permanent Tariff Board and the question of a permanent policy in regard to all these matters should be deferred a little more. Belonging as I do to the Province of Bengal I am always nervous of anything permanent. The biggest wrong which has been done to my Province is the Permanent Settlement. I feel therefore hesitant to characterise any Board as a permanent board; perhaps a permanent Board may possibly do more mischief than good.

An Honourable Member: The Executive Council also should not be permanent.

The Honourable Dr. Sir M. Azizul Huque: Yes, I personally would feel very happy. I am placing all these facts before the House not to criticise, but for the purpose of enabling the House to appraise in a statesmanlike manner the economic future of the country. I do not make any secret of it that the reason which has weighed with me in not having a permanent Tariff Board is because the present political situation is not definitely known and secondly, the world economic situation is in a worse condition in so far as its future economic pattern is concerned. If my friend with his experience and knowledge of economics will kindly give me advice as to what is going to be the future economic pattern of the world, I shall have it on record, have it printed and hung on the walls of my Department for the guidance of Government. What is going to happen in Japan? How is Japan going to develop? To what extent will Japanese trade interfere with the conditions in India? Or to what extent will continental trade affect the trade of India? If anybody can tell me an answer to all these questions, I should also have the advantage of an astrologer to assure me that

[Dr. Sir M. Azizul Huque.]

what my friend has said will actually happen. Only then it will be possible for me to take a firm action on the line suggested.

I am not speaking in any way to criticise him but my friend will realise that I am in an extremely difficult position *vis a vis* the future economic pattern of the world and particularly the conditions in India are not at all definitely known. I do not know who is going to be the future Commerce Member and who is going to be the future Finance Member or if I knew that I can stay on till July or February next, then I can take some action. But it is not fair that I should take any action when I know that the whole question will have to be reconsidered in a new perspective by a new set of people. It is in deference to that I have thought that it is not right to take any definite action. It is well known that most of the Control orders will lapse within the next few months and the Tariff Board will make some recommendations. I would be leaving the Commerce Department portfolio to my successor without any power or authority which might prove disastrous to the country as a whole. I am not compelling anyone to take action. I am simply giving him an authority that he may take action if he feels necessary and it is only fair that I should bring some legislation before the country by which he can review the whole situation.

Sir, I am quite aware of the effect of industrialisation in this country. But it is difficult to answer the question which Prof. Ranga has emphasised, though I have a good deal of sympathy for his point. I hope Prof. Ranga will remember that under the statute and conventions I cannot exercise the powers which he wants me to. He wants me to be the supreme dictator of India, for which I have neither the capacity nor the inclination.

An Honourable Member: You will do very well.

The Honourable Dr. Sir M. Azizul Huque: It is not possible for me unless I am in charge of all the Departments of the Government of India and of all the Provincial Governments and of all the industries including the speeches of Prof. Ranga himself. I feel that it is not possible for me to take action within the present limitations of the law as it exists in the country.

Life particularly in politics is such that you have to face strange contexts and

Diwan Chaman Lal (West Punjab: Non-Muhammadan): And keep strange company!

The Honourable Dr. Sir M. Azizul Huque: That is also true. But I feel that my friend Mr. Manu Subedar has given me something which I can certainly think about. Mr. Manu Subedar has told me that we in the Commerce Department have so behaved ourselves that we are acting against British firms in a spirit of discrimination which has brought about a protest from them.

Mr. Manu Subedar: That is what the Chairman of the British Chamber of Commerce said and I merely mentioned it, though I do not necessarily endorse it.

The Honourable Dr. Sir M. Azizul Huque: This is the first time I know when a distinguished economist like my friend should refer to something which he does not endorse.

Mr. P. J. Griffiths: Very common.

The Honourable Dr. Sir M. Azizul Huque: Here is a case in which I am criticised, that I am exercising my controls with a view to discriminate against British firms and my friend comes here and says take away those controls. I think it is a proposition which requires a good deal of thinking and it is difficult for me to answer off hand. What will be the effect if this protection is not given?

My friend has spoken of the interest of the consumers. I am not an industrialist and I stand exactly in the category of the consumer. Within the next few months more from a certain country, which is trying its level best, consider

able quantities of sugar may come in and my friend knows that there are certain countries in the world where the export policy is guided by the consideration of dumping. They give subsidies in such a way that export is encouraged at cheaper rates. Prices are made cheaper in the export market than what they are in the home market and sugar may be dumped into the Indian market where sugar production is extraordinarily low. That may be, speaking quite frankly, satisfactory to the immediate consumption interests of India but in the long range consumption interests of India it will be disastrous. Having regard to the interests of the country as a whole, not today but in the future, I certainly, so long as I am in charge, would not be a party to anything which might jeopardise the interest of the country as a whole in the long run. What would have happened if this protection was not there. There will be no sugar industry in this country. All those who are aware of the development of the sugar industry in England know how from 1926 onwards they have done their level best to develop the sugar industry in the United Kingdom. They will also realise how in spite of the most difficult conditions in England they were able to produce a sufficient quantity to meet at least some part of their needs in England. In India I do not know what would have happened if our sugar industry had not been protected.

My friend has spoken of paper. It is quite true that cheap paper will come. If it does not come and I were on the other side I would advise my exporter friends to charge in the next few months at a very low rate to keep the Indian market. My friends are aware how some industries for the sake of industrial development reduce prices. Commodities which have been sold at 8 annas are brought down to four annas and as soon as their rivals are crushed they again raise the price.

Since the future economic pattern of the world is not known will my friend still persist in saying that these things are not necessary? For myself having regard to the present situation in the country and having regard to the fact that probably soon enough the responsibility of office will not be mine but will be in charge of a responsible government, it will be their duty to find out how best they can achieve their objects. But I do not want to create a situation which will leave behind a difficult legacy for my successor. I do not want to take up any more time, because I feel that though I agreed to the select committee I am extremely doubtful, to say the least, if by Monday my friend Mr. Manu Subedar will be able to get all the light which he wants in order to come to a decision on this point. But if my friend can, I do not want to stand in the way. Personally as I have made it quite clear these are issues which have to be settled after a good deal of consideration, enquiry and fact-finding. Those things will have to be done in the course of the year but tentatively the issue is whether we shall continue the right to protect our industry, where necessary impose and where not take away that protection. But in any case I do not want to stand in the way of my Honourable friend.

Mr. Manu Subedar: May I make a personal explanation, Sir. My Honourable friend is under the impression that I was opposed to the passing of the Bill. It is nothing of the kind. Nor do I expect in two days to get any information which will enable me to decide on each item of the numerous industries which are mentioned in this Bill. What I asked was whether my Honourable friend expects the present Board which is overwhelmed with work and which has got a long waiting list to deal with, and before the next twelve months pass to deal with numerous industries which are enumerated here and the numerous schedules; and if that is not so why my Honourable friend will not appoint another body at once to deal with the quantity of work which is there. He got me entirely wrong on this point as he got me wrong on one or two other points. It was not that I was unwilling to let the Government have the power as is involved in this Bill.

The Honourable Dr. Sir M. Azizul Huque: As he is not in favour of sending the Bill to Select Committee and because the issue is quite simple I think it should be discussed in this House now. As regards the question of another Tariff Board, as I said, the present is exactly the time when it is very difficult for me to appoint immediately another Tariff Board just for another six months.

[Dr. Sir M. Azizul Huque.]

But if things continue in this shape I shall consult the Chairman of the Tariff Board and I will place before him these things within the time in which I am here, if that opportunity comes. By the end of this month if something does not happen, then I hope I will have a discussion with the Chairman of the Tariff Board on all these aspects. If he thinks that two sections can simultaneously enquire and give a report, I will soon take up this matter. But an issue like this should be settled without reference to that. If the wish of the House is otherwise, I cannot help it.

I hope in the circumstances my friends will not press this question because our time in this Session is very short and if my friends feel that they can settle these questions, it is better to do so here on the floor of the House instead of having to come again and again. I hope it would be possible for the Honourable Members to consider the withdrawal of their motion in view of what I have said. I have made the position quite clear. If I am guilty, I am guilty because I have not been able to take some steps having regard to the political situation in the country. I am trying my level best in the matter and I feel that this is an absolutely urgent measure which should be passed by the House. I would appeal to my other Honourable friend to consider whether this is not a motion which he should not press.

Mr. Vadilal Lallubhai: The Honourable Member said about dumping from foreign countries, and the machinery to stop such dumping. There is no such machinery. May we know what he is going to do about that when it arises?

The Honourable Dr. Sir M. Azizul Huque: I am quite prepared to discuss this with my Honourable friend. But these are matters which should not be openly discussed. I can satisfy him that we have adequate sources of information and I think we have adequate power to deal with such things.

Diwan Ohaman Lall: With your permission, Sir, may I put one question. Is it the thesis of the Government that in India we are unable to produce as cheaply as any other country in respect of these industries?

The Honourable Dr. Sir M. Azizul Huque: If it is in respect of these, 'Yes'. For instance, sugar.

Diwan Ohaman Lall: What is the reason?

The Honourable Dr. Sir M. Azizul Huque: That will take a long time.

Diwan Ohaman Lall: That is why we have made this suggestion.

The Honourable Dr. Sir M. Azizul Huque: There are different suggestions. One says: "Industrialize the whole industry". Another says: "There should be profit sharing". At the same time this is not the time when we can discuss all these matters.

Mr. President: May I know what the intentions of Mr. Jaffer are with regard to his motion.

Mr. Ahmed E. H. Jaffer: I want to make a few remarks. I have heard the speeches and the rather eloquent appeal from the Honourable the Commerce Member. After all that he has said I feel personally that no useful purpose will be served in sending the Bill to Select Committee. At the same time I should like to support entirely the points raised by my Honourable friend Mr. Manu Subedar whom not only I but my colleagues consider an expert in matters concerning commerce and industry. I entirely support his points and particularly the institution of a permanent Tariff Board. I think that there are twenty-five industries already on the waiting list. The present Board has a heavy agenda before it, and it has been only recently instituted. It should have come into being much earlier. It should have been inaugurated in the course of the war. Late as it is, I personally feel that a permanent Board is very necessary and I think that not only the twenty-five industries that are on the waiting list but also the industries which are in this Bill should be carefully examined. After all, this Bill extends protection to these industries for a year only. Before the year ends I feel these industries should be carefully examined.

The Honourable Dr. Sir M. Azizul Huque: They will be.

Mr. Ahmed E. H. Jaffer: Regarding sugar I think the poor people have been the most hard-hit due to the war. I personally feel that sugar should be within the easy reach of the poor. In fact it is not only the poor who cannot get it, none of us can get it. And look at the price we have got to pay. The industries have all made huge profits. I do not know whether any protection is necessary for them at all. What we feel is that there should be imports. Sugar should be available to everybody and it should be within the easy reach of the poorest people. With these words I shall withdraw my motion for Select Committee.

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

Mr. President: I shall put the main motion to the House. The question is:

"That the Bill to extend the date up to which duties characterised as protective in the First Schedule to the Indian Tariff Act, 1934, shall have effect; and further to amend the Sugar Industry (Protection) Act, 1932, be taken into consideration."

The motion was adopted.

Mr. President: I shall now take the Bill clause by clause.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. Sir M. Azizul Huque: Sir, I move:

"That the Bill be passed."

Mr. President: The question is:

"That the Bill be passed."

The motion was adopted.

PROTECTIVE DUTIES BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I move;

"That the Bill to enable the immediate imposition of protective duties of customs on imported goods be taken into consideration."

Mr. President: Motion moved:

"That the Bill to enable the immediate imposition of protective duties of customs on imported goods be taken into consideration."

The Honourable Dr. Sir M. Azizul Huque: I have not made any speech in support of this motion as I do not think it necessary. As I said, it is only with a view that on the recommendation of the Tariff Board it may be possible for the Government without waiting during the interim period for legislative sanction, to take such steps as may be necessary before the matter may be finally considered.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association: Indian Commerce): Sir, I rise to support this Bill. I feel that we must pass this Bill immediately, but as it is a question of tariff policy, I would like to say a few words on the present tariff policy of this Government.

I feel that the tariff policy of this Government has not been at all bold. Rather it has been niggardly and vacillating. The tariff policy that has been followed by this Government is not what an independent Government would like to have. I can quite realise that this Government at present cannot make up its mind: probably it does not know its mind. The Government has been planning all these five years and has not been able to achieve any results, because the Government has to take certain of its orders from His Majesty's Government. If India is to have a correct tariff policy, it will have to protect its

[Mr. Vadilal Lallubhai]

industries and the tariff will have to be of two kinds: it will have to be protective as well as developmental. The position today is that after the first world war and before the second world war many Indian industries that were started suffered and that is why industrialists dare not start new industries. I would just give one example to my Honourable friend, and that is of the starch industry. My Honourable friend just told us that there is enough provision, that when dumping takes place he will be able to protect them under these emergencies. But in the years 1938-39 when there was one factory in the Punjab and another in Burma, the Corn Products Company of the United States of America having various factories all over the world, dumped their goods at less than production costs; at times when raw material was cheap in one country, in that country it produced more starch and dumped it into this country, with the result that these two factories had to make a loss of lacs of Rupees.

That is how our tariff policy has been working all these years before the war started. If the tariff policy is to be correct and consistent, we will have to decide as to how we are going to utilise our resources and the money that we possess. We have got a few hundred crores of sterling balances and we may have surplus exports; but how are we going to utilise them? Are we going to utilise them by allowing all kinds of goods to be imported into this country? We will have to decide our tariff policy in the way that we may utilise all our resources in the proper method: that is, Indian industries should

4 P.M. develop for India's benefit. If the correct tariff policy is not decided and if we allow all kinds of consumer goods to be imported, as is the desire of countries like the United Kingdom and the United States, probably we are going to be still worse off than what we are at present. The few hundred crores of rupees that we have with the United Kingdom Government and the few hundred crores that we may have out of our export surplus will have to be utilised well; and for utilising them we will have to have a correct tariff policy and we will have to decide what sorts of consumer goods India should import and what kinds of machinery for producing those consumer goods India will import and what kinds of capital goods we will import.

[At this stage Mr. President vacated the Chair, which was occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

To do all that, the tariff policy will have to be devised in a fashion that will put a check to this frittering away of these resources; and unless this is done, whatever tariff policy that you may now follow is going to be of no advantage to this country. It has been said that the tariff policy should be in the interests of the nation, and it has been correctly said so. The tariff policy should take into cognisance all the factors that make a nation,—the industry, the labour, the consumers and the whole nation should be considered while drafting this tariff policy. It should be seen that the industries do not profit at the cost of the consumer or at the cost of the nation. At the same time we will have to develop new industries and if you want to develop new industries we will have to see that our tariff policy also takes into consideration the establishment of new industries. We know that in the United Kingdom the industries are being reconstructed at a very rapid pace. They expect to export to the tune of 75 per cent. extra than the 1938 figures and slowly and slowly we are finding that more exports are coming in and that more exports will be coming in in the near future, and we will have to decide our tariff policy, taking into consideration all that. This Government has not been able to draft a tariff policy in the interests of the nation. As the Honourable Member has said, we will have to take into consideration world economic considerations.

The world is changing fast. But it is no use for us to wait to see as to what the world desires: the world desires to have export markets. We have been confronted with proposals from America regarding the expansion of the world trade and employment. If you look at these proposals, they are dang-

rous proposals so far as backward countries are concerned. They are talking of tariff reduction and reduction in protective duties; they are also saying that no Government will act in a way that will be prejudicial to the imports of other countries into those countries. Looking to all these proposals, the world is out to dump their goods into the backward countries and not allow the backward countries to go ahead with their industrialisation; and at this time the Government should come out immediately with their policy about how they are going to check the imports of these consumer goods and other goods which are not wanted by backward countries and how they are going to tackle the problem that we may have to face in these trade conferences which we are going to attend.

With these remarks, I would say that the tariff policy requires a bold overhauling, so that the nation and all its constituents, industry, labour and the consumers, benefit by that tariff policy.

Mr. Deputy President: I see some amendments in the name of Mr. Ahmed Jaffer.

An Honourable Member: He is not here.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, I support this Bill. In fact an enactment of this kind was already on the statute book between the years 1932 and 1935. In 1935 it ceased to be law. In the Standing Finance Committee a few days ago, when the proposal for the appointment of the Tariff Board was being discussed, some of us made some suggestions. It was pointed out that the Government in the first place took considerable time to decide over the appointment of the Tariff Board. Then comes the selection of the personnel of the Tariff Board, then the investigation, then the conclusion and then the implementation of these conclusions in a Bill. That entails a good deal of time and so we suggested two things. First, an enactment like the Safeguarding of Industries Act as is in England and secondly a permanent body of competent men or experts to be constantly scrutinising trends and tendencies of trade so that they may advise the Government of the day from time to time with a view that the nation's industries do not suffer. I am glad that one of the two suggestions has been accepted. The other suggestion has been again put forth in this House today, by my Honourable friend Mr. Subedar with great vigour and we do hope that it will not be long before the Government accept that suggestion, so that we may not be required to consider the legislation we have just passed a legislation which does very little credit to the Government.

With these few words I support the Bill.

Mr. Leslie Gwilt (Bombay: European): I propose to commence with an inquiry. I would like to ask the Honourable the Commerce Member what happens in the unlikely event of a protective duty being imposed under powers provided by this Bill and on the recommendation of the Tariff Board, and it not receiving the sanction of the House. Now, Sir, there are always two aspects to all tariff questions. There is the interest of the industry and there is also the very important interest of the consumer, as was lucidly pointed out by my friend Mr. Manu Subedar when speaking on the previous motion which was very much the same as this Bill. I do not think, as I have said, it likely that a recommendation of the Tariff Board will be thrown out by this House, but in the meantime after the notification which this Bill envisages has been published, a protective duty will be imposed on the goods to be protected, or rather upon their imported counterparts. Now, Sir, those goods have been imported. They have paid a very high rate of duty; this House then throws out the recommendation and in the meantime other and similar goods come into this country and until the goods of cheaper price, and not having paid duty, are sold somebody is going to be landed with the first shipment which has paid a rate of duty. I would like to know under these circumstances if and to whom the duty is eventually refunded. It cannot be the importer, because the presumption is that the shipment will have passed out of his hands into those of the middlemen.

[Mr. Leslie Gwilt]

I would like now, Sir, to put forward a suggestion which may be novel but which I submit is worthy of consideration. Those of us who have lived in countries where protective industries are in their infancy will know that we have had to pay very high prices for poor quality articles they produce, extortionate prices, I may say, having regard to their quality. I submit that a protected industry is a national asset and its primary duty is one of service to the community it serves and that it should not be a source of fortune to those who control it. If that be correct, I submit that it is the duty of Government, and I hope I shall not be misunderstood when I say I consider that my remarks apply particularly to this country, to watch with the greatest care the activities of such industries to which they give protection. Now, Sir, if an industry were subsidised from the proceeds of protection—and here I am not pleading the case merely of subsidisation, if they were subsidised, as well as being protected,—I submit that the representatives of the people—and here I am visualising a popular Government—would be very watchful of the manner in which such industries were conducted, also of the quality of the goods they produced for the consumption of the public. My proposal therefore is that the necessary encouragement to industry should be given on a basis of subsidy, the funds for the subsidy coming from the protection imposed. Thus the imposition of a protective tariff would be a condition precedent upon the industry agreeing to a measure of supervision by Government. In this manner, I suggest that the interests of the industry and the people of the country will be best served.

Sir Cowasjee Jehangir (Nominated Non-Official): In the last two Bills we have been discussing most important questions of tariff which were not directly before the House, questions which in the past we have discussed for weeks at a time before any action was taken, and beyond ventilating our views in a desultory manner for the time being on these most important life and death questions to a country we have done nothing. I think it would be advisable that we now do a little more thinking and a little less talking. These are questions which this House cannot decide without a committee sitting on them and advising them. Without a tariff board sitting for months and reporting, this House cannot take any action.

The Bill before the House is a fairly simple straightforward measure. A tariff board is sitting to investigate industries that have arisen during the war and not old industries that have been in existence and have been protected. This Bill will enable Government to take immediate action on the report of the Tariff Board with regard to such industries. We agree that immediate action is necessary and delay may be dangerous. This Bill provides that Government at the next Session shall come before this House with a Bill to make such measures permanent and bring them on the statute book. But two months' notice will be given to the industry. For two months after such a Bill is introduced these tariff rates will continue and therefore any industries or any commercial man or firm that imports such goods paying such high tariff duties will have two months to adjust their affairs. That, I think, answers to some extent Mr. Gwilt's apprehensions.

Mr. E. L. C. Gwilt: No, Sir, it does not answer it entirely. I am expecting the Commerce Member to deal with that point later.

Sir Cowasjee Jehangir: Unless somebody is speculating in such goods and orders out goods from any part of the world which are for the consumption of this country for more than two months at a time, there can be no apprehension.

Now, Sir, on these higher questions, important questions of tariff, I do agree that it is high time that a tariff board was brought into existence to investigate the existing duties on existing industries,—a different kind of tariff board altogether. The present tariff board, as I have already said, confines its attention to industries that came into existence during the war. But, as my Honourable friend Mr. Manu Subedar very correctly pointed out, a year

will elapse and are we going to be in the same position as we are in today in regard to the industries that have already been protected? Do we not want some advice from experts as to what we should do a year hence? That is a very important issue which Government will have to consider.

My Honourable friend the Commerce Member talks of the uncertainties of industrial concerns all over the world; he wants to know what is going to happen to Japan. He wants an astrologer to help him. Let his astrologer be a tariff board. I am not a believer in astrology or astrologers; I do not know how many Honourable Members are. But if they can produce such an astrologer it will be worth while paying him a very high salary to advise the Honourable Member. But that not being practical politics, let his astrologer be the best people that he can find for a tariff board.

The Honourable Dr. Sir M. Azizul Huque: Which I have done. The tariff board is there.

Sir Cowasjee Jehangir: That is only for industries that have come into existence during the war.

The Honourable Dr. Sir M. Azizul Huque: No, no.

Sir Cowasjee Jehangir: I will stand corrected if my Honourable friend will point it out. The present tariff board, he has told the House and also in the notification appointing it, is to investigate industries that have come into existence during the war, so that they may not be killed by unfair competition now that the war has ended. That is the duty of the present tariff board.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): The Statement of Objects and Reasons also says the same thing.

Sir Cowasjee Jehangir: If I am wrong the Honourable Member will correct me. I want to learn, but that is my impression. There is no body of men sitting today to investigate the tariffs on old industries; there is no body of men sitting today to tell us whether some old industries will not be jeopardised by competition in the future. I quite agree that India has gained a great deal by the protection she has given to her industries. I do not know what would be the condition of this country, had not this House given protection to some industries which have rendered yeoman service to this country during the years of war. Therefore we have got to look ahead. I quite agree with my Honourable friend the Commerce Member about sugar; sugar will require protection in the future.

Diwan Chaman Lall: Why?

Sir Cowasjee Jehangir: There will be dumping from Java as soon as Java is on her feet. She will dump sugar into this country as she did before. If you will study the history of the sugar industry in this country you will realise that not long ago, within the memory of some of the young men in India today, what an amount of sugar came from Java. Java has natural facilities and the Almighty has given her a climate which promotes the growth of sugar. We are not in that position and therefore sugar is costing us more in this country and so protection was necessary. The result was that we were nearly self-sufficient for sugar in this country and we did not require any import from Java. The question will arise again when the sugar industry is again in jeopardy, if the position is not carefully examined from time to time and measures taken to keep it alive as you have brought it into existence.

Sir, I support this Bill and I would ask with others that Government should start investigating the question of safeguards for other industries which have been in existence in this country for a long time and not wait till matters settle down all over the world. They may not settle down for ten or fifteen years and during that time we may be in jeopardy with regard to a good many industries. The matter requires careful consideration at the hands of Government immediately and certainly before the year is out. We should have more information than we have today with regard to industries that have already been protected.

[5TH APRIL 1946]

Sardar Mangal Singh (East Punjab: Sikh): Sir, I welcome this Bill. Ordinarily it is dangerous to give powers to an irresponsible executive; we give powers with some particular intention but they use those powers in a totally different way. But in this matter we would be well advised if we give them these powers. If occasion arises to protect a particular industry and Government fail to take action at the right time, I think Honourable Members will come forward to condemn Government for not taking that action.

But having said that I wish to warn the Commerce Member not to give protection to industries in the orthodox traditional manner. While giving protection to an industry the main consideration so far has been the interests of the millowners. I want my Honourable friend to take into consideration all the parties involved. In the first place there is labour, the real producers of a particular commodity. In giving protection we have to see how labour is being treated. After that the most important party is the consumers. We have been assisting the sugar industry during the last several years at a very heavy cost to the consumers. My Honourable friend Sir Cowasjee Jehangir raised the bogey of Java; he said that the sugar industry will again require protection because otherwise Java sugar will come in. I wish to submit to the Commerce Member that in giving protection due regard should be given to the prices of sugar. We will have to investigate the prices and the profits that the sugar mill owners are making. I know personally that during the last several years many owners of sugar mills have made enormous profits.

Mr. Vadilal Lallubhai: Sir, on a point of order, can the Honourable Member discuss sugar on this Bill?

Mr. Deputy President: Sugar was referred to before.

Mr. Vadilal Lallubhai: That was on the previous Bill.

Mr. Deputy President: I think it is in order.

Sardar Mangal Singh: I made those remarks because my Honourable friend Sir Cowasjee Jehangir said that sugar will require protection.

So in giving protection we have to safeguard the interest of the four main parties—consumers, labour, millowners, and, lastly, the cottage industry. I hope that the Government, if it is called upon to take action on a particular occasion, will take into consideration all these factors. Otherwise if the Government of India takes action in an arbitrary manner it is quite likely that the House will reject that Bill if the protection is given to favour one particular party.

Sir, I support the Bill.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Let me make it quite clear in the beginning for the benefit of my Honourable friend, the Commerce Member, who misunderstands whether a Member is supporting the Bill or is opposing it—and he misunderstands when it suits him—that I am supporting this Bill. . . .

The Honourable Dr. Sir M. Azizul Haque: I clearly understand this tune.

Mr. Manu Subedar: . . . in spite of the fact that my Honourable friend, Sardar Mangal Singh, has rightly thrown doubts on the advisability of placing powers in the hands of these Treasury Benches in case they will fail to use them properly when the time came or they will misuse them as they have done in other cases. May I say that my Honourable friend, the Commerce Member, has shown today adroit capacity as a debater in trying to ward off reproaches which were rightly levelled against this Government. They were not exaggerated, nor were they intended to hurt, but if they did hurt, we cannot help it. He warded off reproaches in regard to the delay in appointing the tariff board. They could have anticipated it, and could have appointed the Board during the war. He said the war ended in August but the hostilities ended in May. Then he said 'do you know how difficult it is to recruit competent men for this sort of Board in this country.' Now, Sir, I know it, and I may say that his difficulties are entirely exaggerated. Why did you not

appoint a permanent Tariff Board? How could you recruit a temporary tariff board in which case people have to leave their business or work, whatever it is, only for a short tenure, for a few months.

The Honourable Dr. Sir M. Azizul Haque: Not for a few months, but for not less than two years.

Mr. Manu Subedar: Well, I say that if you want the highest type of men you have to appoint a permanent tariff board, and you have precedents in America and the United Kingdom. In the U. S. A. there is a permanent Board discussing and considering these issues. In the United Kingdom the Board of Trade have got a permanent organization examining these issues from time to time. Then my Honourable friend said 'I will not appoint a permanent Board because I am considering about my successors'. In other words, whatever delay was caused it was either because of the war or because he could not get the men, and when I said why could you not put up a permanent board, he said 'the world is all changing, conditions are altering, nothing is stable, everything is being so changed that if somebody, even an astrologer, will tell me then I can act'. We know that the world is going round; we know that things are changing; we know that politically, financially and economically the world will see many changes in the next few years, but does that mean that we should not carry on the day to day work either of Government or of business or of any private individual, does it mean that we suspend all activities? My Honourable friend's plea was that he was considering first the impermanency of things and therefore could not act and, secondly, that he was worried and concerned not to tie down the hands of his successor. His softness for his successor has on this occasion exceeded all bounds. He said, I do not want to tie the hands of my successor, and therefore I will not appoint a permanent tariff board. But does he realize that the tariff board is only an advisory body and therefore if the matters are examined by presumably a body of expert men, chosen with care, does he mean that it will tie up the hands of the next Government. Why? Even in this small Bill it is provided—no matter what the tariff board says—that if the Central Government is of opinion that it is urgently necessary to provide for the protection of the interests of any industry, etc. In other words no matter what the tariff board says, this is purely an enabling Bill which will enable this Government to act, if they are satisfied and if they are of opinion that what the tariff board has said should be adopted. Why is the Honourable Member so soft and considerate with regard to the successor Government when he himself is not sure whether he will be here in June or in February. Why does not this Government proceed to do the proper thing?

As my Honourable friend rightly pointed out, and other parts of the House agreed, here you have got a large bunch of industries already protected, whose conditions have not been examined for years to come, for many years. We do not know whether the rates provided are too much, too little or what is the situation. Therefore the examination of these things by a permanent tariff board is of the utmost importance and this Government or any other Government would be ridiculous, if they came to this House next year with the same schedule, with the same kind of request, with a repetition—a rubber stamp Bill, if I may say so, which we have just passed. And the relevance of what I am saying is this: Why is it necessary? It is necessary because this Government did not appoint the tariff board earlier. Had they so appointed, we would have during this Session already given effect to the recommendations of that body on so many of the subjects already, and therefore the exercise of these powers would not have been necessary.

Now, Sir, I will mention another point. Again I am sorry I have to criticize this Government because, as usual, it has done too little and too late. We are not averse to the Executive exercising the proper powers and since they came for these proper powers why have they neglected the other field of proper powers. We had two sets of powers which were being exercised by the executive—one was, in the old days, called the Anti-dumping Act

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which ultimately dropped out in the revision. That was in order to enable the executive Government in the middle of the year to impose a duty when they were satisfied that some other country was dumping in this country, i.e., putting down goods in this country at less than the cost of production. As soon as the Government were satisfied that this was being done, they were empowered under that law to take immediate action and to get that action confirmed and extended by the Legislature as and when it met thereafter.

We had also a law with regard to the protection of certain industries against the Japanese competition, specifically mentioning Japan. There again the executive had certain powers, but both these measures have been repealed. When the Government did bring this Bill, whose necessity I am not disputing, why did they not also consider whether an occasion may not arise like what my Honourable friend Sir Cowasjee Jehangir mentioned. It may be that what my Honourable friend the Commerce Member himself anticipates namely that the world is changing, many things may occur, but one of these things might be that some other country for its own motives might dump down in this country, as the Honourable the Commerce Member himself in his closing speech said some country might dump down in this country and am I not to have this protection. He might dump it down in this country during the period that the Legislature is not sitting and the harm may be already done in two or three months.

My Honourable friend Mr. Gwilt was concerned not over a long period, but a matter of two or three months. Much harm can be done in the matter of two or three months to all the interests concerned including producing interests in this country for whose protection we are passing this Bill. Why does not the Honourable the Commerce Member include in this Bill extra powers to act during the interval when the legislature is not sitting in order to meet any well proven dumping design on the part of any country in the world which may dump goods on this country to the prejudice of the producers in this country.

Now, Sir, may I dispose of one little point which my Honourable friend Mr. Gwilt made. He asked what would happen if Government gave protection but the House did not endorse it. Sir, if I take at the face value what the Honourable the Commerce Member said and I suppose he knows a lot more than some of us do, the exercise of the powers which are intended to be given here will probably be made by the successor of my Honourable friend. Is it suggested for a moment that the successor of my Honourable friend would act in a manner that his action would not be endorsed by the House. That plea falls to the ground, that plea of opposition between the House and the executive, that is one of the remnants, that is one of the nightmares which we are trying to live down and we trust this will be the last session during which we shall have it.

Then, Sir, I gave some information to my Honourable friend with regard to controls and I said that there were some provisions in these controls which were not being worked altogether to the advantage of this country in one way or the other. I also informed him, in case he had not yet seen it about the comment of the Chairman of the English Chamber of Commerce in Bombay and he promptly turned round to say that I was endorsing this! Nothing of the kind. I do not know in what circumstances Mr. Bramble made that speech and I do not know what kind of discrimination which the Government exercised against Europeans to which Mr. Bramble made a complaint and I trust my Honourable friends, the *barwallas*, would give us a reply when the time comes. I thought I was doing a friendly office to my Honourable friend the Commerce Member bringing to his notice that the controls were worked in a manner which had elicited this kind of comment from certain quarters whereupon he promptly gets up and says that he is very much surprised that such accusations should come from such quarters. No, Sir, I shall not accuse . . .

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): May I point out, Sir, that all the remarks just now made by my Honourable friend form an elaborate reply to the last speech made by the Honourable the Commerce Member on the last Bill. Incidentally a reference to that speech would perhaps not be out of order. This elaborate reply to the whole speech which was delivered on the last Bill is surely a little out of order.

Mr. Manu Subedar: Yes, Sir. I agree that I ought not to elaborate the point, but I must say that there is a question of principle involved in the sense that we are on the issue of protection, the methods and manner of giving effect to it and other incidental issues in which protection involves, which as I said previously, are not questions of tariffs only but many other issues. My Honourable friend Sardar Mangal Singh said how can Government act without considering all parties and factors? I think the Tariff Board when it met was entrusted with the task of looking at the issue from all points of view and with regard to all interests and consider generally what would be the best in the interest of this country.

Sardar Mangal Singh: They have been looking to one party only so far.

Shri Sri Prakasa: Your party is absent today.

Mr. Manu Subedar: As I say, it is the business of this expert body before whom all parties and all interests are invited and generally that has been the tradition of the Tariff Board and that is nothing new in this country. They have been acting since 1924 in this manner and any apprehension that the Government of the day would act in a direction which would penalise certain interests or give preference to certain other interests in giving effect to the recommendations of the Tariff Board, such apprehensions, in my opinion are entirely misplaced.

Sir, I support the Bill.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I really do not understand why Government thought it necessary to rush through this measure at this time. Probably the Government knows the views of the whole country and they have to be gone through carefully. It is to be seen how much the consumers have to pay for industrialisation of this country. As Honourable Members in this House have pointed out, at the moment industries do not require protection because there is no danger of competition from foreign countries, seeing the world conditions in the present day. Precaution has been taken on the presumption that probably conditions may arise in which Government may think it necessary to protect certain industries which have developed during the war and which may require protection. If that be the case, instead of taking powers to do it through executive orders the Honourable Member could have called the Standing Committee for the industries and the Supply Department and consulted them on individual cases. Why should that not be possible?

We have seen in the past that the industrialisation of the country worked very much against the consumers interests for a period which is probably unparalleled in other parts of the world. I would quote the sugar industry for example and it was developed in the country at very heavy cost to the consumers and for a period much longer than was the case in regard to any other industry in any part of the world. I would not go into details, I would only say this much that when the protective duty was introduced, it was nearly Rs. 9-8-0 because the industrialists in India said they could not manufacture and sell in India at a price less than Rs. 11-8-0. At that very time Java was prepared to sell sugar in India c.i.f., at Calcutta for Rs. 8-2-0 a maund. That means that the consumers of the country were being taxed to the extent of nearly Rs. 8 per maund and if the Government records are verified, you will see that the total value of consumption in this country ran to millions of tons of sugar which meant crores of rupees. We have got to see whether our industries even after having got protection from 1921 till 1946, some through legislation, others by way of natural circumstances which helped them during war are able to stand on their own legs or not. Are they able to compete on world parity prices or not? That is the point which the Tariff

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my Honourable friends sitting over there seem to be suffering from some very serious and grave misunderstanding when they talk about the nation. They seem to think of the nation in terms of the capitalists and industrialists of this country. It may surprise them to know that the world nation also comprises the workers who are engaged in these industries. It also comprises the consumer who is affected by all these measures. There are also other categories and classes that make up this nation of ours, not merely the ~~Bombay~~ of Calcutta or of Bombay (Shri Sarat Chandra Bose: Or of the Treasury Benches) or the Treasury Benches, as my Honourable friend the Leader of my Party reminds me. There are so many ~~Bombay~~ on the Treasury Benches, who are affected by this very measure. They are interested in this very measure and I submit that when we come to the discussion of this measure none of those gentlemen should in all fairness to this House take any part in the discussions regarding these matters.

Now, Mr. Deputy-President, the question is a very serious one. This House is not seized of the facts and I want my Honourable friend the Commerce Member to realise that the House is not seized of the facts upon which he wishes the House to come to a decision. He has, I take it, handed over certain enquiries to be made into certain industries, whether those industries need protection and those matters have been handed over to the Tariff Board. He says that if the Tariff Board Reports when this House is not sitting in Session and the Tariff Board considers that it is necessary to take action immediately, then the power should be given to the Executive, without coming to this House to obtain that power, to utilise that power in order to impose whatever duties they want to.

The Honourable Dr. Sir M. Azizul Huque: Subject to a measure being brought before the House for legislation immediately.

Diwan Chaman Lall: I am very glad that my Honourable friend is willing to bring any action taken by them in the interim period in the form of a measure before this House for approval. I take it that it will not be in the form of a report to the House.

The Honourable Dr. Sir M. Azizul Huque: It will be in the form of a Bill before the House and the House will have to say whether it accepts it or rejects it.

Diwan Chaman Lall: I am very glad that he has cleared that point. I wish my Honourable friend had gone beyond that and given this House the benefit of the information regarding particular industries that may be involved. A certain number of industries has been handed over to the Tariff Board. I want to know from my Honourable friend in which particular categories of industries ^{5 P.M.} is he apprehensive that the Tariff Board may make a report which may be of such grave urgency as to compel him

Mr. Deputy President: Would the Honourable Member like to continue his speech on the next day?

Diwan Chaman Lall: Yes, Sir.

STATEMENT OF BUSINESS

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): Sir, before the House adjourns I should like to give the House an appreciation of the business as the Government foresees will be taken up during the next week.

Sir, the business for next week will include the outstanding items on the current List, motions for the consideration and passing of the Bill to provide for

the welfare of labour employed in the Mica Mining Industry, motions for reference to Select Committee of the Coinage Bill and the Insurance (Second Amendment) Bill and motions for the circulation of the Estate Duty Bill and the Indian Nursing Council Bill. It is proposed to take on Friday motions for the consideration and passing of an Industrial Employment (Standing Orders) Bill, which will be introduced on Monday and, having regard to the understanding reached when the Merchant Seaman Bill was referred to a Select Committee yesterday, it is also proposed, subject to the Select Committee reporting by Tuesday, to proceed with the consideration and passing of that Bill on Friday. The business of the week will be interrupted on Thursday afternoon, which, in accordance with an arrangement reached with the Party Leaders, will be allotted for the discussion of commercial safeguards on a formal Motion, of which notice will be given by the Honourable Sir Akbar Hydari. For the final week of the Session opening on Monday the 15th April, the business will include, in addition to any carry-over from next week, motions for reference to Select Committee of a Motor Vehicles (Amendment) Bill and for the circulation of a Bill to provide machinery for fixing minimum wages, both of which Bills will be introduced in the course of next week, a demand for a supplementary grant on account of UNRRA, Sir John Sargent's Resolution regarding the constitution of the United Nations Educational, Scientific and Cultural Organisation, and the discussion of the report of the Public Accounts Committee and the connected excess grants. There is general agreement that no useful purpose would be served by discussion at this stage of the Law Member's Resolution on the subject of the Jurisdiction of the Federal Court and that Resolution will, therefore, not be moved. Finally, I take the opportunity of mentioning that the Honourable the Labour Member was under a misapprehension when he stated in reply to a supplementary question that he would move a Motion with reference to the amendment of the Constitution of the International Labour Office in the course of the Session and that no such Motion is in fact contemplated.

Diwan Chaman Lall (West Punjab:Non-Muhammadian): May I ask why there has been a change in regard to the last matter which was referred to by the Leader of the House? The documents had been placed on the table of the House, an understanding had been arrived at and an undertaking given that the matter would be taken up. Supplementary questions were asked which clarified the position that the question would be debated. Why is it that Government are going back on that promise?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: A document was laid on the table of the House. I understood that a motion or resolution would be notified by any member of the House. So far no resolution has been notified by any Member.

Diwan Chaman Lall: I beg your pardon. There was no understanding to this effect, that the Opposition would table a motion. It was understood as a result of a supplementary question asked by my Honourable friend behind me of the Labour Member, that he would himself find the necessary time to discuss this question and on that promise no further questions were put to him.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That was yesterday or the day before when the Labour Member made that statement but there was no understanding when the document was laid on the table of the House that there would be any discussion on the document.

Diwan Chaman Lall: My Honourable friend said in answer to a question that he had already laid the document on the table of the House and then he was asked by my Honourable friend behind me whether he was going to give us a day for the discussion of this matter and he gave a definite promise on the floor of this House that a day would be allotted. It is a very important matter which affects the interests of India and all Asian countries with reference

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Board has to see and report to this House and to this country. Would consumers like to be taxed to the tune of millions of rupees for benefitting a few thousand capitalists or would they like to give a living wage to two lakhs of employees. That is the most important issue which I want to impress.

I appeal, Sir, that the financial aspect of this Bill has no meaning and particularly when danger of competition from outside imports is practically nil. I do not suppose there would elapse more than another six months when the House will be again in Session, and there is no prospect of any such happening within the six months. If at all there is, I would suggest that in that event the matter may be placed before the Committee of this House attached to Industries and Supplies Department, whose decision would be binding on this House, as those members are responsible to this House for all the opinions they give there.

Under these circumstances I oppose this Bill, and I do not suppose there is any reason to support it in the circumstances in which it has been brought.

Mr. Deputy President: If he gets up and replies, it is a closure.

Diwan Chaman Lall: May I have a word. I hope you are not closing the debate.

Mr. Deputy President: If he gets up and replies, it is a closure.

Diwan Chaman Lall: In this House a most important matter of principle has been raised. Should other Members, desirous of catching your eye be debarred from expressing their opinions on a matter of principle? I think my friend will agree that this is an important matter and the House should not be debarred from expressing its opinion.

Mr. Deputy President: I have no desire to close this. Of course I gave a chance to all sides of the House. I think about four or five members from this side have already spoken. If there are others who are anxious I can give them a chance.

Diwan Chaman Lall: May I say that here is a matter which not only involves a very important principle, regarding which we want a discussion: it involves an important constitutional issue and nothing has been said, except a few words by my Honourable friend who spoke just now in regard to the matter, and I submit that it would be very wrong in my opinion to allow this Bill go through without a full debate on the implications that are involved in this measure and the manner in which this measure has been brought before this House.

Mr. Deputy President: Does the Honourable Member want to speak?

Diwan Chaman Lall: There are several members who want to speak including myself.

Mr. Deputy President: Is the Honourable Member getting up?

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadian): I support this Bill but in doing so I want to make a few observations.

The country has had a very bitter experience of the tariff policy of this Government. Originally it was directed towards helping foreign trade in this country. Those who know the history of the cotton excise duty might well remember that it was meant only to help Manchester. Sir, at present this policy exists in some form or another. Imperial preference is its present form. In the initial stage of the industrial development of a country, protection has to be resorted to. But all the money realized must not go to the pockets of the Government to maintain a large army and to help this or that department of the Government. This should go to subsidise the industries concerned. Besides that we have to see to the several parts of any particular industry. For instance, my province of Bihar is the centre of the sugar industry. There is protection for it. We do not object to that. The consumers are taxed. But all the profit is pocketed by the millowners. Nothing goes to the sugarcane growers. Sir, I wish to bring it to the notice of the Honourable Member

that steps must be taken so that proper remuneration is given to the sugarcane growers. Sometimes it has been seen that several acres of sugarcane had to be burnt by the cultivators. Sometimes it is found that they are not paid even the proper price fixed by the Government. As regards the millowner's staff taking bribes, that is quite a different story. My point is that proper steps have to be taken so that the sugarcane grower may get a share of the profit made by the millowners owing to this protection policy of the Government.

With these words, I support the Bill.

Diwan Chaman Lall: The question that has been raised must be looked at from two important points of view. One as I said is a question of principle and the principle being the principle of protection. Whether in view of existing circumstances, and in view of the trade position (the position regarding production in India today) it is necessary to continue these protective duties, is one matter, and whether anything can be done in respect of the existing industries, regarding which this Bill has been brought to improve.

Sir Cowasjee Jehangir: May I rise to a point of order. This Bill deals with future protection and not with present protection. It gives power to Government to protect industries which have not been protected before.

Mr. Deputy President: The title is "protective duties of customs on imported goods". That is everything that is imported is controlled by this.

Diwan Chaman Lall: My only trouble with my very old and dear friend, Sir Cowasjee Jehangir, is that having made a speech regarding almost every industry, including sugar, my Honourable friend now gets up and says, now it has got nothing to do with existing industries, but future industries and production. My Honourable friend knows well, when he himself spoke, he confined his remarks generally to the question of sugar. Not only did he confine his remarks to sugar, but he attempted to frighten this House into the belief that so far as sugar was concerned, there was a very grave danger of dumping from a country which he said was Java. I take it that that is correct.

My friend is a business man of very great importance in this country. I am surprised that he does not look at these matters from a business point of view as for instance at the question of Java imports of sugar into India. Does he realize that India in 1936-37, of which I have the latest figures, became from an importing country to one of the greatest producing countries of sugar in the world, and that Java which used to produce even more than India produced during this period, brought down its production in the same year to about six hundred thousand metric tons from 8,000,000 metric tons? My Honourable friend must realize if he had looked at these figures, when he was frightening this House with the dire consequences which would be suffered by this industry as a result of imports from Java, that he was not talking according to facts as are known and have been discovered by no less an authority than the Tariff Board. I do not think that my Honourable friend has looked into this book—"The Report of the Indian Tariff Board on the Sugar Industry". He will find all the facts that I am giving him in this particular book. But this is a long standing quarrel that I have with my Honourable friend. It started with steel and now, I take it, it goes on to sugar.

Sir Cowasjee Jehangir: I am not personally interested in sugar at all.

Diwan Chaman Lall: Nor am I. We are both interested in our country and that is the reason why I am standing up to speak about the Bill. These matters should not be looked at from the point of view of any particular capitalist nor even from the point of view of any particular industry, or industrialist whether the Calcutta Bozwalla, the Bombay Bozwalla or any other type of Bozwalla. But they should be looked at from the point of view of the interest of the nation as a whole. I am sorry to say that some of

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to the International Labour Office and my Honourable friend who has been there knows perfectly well how important that matter is. I do submit that there is no reason whatsoever for Government to go back on the promise given on the floor of the House and not find the necessary time when they had promised to find the time.

Mr. S. Guruswami (Nominated Non-official): Sir, I support the request

Mr. Deputy President: There can be no request.

Mr. Leslie Gwilt (Bombay: European): May I know whether the Honourable the Leader of the House will be good enough, either to circulate a copy of the document to Members of the House or provide each partywhip with a copy?

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadian Urban): Sir, I indicated when I spoke last on the subject that it would be better to allot a full day for the discussion on commercial safeguards. The Honourable the Leader of the House has now suggested one afternoon. May I make the suggestion that the discussion on commercial safeguards may be started immediately after questions on Thursday morning and if any time is left over after the discussion that may be allotted to the official business that may be on the agenda for that day?

Diwan Chaman Lall: Before my Honourable friend replies to the Leader of the Opposition, do I take it that time has been taken away from a discussion that had been promised in order to utilise that time for the discussion on commercial safeguards? I hope that that is not so. It has been definitely promised and there was no question of any misapprehension with regard to that.

As regards the point raised by the Honourable the Leader of the Opposition regarding the insufficiency of time for discussion of Commercial Safeguards I fully support it. I do not think that there can be any possibility of a comprehensive debates on such an important matter if you have a discussion for just a couple of hours.

Mr. Deputy President: May I take it that in the Statement of Business, the business of the week will be interrupted on Thursday afternoon which, in accordance with an arrangement reached with the Party Leaders, will be allotted for discussion of Commercial Safeguards? Was there any agreement made that Thursday afternoon will be allotted for this purpose?

Mr. Manu Subedar: No such agreement was made. As a matter of fact I said that if the parties agreed, if the speeches are terminated and if the number of speeches are cut down, it may be possible to finish it in half a day. My Honourable friend Mr. Yusuf Haroon pointed out, and I also on reflection think, that if there are two small speeches and one large speech from every party, one speech from the British Members of this House and one speech from the Government Benches, I do not see how eight speeches could be completed in the course of an afternoon. I think therefore that the time would be very inadequate. I hope the Government will defer some of the legislation which they are bringing up and give a chance for the views of this House to be ascertained on this subject by beginning the speeches on Thursday morning and if as a result of combined effort we are able to save an hour at the end it could be utilised otherwise.

Shri Sarat Chandra Bose: May I talk it over with the Honourable the Leader of the House on Monday next and then tell you, Sir, whether we have been able to reach an agreement?

Mr. Leslie Gwilt: In consultation with other Party Leaders, I hope!

Diwan Chaman Lall: What about the other matter, Sir?

STATEMENT OF BUSINESS

Mr. Deputy President: About this statement which has been made by the Honourable the Leader of the House that the Labour Member was under a misapprehension when he gave this understanding to this House, I think, in fairness to the House he ought to have been present here to explain. Though the Honourable the Leader of the House can explain on behalf of Government, yet when a Member of Government gets up and says that he is going to do something on behalf of Government, and it is refuted by the Leader of the House then he must, I think, in fairness to the House explain to the House his position.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall take up this question with the Honourable the Labour Member. I undertook to make this statement on his behalf. We went through the record of proceedings and realised that he had made this undertaking and that he had been under a misapprehension. Now I shall discuss it with the Labour Member and make a further statement on this matter.

The Assembly then adjourned till Eleven of the Clock on Monday, the 8th April, 1946.



Sir Pheroze Kharegat: (a) Yes, Sir, but the facts are not correctly stated therein.

(b) No, Sir.

Mr. Haddow has been permitted to take up a higher appointment under the Government of Bengal.

Dr. Polding was a contract Officer. On the termination of his contract he was offered another job but did not find the terms attractive enough and left.

Mr. Macdonald is also a Contract Officer who wanted certain concessions which Government could not accept upon which he gave six months notice of termination of appointment.

Mr. Shirlaw did apply for retirement on proportionate pension but he cannot be permitted to do so under the rules. He has been informed accordingly. He is now proceeding on Key Leave for four months.

Mr. Pandey has been removed from service as the result of a departmental enquiry.

(c) It is true that Mr. Naithani has not passed the Senior Cambridge examination but he was selected in 1928 for a post at the Institute in competition with several graduates by the then Director. The post to which he has now been appointed is a selection post. Only one person, viz., Mr. Prem Singh, the Head clerk at Izatnagar is Senior to Mr. Naithani. His claims were carefully considered by the Director before selecting Mr. Naithani.

Shri Mohan Lal Saksena: What were the reasons which Dr. Shirlaw gave for retirement?

Sir Pheroze Kharegat: No reasons were given; he simply asked to be allowed to retire on proportionate pension.

Shri Mohan Lal Saksena: Did the Honourable Member find out the reasons why he wanted to retire?

Sir Pheroze Kharegat: I do not think any useful purpose would be served by trying to find out the reasons. If the Honourable Member wishes to know the reasons, I can tell him.

RECOMMENDATIONS TO IMPROVE CATTLE WEALTH.

1617. *Shri Mohan Lal Saksena: Will the Agriculture Secretary be pleased to state what improvement has been made in the cattle population of India and their different products on the basis of the recommendations of (i) the Agricultural Commission Report, 1928, (ii) Dr. Norman C. Wright Report, 1938, and (iii) the recent report of Mr. Pepperall, the expert, called by Government from England?

Sir Pheroze Kharegat: It is not possible to assess the improvements effected but the action taken by Government on the report of the Royal Commission is mentioned in the Progress Reports thereon copies of which are in the Library of the House.

A statement is laid on the table of the House indicating briefly the action taken on the report of Dr. Wright and Mr. Pepperall's report has been circulated to the Provinces for necessary action along with a press note.

Important Recommendations of Dr. Wright and the Action taken thereon.

No.	Recommendations.	Action Taken.
1	Increasing the number of approved and registered bulls and buying them from villages.	Thirteen village cattle improvement schemes are running in different parts of the country. It is proposed to establishing villages for producing improved bulls for further distribution.

Important Recommendations of Dr. Wright and the Action taken thereon.

No.	Recommendations.	Action Taken.
2	Employment of a special Officer to advise goshallas and pinjrapoles on management and constructive breeding.	An Officer was appointed in 1944.
3	Appointment of Geneticist and investigation of genetics and physiology of reproduction.	An Officer has been appointed at the Imperial Veterinary Research Institute and another is employed by the I.C.A.R. at the Cattle Farm, Hissar.
4	Extended use of stockmen to disseminate knowledge required at research centres.	Stockmen are now being employed by the provincial Governments in large numbers.
5	Unification of provincial Livestock Department.	This has been done already in Madras, Punjab, United Provinces, Central Provinces, N.W.F.P. and Orissa.
6	Introduction of mixed farming.	Mixed farming projects financed by Imperial Council of Agricultural Research are now running in United Provinces, Central Provinces, N.W.F.P., Bombay and Sind.
7	Discouragement of crossbreeding as a general policy.	Cross-breeding as a general policy is being discouraged.
8	Establishment of Herd Books and milk records.	Herd Books have been established for six breeds of all-India importance and a uniform system of milk records is in force.
9	Expansion of the Dairy Research Institute.	The Institute is being extended to a full-scale Central Research Institute and it is proposed to locate it at Delhi.
10	Appointment of Dairy Development Officers in each province.	Provinces are now appointing such Officers.
11	Establishment of Ghee grading stations.	In all 123 Ghee Grading Stations have been established so far.
12	Establishment of Rural Co-operative Milk Societies.	There are in India 264 such Societies.

Shri Mohan Lal Saksena: What steps have been taken according to Mr. Pepperall's Report for the improvement of milk supply in Delhi?

Sir Pheroze Kharegat: As regards the milk supply in Delhi, a scheme has been prepared for the collection of milk from surrounding villages and bringing it into Delhi, Pasteurising it and then arranging for its distribution. That scheme provides for about 150 maunds a day.

Prof. N. G. Ranga: Is it not a fact that this report recommends the co-operative marketing of milk and if so what steps are being taken to develop co-operative marketing of milk in Delhi?

Sir Pheroze Kharegat: The report recommends co-operative marketing and this proposal for Delhi is a co-operative proposal. Similar schemes have been prepared and are actually working at Lucknow, at Madras, near Calcutta and there are proposals for starting many more such co-operative societies in the post-war plans.

Sri M. Ananthasayanam Ayyangar: May I know what steps have been taken to improve the health of cattle, and as a result of these steps has there been any progressive improvement in the health of cattle and checking of cattle diseases?

LEGISLATIVE ASSEMBLY

Monday, 8th April, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBER SWORN:

Mr. Binay Ranjan Sen, C.I.E., I.C.S., M.L.A. (Secretary, Food Department).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS

MEASURES TO COMBAT FOOD FAMINE CRISIS.

†1615. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) if Government and any section of the Food Department have made it a special responsibility to keep in touch with and study the various grievances voiced and suggestions made in the Daily and Weekly Press regarding the food famine crisis, especially in regard to the stream of suggestions and advice being offered by Mahatma Gandhi, Amrit Kaur, Pyarelal and others in the columns of the *Harijan*;

(b) whether there is any inter-departmental Food Committee and Directorate to consider the various aspects of the food problem in this crisis from the Growing of More Food to the acquisition, the provisioning of rural areas and feeding both the rural and urban public, the transport of foodgrains (imports and movements of local production) rationing and other aspects of distribution, medicines, hospital accommodation and service, if so, with what powers; and

(c) whether Government propose to place their plans, etc., before the Standing Committee of the House for Food and whether it will be convened at frequent intervals in order to keep the public in touch with the food situation and ascertain through the Committee also the wishes, needs and grievances of the public?

Mr. B. R. Sen: (a) Yes, Sir.

(b) Yes. An inter-departmental committee called the Relief Co-ordination Committee has been set up to deal with the day to day problems arising out of the food shortage in the country and consider remedial measures to be adopted.

(c) Yes, Sir.

RESIGNATIONS IN IZATNAGAR VETERINARY INSTITUTE.

1616. *Shri Mohan Lal Saxena: (a) Will the Agriculture Secretary be pleased to state whether his attention has been drawn to a letter regarding Izatnagar Veterinary Institute on page four of the *Hindustan Times*, dated the 20th March, 1946? If so, are the facts stated therein correct?

(b) Is it a fact that Dr. Haddow, Dr. Polding and Dr. MacDonald have been forced to resign their jobs, that Dr. Shirlaw has applied for retirement and that Mr. Pandey has been forced to retire?

(c) Is it a fact that Mr. Naithani is not fully qualified and has been promoted in supersession of the claims of several other members of the staff?

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

Copies of the Debates of the Legislative Assembly and of the Council of States are obtainable on sale from the Manager of Publications, Civil Lines, Delhi.

Sir Pheroze Kharegat: It is very difficult to assess it but within the past few years a serum has been discovered against rinderpest, and as a result of the use of that serum the number of deaths from rinderpest has decreased very considerably.

Dr. Sir Zia Uddin Ahmad: With reference to part (1) of this question, may I know what improvement has there been in the population of cattle?

Sir Pheroze Kharegat: Improvement in the population? Does the Honourable Member refer to the number that has increased or the number that has decreased?

Dr. Sir Zia Uddin Ahmad: Has the number increased and in what proportion?

Sir Pheroze Kharegat: The census returns show that between 1935 and 1940 there was a very big decrease, and between 1940 and 1945 there has been a small decrease. In the latter period, the decrease is of about four per cent.

Shri Mohan Lal Saksena: May I know when this Delhi co-operative scheme is likely to come into force?

Sir Pheroze Kharegat: As soon as arrangements can be made for setting up a pasteurising plant in Delhi itself.

Seth Govind Das: Is the decrease between 1935 and 1940 due to the indiscriminate slaughter of cattle in this country?

Sir Pheroze Kharegat: It is very unlikely that between 1935 and 1940 there was any indiscriminate slaughter; but that was a period of famine in various parts of the country, and particularly in Rajputana and Hissar side, and that may account for a part of the decrease. But the decrease was fairly general throughout the country and that may have been due to the destruction of uneconomic animals.

Seth Govind Das: Was there more slaughter between 1935 and 1940 than in these five years?

Sir Pheroze Kharegat: We have no information of the actual figures of slaughter.

Prof. N. G. Ranga: What steps are being taken to encourage Ayurvedic veterinary hospitals and is this serum against rinderpest being placed at their disposal for distribution?

Sir Pheroze Kharegat: I think this serum is being used fairly generally now and steps are being taken to make it available to all veterinary assistants in the districts. As regards the other part of the question, I am afraid I have got no information at all.

Shri Mohan Lal Saksena: May I know whether the co-operative scheme in Delhi provides for subsidising the purchasing of new buffaloes and cattle by agriculturists?

Sir Pheroze Kharegat: Some of the schemes provide for subsidies being given by the co-operative societies to their members for the purchase of buffaloes.

YEARLY CENSUS OF CATTLE.

1618. ***Shri Mohan Lal Saksena:** Will the Agriculture Secretary be pleased to state:

(a) whether, in view of the fact that cattle census taken after every five years has not been found satisfactory and correct, Government propose to consider the desirability of arranging to take such census every year and employ a special staff for it, in accordance with the scheme which was proposed but given up on account of war; and

(b) whether Government also propose to take steps to have the births and deaths of cattle registered regularly?

Sir Pheroze Kharegat: (a) There is no reason to suppose that the results of the cattle census taken every five years are appreciably incorrect. It has no

been possible to trace the scheme for an annual cattle census said to have been given up on account of war. Government are advised, that the results of an annual census will not justify the large expenditure involved.

(b) It is considered that under existing conditions the regular registration of cattle births and deaths is not a feasible proposition on account of the practical difficulties of such enumeration and that the results will not be commensurate with the expenditure that will have to be incurred if any degree of accuracy is to be ensured.

Mr. Manu Subedar: May I know how Government record the census? Is it a census or only an estimate? What machinery gives the figures and in what manner? Is there any individual enumeration?

Sir Pheroze Kharegat: The enumeration is carried out by the local officers, that is the patwaris, with the help of such private individuals as are willing to help in the villages. As a patwari is a resident of the villages, it is presumed that he knows all the people who own the cattle and he can easily find out how many cattle are with each individual.

Mr. Manu Subedar: In that case, do I understand that it is an estimate given by the patwari of the number of cattle in his own village and that estimate is totalled up and it is called a census?

Sir Pheroze Kharegat: That is what a census is. The enumerators give the number of cattle in each of the villages. Those are added up for the province as a whole.

Mr. Manu Subedar: In view of the fact that the population census figures of various provinces and localities and particularly the figures for the Indian States are of doubtful validity and doubts have been thrown on it and that this question of ascertaining the cattle population of India accurately is of some importance, will Government now think of a more accurate method and work for it in advance as they work for the regular population census in order to ascertain the correct number?

Sir Pheroze Kharegat: The figures particularly in the States are unreliable and the question of finding out some better method of carrying out the census will be explored.

INCIDENCE OF EXPENSE ON GRAZING GROUNDS AND FODDER.

1619. ***Shri Mohan Lal Saksena:** Will the Agriculture Secretary be pleased to state what steps have so far been taken by Government to provide grazing grounds and fodder in sufficient quantity for the use of cattle in India, and what has been the incidence of Government expense per cattle in the last ten years as compared with other countries?

Sir Pheroze Kharegat: Owing to the pressure of population on the land, it is not possible for Government to provide large grazing areas. Out of some 48,238 sq. miles of forest land, 45,951 sq. miles are open to grazing all the year round. The question of improving grazing lands has been considered more than once by the Fodder and Grazing Committee of the Imperial Council of Agricultural Research and recommendations have been made to provinces. The Central Government propose to set up a grasslands Research Institute in the near future, if suitable land can be secured for the purpose.

The incidence of Government expenditure on cattle is difficult to work out, as it is sown partly under Veterinary and partly under Agriculture. A rough estimate shows that it is of the order of one anna per head per year in British India. Figures for other countries are not known.

Seth Govind Das: Will Government consider the question of controlling the fodder prices because in certain provinces these prices are not controlled and they are going up by leaps and bounds?

Sir Pheroze Kharegat: The matter is under Government's consideration at present.

Mr. Manu Subedar: Have Government ascertained the relative causes of the low quality of cattle in this country as compared with other countries? Apart from breeding, is it not due to malnutrition and if so what steps have Government considered to improve the nutrition of the cattle, with a view to improve their quality?

Sir Pheroze Kharegat: It is true that the cattle in India as a whole are very much poorer than in many other countries. That is due partly to climate and partly to inadequate feed. In a country where the human population is not having enough to eat, naturally the cattle also have not enough. The arrangements now being made for increasing food production will automatically result in increasing fodder production also.

Mr. Manu Subedar: The climatic condition has been there and yet Indian cattle have deteriorated. Is it not a fact that the owners of cattle having grown poor, people are not able to feed their cattle adequately and properly?

Sir Pheroze Kharegat: This is more or less what I said but it will be found that the cattle in the east of the country, that is on the Bengal side are very much poorer than those in the west, say, in the Punjab.

Shreejot Rohini Kumar Chaudhuri: Is it a fact that large areas of land kept in reserve for grazing purposes by the Government of Assam have been forcibly occupied by people from the neighbouring provinces and are still in their unauthorised occupation and that the Government has not been able to meet the situation for want of adequate police force?

Sir Pheroze Kharegat: Yes, Sir, there has been some encroachment on grazing lands in Assam by people coming from Bengal. It is understood that quite recently the Assam Government have taken action to try to remove some of these quarters.

Shri Sri Prakasa: Is it a fact that in the United Provinces, the landlords are bringing under cultivation large plots of *usar* (fallow) land which used to serve as grazing grounds for cattle before and if so, will Government take steps to prevent this?

Sir Pheroze Kharegat: Is not that a matter for the Provincial Government?

Seth Govind Das: Is not the British rule responsible for the malnutrition of human beings and cattle?

Mr. President: That question does not arise. Next question.

IMPROVEMENT OF CONDITIONS OF BETEL-NUT GROWERS.

1620. *Prof. N. G. Ranga: Will the Agriculture Secretary be pleased to state:

(a) when and how Government propose to set up a representative committee for betel-nut to improve the research and marketing facilities now available for the improvement of the conditions of betel-nut growers;

(b) whether Government propose to give adequate representation on that Committee to the All-India Betel-Nut Grower's Association and the Federation of Rural Peoples Organisations; and

(c) whether Government propose to invite the Provincial and States Governments interested to offer their contributions to the Rs. 3 lakhs fund created by the Finance Department and also to send their representatives to the Committee?

Sir Pheroze Kharegat: (a) The question is under consideration.

(b) Due consideration will be given to the various interests to be represented on the Committee if and when the proposals to set up a Committee materialise.

(c) In accordance with the principle generally followed in such cases the Provincial and State Governments concerned will be requested to make contributions towards the cost of individual schemes and to nominate representatives to the Committee when formed.

Prof. N. G. Ranga: It is not only in regard to individual schemes in which the concerned Governments and States are interested that I have put part (c) of this question. Will it not be possible for the Government of India to represent to them that they should also make a *pro rata* contribution to this three lakhs contribution that the Government of India is making in order to finance the activities of the proposed committee?

Sir Pheroze Kharegat: The Government of India are setting apart five lakhs of rupees and the system on which most of these committees work is that they give a grant to the province on condition that the province puts down an equal sum. In that way the total amount that becomes available will be of the order of ten lakhs of rupees.

As regards the States, however, the question of inducing them to levy a duty corresponding to the duty levied in British India is being taken up separately.

Shri Sri Prakasa: Have betel-nuts any nutritive value?

Sir Pheroze Kharegat: I suggest that this question may be addressed to the Health Department.

Shri Sri Prakasa: Has his Department made any analysis of it?

Mr. President: He has already said that the question may be addressed to the Health Department.

MUNICIPAL CANTONMENT BOARD WITH ELECTED MEMBERS.

1621. *Prof. N. G. Ranga: Will the Honourable the Leader of the House be pleased to state:

(a) if it is a fact that a town called Neemuch in the Central India States has been removed by an administrative order from the operations of the Cantonment Act of 1936;

(b) whether it is a fact that ever since the former Municipal Cantonment Board having an elected majority was automatically abolished a fully nominated Municipal Board has come to be formed in its place;

(c) the special reasons for thus abrogating the rights of the Neemuch public, and

(d) now that the war is over, whether Government will consider the advisability of reinstating the civil rights of the people?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) The Cantonments Act 1924 was withdrawn from the Neemuch Cantonment in 1936 as a result of troops no longer being stationed there.

(b) Yes, the Neemuch Cantonment Municipal Law, 1936, promulgated by the Crown Representative under the Indian (Foreign Jurisdiction) Order in Council provides for a nominated Municipal Committee. The present Committee consists of eight persons of whom four are non-officials.

(c) and (d). The Neemuch Cantonment Municipal Law is a temporary expedient for carrying on the administration of the area until the completion of the negotiations with the Gwalior Darbar for the retrocession of a portion of the Cantonment. These were interrupted on account of the war but will, it is expected, be resumed shortly. The Crown Representative considers that no useful purpose would be served by altering the existing municipal arrangements in the meantime.

Prof. N. G. Ranga: What are the difficulties, constitutional or otherwise in giving these people the same privileges which other areas are enjoying whether there are troops or not?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: As I have stated, it is contemplated that this Cantonment may be retroceded to the Gwalior Darbar and it will become part of the Gwalior State. In that case there is no use of altering the system while these negotiations are in progress.

Prof. N. G. Ranga: Is it not a fact that negotiations for retrocession have been going on with regard to Bangalore, Secunderabad and other places? What is the constitutional position? Is not the Crown Representative obliged to take this House into consultation, or any other public body in this country into consultation before he gives away certain portions of British India to Indian States?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: They are not portions of British India.

Prof. N. G. Ranga: Is it not a fact that Secunderabad, Bangalore, and Neemuch belong to British India and not to Indian States?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: They are very much part of the Indian States.

Prof. N. G. Ranga: What about Bangalore and Secunderabad?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Notice.

REPRESENTATIONS TO COMBINED FOOD BOARD AND DISTRIBUTION OF FOODGRAINS

1622. ***Prof. N. G. Ranga:** Will the Food Secretary be pleased to state:

(a) the results of the Government's representations to the Combined Food Board for supply of foodgrains to India;

(b) how much of the foodgrains asked for and allotted to India are in rice and wheat, and from what countries; and

(c) what arrangements (plans regarding supplies by road, rail, and shipping) are being made for the shipment and conveyance of the foodgrains to be obtained through the Combined Food Board to the places which are so badly in need of food in Southern and Western India?

Mr. B. R. Sen: (a) and (b). No firm allotment of foodgrains to India, showing sources of supply, has yet been made by the Combined Food Board. Indications, however, are that 1.4 million tons of wheat including wheat substitutes will be programmed for us in the first six months of 1946 and 145,000 tons of rice in the 2nd quarter of 1946.

(c) Shipping arrangements are at present under discussion with H. M. G. As regards internal arrangement in India the Food Department are making a plan of distribution, assuming the supplies indicated in the answer to the first part of the question, and are actively concerting measures with the War Transport Department and the Provincial Governments for the adequate handling, storage and transport from ports to destinations of the supplies expected.

Prof. N. G. Ranga: Has the attention of the Honourable Member been drawn to the news which appeared two days ago that Argentina has agreed to place about 150,000 tons of wheat at the disposal of U.N.R.R.A., and much more to be placed a little later on? If so what do the Government of India propose to do to try to get a portion of whatever wheat Argentina places at the disposal of U.N.R.R.A. for the share of India?

Mr. B. R. Sen: The whole matter is under consideration.

Dr. Sir Zia Uddin Ahmad: When are the Government expecting supply of foodstuffs and at what price, will they be sold?

Mr. B. R. Sen: We should be getting in supplies from May and the prices are not yet indicated.

Prof. N. G. Ranga: What is the financial position in regard to this? Who pays for the supplies? Is it the Central Government? If so, do they take any part of the price from the Provincial Governments?

Mr. B. R. Sen: The supplies are paid for by the Provincial or State Governments concerned. The question whether any part of the cost should be borne by the Central Government is under consideration.

Sri M. Ananthasayanam Ayyangar: From what countries is this wheat to be imported into this country?

Mr. B. R. Sen: The sources have not yet been indicated to us.

Mr. Manu Subedar: Do I understand the Honourable Member to say that out of 150,000 tons of wheat going to U. N. R. R. A. from Argentina some portions may come to this country? I think the Honourable Member previously told us that we would never get anything from U. N. R. R. A.

Mr. B. R. Sen: The question whether there should be any direct negotiation with Argentina is under consideration.

Prof. N. G. Ranga: I am afraid my Honourable friend has misunderstood my question. What I mean is this. This U. N. R. R. A. is carrying on negotiations with Argentina. Argentina has already agreed to place as a first instalment 150,000 tons of wheat and much more in the near future. Are any steps being taken by the Government of India to contact U. N. R. R. A. and see that a portion of this additional wheat which is being placed at the disposal of U. N. R. R. A. is given to us?

Mr. B. R. Sen: I have already explained before that we are not making our approach to the Combined Food Board through U. N. R. R. A. We are making the approach direct. If we are to get any wheat from Argentina, we shall either have to apply to the Combined Food Board or negotiate direct as circumstances dictate.

Mr. President: Prof. Ranga's question is "did Government make any approach direct to U. N. R. R. A."?

Mr. B. R. Sen: The answer is in the negative.

Prof. N. G. Ranga: What is the objection to approaching U. N. R. R. A. in view of the fact that Argentina is a Member of U. N. R. R. A. while she is not a member of the Combined Food Board?

Mr. B. R. Sen: The reason, as has been explained more than once, is if we get any share from the allotment given to U. N. R. R. A., our share from the Combined Food Board will be reduced correspondingly.

Prof. N. G. Ranga: May I ask the Honourable the Leader of the House to explain the position? He is the latest expert.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I do not get this question as an expert, latest or otherwise. I should like to explain that if U. N. R. R. A. approaches Argentina for any further surplus, it does so with the approval of the Combined Food Board. U. N. R. R. A. is not a competitor in that sense and to the extent that U. N. R. R. A. obtains it from Argentina, to that extent, the allocation by the Combined Food Board would be decreased and therefore there is no point in our applying to U. N. R. R. A., because all these are shown in one account. Though Argentina is only a Member of U. N. R. R. A. and not of the Combined Food Board, yet Argentina has her obligations to the Combined Food Board. Whatever Argentina gives to U. N. R. R. A. is a matter which will be taken into account by the Combined Food Board in its allocation to U. N. R. R. A. and other countries such as India which have applied for allocation. Therefore we do not stand to gain anything by asking U. N. R. R. A. when we are in a position to get a direct share either from Argentina or otherwise through the Combined Food Board.

Mr. Manu Subedar: Is it not a fact that we are not eligible to get this relief from U. N. R. R. A., apart from what my Honourable friend said?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is so. U. N. R. R. A. is only to look after the liberated enemy occupied territories and for those who are not in a position to pay for what they can get.

PLAN FOR MONOPOLY PROCUREMENT OF FOODGRAINS.

1623. ***Prof. N. G. Ranga:** Will the Food Secretary be pleased to state:

(a) if he has seen the latest press communique of the Madras Government regarding their plan for introducing Government monopoly procurement of foodgrains in all districts including surplus districts, as published in the *Hindu* of the 17th March, 1946;

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(b) if this plan had been previously submitted to the Government of India and considered by them; and if so, when; and

(c) whether Government have noticed the absence in that plan of any provision for constituting Food Councils, or Advisory Bodies consisting of producers, consumers, etc., as was recommended by the Legislative Assembly in November 1944 and again in 1946 in its resolutions on food and accepted by the Government?

Mr. B. R. Sen: The attention of the Honourable Member is invited to the answer given to his question No. 1519, on the 3rd April, 1946.

Dr. Sir Zia Uddin Ahmad: What is the position in U. P. with regard to compulsory procurement of foodgrains?

Mr. B. R. Sen: I am not in a position to disclose the latest position. The matter is under discussion with the new Ministry.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that a communique has already been issued and it is no more confidential.

Mr. B. R. Sen: No, Sir, not that I am aware of.

Sri M. Ananthasayanam Ayyangar: Are similar procurement measures adopted in the Punjab?

Mr. B. R. Sen: The Punjab Government are reviewing their procurement system and I have seen a Press report to the effect that the Punjab Government are still examining the details of a levy.

Diwan Chaman Lall: Will that be under the authority of the Government or under the authority of a private syndicate which is making profits?

Mr. B. R. Sen: It implies that the producers will hand over part of their produce direct to Government.

Diwan Chaman Lall: Is it the position, then, that the syndicate which is now operating will cease to exist?

Mr. B. R. Sen: I am not aware of any syndicate in the Punjab.

Diwan Chaman Lall: Is my Honourable friend aware that in the city of Lahore there is a syndicate of which unfortunately one of the Ministers of the previous Government was also a shareholder and purchases are made through it?

Mr. B. R. Sen: The syndicate that the Honourable Member is talking of must be the one for distribution of supplies for rationing purposes.

INSTITUTIONS FOR PROCUREMENT OF VILLAGE SURPLUSES IN FOODGRAINS

†1624. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state.

(a) why the Government of India have failed to insist upon the constitution of the Food Advisory Councils by the Madras Government which are intended to eliminate harassment of peasants, starvation of villages for the benefit of towns by taking away much more grain from villages than what they can afford and also corruption, middle-men's profiteering, etc.; and

(b) in view of the great stress laid by the Assembly on both the occasions referred to in part (c) of the preceding question upon the need for eliminating profiteering by middlemen, including rice-mill factory owners, why Government have allowed the Madras Government to appoint wholesale dealers as agents, instead of utilizing the co-operative agencies, Village Panchayats and other popular agencies, for the purchase of village surpluses of foodgrains; whether Government have noticed in the *Hindu* of the 15th March the report of the Mitrasidars' complaining against the intention of these middlemen and their profits and also the need to allow them profits to make them "work with zeal"?

Mr. B. R. Sen: The attention of the Honourable Member is invited to the answer given to his question No. 1520, on the 3rd April, 1946.

†Answer to this question laid on the table, the questioner having exhausted his quota.

REPRESENTATION OF KISANS ON FOOD ADVISORY COUNCIL

†1625. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) if there are any representatives of land holding peasants and landless peasants (both known as Kisans) as distinguished from the big landlords and Jagirdars on the Food Advisory Council; if so, how they compare in number to the other members, supposed to represent the agriculturists and who they are;

(b) if no representation is so far given to Kisans or no adequate representation is given, whether Government propose to consider the advisability of giving adequate representation to the real spokesmen of Kisans on this Council, especially to win the confidence and co-operation of actual food producers; and

(c) whether Government also propose to consider the advisability of holding joint meetings of the Standing Committee of the House for Food and Agricultural Departments and the Central Food Advisory Council at frequent intervals, say, once a month, until the present food famine crisis is over for the free exchange of experiences and ideas between the members of the Legislature and the Departments concerned and for devising, from time to time, emergent, practicable plans for tackling the food famine?

Mr. B. R. Sen: (a) There are a number of representatives of producers on the Central Food Advisory Council, though none of them belongs to the peasants or land-less peasants class.

(b) and (c). Government are already examining these suggestions.

CONSTITUTION OF DELHI MUNICIPALITY

1626. *Pundit Thakur Das Bhargava: Will the Health Secretary kindly state:

(a) if it is a fact that the Delhi Municipality has an official President;

(b) the total number of members in the Committee, and how many of them are nominated;

(c) the reasons why Government do not provide for the appointment of a non-official President;

(d) the reasons why it is necessary to have members (other than experts) who are nominated by Government;

(e) whether Government are aware of the public demand to have a non-official President of the premier Municipality of Delhi; and

(f) whether Government propose to see that the Delhi Municipality is in future presided over by a non-official President and that it consists of elected members only except for experts in Health and Engineering?

Mr. S. H. Y. Oulsnam: (a) Yes.

(b) There are 44 members in the Committee of whom seven are nominated.

(c), (e) and (f). Government are aware that a section of the public is not in favour of the continuance of the present arrangement. They will consider the suggestion.

(d) To provide representation for interests which cannot secure representation through election.

Seth Govind Das: Why has the Delhi Municipality still got an official President?

Mr. S. H. Y. Oulsnam: It has always had an official President.

Seth Govind Das: But many municipalities which had official Presidents in the past have non-official Presidents now. Why are not Government making a change in the Delhi Municipality?

†Answer to this question laid on the table, the questioner having exhausted his quota.

Mr. S. H. Y. Oulsnam: I have already said that Government will consider the suggestion.

Shri Mohan Lal Saksena: Is it not a fact that this question has been pressed in this House for many years past?

Mr. S. H. Y. Oulsnam: I am not aware of it.

Shri Mohan Lal Saksena: Since when has the Honourable Member taken up this question for consideration?

Mr. S. H. Y. Oulsnam: Since the previous question put by the Honourable Member earlier in this Session.

Shri Mohan Lal Saksena: How far has that consideration gone and when can a decision be expected?

Mr. S. H. Y. Oulsnam: I cannot say when a decision will be arrived at.

Shri Mohan Lal Saksena: What are the considerations that the Honourable Member has to take into account before sanctioning a non-official President for this municipality?

Mr. S. H. Y. Oulsnam: All the relevant considerations.

Mr. Ahmed E. H. Jaffer: May I know why there is an official President for the Delhi Municipality? Is it because the Honourable Member thinks that an official is in a better position to carry on the proceedings of the House than a non-official President? It appears to me that that is rather

Mr. President: Order, order. The Honourable Member is not putting his question. Next question.

CONSTITUTION OF NEW DELHI MUNICIPALITY

1627. *Pundit Thakur Das Bhargava: Will the Health Secretary kindly state:

(a) if the Municipality of New Delhi has an official President and that all the members of the Committee are nominated by Government;

(b) why Government do not introduce the principle of election in the Municipality of New Delhi; and

(c) whether Government are aware of the public demand that, in view of New Delhi being the capital of India and the persons inhabiting New Delhi being highly civilised and politically-minded, New Delhi Municipality should have an elected non-official President and that all its members except experts should be elected?

Mr. S. H. Y. Oulsnam: (a) Yes.

(b) and (c). Government will consider the suggestions.

Diwan Chaman Lall: Will the Honourable Member take this matter a little more seriously and inform the House as to the actual steps that Government have taken so far in considering this matter?

Mr. S. H. Y. Oulsnam: Government have asked the Chief Commissioner to consider the matter and let them have his views on it.

Shri Sri Prakasa: Who are the official Chairmen—I do not want their names but their official designations—of the Delhi and New Delhi Municipalities.

Mr. S. H. Y. Oulsnam: The Chairman of the Delhi Municipality is the Deputy Commissioner and the Chairman of the New Delhi Municipality is the Chairman of the Delhi Improvement Trust.

Prof. N. G. Ranga: How are these gentlemen picked up for nomination in the New Delhi Municipal Committee?

Mr. S. H. Y. Oulsnam: Government consider them the most suitable persons.

Shri Sri Prakasa: Even if the Delhi Municipality continues to have an official Chairman, will the Honourable Member consider the desirability of not having the present Deputy Commissioner as Chairman of that body and nominate some one else?

Mr. S. H. Y. Oulsnam: Yes, Sir, I will take note of that suggestion.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware that there are large numbers of complaints against the Chairman of this New Delhi Municipal Committee? If so, will he see that a non-official Chairman is appointed immediately?

Mr. S. H. Y. Oulsnam: I am not aware of any complaints. If the Honourable Member will let me have particulars, I will look into them.

CONSTITUTION OF DELHI DISTRICT BOARD.

1628. *Pundit Thakur Das Bhargava: Will the Health Secretary kindly state:

(a) if it is a fact that the District Board of Delhi has an official President and an official Secretary;

(b) the total number of members, and how many out of the same are nominated; and

(c) the reasons why Government do not provide for non-official Presidentship of the District Board?

Mr. S. H. Y. Oulsnam: (a) Yes.

(b) There are 21 members in the Board of whom five are nominated.

(c) Government will consider the suggestions.

Shri Mohan Lal Saksena: May I know who the Chairman of this District Board is?

Mr. S. H. Y. Oulsnam: I am sorry I have not got that here; I will let the Honourable Member know later.

Shri Mohan Lal Saksena: Is not the Deputy Commissioner the Chairman of the District Board also?

Mr. S. H. Y. Oulsnam: I am not certain.

DUTIES AND POWERS OF PANCHAYATS IN DELHI PROVINCE.

1629. *Pundit Thakur Das Bhargava: (a) Will the Health Secretary kindly state if there are any Panchayats in the Delhi Province in the rural areas with civil and criminal powers?

(b) Is there any Panchayat Act in force in the Province? If so, what powers do their Panchayats possess, and what are their duties?

Mr. S. H. Y. Oulsnam: (a) No.

(b) The Punjab Village Panchayat Act, 1921, was extended to the Province of Delhi in May 1939 but no panchayats have so far been formed.

Prof. N. G. Ranga: Why have no panchayats been so far appointed?

Mr. S. H. Y. Oulsnam: I understand there has been no demand for them.

Shri Mohan Lal Saksena: If there is no demand, why was this Act extended to Delhi Province in 1939?

Mr. President: I think the demand has to be made after the Act is applied and not before?

Shri Mohan Lal Saksena: Was not this Act passed in 1921? If they extended it to Delhi after 18 years, will they take another twenty years to form panchayats here?

Mr. S. H. Y. Oulsnam: In view of the suggestions made by Honourable members I will certainly have the matter examined.

Shri Sri Prakasa: Does the Honourable Member always do a good thing after the demand is made?

(No reply was given.)

AUTUMN SESSION OF LEGISLATIVE ASSEMBLY AT SIMLA

1630. *Mr. Ahmed E. H. Jaffer: Will the Honourable the Leader of the House please state if Government propose to hold, in future, the Autumn Sessions of the Legislative Assembly at Simla, as was the practice before the War? If not, why not?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The decision to discontinue the holding of Sessions of the Central Legislature in Simla after 1939 was taken before the war and for reasons in no way connected with the war. The decision with the reasons for the same was announced in a Press Communique, dated the 25th May, 1939, a copy of which is laid on the table. It is not the intention of the present Government to re-open the question.

Press Communique.

The Government of India have lately had under consideration the matter of the move of the offices of Government to Simla. In considering the question they have been influenced by the serious overcrowding in Simla and by the prospect of this problem being made more acute when the new and much larger Federal Legislature comes into being. As long as a Summer Session of the Legislature is held in Simla, there appears to be no possible solution of the problem which is consistent with efficiency and despatch of Government business. The first decision, therefore at which the Government of India have arrived is that in future the second annual Session of the Legislature should be held in Delhi in the autumn between the middle of September and the first part of November, the actual date being dependent on the amount of business to be transacted. The stay of the Government of India in Simla having been thus reduced from 6 to 4 or 4½ months, it is considered no longer to be necessary that the full strength of the Departments of Government should be in Simla and it has been decided to introduce the following system:

(1) all officers of the Secretariat will still be required to move to Simla with the exception of those who remain in Delhi in order to supervise the working of the offices;

(2) the strength of the ministerial staff moving to Simla will be reduced to about 20 per cent. of the total;

(3) the heads of certain attached offices of the Government of India and probably certain other officers of attached offices will continue to be required to move with the Government of India, but they will normally be accompanied to Simla only by a camp office;

(4) officers not required to move with Government will be permitted a period of recess in Simla under rules which will be published later.

These arrangements will not apply to Army Headquarters. A rough estimate of the effect of these decisions is that about 50 officers, 1,200 clerks and 500 inferior servants, who at present move to Simla, will remain in Delhi.

Certain capital expenditure will be necessary in order to make the Council House, the Secretariat and residential buildings in Delhi more suitable for use in the hot weather. The total of such expenditure is not likely substantially to exceed Rs. 11 lakhs. Government also propose to resume the interrupted programme for the construction of residences in New Delhi for officers and clerks. The recurring annual saving, which it is estimated that the new arrangements will produce, amounts to between 6 and 7 lakhs.

HOME DEPARTMENT:

Simla, the 25th May, 1939.

(For publication in the morning papers of Thursday, the 25th May, 1939.)

Mr. Ahmed E. H. Jaffer: Does it mean that the future Government alone can reopen this question?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I cannot say anything about the future Government. I can only say that it is not the intention of the present Government to reopen the question.

Mr. Ahmed E. H. Jaffer: When is it proposed to hold the next Session of this House?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I have no information. Government have not come to a decision and this is a matter for the Viceroy.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware of the rumour prevalent in this House that a Session will be summoned in July? If so, will it not be inadvisable to hold it in Delhi and it should be held in Simla?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I do not take any notice of rumours that circulate in the lobbies of this House.

COMMERCIAL ENGINEERING OR MEDICAL COLLEGE IN DELHI PROVINCE

1631. *Pundit Thakur Das Bhargava: Will the Education Secretary kindly state:

(a) if there is any Commercial Engineering or Medical College in the Delhi Province; and

(b) the steps which Government have taken to secure facilities for education in Commerce, Engineering or Medicine for students of the Delhi Province in other Provinces, and how far such facilities were availed of during the last four years?

Sir John Sargent: The answers to the two parts of the Honourable members' question are respectively:

(a) There is one Commercial College, affiliated to the Delhi University in the Province. There is no Engineering College but there is one Medical College for Women only in the Province.

(b) The question does not arise as far as Commercial Education is concerned.

In regard to education in Engineering the Central Government secured facilities for the admission of students of the Delhi Province into the following institutions.

Thomason College of Civil Engineering, Roorkee (United Provinces) and the Government School of Engineering, Rasul, Punjab, reserve one and three seats per session respectively for students of Delhi Province. The Punjab College of Engineering and Technology, Lahore, also reserves one seat per session since 1945-46. These facilities were availed of in the Thomason College of Civil Engineering, Roorkee, in full during the years 1943-44 but during the years 1942 and 1945 none of the candidates selected from the Province qualified at the Entrance examination. Facilities were availed of in the Government School of Engineering, Rasul, Punjab, by nine students during the last four years and by one student at the Punjab College of Engineering and Technology, Lahore, during 1945-46.

As regards Medical Education, The King Edward Medical College, Lahore, and the Glancy Medical College, Amritsar, reserve three seats and one seat per session respectively, for students from Delhi Province. All these facilities have been availed of in full during the last four years.

Dr. Sir Zia Udin Ahmad: Is the Honourable Member aware that the Aligarh University admits about 15 students every year—both Hindus and Muslims—in the Engineering College there, from Delhi Province?

Sir John Sargent: Yes, I am aware that a number of Delhi students do succeed in getting admission into the Aligarh University.

MONTHLY GRANT TO INDIAN FEDERATION OF LABOUR

1632. *Shri Satya Narayan Sinha: (a) Has the attention of the Honourable the Labour Member been drawn to the report published in the Sunday Morning Edition of the *National Call*, dated the 24th March regarding the data available in connection with the monthly grant of Rs. 13,000 for labour propaganda to the Indian Federation of Labour?

(b) Is it a fact that, when the pay of the propagandists had decreased, the cost of dissemination of news has proportionately increased?

(c) Is it a fact that the keeping of the accounts was severely criticised by the Auditor-General who has not satisfied with the accounting system?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) The statement of accounts of the Indian Federation of Labour which I placed before the House on 19th March, 1946, shows that variations in the

expenditure, resulting in decreases under the heading relating to the 'pay of propagandists' and corresponding increases under the heading relating to 'dissemination of news' occurred in the months of May, June and July 1945. These variations were merely due to changes in the classification of headings of expenditure, introduced in April 1945, consequent on the transfer of control over the operations of the Labour propaganda scheme from the Information and Broadcasting Department to the Labour Department, whereby the expenditure on allowances to propagandists in charge of labour centres, workers clubs and other agencies of news dissemination, which was hitherto shown under the heading 'pay of establishment' was shown, from May 1945 onwards, under the heading 'honoraria for news dissemination'. The overall expenditure under the heading relating to 'pay of propagandists' and 'dissemination of news' during these months, however, remained almost the same as in the preceding months.

(c) The attention of the Honourable Member is invited to my answer to first part of (b) and (d) of question No. 31, asked by Mr. Lalchand Navalrai, on 2nd November, 1945, and also to para. 68 of the Report of the Public Accounts Committee on the accounts of 1943-44.

Shri Satya Narayan Sinha: What has happened after that? Will the Honourable Member be pleased to place all these accounts before the Public Accounts Committee? It is a waste of public money, I believe.

The Honourable Dr. B. R. Ambedkar: It was considered by the Public Accounts Committee, and, as I have said in my reply, Honourable Member's attention is invited to para. 68 of the Report of the Public Accounts Committee on the accounts of 1943-44.

Diwan Chaman Lall: May I ask my Honourable friend as to what the position is after 1945 and whether this grant has now been discontinued?

The Honourable Dr. B. R. Ambedkar: It has been discontinued.

Diwan Chaman Lall: What was the position between 1945 and its discontinuance?

The Honourable Dr. B. R. Ambedkar: I have not got the information, but if my Honourable friend will put down a question I shall answer it.

Diwan Chaman Lall: Is it a fact that the accounts were vetted at the time when this grant was discontinued?

The Honourable Dr. B. R. Ambedkar: I must have notice of that.

Diwan Chaman Lall: My Honourable friend does not know whether they were vetted after that?

The Honourable Dr. B. R. Ambedkar: I could not tell you.

Shri Satya Narayan Sinha: Will the Honourable Member look into the whole matter?

The Honourable Dr. B. R. Ambedkar: I have. What more can I do?

Mr. Manu Subedar: What is the present amount of the expenditure on labour propaganda through Indian Federation of Labour?

The Honourable Dr. B. R. Ambedkar: As I have said, the grant has been discontinued.

Shri Mohan Lal Saxena: May I know when was it discontinued?

The Honourable Dr. B. R. Ambedkar: Last year, if I mistake not.

Miss Maniben Kara: Is it not true that the accounts were submitted by the Indian Federation of Labour according to the procedure laid down by the Department of Information and Broadcasting at the time that the grant was made?

The Honourable Dr. B. R. Ambedkar: I believe so.

Prof. N. G. Ranga: Is it not a fact that the Indian Federation of Labour did not lay down their procedure for a long time even after the grant was made, and the Auditor General took very strong objection to the procedure followed by the Department itself?

The Honourable Dr. B. R. Ambedkar: As I said in the course of my reply, this grant was really administered by the Information and Broadcasting Department. It was at a later stage that the administration was transferred to the Labour Department.

Diwan Chaman Lall: Why?

Miss Maniben Kara: Is it not true that prior to May 1944, the Federation was asked to dispense with submitting of the vouchers and they were asked merely to submit the accounts and also whether the Indian Federation of Labour did not do so according to the instructions of that Department?

The Honourable Dr. B. R. Ambedkar: I am unable to say. The matter was administered by another Department.

Miss Maniben Kara: Is it not a fact that the grant has now been stopped as a result of the termination of the war?

The Honourable Dr. B. R. Ambedkar: Yes, I said so.

Prof. N. G. Ranga: How many of those people who were formerly engaged as propagandists for 'dissemination of news' under this grant have come to be absorbed by the Information and Broadcasting Department?

The Honourable Dr. B. R. Ambedkar: The question ought to be put to the Honourable Member for Information and Broadcasting Department.

Shri Mohan Lal Saxena: May I know whether the grant terminated before the termination of the war or afterwards?

The Honourable Dr. B. R. Ambedkar: I cannot say exactly.

Shri Mohan Lal Saxena: Was it not terminated last year—in April 1945?

The Honourable Dr. B. R. Ambedkar: Yes.

Diwan Chaman Lall: May I ask my Honourable friend whether the final accounts have been placed before the Public Accounts Committee?

The Honourable Dr. B. R. Ambedkar: They will be placed before the Public Accounts Committee in due course I am sure.

Mr. Ahmed E. H. Jaffer: Is it not a fact that this amount of Rs. 80,000 was misused? It was not used for the purpose for which this Government had allotted this money; and that it was used for the Honourable Member's party propaganda.

The Honourable Dr. B. R. Ambedkar: I must take strong objection to the statement made by my Honourable friend that this money was spent on party propaganda. You must withdraw that.

Mr. President: Order, order.

Prof. N. G. Ranga: He did not say that.

The Honourable Dr. B. R. Ambedkar: Yes, he did.

Mr. Ahmed E. H. Jaffer: Let the Honourable Member deny it on the floor of the House and not lose his temper.

Mr. President: Order, order. Will the Honourable Member resume his seat? The Honourable Member is not in order in saying that the Honourable Member for Labour was in temper.

Mr. Ahmed E. H. Jaffer: May I ask, is the Honourable Member entitled to lose his temper which he usually does in the House?

Dr. Sir Zia Uddin Ahmad: The Honourable Member said that he strongly protests against such questions. Are these parliamentary words?

The Honourable Dr. B. R. Ambedkar: I said I strongly protest against the suggestion made by my Honourable friend that this money was used for the party to which I belong. I do not belong to the Indian Labour Federation.

Mr. President: I have not been able to understand the objection of Dr. Sir Zia Uddin.

Dr. Sir Zia Uddin Ahmad: Can the Honourable Member say: 'I strongly protest against any particular question'?

Diwan Chaman Lall: May I ask whether it is a fact that this money was utilized for the propaganda of the Indian Federation of Labour?

The Honourable Dr. B. R. Ambedkar: I cannot say. So far as Government information goes, it was used for the purposes for which it was granted.

Diwan Chaman Lall: May I ask my Honourable friend whether it is a fact that honest and decent organisations like the All-India Trade Union Congress refused to touch a single penny of such money?

The Honourable Dr. B. R. Ambedkar: My Honourable friend is entitled to have his own opinion with regard to certain organisations.

Diwan Chaman Lall: Is it a fact that my Honourable friend approached the All-India Trade Union Congress in this respect and that the All-India Trade Union Congress refused to touch this money?

The Honourable Dr. B. R. Ambedkar: We approached all organisations. It was a general circular addressed to all organisations that if they care to come and have a scheme for maintaining the morale of labour, the Government of India was prepared to help in this respect. The Government of India did not invite any particular organisation to join this scheme.

Diwan Chaman Lall: Is it a fact that the only organisation that did come to my Honourable friend and make use of this money was the Indian Federation of Labour?

The Honourable Dr. B. R. Ambedkar: Yes.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member now satisfied at any rate by the discussion that has taken place as a result of so many supplementary questions, that this money has not been properly used and that there is a suspicion. In view of this, will the Honourable Member appoint a non-official auditor to look into the accounts of this amount?

The Honourable Dr. B. R. Ambedkar: I do not think it is necessary to do so. The matter will come before the Public Accounts Committee which is the committee appointed by this House.

Diwan Chaman Lall: May I ask why has the Honourable Member delayed placing this matter before the Public Accounts Committee

The Honourable Dr. B. R. Ambedkar: It has not been delayed.

Diwan Chaman Lall: considering that this expenditure ceased last year?

The Honourable Dr. B. R. Ambedkar: It has not been delayed. It has been put before the Public Accounts Committee.

Diwan Chaman Lall: Why has it not been put before it so far?

Mr. President: Next question.

PROPOSAL TO APPOINT EUROPEANS IN I. M. S.

1633. *Prof. N. G. Ranga: (a) Will the Health Secretary be pleased to state whether it is a fact that there are eighteen posts yet to be filled in the Indian Medical Service?

(b) Is it proposed to fill them with Europeans?

(c) Are Government aware that the former Director General of Medical Services (Maj. Gen. Hance) has recently written to the present Director General of Indian Medical Service that these posts should be filled by Europeans before the advent of the National Government and has also mentioned that Surgeon General of Bengal is also worried about the prospects in case these posts are not filled by Europeans?

(d) Is this correspondence private or official?

(e) Do Government propose to give an assurance that these posts will not be filled by Europeans until the new Government comes in and examines the whole question?

Mr. S. H. Y. Oulsnam: (a) There are four vacant posts in the Bengal I.M.S. cadre which are to be filled by European I.M.S. Officers.

(c) No.

(d) Does not arise.

(b) and (e). Appointments to these posts are not made by the Government of India but by the Provincial Government in accordance with rules made by the Secretary of State.

FOREIGN EXPERTS IN FOOD DEPARTMENT

1634. *Mr. G. B. Dani: Will the Food Secretary be pleased to state:

(a) the number of foreign experts employed in the Food Department of the Government of India;

(b) the designation, pay, allowances, other privileges, if any, list of duties, academic qualifications, experience, dignity of previous appointments, list of duties of such previous appointments and pay of each post held either in India or abroad, in respect of each foreign expert; and

(c) the period limit by which these expert will be replaced by Indians?

Mr. B. R. Sen: (a) There is only one foreign expert Mr. W. H. Kirby, Rationing Adviser at present employed in the Food Department.

(b) and (c). Full information about this officer was given in reply to starred question No. 1395, of Pandit Mukut Bihari Lall Bhargava, on 29th March, 1946.

Prof. N. G. Ranga: May I know whether you call him an expert or not? Is it not a fact that there are a large number of foreigners who are employed in the Food Department?

Mr. B. R. Sen: The question does not arise.

Mr. G. B. Dani: May I know if the Honourable Member has trained any Indian for this job?

Mr. B. R. Sen: We have been looking for an Indian to take his place in due course, but the difficulty, as I have already explained to the House, is that all the best officers of Government trained in ration are now required by the Provincial Governments themselves. That is why we have not been able to get an Indian to take his place but the term of this officer will come to an end some time next year and the whole position will be reviewed then.

Shri Sri Prakasa: Did the Honourable Member employ any food taster?

Mr. B. R. Sen: When the occasion comes, I shall require the services of the Honourable Member.

JUNIOR READERS IN GOVERNMENT PRESSES.

†1635. *Hajee Chowdhury Mohammad Ismail Khan: (a) Will the Honourable the Labour Member be pleased to state the basis on which officiating Junior Readers are confirmed in the permanent posts of Junior Readers, in all the Government of India Presses?

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

(b) Is it a fact that the nature of the duties and the cadre of Copyholders are quite different from those of Junior Readers?

(c) Is it a fact that some officiating Junior Readers who entered the Junior Reader's grade earlier, have been declared junior in the Junior Reader's grade, to some of the Copyholders who failed to qualify in the Readership Examination in which they appeared along with the former, in any Government of India Press?

(d) Is it a fact that the order by which the qualified Copyholders are once allowed to work in the Junior Reader's posts can be altered if they continue to maintain their efficiency to the utmost satisfaction?

(e) Do Government propose to consider the desirability of giving preference in the permanent posts of Junior Readers, to those qualified Copyholders who have more length of total service as officiating Junior Readers at their credit?

The Honourable Dr. B. R. Ambedkar: (a) Confirmation is made according to seniority in the rank of copyholders except in the case of men who have qualified in the reader's examination in the third chance for whom certain reservations have been made.

(b) Yes.

(c) Yes.

(d) Yes, unless the junior copyholder is confirmed earlier.

(e) No. The present rules have been framed after full consideration.

PAY OF JUNIOR READERS IN GOVERNMENT PRESS, NEW DELHI

†1636. ***Hajee Chowdhury Mohammad Ismail Khan:** (a) Will the Honourable the Labour Member be pleased to state whether the scale of pay of the New Scale Junior Readers is Rs. 55-3-85 and that of Copyholders Rs. 45-5-60-55-5-80 (in the 'C' grade of the Unified Scale), in the Government of India Press, New Delhi?

(b) Is it also a fact that anomalies still exist between the pay of Junior Readers and that of Copyholders because a permanent Junior Reader with four or five year's service as such at his credit is getting Rs. 64 per month only, whereas a temporary Copyholder, officiating as a Junior Reader would be getting Rs. 67 per month?

(c) Is it a fact that the Manager of the said Press had recommended 'B' grade, after a very careful consideration, to Junior Readers, which being the only alternative of removing the existing anomalies?

(d) Does the Honourable Member propose to sanction 'B' grade of the unified scale for Junior Readers at an early date for the purpose of removing these anomalies? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) A permanent junior reader on revised scale of pay is entitled to Rs. 64 p.m. after four years' service and to Rs. 67 p.m. after five years' service. In certain cases a temporary Copyholder in the unified scale, if appointed as reader, is entitled to Rs. 67 p.m.

(c) Yes.

(d) The unified scale is a temporary scale and was intended for the clerical staff of the Government of India. It was made specially applicable to the Copyholders and Junior Revisers of the Government of India Presses. The application of the 'B' Grade of the unified scale would create more anomalies and complications as there are several grades of readers on different rates of pay in the various Government of India Presses.

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

1637. ***Pandit Mukut Bihari Lal Bhargava:** (a) Will the Food Secretary lay on the table of the House a statement of quotas of wheat, rice, maize and other foodgrains allotted to factories manufacturing starch, biscuits, flakes and other allied products in the country both for industrial and non-industrial purposes during the years 1944, 1945, and 1946?

(b) In view of the acute food situation in the country, will Government consider the advisability of putting restrictions on further allotment of such quotas, so as to reduce the same to the absolute minimum, thereby conserving the maximum quantity of the grains for the purposes of food?

Mr. B. R. Sen: (a) No quotas of rice have been allotted by the Food Department to any factories during the years 1944, 1945, 1946.

As regards maize, the following quotas were allotted to Starch Factories

1944—39,351 tons.

1945—46,976 tons.

1946—A quota was allotted which has been subsequently cancelled completely.

No quota of wheat was allotted to any factories in 1944 and 1945. A small quota of 1,000 tons was, however, allotted at the end of 1945 for 1946 to certain biscuit factories which were previously in production for the manufacture of biscuits for the Defence Services, whose demand has now been withdrawn. In fact, however, only 300 to 400 tons of this quota has been delivered to the factories.

(b) The Food Department have already reduced the quotas to the absolute minimum, as shown by the cancellation of the entire maize quota for the starch factories.

Prof. N. G. Ranga: In view of the fact that it has been proved to be possible to manufacture starch out of tamarind seeds, why is it that the Government of India still continue to allot maize and other foodgrains for this purpose of manufacturing starch instead of depending on tamarind seeds?

Mr. B. R. Sen: This year the entire allotment has been cancelled and the foodgrain is being allotted to starch factories by the Government of India.

Mr. Manu Subedar: Are Government aware that starch factories in Indian States are still operating on foodgrains?

Mr. B. R. Sen: We have received information to that effect and we are taking all possible steps to control the use of foodgrains in those starch factories.

Mr. Manu Subedar: Is the foodgrains referred to includes every other kind of grain which could be used for human food?

Mr. B. R. Sen: Up till now the only foodgrain allowed to starch factories is maize.

SCALE OF PAY AND SUPPLY OF RATION TO POLICE CONSTABLES IN AJMER-MERWARA

1638. ***Pandit Mukut Bihari Lal Bhargava:** (a) Will the Food Secretary please state the scale of pay of a police constable and a Head constable in Ajmer-Merwara and the dearness allowance he is getting?

(b) Is it a fact that ration supply of the Police constables and Head Constables at Ajmer for the month of February, 1946, lasted up to the 25th February, 1946, only?

(c) Is it a fact that the Police Constables and Head Constables in Ajmer had to go without ration up to the 4th March, 1946?

(d) Is it a fact that some of the constables in the parade fell down as they had been hungry for a number of days before the incident took place? If so, who was responsible for the non-supply of ration to these persons in time, and

what steps do Government propose to take to ensure regular supply of ration to these persons in future?

Mr. B. R. Sen: The question should have been addressed to the Honourable the Home Member. It has accordingly been transferred to the list of questions for the 15th April, 1946, when it will be answered by the Honourable the Home Member.

REPRESENTATION OF SIKHS IN AGRICULTURAL RESEARCH INSTITUTE, DELHI

†1639. ***Sardar Mangal Singh:** (a) Will the Agriculture Secretary please state the number of each of the temporary and permanent appointments made by the Director of Agricultural Research Institute, Delhi, since January, 1944, in each of the following cadres, and how many of them are Hindus, Muhammadans, Sikhs and others: (i) Class I, (ii) Gazetted Class II, (iii) Agricultural Assistants, (iv) Office Assistants, and (v) Clerks?

(b) When was the last Sikh appointed in each of these services?

(c) Is he aware that there is no temporary or permanent Class I Sikh Officer in the Institute at present employed?

(d) Is he aware that there is no Sikh permanently employed in the services mentioned in (iii) to (v) of (a) above?

(e) How many times were special reservations made for the appointment of a Mohamadan in the Institute and on how many occasions were Muhammadans actually appointed in Class I and Class II?

(f) Does he propose to see that a fair number of Sikhs are appointed in each category mentioned in (a) above and are placed on permanent basis also? If not, why not?

Sir Pheroze Kharegat: (a) and (b). Appointments of Class I and Class II Officers are not made by the Director but by Government. A Statement is laid on the table showing the numbers appointed by Government in the first two categories and by the Director in the other three.

(c) No, Sir. A Class I Sikh Officer holds a lien on a permanent Class I post but is now working in a higher post in the Department of Agriculture.

(d) No, Sir. Three Sikhs are permanently employed under category (iii) one under category (iv) and one under category (v).

(e) In one case.

(f) The statement laid on the table shows the total number of persons employed in each category and the percentage of Sikhs therein. It is not practicable to ensure that every community has any definite proportion of the posts in each category.

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

Statement showing representation of Sikhs in the I. A. R. I.

(a) No. of appointments made since January, '44	(b) Last Sikh appointed to a		Permanent		Temporary	
	Permanent Post	Temporary Post	Total No. employed	Percentage of Sikhs	Total No. Employed	Percentage of Sikh
(i) Class I	1934	Nil	6	16.7	6	Nil
(ii) Class II	1923	1940	16	Nil	8	Nil
(iii) Agricultural Sikhs Assistants	1945	1945	36	8.3	46	6.5
(iv) Office Assistants	1929	Nil	7	14.3	2	Nil
(v) Clerks	1942	1944	41	2.4	23	4.3

*One resigned.

REPRESENTATION OF SIKHS IN IMPERIAL RECORDS OFFICE.

†1640. *Sardar Mangal Singh: (a) Will the Education Secretary please state the number separately of temporary and permanent appointments of all kinds made in the Imperial Records Office since January, 1944, and how many of them were Hindus, Muhammadans, Sikhs and others?

(b) Is there any Sikh at present working in the whole of the office? If so, in what capacity?

(c) Why are the claims of Sikhs being overlooked in this office?

(d) Will he please consider the desirability of appointing Sikhs in all the ranks of the offices? If not, what are the difficulties?

Sir John Sargent: (a) Altogether 36 temporary appointments (16 superior and 20 inferior) have been made in the Imperial Record Department since January 1944. Of these 25 were filled by Hindus, ten by Muslims and one by an Anglo-Indian. No permanent appointment has been made in this Department during this period. There were only three sikhs among the applicants for the posts mentioned above.

(b) There are two Sikhs on the permanent staff of the Imperial Record Department, one in the clerical grade and the other a Junior Mender.

(c) and (d). The claims of Sikhs for appointment in Imperial Record Department are not overlooked. Sikhs with requisite qualifications are given due consideration in appointments of all kinds in the Imperial Record Department.

DEVELOPMENT OF INDIAN SHIPPING SERVICES.

†1641. *Maharajkumar Dr. Sir Vijaya Ananda: Will the Honourable the Commerce Member be pleased to state whether any provision has been made for developing Indian shipping services as an integral part of the interim arrangement arrived at last month after the dissolution of the United Maritime Authority and also whether India has been included in the category of those countries to which the temporary arrangement for provision of transport in respect of essential needs would apply?

The Honourable Dr. Sir M. Azizul Huque: The United Maritime Authority and its Executive, the United Maritime Executive Board, ceased functioning on the 2nd March, 1946. In accordance with the recommendations made by the Board at its final meeting, certain interim arrangements have been brought into force so as to provide a method of resolving difficulties and problems which might arise in the shipping situation after termination of the United Maritime Agreement on the date referred to above. The interim arrangements are to be in force from the 3rd March to the 31st October, 1946. Development of the national shipping of each country being a long range problem does not fall within the purview of these arrangements. As regards the second half of the question, I may state that India, as a country participating in the interim arrangement, is entitled to ask for shipping assistance from other nations in case the need for such assistance arises.

USES OF THORIUM.

1642. *Sri M. K. Jinachandran: Will the Honourable the Labour Member be pleased to state the uses to which Thorium could be put militarily? Is the article capable of being used for any civil purpose? If so, what?

The Honourable Dr. B. R. Ambedkar: According to recent reports it seems possible that in the chain reactions which led to the release of atomic energy a part of the Uranium can be replaced by Thorium. Thorium is used in the manufacture of incandescent gas mantles, lamps, radio valves, etc.

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

Prof. N. G. Ranga: Where is it to be found in India?

The Honourable Dr. B. R. Ambedkar: Travancore.

Sri. A. Karunakara Menon: Only in Travancore or in any other part of India?

The Honourable Dr. B. R. Ambedkar: I want notice of that.

Mr. Manu Subedar: Has Government been approached by His Majesty's Government or by anybody outside India in order to control this supply of Thorium, and have Government committed themselves to any particular country?

The Honourable Dr. B. R. Ambedkar: I have no knowledge of any such suggestion.

Prof. N. G. Ranga: Are Government getting this thing examined by their geological experts?

The Honourable Dr. B. R. Ambedkar: I will bear that suggestion in mind.

Sri A. Karunakara Menon: Are they exporting this product to any foreign country?

The Honourable Dr. B. R. Ambedkar: I have no information. If my Honourable friend wants any information, he must give me enough notice.

Prof. N. G. Ranga: Is it being exported? If so, every step possible should be taken to stop its export for national security.

The Honourable Dr. B. R. Ambedkar: I will find out.

EXCLUSION OF HINDUS FROM GENERAL SECTION OF THE HEALTH DEPARTMENT

†1643. *Babu Ram Narayan Singh: (a) Will the Health Secretary please state how many Hindus have been posted in General Section of the Health Department from time to time and whether any one is working at present?

(b) What are the circumstances under which the majority community of India has been excluded entirely from this Section?

(c) Who looks after the proper maintenance of due percentage of representation of each community in each Section or office, in accordance with the Home Department's orders and what steps does he propose to take to equalize the representation?

Mr. S. H. Y. Oulsnam: (a) Three Hindus have been posted to the General Section and they are working there at present.

(b) Does not arise.

(c) The attention of the Honourable Member is invited to the reply given to parts (c) to (e) of his starred question No. 1418, on the 29th March, 1946.

SEPARATION OF CHOTA NAGPUR FROM BIHAR AS A SEPARATE PROVINCE OF JHARKAND

†1644. *Khan Bahadur Habibur Rahman: (a) Is the Honourable the Leader of the House aware of the movement going on in the Chotanagpur Division of the Province of Bihar for the separation of Chotanagpur from Bihar and making it a separate Province of Jharkand, the ancient name of the place?

(b) In view of the fact that the people of Chotanagpur are the earliest pre-Aryan inhabitants of India and have their own separate culture and are most backward, do Government propose to consider the desirability of taking steps for the creation of a separate Province of Jharkand?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) I am aware that such a demand has been expressed.

(b) Government have no intention at present of taking the initiative in any such matter.

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

GRANT TO AND IMPORTANCE OF ZOOLOGICAL RESEARCH

1645. *Mr. R. C. Morris: (a) Will the Agriculture Secretary please say why the retrenchments made in 1931 in the staff and grants of the Zoological Survey of India have not been fully restored—as in the case of other Departments?

(b) Is he aware of the vital importance of the field work of the Zoological Survey, for which the grant in 1929-30 was Rs. 11,200, which was in itself insufficient, and was last year only Rs. 4,400?

(c) Does he propose to double the 1929-30 grant of Rs. 11,200 for field work?

(d) Is he aware of the importance of Zoological Research in the development of a country's agriculture, Fisheries, Forestry, Animal Husbandry, and the Medical and Veterinary Sciences?

(e) Is he aware that India possesses some of the best brains in the world for this type of valuable work, which has now come almost to a standstill?

Sir Pheroze Kharegat: (a) Due to financial stringency in the past. The question of the reorganisation and expansion of the Department is under consideration at present and Col. Sewell who used to be the Director has come out to India for a few months to advise about it.

(b) The work is of importance but the Refrenchment Committee of 1931 recommended the reduction of the grant and action was taken accordingly.

(c) A proposal for increasing the grant is under consideration.

(d) Yes, Sir, the Department of Agriculture are aware of its importance.

(e) Yes, Sir, thought it cannot be admitted that the work has come almost to a standstill.

MUSLIMS IN CENTRAL P. W. D.

1646. *Mr. Muhammad Rahmat-Ullah: (a) Will the Honourable the Labour Member please state the ratio of Muslim employees in the following posts in the Central Public Works Department:—(i) Superintending Engineers, (ii) Executive Engineers, (iii) Assistant Executive Engineers, (iv) Sub-Divisional Officers, (v) Subordinates, (vi) Head Clerks, (vii) Divisional Accountants?

(b) Why is the Muslim ratio inadequate in gazetted posts?

(c) Why are not the Muslims given promotions on communal basis when the appointments are made on communal basis and when the ratio is hardly eight per cent?

(d) What will be the policy of Government on the confirmation of staff of the Central Public Works Department in the near future? What steps will be taken to adjust the ratio in all posts?

(e) On what basis are the construction and maintenance works allotted to Sub-Divisional Officers and Subordinates? If the Muslims are deprived of the above works and if the complaint is made to the Chief Engineer or the Superintending Engineers, what steps do they take to check communalism?

(f) Is it a fact that the Store or the Standard Measurement Books are allotted to the Muslim Subordinates? Is it a fact that they are not entrusted with the construction and the maintenance works in the Central Public Works Department in Delhi and outside?

The Honourable Dr. B. R. Ambedkar:

(a) (i) Superintending Engineers—6 per cent.

(ii) Executive Engineers.—17 per cent.

(iii) Assistant Executive Engineers.—14 per cent.

(iv) Sub-Divisional Officers.—17 per cent.

(v) Subordinates.—22 per cent.

(vi) Head Clerks.—24 per cent.

(vii) Figures for Divisional Accountants are not readily available.

(b) The posts of Superintending and Executive Engineers are filled by promotion and the orders regarding reservation of appointments for minority communities do not apply to cases of promotion. It is not, therefore, possible to secure the 25 per cent. quota for Muslims in such posts. As regards Assistant Executive Engineers who are appointed both by direct recruitment as well as by promotion, the shortage of Muslims is due to the refusal of a Muslim candidate to accept the offer of appointment which was recently made to him.

(c) As already stated, promotions are not made on communal considerations.

(d) All confirmations of direct recruits and other temporary personnel holding no substantive appointments under Government will be made with due regard to the requirements of the orders regarding reservation of appointments for minority communities. No adjustment of the ratio can, however, be made in the case of appointments made by promotion, but in effecting retrenchment, if any, the orders regarding observance of the communal representation rules will be duly followed.

(e) Construction and maintenance works are not allotted to Sub-Divisional Officers and Subordinates on any communal basis.

(f) No.

Dr. Sir Zia Uddin Ahmad: May I ask, as regards the appointment of Superintending Engineer, if the Honourable Member said on the floor of the House that one place was vacant and he has appointed a person who is not even qualified to carry on the work as Superintending Engineer, while the Mussalmans who could be appointed as Superintending Engineer were not appointed? I also pointed out to him on the floor of the House that the appointment will be made when the Assembly is over and we will have to come up with an adjournment motion.

The Honourable Dr. B. R. Ambedkar: My Honourable friend is completely mistaken. I said that the Executive Engineer was called upon to do the current duties of the office. No appointment has been made.

Dr. Sir Zia Uddin Ahmad: You said he can carry on the work of this Superintending Engineer. I cannot understand the work of this man when he is not carrying on for a day or two, but for months together. Is this the efficiency of this Department?

The Honourable Dr. B. R. Ambedkar: My Honourable friend is entitled to have his opinion.

Dr. Sir Zia Uddin Ahmad: Our opinion is that the entire Department is very inefficient. As regards the other lists of appointments that he has for posts of Executive Engineer, there is not a single Muslim.

Mr. President: Order, order. Will the Honourable Member put his question?

Dr. Sir Zia Uddin Ahmad: I am putting this question. Is it not a fact that in the list now prepared, there is not a single appointment for Muslims?

The Honourable Dr. B. R. Ambedkar: How does my Honourable friend know it? The list has not come to me.

Dr. Sir Zia Uddin Ahmad: The outcome is that not a single man is a Muslim.

The Honourable Dr. B. R. Ambedkar: I do not understand how my Honourable friend can make that statement. The Government has taken no action.

Mr. President: Order, order.

Dr. Sir Zia Uddin Ahmad: Can the Honourable Member deny that there is not a single Muhammadan in the list which he has prepared for Superintending Engineer?

The Honourable Dr. B. R. Ambedkar: As I said, I have not the list. The file has not been sent to me. My Honourable friend will have to wait until the Department has taken action before he criticizes.

Dr. Sir Zia Uddin Ahmad: Then it will be too late.

Mr. President: Order, order.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member prepared to agree that the percentage of Muslims in these appointments of Superintending Engineers and others falls far below the 25 per cent. reserved quota for Mussalmans under G. R. Home Department of 1934, and if so is the Honourable Member going to take steps to maintain the quota?

Mr. President: Has not the Honourable Member already answered that?

Mr. Ahmed E. H. Jaffer: No, Sir.

The Honourable Dr. B. R. Ambedkar: The figures are so obvious.

Mr. Ahmed E. H. Jaffer: It means that the Honourable Member agrees that the Muslim quota is far below the 25 per cent. May I ask the Honourable Member whether he is prepared to take immediate steps to see that the Muslim quota is properly carried out?

The Honourable Dr. B. R. Ambedkar: The Honourable Member's attention is invited to my reply to part (c) of the question.

Dr. Sir Zia Uddin Ahmad: If that position is accepted no Muslims will ever be appointed. The Honourable Member will ask somebody else to carry on the work.

The Honourable Dr. B. R. Ambedkar: The real complaint is against the circular issued by the Home Department and not against the Labour Department.

(b) WRITTEN ANSWERS

ADMINISTRATION OF EXCLUDED AREAS OF NAGA HILLS, SADIYA AND BALIPARA FRONTIER TRACTS AND LUSHAI HILLS.

1647. *Sreejut Rohini Kumar Chaudhuri: (a) Will the Honourable the Leader of the House be pleased to state if the Government of India have taken or propose to take any step to bring the excluded areas of the Naga Hills, Sadiya and Balipara Frontier Tracts and the Lushai Hills under the administration of the Provincial Government of Assam in the near future? If so, what they are; if not, why not?

(b) Have the Government of India tried to ascertain the views of the Government of Assam on this subject?

(c) Are Government aware that the indigeneous people of the Khasi and Jaintia Hills, who number about three lakhs forming a homogeneous community and speaking Khasi language, are against the present system of administration, separating them into British and non-British areas?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) I am unable to understand this part of the question. The excluded areas in Assam are in fact administered by the Provincial Government, the functions of the Governor being performed by him in his discretion. If the Honourable Member's intention is that these functions should be transferred to the Governor acting on advice, this raises a major constitutional issue which cannot be taken up for consideration at present.

(b) Does not arise.

(c) I have no information.

ALLOTMENT OF FOODGRAINS BY COMBINED FOOD BOARD

1648. *Sardar Mangal Singh: Will the Food Secretary please state:

(a) The exact amount of foodgrains the combined Food Board has allotted or India for the whole financial year and for immediate shipping; and

(b) whether this allotment is final or whether the same could be reviewed in the light of representations made by the Government of India hereafter in case the famine conditions become acute?

Mr. B. R. Sen: (a) and (b). No absolutely firm allocations have been received yet, but the quantities indicated so far are as follows:

1.4 million tons of wheat, including some maize, and 145,000 tons of rice for shipment during the first half of the calendar year 1946.

No indication has yet been received of the quantities likely to be shipped in the second half of 1946.

DETENTION OF MR. MANI LAL DOSHI, EDITOR, *Burma Times*

1649. *Mr. Manu Subedar: (a) Will the Secretary for Commonwealth Relations please state what information Government have got with regard to the detention of Mr. Manilal Doshi, Editor of *Burma Times*.

(b) Was he detained in Burma from the 24th of October, 1945, entirely on the initiative of the Burma Government?

(c) Is he going to be tried? If so, for what offence?

(d) Is his detention for political reasons or for criminal?

(e) If the former, will Government enquire the reasons?

Mr. E. N. Banerjee: (a) Mr. Manilal Doshi has been under detention under Rule 26, Defence of Burma Rules, since about October 1945, under the orders of the Government of Burma. He has been under detention pending repatriation to India along with other civilian I. N. A. detenus (and some other civilians).

(b) Yes—The exact date of his detention is not known but is understood to be about October 26, 1945.

(c) It is understood that Mr. M. Doshi is being prosecuted before the Second Additional Magistrate of District Pyapon on charges under sections 895, 342 and 884 I.P.C., that is, dacoity, wrongful confinement, and extortion.

(d) He was not under detention for any offence; but we have only recently been informed that he was being prosecuted on the charges mentioned above on the complaint of a private individual.

(e) Further enquiries about the details of the offences constituting these charges are in progress.

NON-INDIAN FIRMS GIVEN FOODGRAINS STORAGE WORKS

1650. *Mr. Manu Subedar: (a) Will the Food Secretary please state if it is a fact that the foodgrains storage work on behalf of the Central Government is given at Karachi to non-Indian firms? If so, what are their names, what is their remuneration and what is the experience, which each of them has got for this purpose?

(b) At how many other centres is such work given by the Food Department to non-Indian firms?

(c) Why was it necessary for Government to pass over Indian firms for this work?

(d) Were no firms willing to undertake it, and were any approached?

(e) Why is this discrimination shown against Indians?

Mr. B. R. Sen: (a) The managing agents for the Central Government Reserve Storage Depot at Karachi are (i) M/s. Ralli Brothers Ltd., (ii) M/s. Volkart Brothers. Both of them are well known grain merchandising firms. The terms of remuneration were the lowest quoted.

(b) At no other place.

(c) and (d). More than one Indian firm were asked to quote for this work. The terms proposed by them were discussed with the representatives of these

firms but were found to be unacceptable. The rate of remuneration asked for by them was also deemed to be excessive. There was no passing over of Indian firms in favour of non-Indian firms.

(e) No discrimination has been made.

CURATOR, NEW DELHI ASIATIC MUSEUM

1651. *Mr. Muhammad Rahmat-Ullah: (a) Will the Education Secretary kindly state what salary the present Curator of the New Delhi Asiatic Museum was getting before his appointment at New Delhi?

(b) What is the grade of pay of the post which he is now holding at New Delhi?

(c) What initial pay has he been allowed in the Archaeological Department?

(d) Did this officer appear before the Federal Public Service Commission on due date when other applicants for the post were called for interview, or did he appear before the Commission months after?

(e) Will he kindly lay on the table of the House a statement of applicants who applied for the post of Curator, New Delhi Asiatic Museum, with their qualifications?

(f) Is this museum the same where the former Curator had to make room for the above officer from the Lucknow Museum?

Sir John Sargent: (a) The post of Curator, Central Asian Antiquities Museum, has been abolished but the salary of the present Assistant Superintendent of the Museums Branch of the Archaeological Survey whose headquarters are at the Central Asian Antiquities Museum, New Delhi, was previous to his present appointment, Rs. 275 per mensem.

(b) Rs. 300—325—350—25—600—40—680 per mensem.

(c) Rs. 500 per mensem.

(d) He was on the original Short List prepared by the Federal Public Service Commission but was actually interviewed by the Commission at a date subsequent to the general interview, at which no candidate conforming with the requirements of the post appeared.

(e) It is regretted that the information asked for cannot be supplied.

(f) No former Curator of the Central Asian Antiquities Museum had to make room for the officer in question. An interval of about two years elapsed between the resignation of the last Curator of the Museums and the appointment of the present Assistant Superintendent of the Museum Branch of the Survey.

POWERS OF DIRECTOR GENERAL OF ARCHAEOLOGY re CREATION OF TEMPORARY POSTS

1652. *Mr. Muhammad Rahmat-Ullah: (a) Will the Education Secretary kindly state up to what limit of pay is the Director General of Archaeology empowered to create temporary posts in each case?

(b) What separately, are the substantive and temporary salaries and allowance of the Accountant and Assistant of the Director General's office?

Sir John Sargent: (a) Rs. 250 per mensem.

(b) The permanent accountant in the Office of the Director General of Archaeology in India is at present on deputation, his post is held temporarily by a permanent routine division clerk. While his substantive pay and dearness allowance are Rs. 70 per mensem and Rs. 18 per mensem respectively, his officiating pay and dearness allowance as Accountant are Rs. 170 per mensem and Rs. 30 per mensem respectively. There are two posts of Assistant in the Office of the Director-General of Archaeology in India. The pay and dearness allowance of one Assistant who is holding the post substantively are Rs. 200 per mensem and Rs. 35 per mensem respectively. The second permanent Assistant whose substantive pay and war allowance are Rs. 355 per mensem and

Rs. 62 per mensem respectively, is at present officiating as Office Superintendent and is in receipt of a pay of Rs. 400 per mensem plus a war allowance of Rs. 70 per mensem. In the vacancy caused by the promotion of the second Assistant as Office Superintendent, a permanent second division clerk has been promoted as Assistant. His substantive pay and dearness allowance as 2nd Division clerk are Rs. 175 per mensem and Rs. 31 per mensem respectively and his officiating pay and dearness allowance as Assistant are Rs. 180 per mensem and Rs. 32 respectively.

QUALIFICATIONS AND PAY OF JOINT DIRECTOR GENERAL OF ARCHAEOLOGY

1653. *Mr. Muhammad Rahmat-Ullah: (a) Will the Education Secretary kindly state whether the present Joint Director General of Archaeology knows Conservation and Excavation works?

(b) What is the substantive pay of the above officer as Government Epigraphist, and what is his pay now as Joint Director General with war allowance?

(c) Was the post of Joint Director General specially created to provide the present incumbent?

(d) What are the special qualifications of the above officer which led the Government of India to create a high salaried post in these days of famine?

Sir John Sargent: (a) The present Joint Director General is not a specialist in conservation or excavation but has a general knowledge and experience of the principles and practices involved.

(b) His substantive pay as Government Epigraphist would be Rs. 1,050 plus Rs. 100 special pay plus Rs. 201 as war allowance. His pay in the temporary post of Joint Director General of Archaeology is Rs. 1,750 plus Rs. 268 as war allowance.

(c) and (d). The post of Joint Director General of Archaeology has been created temporarily for two main purposes:

(1) In order that, during the present general reorganization of the Archaeological Survey including its transfer to the new Department of Education, the only officer with recent and extensive administrative experience at headquarters and with a full knowledge of the scope and nature of the current reorganization may be retained at headquarters to assist the Director General of Archaeology in his task and to relieve him of a number of exacting administrative duties which would prevent him from carrying out his primary and urgent task of training new entrants and re-modelling the Circles. The post of Joint Director General of Archaeology was envisaged specifically in the plans prepared three years or more ago for the reorganization of the Department, for exactly the reasons which have now necessitated its creation.

(2) It has long been felt that the admitted failure of the Department in the past to fulfil adequately the vitally important duties of conservation and exploration entrusted to it has been due, in no small measure to the inability of any Director General of Archaeology to maintain sufficiently close contact both with work in the field throughout India and with Government at New Delhi. The Woolley Report of 1939 strongly stressed the need for a larger Departmental headquarters, and its recommendations in fact went further than those which are now being carried tentatively into effect. The present Joint Director General of Archaeology has, as already mentioned, the special qualifications and experience essential for this task, having served at headquarters under two successive Directors General of Archaeology.

It would be a false economy to bring out as a short-term Director General of Archaeology an officer with special technical qualifications and experience and then to compel him to devote the greater part of his time to administrative duties.

LICENCES FOR IMPORT OF RADIO MANUFACTURING MACHINERY

1654. *Sardar Surjit Singh Majithia: Will the Honourable the Commerce Member please state:

(a) whether it is a fact that Government desire to encourage the manufacturing of radios in India;

(b) whether any import licences for obtaining Plant and Machinery from the United States of America for the manufacture of radios have been granted;

(c) how many applications are pending for the issue of such import licences from the United States of America and for how long; and

(d) if it is a fact that the Punjab Electric Lamps and Radio Manufacturing Company, Limited, Lahore, asked for the permit for obtaining the latest Plant and Machinery from the United States of America and for which they have completed all negotiations; and whether the sanction has been accorded to them; if not, what is the delay?

The Honourable Dr. Sir M. Azizul Huque: (a) Yes, Sir. Government have constituted a panel to examine the possibility of manufacturing radios in India.

(b) No.

(c) Only one application is pending with the Chief Controller of Imports since December last.

(d) The Punjab Electric Lamps and Radio Manufacturing Company, Limited, Lahore, have asked for a licence for import of plant and machinery for the manufacture of valves and tubes for radios from the United States of America and have stated in their application that negotiations for purchase are complete.

In the interests of conservation of difficult non-sterling currency resources, however, it is essential that the availability of the plant in sterling area countries should first be explored and this is already engaging the attention of Government. The applicants have also been asked to state whether they have made any attempt to locate supplies in the sterling area. No decision has therefore yet been taken on the application.

UNSTARRED QUESTIONS AND ANSWERS.

CATTLE SLAUGHTERED AND OTHERWISE DESTROYED.

183. Shri Mohan Lal Saxena: Will the Agriculture Secretary be pleased to state:

(a) the number, during the last ten years, i.e., five years previous to war, and five years during the war, of slaughter houses, and cattle slaughtered including those required for military, in details, namely, (i) cows, (ii) bullocks, (iii) their young stock, (iv) she-buffaloes, (v) he-buffaloes, and (vi) their young stock; and

(b) the number of cattle destroyed by floods, storms and other calamities in the whole of India during the last ten years?

Sir Pheroze Kharegat: (a) It is regretted that no figures are available either of the number of slaughter houses or the number of cattle of different types slaughtered. All that can be stated is that generally there is one military slaughter house in each garrison town but their number is never constant and that such figures as are available of the number and percentage of cattle slaughtered for military purposes were laid on the table on 11th February, 1946, in reply to part (b) of Mr. Manu Subedar's starred question No. 147.

(b) It is regretted that the information is not available.

RESEARCHES IN ANTHROPOLOGY.

184. Sardar Mangal Singh: Will the Education Secretary be pleased to state whether anthropological survey has been conducted so far in India during

the last ten years? If not, have any steps been taken by Government to promote researches in Anthropology in any parts of India during the last ten years?

Sir John Sargent: Some work in Anthropological Survey has been conducted by the Government of India during the last ten years; they have maintained a small section of Anthropology in the Zoological Survey of India which has undertaken research and Survey work on a limited scale.

Since December 1945, Anthropology has been separated from the Zoological Survey of India and steps are being taken to build up an adequate Anthropological Service in India at an early date.

SALE OF SON'S SHARE OUT OF INSOLVENT FATHER'S ESTATE

185. Mr. Manu Subedar: (a) Has the attention of the Honourable the Law Member been drawn to the report in the *Hindu* of Madras, dated the 19th November, 1945 relating to the shares of sons in an insolvent father's estate and the right of the Official Receiver to sell such shares?

(b) Do Government propose to consider a change in law so as to vest in the Receiver the right to sell the sons' share?

The Honourable Sir Asoka Roy: (a) and (b). The Honourable Member is referred to my reply to starred Question No. 1260, answered on the 27th March, 1946.

SHORT NOTICE QUESTION AND ANSWER

DEATH OF R. K. CHARI IN FIRE IN MADRAS EXPRESS TRAIN

Sri R. Venkatasubba Reddiar: Will the Honourable Member for War Transport be pleased to state:

(a) if it is a fact that one R. K. Chari, Deputy Field Controller of Military Accounts in Poona, died in a fire on the 2nd April, 1946, in the Madras Express train;

(b) if it is a fact that one upper class carriage was completely destroyed;

(c) the reason for the fire;

(d) the number of deaths, and the value of property lost; and

(e) the action that is taken by the Government?

The Honourable Sir Edward Benthall: (a) A human body was recovered on the 2nd April, 1946, at Diksal Station from the debris of the coach which was burnt. The body was charred and unrecognisable but circumstantial evidence leads to the belief that the body was that of Mr. Chari.

(b) Yes.

(c) I have not received any conclusive finding about the exact cause of the fire, but the matter is under enquiry by the Government Inspector of Railways.

(d) One person was burnt to death. Information as regards the value of property lost is not available.

(e) The Government Inspector is holding an enquiry into this case.

Prof. N. G. Ranga: Is any compensation or allowance proposed to be given to the family of Mr. Chari?

The Honourable Sir Edward Benthall: The rules will be observed.

Mr. Manu Subedar: What was the cause of the fire? Has it been ascertained?

The Honourable Sir Edward Benthall: I have replied to that question in answer to part (c). I have got no conclusive report yet.

Sri R. Venkatasubba Reddiar: What is the value of the carriage lost?

The Honourable Sir Edward Benthall: If the Honourable Member would put down a question, I shall be glad to give a reply.

Sri R. Venkatasubba Reddiar: I have asked a question on the value of the property lost.

The Honourable Sir Edward Benthall: I took that to refer to the value of the property of the passengers. But if the Honourable Member will put down a question I shall be pleased to reply.

MOTION FOR ADJOURNMENT

STARVATION DEATHS IN THE STREETS OF CALCUTTA

Mr. President: I have received notice of an adjournment motion by Mr. Sasanka Sekhar Sanyal relating to the "recent starvation deaths in the streets of Calcutta". I should like to know as to how taken as a whole the motion is specific. When did these deaths occur?

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): It appeared in yesterday's *Hindustan Times* and also in the *National Call* of the 6th and also in the *Hindustan Standard* of Calcutta of the 6th that during the week ending the 30th March (the papers reproduced the substance of the Government communique) there were several deaths due to starvation and the Bengal Government press communique has stated that these deaths are not very many in number as reported in some of the papers but much less and that certain instructions had been given. The specific matter is that as in 1943 the starvation deaths in the streets of Calcutta have just begun and certainly it is a matter of great urgency from the public point of view and it should be discussed on the floor of the House, because we want to understand what the Government of India have done to prevent these deaths and what the Government of India is doing now for the future to prevent further deaths from starvation. We have also our suggestions to give in regard to this matter by way of comments on the administration report of the Central Food Department.

Mr. B. R. Sen (Secretary, Food Department): Sir, I happened to be in Calcutta on Friday, Saturday and Sunday and I have just come back. I saw a report published in some of the papers and I made enquiries. The facts as ascertained were these. In the fortnight ending with the 30th March there was a report in the papers that 56 unidentified dead bodies were picked up in the streets of Calcutta. The fact of the matter is that the Municipal Health Officer had communicated to the press the total number of persons buried as paupers during that period. These dead bodies were not picked up from the streets of Calcutta but were bodies which were made over by the hospitals in Calcutta.

As regards the causes of the deaths, so far as I could ascertain, the deaths were due to various causes but two deaths possibly were due to starvation. I asked the local authorities about the position regarding food stocks in Calcutta and round about Calcutta and I was assured that there were plenty of stocks both in Calcutta and roundabout. As to why these deaths took place I could not ascertain. There are hospitals for destitutes scattered all over Calcutta and people like those who are in want of food or who are suffering from starvation are taken to these hospitals for treatment. These two persons, as far as I could ascertain, were actually treated in hospitals and they died there.

These are the facts before me. I have asked for further facts, because I saw in the papers a press note by the Bengal Government to say that certain numbers of destitute persons were coming into Calcutta and Government were taking steps to control their movements by providing food for them in the areas from which they were drifting. I could not get all the information yesterday and I am waiting for further information. This is all the information I can place before the House now.

Mr. Sasanka Sekhar Sanyal: So far as the number of deaths is concerned it would not serve any useful purpose to enter into a controversy over that. The press reports say that the number of starvation deaths on the streets of Calcutta are much larger than Government stated in their communique: at any rate from the condition of the body it would be possible to find out the cause of death. If, however, a discussion on this subject would be more helpful tomorrow I have no objection if the motion is admitted and the debate, postponed till tomorrow.

Mr. B. R. Sen: Sir, this is primarily a provincial matter. So far as we are concerned we have got to see that the Provinces are stocked with food and we are satisfied that at present both Calcutta and the districts surrounding Calcutta have got plenty of stocks. Also we have to see that there are adequate arrangements for the treatment of destitutes, and we are satisfied that there are several hospitals for the treatment of destitutes. Therefore I do not see that any useful purpose will be served by bringing an adjournment motion over this subject in this House. If the Honourable Member wants information as regards the details, the proper venue for the discussion of the subject will be the Provincial Legislative Assembly.

Mr. Sasanka Sekhar Sanyal: So far as hospitals are concerned the subject matter of my motion is not concerned with it. But so far as the deaths due to starvation in Calcutta are concerned, may I know whether the Government of India have no responsibility in the matter? Are they disowning their responsibility for feeding people and preventing deaths due to starvation?

Mr. President: As I understand it, the position of the Government seems to be that their responsibility extends to satisfying themselves that stocks of foodgrains are supplied to the Provinces according to their various needs. But so far as the actual administration of the food situation is concerned in the form of giving relief to people suffering from starvation or in the form of distribution or rationing of the food supply, etc., i.e., the execution of the policy is a matter for the Provincial Government. That is the position.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Sir, if you look into the constitutional position you will not find any mention of any responsibility on the part of the Central Government to see that the Provincial Governments are supplied with the necessary quantities of food. Even that will not be found in the list of subjects, Provincial or Central. The Government of India have taken upon themselves this responsibility. We want to know why the Government of India wish to dissociate themselves from the responsibility of seeing that people do not die of hunger anywhere in India, especially in British India, particularly when there is a food famine crisis and the Viceroy as well as the Government of India have said they are prepared to take their full share of responsibility.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): The responsibility of the Government of India would arise this way. It is necessary in this situation for the Government of India to devise, along with Provincial Governments, some machinery, some method, whereby deaths from starvation do not occur in any part of India. For that purpose the Government of India cannot merely divest itself of responsibility by saying "We have provided the food. Provincial Governments have got to administer the distribution of food". What this motion suggests is this, that an urgent opportunity has arisen for the Government of India to take note of the feelings of this House in order that the Government of India may, along with Provincial Governments, devise some machinery whereby this sort of thing is stopped for the future. In that respect, since we have a Food Member, since we have a Department dealing with this matter, it is necessary that more powers, if necessary, should be taken by the Government of India, along with Provincial Governments, to see that this sort of thing is stopped for the future. I submit that is quite within our powers.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): May I add one word to what has already fallen from my friends? The Honourable the

[Shri Sarat Chandra Bose.]

Food Secretary said just now that people had started coming from mofussil areas to Calcutta in search of food. That is a very serious state of things. The House may remember that in 1943 similar things happened and they were the prelude to the start of the famine. In 1943 there were also starvation deaths in the streets of Calcutta. They have again begun. The matter is too serious for words. I would suggest to the Food Secretary to take the House into his confidence either today or tomorrow and place the whole position before it, particularly what steps have already been taken by the Government of India in order to supply food to the mofussil areas in Bengal and to prevent further starvation deaths in the streets of Calcutta.

Mr. President: What appears to me is that, the food position is undoubtedly serious whatever the constitutional position may be as regards the responsibility of the Central Government under the present working arrangements. Now that the Government of India has taken responsibility for food, I think the spirit of the motion, as it appears to me, is, not to censure the Government of India for having failed to do anything but, probably to invite their attention to the urgency of the matter that instead of shelving this question on the ground that it is the responsibility of the Province as against that of the Government of India, they should take over that responsibility even if they have not, and try to find out a way, in consultation with Provincial Governments, to see that the proper administration of food is carried out, so that there may be no deaths by starvation anywhere in the whole of India. If that is the position of the mover, then of course the nature of the adjournment motion changes. It is not a motion so much to discuss the actual position in Bengal as to discuss what preventive measures should be taken, what further powers should be exercised by the Government of India in this respect and how the whole All-India situation should be dealt with. If that is the object, then, of course, I believe it is worth while considering as to why this House should not consider it from that point of view as to what the Government of India have been doing and what they should do even if they have not done it so far.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): That raises an omnibus debate on the food question relating to every part of the country. It is a very wide issue.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I do not know whether it is relevant, but there is one thing about people dying of starvation in Bengal. In our parts of the country they will kill people in the bazar and go to jail; they will not die quietly by starvation.

Mr. President: That is not relevant to the issue of the admissibility of the motion. That is a different matter.

Dr. Sir Zia Uddin Ahmad: I thought so.

Mr. President: If the Leader of the House and the Leader of the Opposition agree, we will discuss the admissibility of this motion tomorrow.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I prefer that course.

Mr. President: In the meanwhile, some more information will be available.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: We shall see what further information we can get from the provincial authorities, and the adjournment motion may be taken up for tomorrow to consider whether it is admissible.

Mr. President: I think so.

STATEMENT OF BUSINESS

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): In view of the sentiments expressed by Members of the House when I announced on Friday the 7th April that the moving of an official motion

[Sir A. Ramaswami Mudaliar]

with reference to the amendments to the constitution of the International Labour Office was not contemplated, the Honourable the Labour Member has given notice of a resolution on the subject now which, subject to your consent and to the proviso to Standing Order 58 regarding the number of days notice that is required for entertaining the resolution will be entered in the List of Business for next week.

ELECTION OF A MEMBER TO STANDING COMMITTEE FOR DEPARTMENT OF PLANNING AND DEVELOPMENT

Mr. President: I have to inform the Assembly that upto 12 Noon on Friday the 5th April 1946, the time fixed for receiving nominations for the purpose of election of one non-official Member to serve on the Standing Committee for the Department of Planning and Development for the current financial year, 1946-47, in the vacancy caused by the resignation of Mr. M. Asaf Ali, M.L.A., only one nomination was received. As there is only one candidate for the vacancy, I declare Shri Mohan Lal Saksena to be duly elected to the Committee.

SUMMARY OF PROCEEDINGS OF THE SEVENTH MEETING OF THE STANDING LABOUR COMMITTEE

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I lay on the table a copy of the *Summary of Proceedings of the seventh meeting of the Standing Labour Committee held at New Delhi on the 28th August 1945.

INDUSTRIAL EMPLOYMENT (STANDING ORDERS) BILL

The Honourable Dr. B. R. Ambedkar (Labour Member): I move for leave to introduce a Bill to require employers in industrial establishments formally to define conditions of employment under them.

Diwan Chaman Lal (West Punjab: Non-Muhammadan) May I on a point of order enquire how this Bill can be moved when another Bill is being discussed? Would it not be proper to take up this motion after the other Bill has been discussed?

Mr. President: We have not started with the discussion of the other Bill which was pending before the House. This is purely a formal matter. It is more convenient, and so far as I know there have been precedents also where a pending matter before the House has been postponed and another matter taken up. It is purely a matter of procedure and adjustment.

The question is:

"That leave be granted to introduce a Bill to require employers in industrial establishments formally to define conditions of employment under them."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

PROTECTIVE DUTIES BILL—contd.

Mr. President: We will now proceed with the motion moved by the Honourable Sir Azizul Huque on Friday that the Bill to enable the immediate imposition of protective duties of customs on imported goods be taken into consideration.

Diwan Chaman Lal (West Punjab: Non-Muhammadan): On the last occasion I was saying that this is a matter which involves a very serious principle—not only a principle which governs taxation but also a principle of some constitutional importance. My Honourable friend agreed at that time that he would at the earliest opportunity bring a Bill before this House in respect of any interim recommendations that may be accepted by the Government. I take it that my Honourable friend will bring this measure before the next session, and at the earliest moment, of this Legislative Assembly. I take it, that is the position.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): If I am there.

Diwan Chaman Lal: If my Honourable friend is not there, then his successor will be there and I take it that my Honourable friend will take this step which is contemplated in the manner I have suggested. Now, there are two opinions in regard to this matter. One opinion is to the effect that power should not be given to the Government to deal with this matter, as Government is wanting to deal with it. The second opinion is that in the circumstances of the case, in view of the fact that this House will not be in session and a report or reports may have come in or are in the process of coming in or being received by Government, it is necessary to possess some power in order that no damage may be done to industry in respect of these protective duties. I submit that whatever may be the cause for bringing this measure at this late hour in this House, there is a case made out for powers being vested in the hands of the Government irrespective of the principle that is covered by the question of protective duties. That, in my opinion, is a matter to be considered in reference to each individual industry and in view of the conditions that prevail in the country in respect not only of industry but of the interests of the consumer on one side and of the working classes on the other. Therefore there are not only these two opinions, but there are also two opinions regarding the permanency of any organisation that may be set up to go into these matters. I submit that this is not the time when we can go into that particular subject, although it is necessary, as was done by my Honourable friend to my left, that this matter should be brought to the notice of the Assembly and of the Government. But the time will have to come when this Government will have to consider what possible effects tariff policies impose upon the industries of this country; and will have to take steps to find out which of these industries need assistance from the state and in what circumstances. It is a policy of a haphazard nature which has been pursued so far in respect of tariffs; but now the times have changed and the time has come when we should take steps to organise that policy in the interests not merely of the industry but in the interests of the nation. There is no doubt that Government through these policies have been assisting financially various industries in this country. But it must be remembered that industry for its success depends not merely upon the promoters of the industry, not merely upon those who organise and manage it, but it depends upon the people and upon the working classes who are engaged in that industry. As I said, on the one side there has been this financial assistance that has been given to industry; but to this day, not one single measure has been adopted by the Government to give the smallest financial assistance to the working classes. One has to remember, Mr. President, that there are industries in this country which will benefit, which are actually housed in British India. But there is a large number of these industries which is not in British India, which is in the Indian States, over which we have no possible control of any kind whatsoever—we are giving those industries also assistance by this method. There are industries—I shall not name them—but I think those who are interested in these subjects should be fully aware of the nature of those industries, which make lakhs upon lakhs of profits as a result of the assistance given by these measures, but where the working classes get a maximum of Rs. 15 or Rs. 20 a month—where no arrangements are made for housing, no arrangements for social protection, no arrangements for unemployment, no arrangements for old age, and no arrangements for sickness. If the industry is sick, the industrialists will come to the Government and ask for assistance in order to get rid of that sickness; but when the workers suffer from disease, there is no assistance given to those workers. I submit that these are matters of larger policy which will have to be considered at the very earliest date by the Government. I am merely mentioning these facts because the subject happens to be before the House now in this incidental manner; but when the time comes and I hope my Honourable friend will see to it when the time comes that he brings up this matter in a comprehensive manner.

I have nothing more to say except this, to warn the House that the House must not be too eager to go in for assistance for all these industries without satisfying itself of many things that are vital to the development of these industries, inclusive of the labour force engaged in these industries. The time may come when many of these industries may have to be nationalised; it will then be to the interest of the nation to see that every type of protection is given to these industries so that, when the profits are made, they do not go into private pockets but they come back into the treasury, profits which are due to the sacrifices of the consumers, as a result of these protective duties. These are vital issues of a fundamental nature, and I hope my Honourable friend will remember these issues when he is dealing with these industries. I make no secret of the fact that I am opposed to protective measures which are designed merely to swell the industrialists profits and put a premium upon inefficiency and waste and benefit neither the producers of wealth nor the nation.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, during my parliamentary life in this House, I had two fiscal shocks and this is the third one. The first was

Sir Cowasjee Jehangir (Nominated Non-Official): You have survived them very well!

Dr. Sir Zia Uddin Ahmad: When Sir George Schuster came forward with a Bill that the duty all round should be raised by 25 per cent. I raised this question at the time and said we must examine each duty before we raise it. But he did not do that and raised the duty not only of those articles which were imported into this country but he raised 25 per cent. of the protective duties on all articles which were protected at that time. The result was the duties were increased by 25 per cent., which was entirely opposed to the recommendations of the Fiscal Commission; and if I am permitted I could speak for a whole day. This mistake was committed time after time on this question of protection about sugar and about textiles, because these two industries really rule the Government; the Government does not rule these industries; but these industrialists rule the Government. I have said repeatedly on the floor of this House without being challenged that I have not seen a single Finance or Commerce Member since I came here, who has had the courage to fight these industries on account of their strong influence and on account of the wealth which they have received on account of the wrong policy of protection which has been followed; the first time was when Sir George Schuster moved that an additional 25 per cent. should be levied; and the second shock which I received was when Sir Joseph Bhore came forward, without any reason whatever, to give a temporary relief to certain commodities: he picked about a dozen articles which he said ought to be protected and he put down a kind of protective duty which he did not call protective duties but called it temporary relief, to certain industries to which he wanted to show favour; and that was really a great mistake. We opposed it but the Government had a majority and they carried the Bill through. This is very unscientific and against the recommendations of the Fiscal Commission of 1920. The first thing was done by Sir George Schuster on account of the nervousness that was created on account of the economic conditions; and the second thing by Sir Joseph Bhore on account of his interest to do something before he left office as Commerce Member. The position of my Honourable friend the present Commerce Member is about the same: he wants to do something about protective duties, though it is justifiable by economic reasons or under the recommendations of the Fiscal Commission. This thing is not so trifling as not to need examination. I think the House will remember that when we passed the Defence of India Act, it was a two-clause Act; and I am guilty because I supported that Act at that particular time; but I never conceived that that two-clause Bill would give rise to the code of Defence of India Rules which really overshadows all the legislations that we have passed in this particular House. I think we are making the same mistake and we are giving power to the executive to levy these duties on the recommendations of the Tariff Board.

[Dr. Sir Zia Uddin Ahmad]

I will discuss in what way this thing is defective. It is really one thing in which the legislature is vitally interested, and the imposing of the protective duties can never be left to the executive as our experience of the last 24 years has clearly proved. We can show that time after time they have put on a protective duty when really they were not demanded.

I ask the Honourable the Commerce Member—will he defend the 25 per cent. duty on sugar in 1931 and when he came into office why did he continue and recommend the perpetuation of this particular duty. I am sure he will continue to do the same mistake

The Honourable Dr. Sir M. Azizul Huque: When did I do that?

Dr. Sir Zia Uddin Ahmad: Several times. When the Sugar Tariff Act came to an end, he came forward that the thing should be continued. I will bring him the Act and show him when he has done it. May I know whether the Tariff Board has recommended that the present duties on all these protected articles should continue and should remain as they are at present.

The Honourable Dr. Sir M. Azizul Huque: We have finished the Bill. My friend is talking about the other Bill. My friend never did object to it. The only time I committed the atrocious blunder which my friend attributes to me was in 1944 when my friend was a Member of this House. I have tried to go through the proceedings. He did not utter a single word of caution, warning or objection.

Dr. Sir Zia Uddin Ahmad: He asked us to certify and passed the orders for levying the protective duty as recommended by the Tariff Board. That is a proposition which we at least on this side of the House cannot accept. We see that the outlook of the Tariff Board is very different. When you appoint a Tariff Board, they first look into the fact that this particular thing has got to be protected and they find out the reasons for giving that protection. The mentality and the angle of vision of the Tariff Board has changed. This is like two examiners. One takes the view that a boy obtains zero marks and then he gives the marks and the second examiner gives the maximum marks and then goes on deducting marks if any mistakes is committed. If the answer books are examined from these two angles, the results are entirely different. Statistics have given proof of this. Now, your Fiscal Commission very often acts in the interests of the industrialists alone. They very seldom look to the interests of the consumers and the poor people. They only look to the capitalists. I think the recommendation of the Tariff Board ought to be examined and tested by the representatives of the consumers and representatives of the poor people.

Now, my friend must have read every word of the Fiscal Commission's report made in 1921 and 1922. I put them questions and in my speech on the Finance Bill I said that the time has come when the economic conditions have completely changed. We now require another Fiscal Commission to consider and make recommendations on the economic policy which exists today. This thing has not been done. I have not seen any proposal from the Commerce Member saying that he is contemplating the appointment of a Fiscal Commission at present. My friend will know that the condition of the world has very much changed. They are not in favour of protecting the capitalists. But they are in favour of protecting the industries of the country provided those industries are nationalised. If the industries are nationalised, then protection is all right, because the profits will go to the State and will give relief to the taxpayer. But now the entire profit goes to the capitalists.

Conditions in the world are now very much changed from what they used to be after the great war and we should not give this protection in nervousness or in haste. I say that these proposals for protection should be critically examined before any action is taken.

The question of protection is a very important one. There are several factors which have got to be considered. Now there is one thing which the Government and the Tariff Board will never consider but which we have to consider on the floor of the House and that is what effect these protective duties will have on the price index, whether the price of a particular article will go up or go down. This is a point which the legislature alone can consider which the executive Government or the Tariff Board will never look into. My friend knows that the prices fixed by the Tariff Board were never accepted and never adhered to by the industrialists themselves. It is the legislature alone which is competent to judge the effect on the price level.

Then there are a number of other things. For example, the Fiscal Commission recommended that in protectionists countries considerable difficulties have been experienced in reducing and removing the duties even when they are no longer required. Now, this is the difficulty which the Legislature will have to face. The Tariff Board recommends a particular duty. The Government accept the duty. The duty is being levied. The capitalists begin to earn something. When the matter comes up before the Legislature indirect pressure will be brought by the capitalists on individual Members and many of them yield to the temptation. I think it is unfair to expose the House to this method of the industrialists putting pressure from behind. The Report of the Fiscal Commission clearly shows that once we have put down a duty it is exceedingly difficult for the legislature to remove it. This thing is verified from our experience as regards sugar, textiles and a number of other things on which duties have been imposed. The Fiscal Commission clearly said on page 57 that tariff protections should not be granted as a rule to new industries. These are the industries which have been created on account of war conditions. We entirely agree that during the war it is very desirable that new industries should be created. All the things that we have accepted in peace time will have to give way in war time to considerations of winning the war. During the war, everything that is calculated to win the war is justifiable. We have created new industries during the war as a war measure. From this it does not follow that every one of these things should be perpetuated in peace time and those peace time conditions have been laid down by the Fiscal Commission of 1922:

"But while we feel that we cannot indicate with any degree of definiteness the stages at which tariff protection can best be applied to existing industries, we consider that in the case of new industries a more definite principle can be laid down. If applications for tariff assistance are entertained on behalf of industries which have not yet come into existence, and the Tariff Board has to consider not facts but the anticipations of the promoters, it will be a task of great difficulty to make a selection with any reasonable assurance of success."

They do not want to leave it to the Tariff Board, they do not want to leave it to the executive action of the Government. A proposal of this kind ought to be freely discussed with open minds by the legislature and every side of the question should be examined. It is a very dangerous procedure which the Honourable the Commerce Member has now asked us to accept, namely that by executive action he may levy a duty on whichever article he likes. In that case, Sir, the question of corruption comes in. This has also been pointed out by the Fiscal Commission. It was also pointed out on the floor of the House several times that there has never been any time since the advent of British administration in India when the Government has been more corrupt than at present. By giving the Government this power to levy protective duty, we are placing in their hands another temptation particularly at a time when it is not desirable to do so. I think this power to levy protective duty ought to be reserved for the legislature alone and the executive should not be clothed with this authority.

Sir, the Tariff Board laid down three essential conditions for grant of protective duty on any article. We should like to know whether Government have satisfied themselves that these three essential conditions will be employed before any new industry will be included in the list of protective articles. One condition is that the industry must be one possessing natural advantages such as abundant

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supply of raw material, cheap power and efficient supply of labour and a large home market. This is the first condition to be satisfied in each case. I do not know whether this aspect will be examined by any person on behalf of Government or are they likely simply to say 'yes' to all the recommendations of the Tariff Board. The second essential condition is that the industry must be one which without the help of protection either is not likely to develop at all or is not likely to develop so rapidly as is desirable in the interest of the country. This is the obvious corollary from the principles which have been laid down. The main object of protection is either to develop industry which otherwise would not be developed or to develop with greater rapidity. In this particular case the Government ought to examine each particular industry whether this principle is applied and whether the industry in the long run will be able to stand on its own legs. The third condition is that the industry must be one which will be eventually able to face world competition. This condition also ought to be considered carefully. The importance of this condition is obvious. The protection we contemplate is temporary protection to be given to industries which will eventually be able to stand alone. In each case this ought to be examined carefully. I pointed out time after time on the floor of the House that whatever protection we give to industries, we should not give it to capitalists. The object of protection is not to give fat dividends to capitalists. Some individuals invested money during the war and they are anxious to continue to derive the same rate of profit during peace time also. On account of this anxiety they may press on the Government of India to give them protection, and the Tariff Board in order to please them should not accept their plea. We should like to be satisfied that the demand for protection does not arise out of desire to have fat dividends during peace time also as they did during the war. This is a very important point to be considered. I am not going to give my opinion blindfolded, I am not going to give a *carte blanche* to the Government of India on this particular question. What would be the effect of this on the price level? At present we have been shouting that the prices are high, the purchasing power of the rupee is only five annas and that the salary of every member of the Government of India ought to be raised to three times. But any action we may take might tend to increase the price level and diminish the purchasing power of the rupee. This tendency ought to be resisted. If this protective duty is allowed to be imposed by executive action, we do not know whether Government will impose it on two articles or 20 articles or 200 or 2,000 or two million articles. There will be no limit whatsoever. We cannot give a *carte blanche* to this Government which has no conscience.

The Honourable Dr. Sir M. Azizul Huque: I can assure my Honourable friend that it will never be 2,000 not to speak of two millions.

Dr. Sir Zia Uddin Ahmad: My Honourable friend may say so, but what about his successors.

The Honourable Dr. Sir M. Azizul Huque: I am quite prepared to take a bet.

Dr. Sir Zia Uddin Ahmad: The Honourable Member cannot give a guarantee for all times and on behalf of all his successors.

The Honourable Dr. Sir M. Azizul Huque: I can guarantee that it will not be 2,000.

Dr. Sir Zia Uddin Ahmad: This is a point which has to be looked into, whether this protective duty will affect the price level of our manufactured articles. We have already seen that the price index is fairly high. We have been demanding that the price index should be reduced to 125 per cent., my Honourable friend Prof. Ranga wants it be reduced to 100 or 110 per cent. At present the price index is 250 per cent. and I do not think how with a clear conscience, we can give the Government this power to impose protective duty without ascertaining what will be its effect on the price level of commodities. I want to know from any economist on the Government side whether the prices will come down. This is a

question which can be answered practically. It is not so difficult as the question of a monkey on one side with a pair of scales and claimants on the other side who wanted to know whether the scale will go up or go down.

The Honourable Dr. Sir M. Azizul Huque: I do not want to answer this because my Honourable friend has brought in the monkey for his illustration.

Dr. Sir Zia Uddin Ahmad: It is an ordinary question which we have to put, it is not a mathematical question, it is a simple question on economics. It is a simple problem whether by levying this protective duty, the prices will go up or come down. The one and only reply I can give to this question is that by levying a protective duty, the prices will go up. My Honourable friend will say, no. When the Tariff Bill was first under discussion, it was pointed out that whatever protection was given to any industry, it was really by way of loan to that industry by the consumers of the country and the consumers expect the loan to be repaid in the shape of reduced prices. Whether the industry to which protection has been given can guarantee a lowering of price is a question which has to be carefully consider. Take the case of sugar industry. The protection that has been given to it has never been paid back in the shape of reduction in prices. We find that the price of sugar is going up day by day. We got back nothing. In cloth we have got nothing back. We have failed miserably in these. With regard to articles on which a special protective duty was levied in 1934, we find that the prices are still high and there has been no paying back of the duties. That is one of the points on which I expect a clear reply from the Honourable Member, whether these protective duties, which are of the nature of loans to the industry, will be repaid to us. Past experience shows that there has been no repayment.

I will next come to the dangers pointed out by the Fiscal Commission, and I should like to know what provisions have been made by the Honourable Member to guard against these dangers. The first is the danger of combines. It was pointed out that prices are lowered by cut-throat competition but when there is a combine this competition disappears. In sugar we have seen the absence of cut-throat competition; the sugar industrialists formed a syndicate, which fixed the prices, and these prices were always higher than the prices fixed by the Tariff Board when they gave this protection. But when the difficulties became great and serious complaints were made, the local Government had to step in and they raised the price of sugar-cane. Then there was a kind of competition between sugar-cane prices and the prices of sugar. All this trouble was due to the action of the combine. I should like to know what precautions have been taken by the Honourable Member against this kind of combine raising the prices of articles to which we are giving protection and for ensuring that there will be open competition.

The second thing is that the protection should be for a limited period and should not be perpetuated. What is the guarantee for that and what period will he fix for this protection? We found from experience in the case of articles to which protection was given that this period was never mentioned. In the case of all protection given under the Act of 1934, the prices have not come down and the industries have made no progress; only some money has gone into the pockets of a few industrialists who were interested in these industries. The Tariff Board of 1921-22 said this:

"The duration of the burden will also be extended if protection operates to prolong inefficient methods of production. As an instance of this possibility we may refer to the views of the Indian Sugar Committee of 1920. After a detailed inquiry into the conditions of the sugar industry they came to the conclusion that, at the time at which they wrote, of the degree of protection, direct or indirect, enjoyed by the industry was sufficient, and they added:—'We fear that any increase in the duty might result in bolstering up an inefficient industry to the detriment of the consumer'."

In spite of this the period was extended for period after period. That is the danger and we must guard against it, now in giving protection. The question of protection is a serious one and I am opposed to the kind of protective duty as has been proposed by the Honourable Member. I think it is a retrograde step and

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not a progressive one by which the country may advance. If he has got the courage he ought to come forward and nationalise industry, in which case we will support him. But he gives relief to those industries which put the maximum pressure on him and fills their pockets at the expense of the poor consumers. This method might have been useful 40 years ago after the last war; it is surely not true after this war. The views of the people are changing and labour is not now what it was; and people want that all profit instead of going to the industrialists should go to the State. Industrialists have no right to demand anything beyond the usual bank rate of interest and perhaps a little more; but they cannot demand 30 or 40 and 70 or 80 per cent. as they have been doing, under the system of protection given to them by the Government of India, which is quite out-of-date. The legislature cannot swallow this retrograde step and we should abolish this as soon as possible; either nationalise industries or afford some other kind of protection. No attempt has been made by Government in that direction.

Then, Sir, my Honourable friend has a large number of articles and only one Tariff Board. I do not know how one Tariff Board can look into so many articles, if they at all want to do their work properly. And then every member of the Board is not an expert in everything. There should be at least one member who must be an expert in the thing so as not to be bluffed by the industrialists. I understand only one Tariff Board will look into the problem of so many articles,—my Honourable friend mentioned two hundred. Can any one imagine that this one Tariff Board will examine the cases of these two hundred things in one month and then submit their recommendations on all of them? Their examination will be cursory and their recommendations defective. We will be false to our electorate and to the consumers if we give this blank cheque to Government to impose these duties just after a cursory examination by one Tariff Board. They will have to finish the examination of one article every day. The method will be like what is done by certain examiners who examine five hundred answer papers in one day or like the judge who have five hundred cases on his file and used to hammer down half on one side and half on the other, and said, "These are admitted and these are rejected". That will be the method followed if they examine two hundred commodities which, as my Honourable friend said, they will have to look into.

The Honourable Dr. Sir M. Azizul Huque: I never said that. I said it will never be 2,000 not even two hundred. My Honourable friend was going into millions; I brought it down to two hundred.

Dr. Sir Zia Uddin Ahmad: I will accept the figure as 199. I ask him to calculate by simple arithmetic. He himself says that there will be 199 or 198 commodities which the Tariff Board will examine. He wants this for two months only and may I know how much time will they give to each commodity in order to examine it fully? It is rather unfair. It is an insult to our intelligence; it is an insult to our power

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammaḍan Rural): Where is two months in this?

Dr. Sir Zia Uddin Ahmad: I understand that probably it will be reviewed when the Legislature meets again after two months, because after all it will have to be verified. Therefore, I do not understand why do you demand this power. If the Legislature is going to meet oftener, let the Tariff Board question be laid before this Legislature and let the Government come forward with their arguments. Let us have the opportunity of examining the arguments of the Tariff Board and giving our opinion. The question which is still more important is the quantum of protection. Even if we agree that there ought to be protection, we cannot agree with regard to the quantum of protection. This requires a great deal of discussion and calculation. I have seen the calculations of Tariff Board about the quantum of protection. If they come before

me for examination, I will certainly point out the defects in that. They sit down there and say give so much for this and so much for that, and so much for *jawakihat*—fruits and chocolates. This is the way in which these things have been done. I am sorry I have not got much time, otherwise I would have really produced the tariffs in which this kind of thing has been done. I have exposed them in the past and have said time and again that the tariffs are really very faulty. Therefore I say that an opportunity must be given to us to calculate what protection would be needed, and I beseech my Honourable friend not to take too much power on himself, power which he will not be able to wield and which will expose him to criticism. The only people who will really pray for his long life and prosperity will be those capitalists who will pocket the money by the benign actions of the Government of India. I said that when this question of steel protection will come in the Tata Company will put a gold tablet

The Honourable Dr. Sir M. Azizul Huque: That was supported by the Honourable Member himself.

Dr. Sir Zia Uddin Ahmad: My Honourable friend has a poor knowledge of his own Department. He should know that I opposed this tooth and nail section by section and my Honourable friend was there. I did not support a single section, and in the end, when I found I could not help it, I kept quiet. My Honourable friend, the Leader of the House, was present at that time. I never supported this particular thing at that time too.

I request my Honourable friend, the Commerce Member, to consider these proposals once again with a serious mind. He ought not to take on himself the responsibility which is really very great. He ought to take the House into his confidence. After all, he will find that in the new life which has been created in all the countries of the world, the capitalist will not play the same role in the future as they have done in the past. Their days are finished, and now a new era and a new dawn will appear. He must also accommodate himself to new conditions; he must consider the interests of the consumers; he must consider the interests of the people at large; he should not confine himself to the interests of the capitalists.

I am not against the development of industries. On the contrary, I am all for the development of industries, but the profits should be the property of nation and not the property of certain individuals. That is what I stand for, and this is the point in which I entirely differ from my Honourable friend the Commerce Member. He thinks that it should be the property of the capitalists while I press that it should be the property of nation.

I asked the Honourable Member to change the Companies Act which he never did. We had plenty of opportunity to review and revise the whole of the Companies Act. It was promised to us in 1933 that after a period of five years the whole of the Companies Act would be revised. We waited during the war time but he did not do it. Now the war is over

Sri M. Ananthasayanam Ayyangar: Is the Honourable Member referring to the Tariff Act or the Companies Act?

Sir Cowasjee Jehangir: There is no difference; it is all the same!

Dr. Sir Zia Uddin Ahmad: In all these matters he ought to give a greater share to the labour. The old theory that the labourer is only a wage-earner and has got no place in the business has been exploded. They must be treated as business partners, and they must have their full share in the profits of the company. Now we are giving protection to these various industries in order to give them increased profits. I would like to know what portion of the profits will go to the labour. Is it not a fact that the whole of the profit will go to the capitalists and nothing will go into the pocket of the labourer. This protection will neither give any relief to the consumer, nor to the tax-payer, nor even to the labourer, but it will put all the profits into the pockets of capitalists. In the name of protection of industries, these capitalists want

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to protect themselves. There is great difference in the connotation of the words 'protection of industries'. We are all in favour of protection or industries. There is not any one in this House either on this side or that side who is opposed to the idea of development of industries in this country. The old theory that India is an agricultural country and the industries should not be developed has now been exploded and nobody is in favour of that. We want to develop our industries; we all favour that all possible steps should be taken in order that the industries may be developed. But some persons think that the development of industries means fat profits to the capitalists. This is the theory in which we beg to differ. If by the development of industries, the profit level is reduced, and the taxpayer gets relief, then we certainly are in favour of the protection of industries. If the protection of industry means the protection of the capital of the industrialists then I am against it. As it is he has enough money but he does not know where to employ it. He does not want to invest in Government securities. But he wants more profits. If this is so, then I am not in favour of the development of industry in this sense and no relief whatsoever either to the workmen or to the labourer or to the consumer or to the taxpayer will be forthcoming. If the profit comes to the Treasury of the Government, then it should be a relief to the taxpayer. If it comes to the poor people, then it will mean more prosperity to the people. If it comes to the consumer it means reduction of the purchasing power of the rupee. But nothing of the kind is contemplated. I do beseech the Honourable Member that before he asks us to support his Bill, let us know his views on this protection because the world's views have changed. At one time England was opposed to the idea of protection. They were free traders and I think England did very well before protection was introduced. They controlled the world markets and there was a curse when Sir Joseph Chamberlain introduced in England his theory of protection.

Mr. President: Order, order. So far I believe the Honourable Member wishes to point out that he is not prepared to give to the Government the power to form their own opinion as to the protection they want and in stating his reason why he is objecting to that, he has been discussing the policy of protection. Has he not sufficiently done so?

Dr. Sir Zia Uddin Ahmad: I am just finishing in a minute. I am opposed to protection itself. It is a curse to the country but if it is needed for a certain purpose, it should be exercised for the benefit of the country not for the benefit of the capitalist. That is the viewpoint which I want to press and this, my Honourable friend, the Commerce Member, has not understood. This is my view and I have pointed out that England made this mistake under the recommendation of Sir Joseph Chamberlain and I think they came to grief and now the world will be wiser if this theory of protection is left out altogether and we go back to free trade. We may levy duties for revenue. I will probably discuss this on the question of taxation. A levy between three to five per cent. all round duty may be imposed as a kind of revenue duty. But as a protection, the position is different. We have to consider that very carefully because protection is not always in the interests of the country. It is a retrograde step and we are afraid if this is repeated only a few capitalists will be benefitted. The bulk of the people will get no benefit. They will get so excited that the time may come when the labourers will burn the factories we are creating for the benefit of the people.

With these words I oppose the present Bill.

Mr. President: The House will now adjourn for Lunch.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): There is no quorum, Sir. Government do not seem to be anxious to get on with their business, why not the House adjourn.

Sri M. Ananthasayanam Ayyangar: It is their business to see that their members are here.

Mr. President: It is not only one section of the House which is responsible for the want of quorum.

Sri R. Venkatasubba Reddiar: When official Bills are taken up the Government do not seem to be anxious to get on with them.

Mr. President: The responsibility is of the whole House, not of any particular section thereof.

Sri M. Ananthasayanam Ayyangar: Sir, I should like to say just a few words. We have had enough of discussion about this.

I do not agree with my Honourable friend Sir Zia Uddin Ahmad that we do not want protection for our industries. I am certainly in favour of nationalisation of a number of key industries in this country. But I wonder if it would be possible for the Honourable Member to pick and choose from the two hundred and odd industries which have gone before the Tariff Board or even from the industries recommended by the Planning Committee. But whether industries are nationalised or are privately owned, we want protection from foreign competition. Therefore the question of protection does not stand only in respect of private industries but there must be discriminatory protection even with respect to industries which are managed by the State or are state-owned. Therefore the question of nationalisation of industries is not quite relevant to the subject on hand.

As regards the other point which my Honourable friend raised that indiscriminate protection ought not to be given to industries, I agree with him. There is a tendency always on the part of industrialists who receive protection and grow with the aid of protection not to care for the labour under them. Also they seem to think that they are entitled to protection for any length of time and do not care for the consumers. I would like the Honourable Member to give an assurance to the House that he would go on examining the question from time to time and see that the prices that these industries charge locally are not abnormal, in which case the quantum of protection must be reduced from time to time. Also the welfare of the workers must be the foremost consideration so far as these industries are concerned. Subject to these limitations the Government must have the power to protect industries, for during the interval between two sessions the occasion may arise for Government to invoke the aid of this legislation.

I would like to impose one additional restriction or safeguard. My Honourable friend Sir Zia Uddin Ahmad as also some other Members were anxious to avoid placing unfettered power in the hands of the Government. May I suggest that before the Government takes any step on the recommendation of the Tariff Board they will consult the Advisory Committee of this Assembly for the Commerce Department. In all cases where they are in agreement with the Tariff Board and where they want to impose protective duties and thus give protection to particular industries they should first consult and take the advice of this Committee and if their views are favourable, the Government should immediately, without the intervention of the Assembly, impose those protective duties. And even in cases where they may disagree with the Tariff Board, let those cases be brought before the Assembly at its next session. I have tabled an amendment to this effect: that when the Assembly is not in session if the Government impose protective duties under the power given by this Bill when it becomes an Act their action should be confirmed by the next session of the Assembly and if during the course of the next session the Honourable Member does not bring in a Bill to confirm the step that was taken by the Government, then two months after the session of the Assembly the notification imposing the protective duties would

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lapse. Sir, I find the Honourable Member is willing to agree to that course. In addition to that I would only request him to give an assurance to the House that in all cases where he intends accepting the recommendation of the Tariff Board he would place it before the Advisory Committee of the Legislature for the Commerce Department and on their approval issue a notification. If he does that we would have achieved our object. In cases where he does not agree with the Tariff Board's recommendations he should bring them before the Assembly at the next session and explain the reasons why he would not give protection to the particular industries which have been recommended by the Tariff Board. With these observations, Sir, I support the consideration of this Bill.

The Honourable Dr. Sir M. Azizul Huque: Sir, I am grateful to the Honourable Members of the House for the generous support that has been given to me in connection with this Bill. I am particularly grateful to Mr. Gadgil, as I must say he really is the originator of the present Bill and I would unequivocally acknowledge that it was his suggestion before the Standing Committee which made me bring this legislation before this House.

We are often criticised for the protracted delay in the machinery of Government and I should like to mention this as an instance how the matter was taken up in the Department.

As my friends are probably aware, before a Bill can be brought before the House several steps have to be taken, which must take a long time. (1) To settle the main principles and outline of legislation: (2) to take the views of all Departments concerned such as Industries and Supplies, Planning, Finance, etc., and in case of any difference, come to some agreed conclusions: (3) to prepare a summary of the main principles of the Bill: (4) to circulate the summary with His Excellency's approval to the members of the Executive Council and to have their concurrence after settling differences, if any: (5) to refer it to the Legislative Department for a draft after discussion of all necessary details: (6) to examine the draft Bill finally in the Department and (7) to prepare a statement of objects and reasons and explanatory memorandum on clauses and then finally to give notice for introducing the Bill. Being a question of legislation, the Member in Charge has to be referred to at almost every stage referred to above. Inter-departmental reference and discussion and agreement must necessarily take sometime as each Department has to examine the Bill from its own point of view. An actual draft Bill can also never be too quick. No legislation can be taken up too quickly. In this case as Mr. Gadgil may remember, he made his suggestion before the Standing Finance Committee on the 16th February. This came to my notice on the 18th February. (I am not a member of the Standing Finance Committee.) I immediately took necessary steps in accordance with the procedure I have outlined to have a Bill drafted and the Bill was ready for introduction as you have seen on the 22nd March. Honourable Members will therefore realise that in a matter of importance every possible care is taken to expedite in every possible way.

After paying my tribute to Mr. Gadgil for his excellent suggestion, I now come to my friend Mr. Manu Subedar. And here I am not saying anything in contrast but only as a statement of fact. I have very great esteem and regard for Mr. Manu Subedar, and he himself knows it for his ability, zeal and devotion and for his anxiety to have a better shape of India. But since I have been here there have been two budget sessions of the Assembly including the present one, during that legislation nor during the protracted discussions that we annually have suggested either in 1944 or in 1945 that we must immediately appoint a Tariff Board and a permanent one. This year he comes in all solemnity to question as to why did we not anticipate and appoint a Tariff Board before. Was it not his duty as a responsible Member of this House as an economist, as a businessman

himself, as the representative of the Indian Merchants' Chamber, to make his suggestion earlier? During Protective Duties debate or on other occasions he did not do that. Not only that, but during the Protective Duties debate of 1944 a suggestion was made by my friend Mr. Nauman to have a tariff enquiry started at that time. It was opposed by a distinguished industrialist, then a Member of the House, on the following among other grounds:—

First, nobody knows what would be the international economic position after the war is over.

Secondly, nobody knows how the trade between the various countries will be carried on.

Thirdly, it would be waste of labour in such circumstances to attempt any tariff enquiry at that stage.

Even then my friend, Mr. Manu Subedar, never came with any suggestion when this question was actually raised and industrialist opinion, as expressed in this House as well as outside, was definitely against any such step at that time.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Did not the Indian Merchants' Chamber make a suggestion?

The Honourable Dr. Sir M. Azizul Huque: I am not dealing with the opinions of the Chambers of Commerce. I will come to that. I am dealing with the opinion expressed in the House. Possibly, my friend, a distinguished economist as he is, was then busily engaged in making economic studies of the unconscionable profits of those who were piling up their fortunes in the black market though I plead complete ignorance as to the distance from which he was so studying. Sir, he is a critic and critics who will not help to create, unlike Mr. Gadgil whose criticism had great value and elements of constructive criticism. He will follow a new technique in his massive speeches, the technique of finding out maggots and bacteria in a disinfected article, the technique of creating suspicion, distrust and unreality in a realistic world, the technique of creating complexity and confusion in simple matters, the technique of quoting scriptures without believing a word of it and finally the technique of a world only full of evils, the Government of India being the worst devil that could be possibly found. I am not certain whether it was really thinking of such an evil world that the classic poet said once:

*Makshikah Vrinamichchhanti,
Madhumichchhanti Satpadah,
Sajjanah Gunamichchhanti,
Doshamichchhanti Pamarah.*

(Flies seek the sores, the bees seek for honey. The virtuous look to virtues, the knaves go in for faults.)

This probably will be my last speech as a Member of the Executive Council as I am happy that a new state of affairs will soon come.

Shri Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): Or are you despondent?

The Honourable Dr. Sir M. Azizul Huque: No, I am rather very glad, and I make no secret of it that the Government of India Members, and each and every one of them, will be most happy without any reservation if the present state of affairs is at an end. I say that not because of any theory or design, but because of the experience that we have in all governmental activities.

I have been criticized as to why we had not anticipated some of these things. We had been in office at a most critical period of India's economic and strategic history, with the enemy across her borders, with cruel bombs falling on innocent men, women and children, with the gravest crisis in her economic life, with acute shortage of cloth when millions of yards had gone underground to force up prices to a fantastic level. And we had to work in the interests of the country. I know with my bitter experience the limitations under which we had to work. And it was no crime on our part if under such circumstances we came to do our utmost in the interest of my country and in the interest of my countrymen. For

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myself, at every stage where I have worked, I have tried to anticipate events. As the Member in charge of not merely Commerce but of Food, Industries, Civil Supplies, Industrial Research and Industrial Planning, Honourable Members will find that at every stage I tried to anticipate the future. Almost immediately when I took charge of these portfolios I was confronted with the most desperate food situation with a bare skeleton organization and without much of the administrative personnel either in the Provinces or in the Centre, amidst difficulties of transport and without much support and even sympathy. With an intransigence unknown in the economic history of India, I had to grapple with the gravest food problem. I was just able to settle all the differences and plan out the final basic programme on which the food supplies began to move to the deficit areas. But even in the midst of this I anticipated the future. I would only today say, which I have not done for the last two or three years, that I made arrangements about the future plan of food to be got ready. After many discussions in the Department a Committee was appointed with Sir Theodore Gregory as the Chairman which recommended the future of the foodgrains policy. It was only after the recommendations were available that I handed over my charge, and that Policy Committee's Report is the basis of all future food policy that has been followed ever since that date.

As the Member in charge of Industries and Civil Supplies which I held till a few months back, I had to take up the problems of economic control of a number of commodities including textiles. Honourable Members will realize that it was a stage in which inflation had reached a most dangerous point and price of textiles at that time shot up to even more than double of what it is today. When there was a cloth famine in the country, I hope it will not be forgotten, that there were nine months of total production of India in hidden stocks with the traders; when people were dying for want of medicine, drugs and medicines were underground to enable the traders to charge black market prices. These economic controls were the first of their kind in this country, and whereas in other countries economic controls had the advantage of experience and administrative personnel, we had to make a start and a beginning. The extent to which we were able to tackle this problem will only be known when the passions and controversies of today will die out. But, anticipating the future, we took steps against hoarding and profiteering; we took also steps for the establishment of several national laboratories and a Committee of distinguished men was appointed to prepare a plan of industrial research especially in co-ordination with Universities. Anticipating the future, we also tried to send abroad a mission of most distinguished industrialists much early, it is well known why we could not send them till a much later date. We tried to collect data from industrialists, but they were not available. As soon as the war was over, as a consequence of the measures which we took up, we followed them up with the question of the appointment of a Tariff Board. Having regard to the economic conditions of the world and even in India we thought it would be an advantage if instead of a permanent Tariff Board, a Tariff Board for the time being, appropriate to the post-war needs and conditions of the country is immediately set up for investigating the immediate claims of industries which had been started or developed in war-time with a view to consider the question of assistance and protection during the transition period. In fact, we had begun quite early. It was on the 28th April 1945, just about a year before, that a press communique was issued inviting industries to address their claims to us. We received a number of applications. There were certain industries in addition, the start of which was considered essential by the Government of India under conditions created by the war. At the time this was done, Government announced that such specified industries promoted with their direct encouragement during war-time might feel assured that if they are conducted on sound lines they would be protected by such measures as may be devised against foreign competition. Having taken these preliminary steps, the selection of a personnel was one of the most difficult matters. Sir, it is matter of conviction with me—it may be right or wrong—

that it is far better to have no Tariff or any other Board, temporary or permanent than a Board which will not command the confidence of all. I had therefore to take every step to see that the Board was such that it commands the confidence of the country. I could not select men without consideration; I could not pick up men from the market of India especially the contaminated market. I had to select men of distinction, ability and judgment, who could speak with authority and I had to find men who were otherwise engaged in most responsible work in different parts of India. I would like to take this opportunity of thanking the Chairman and the Members of the Tariff Board that they were ultimately able to accept my invitation. Sir, it is well known that the Chairman, Sir Shanmukham Chetty, had to come as Chairman of the Tariff Board at considerable financial sacrifice. Dr. H. L. De was the head of the Department of Economics of the University of Dacca. Dr. Nazir Ahmed, is an eminent scientist of international reputation in charge of the Indian Cotton Institute. I had to offer to a few others who would not or could not accept or come. Thus it took a little time; but there was no delay whatsoever in pursuing the matter.

I am asked, why not a permanent Tariff Board? Why is not a permanent Tariff Board appointed? For myself, I fail to see how the value and character of a tariff inquiry, specially by the board as now constituted, is in any way jeopardised because the board is not a permanent board. They are only in the nature of an immediate inquiry; till the post-war needs and conditions are well-known things are bound to be in a fluid or dynamic condition for a year or two. More industries are likely to be started, and we must be able to know where Indian industries stand and where India stands before any permanent Tariff Board is appointed. We must know a little bit also of world trends and tendencies before we appoint a permanent Tariff Board. But does it in any way mean that those gentlemen who have been appointed and have agreed to take up the work, men most distinguished in the public life of this country, men of great eminence in industry, in economics, and in science will not do their duties as ably or as properly simply because the Board is not a permanent Board? I consider it to be a slur on these most eminent men of India that they will not be able to make a proper inquiry simply because their term of office is not permanent. In the past similar inquiries have been made. Those Boards were also of a temporary character and they made recommendations which have revolutionised the industries of this country. I am therefore convinced in my own mind that the argument that there should be a permanent Tariff Board is merely an argument to criticise us, without looking into the substance of the steps that have been taken. I am sure if I had actually appointed a permanent Tariff Board my friend would have equally come forward to criticise me saying "Why do you appoint a permanent tariff board at a time when the whole of India's future is under discussion and when it is well-known that others may take your place very soon?" That would have been the criticism again.

Once again, the question has been asked "Do you expect any dumping in the future?" They say the world is shattered and therefore there is no danger whatsoever, at least in the immediate future, of any dumping. History has always given us hard and bitter lessons; but it seems there are some who will never learn. May I bring back one incident? After the last German war in 1914-18, there was similar complacency in the world attitude that the political power, economic resources and the military strength of Germany had ceased for a considerable time to come and that it would be many years before Germany could reconstruct or rehabilitate herself. That was the complacent attitude of the time. May I ask how many years it took to rebuild Germany? History has repeatedly shown that it does not take long either in nature or in society to rebuild, reconstruct or to gain fresh strength if a nation has the determined will behind it.

There is one point of view which has been quite strongly pressed, namely, the consumers' interests; they say that the consumers' interests demand that the only problem today is to get more supplies; that the problem of today is

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not restriction of supply but to get more supplies. I am afraid it is taking too narrow a view of things. No country can rise industrially or economically without some sacrifice. The present generation must sacrifice for the future. A selfish parent can never rear up a good child, and narrow-visioned today cannot plan for tomorrow. All tariff protection imposes sacrifice, and nations and countries cannot be built purely on motives of immediate profits or dividends or gains. That may be a typical business attitude or the attitude which is prevalent in the speculation market; but it should not be forgotten that some insurance is needed to build up the future. You insure your car against accident but if you think that there had been no accident in the past, that you have steered your car with great caution and that therefore you need not insure it, the time may come when you may have to pay a heavy penalty if such a contingency actually comes. Therefore some sacrifice is needed by the immediate consumers.

Let me here refer to the case of the sugar industry in England; and that will be my reply to Sir Zia Uddin Ahmad on some of the points which I will refer to later; incidentally this will point out how apart from the principles enunciated by the Fiscal Commission, which are very sound principles, certain other factors have also to be taken into consideration in the world of today. England had no economic advantage in the production of sugar: they could not possibly attain any economic efficiency in the production of sugar; the prices of English sugar cannot possibly stand against the low prices of the highly organised sugar industries of some countries; and it was well-known when the sugar industry was started that British made sugar could never stand competition against organised sugar industries in other countries. There was practically no cultivation of sugar beet in 1924. The last European war made the whole of England realise that something was necessary to build up the agricultural strength of the country. By 1934 as a result of the different measures taken, England produced sugar to the extent of 600,000 tons against practically nothing in 1924; and this was done by subsidies to the sugar industry, which ultimately meant that the taxpayers had to pay for it. An inquiry committee was appointed in 1934 to consider whether those subsidies should continue. This committee recommended the complete cessation of all subsidies, but the recommendation was not accepted by Government. The then Minister of Agriculture in 1936, in proposing measures for reorganising the sugar industry and state assistance made a very important statement, which I hope some of the Honourable Members of the House would remember. He said that Government had rejected the recommendation of the Committee. The Committee looked on sugar alone, but Government has to look at agriculture and employment as a whole. In the meantime, between 1924-25 and 1937, which is the latest date for which I have got figures, the Government of Great Britain spent £40 millions in direct subsidies and £18 millions in granting revenue abatement.

May I say in the same words "Please do not look at sugar, or wheat or steel or iron or any industry which may be recommended by the Tariff Board". Let us look to the broad position of agriculture in this country; let us look to the necessity of employing a large number of men in industry, so that the pressure on the soil may be released to a certain extent, so that there can be a balance between industry and agriculture; and in doing so, let us not forget the words of the same Honourable Minister whom I have just quoted who, in a discussion in connection with this debate in the House of Commons, stated: every industry required protection against world competition. If that was so in 1934-35 for a country like England, how much more strong is the argument today for India, particularly when there is likelihood of a great export drive from almost all countries of the world in the next few years?

Sir, we have not forgotten—I must make it quite clear in spite of what I have said, that we have not forgotten that the consumers have their rights also,

and in our terms of reference to Tariff Board it has been specifically noted that in making its recommendation the Board will give due weight to the interests of the consumers in the light of the prevailing conditions and the probable cost of any protection or assistance to the community so that there may not be an excessive burden placed on the consuming public

Diwan Chaman Lall: What about the workers?

The Honourable Dr. Sir M. Azizul Huque: I am coming to that a little later.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): What happens to cottage industries?

The Honourable Dr. Sir M. Azizul Huque: I will reply to that. It was stated in the House that nobody knows how long this inquiry will last and therefore more Boards should be appointed. That is not correct. We have specially emphasized that the Board should complete inquiries with all possible expedition and submit a report as soon as possible after their investigation of the claim of each industry is concluded. It was not till the end of November last that the Board could be finally constituted. I hope that Honourable Members will realise that it takes at least some time before a committee of that character

3 P. M. can settle the necessary preliminaries, that is, have the necessary administrative staff, find out a suitable office, find suitable accommodation for the members and their establishment which now-a-days is extremely difficult, settle the questionnaires, consult industrial opinion and investigate the nature of the claims. It is barely four months when the Board was appointed and I am glad to say that within this short time they have finished their report on five or six industries. The reports are in the press and I expect they will be in the hands of the Government by the end of this month. Further they are almost on the point of concluding their deliberations in number of other industries.

Finally whatever may be the Government decision, this matter is bound to come up before the legislature at some time or other and it will be the privilege of this House to look after the interests of the consumers if Government is found not to have given due regard to it.

Then, Sir, certain other issues have been raised. I admit they are most vital issues but sometimes I feel, having regard to the present framework of the Government of the country, that they are a bit extraneous to this legislature. I have been told that I should look up to the nationalization of some of the key industries, that I should look to living conditions and wage standards of these industries. I admit the utmost importance of all these issues. By faith and conviction I believe in all of them and I might make it quite clear that I am of the same temperament and ideal as my friend Diwan Chaman Lall, Professor Ranga or Mr. Gadgil and I have absolutely nothing in common with my friend Seth Govind Das, who with his fortune amassed at Jubbulpore finds Jubbulpore as the centre of the whole world or with Mr. Lallu Bai who will find nothing wrong in traders, capitalists and black marketeers in spite of his talking of Russia on every occasion where he knows perfectly well he won't exist for 24 hours. I would therefore much like, in agreement with my friend Diwan Chaman Lall, to do much to shatter and to do much to construct. Sometimes I feel with the Poet:

"Ah Love! could thou and I with Fate conspire,
To grasp this sorry scheme of things entire,
Would not we shatter it to bits—and then,
Remould it, nearer to the heart's desire!"

Yes, may I ask what shall I nationalize if there are no industries in the country? Nationalization may be a great asset to the country's economy; it might turn out to be a great danger if, instead of being taken on its economic level, it becomes the sport of politics. Sometimes I feel that my friends who oppose these measures, criticize day after day Government and Government

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the question of protection at that time was hardly one of any importance; no import was coming into this country, the only import that was coming was wheat and in the matter of wheat, the Government remitted all import duties as it is going to be in future and as it has been for many years past. Therefore, it was practically nothing more than of academic interest, and the only question at issue was as to whether we should not have the same power which we can exercise in case any contingency arises. It is in these circumstances that I brought that Bill, and I think the most serious charge which he has brought against me will not find scrutiny if he will consider these matters. He sometimes referred to what is in the best interest of the consumers, and he charged us that we often look to the interest of the capitalists and not to the interest of the consumers. Here again, I should say that the case of wheat perfectly illustrates as to how the Government did not look to the interests of the capitalists at all but only to the interest of the growers of this country and the consumers at large.

Dr. Sir Zia Uddin Ahmad: That is just what you did not do.

The Honourable Dr. Sir M. Azizul Huque: I will not make any dogmatic assertion, but I will say that if the wheat duty was not there, and wheat was allowed to get freely into India at the time when the wheat duty was imposed, well, the price which is already too low would have come further down without this protective duty. Whether it would have come down or not is a matter which we might settle elsewhere.

An Honourable Member: By a duel.

The Honourable Dr. Sir M. Azizul Huque: Unfortunately the medieval days are past, otherwise, it could have been settled in other ways.

Sri M. Ananthasayanam Ayyangar: Our friend Dr. Sir Zia Uddin Ahmad is too old for that.

The Honourable Dr. Sir M. Azizul Huque: Even now don't you think there might be a danger? Supposing the price level today of all the food commodities is somewhere near about the level at which it is, is it not well-known that the world parity of price of these is considerably below that and it is bound to be more so if there is no protection. Don't you think that the interests of the growers and the consumers as a whole will be terribly jeopardised if there was no right of protection? In one respect according to the logical conclusion of Dr. Sir Ziauddin Ahmad, this Government must be a very good Government, because within a period of fifteen years he had only three fiscal shocks, that is from 1931 to 1946.

Sri M. Ananthasayanam Ayyangar: At his age, one is enough.

The Honourable Dr. Sir M. Azizul Huque: It seems that old age can withstand any amount of shocks. Sir, my Honourable friend referred to the recommendations of the Fiscal Commission. I am giving him this assurance that so far as the recommendations of the Fiscal Commission are concerned, they all along formed the background of all steps that have been taken by the Government in the matter of imposition of protective duties and will continue to be so. In other words, these considerations will always be with the Government, but as I say that in the evolution of world's history, we have gone much beyond where we were in 1921, and apart from these considerations the other considerations which have been referred to will also be taken into account before any question of protection is considered. Sir, I have already given an example to illustrate the value of protection to the consumers. Sir, living in the calm atmosphere today when both the war against Japan and against Germany have fortunately been over, and with the success of the Allied Powers, it is possible to argue thus, but what would have been the position of India in the matter of both sugar and cloth during war-time, if there was not this protection granted to these two industries? Does my Honourable friend know—as I have said, I hold no brief whatsoever for the capitalists, I know

more about capitalists by actual facts than what my Honourable friend can hope to know, I have no sympathy with capitalists—but does my Honourable friend know that at least some credit is due to those people who had to carry on their concerns almost at the marginal level with very little of profit, with much loss, particularly in the textile industry before this war? They saved India at least to the extent of 4,500 million yards nearly and they have been able to supply large quantities of cloth to the country as a whole. Where would sugar have been if the sugar industry had not been protected? It is as a result of not only protection but also as a result of the control of the economic commodities that the sugar prices throughout the war had been kept near about a fixed level, a level which even in war conditions could have been argued as too low. Does my Honourable friend know that right during the war in 1918-19 and a little later the price of sugar was high? I will give another example which concerns the country as a whole. Once as a member of the Banking Inquiry Committee I went to investigate a matter of tea finance and in connection with that I went to the district of Rangpur to make an inquiry into the question of tobacco finance. Incidentally, I hope my Honourable friend Prof. Ranga will not be hurt if I say that Rangpur is the biggest tobacco producing district in the whole of India. There I came to know that an Indian industry was started to prepare cigars and cigarettes from local tobacco. As soon as that industry was started the price of a packet of cigarettes which was about four annas immediately was brought down to an anna, and within a few months that industry was killed and was not able to revive itself until many years later. And as soon as that industry went out the price of a packet again went up to four annas.

Diwan Chaman Lall: That was the Imperial Tobacco Company.

The Honourable Dr. Sir M. Azizul Huque: I will not mention which company it was. I am only saying that the price again went up to four annas. And it was a tragedy.

Diwan Chaman Lall: How is my Honourable friend going to remedy that state of affairs by imposing duties? It is a matter of internal competition by the Imperial Tobacco Company.

The Honourable Dr. Sir M. Azizul Huque: That is a separate question. But I am saying that in the long run it is an advantage to have an industry protected so that the price charged may not go up to fantastic levels.

My Honourable friend asked me whether the price would go up or come down. As I said, the price which the consumers have ultimately to pay in the long run is the price to be considered.

Dr. Sir Zia Uddin Ahmad: Which means the next world.

The Honourable Dr. Sir M. Azizul Huque: I do not know what will be my fate or the Honourable Member's fate in the next world and so I will not say anything about it; but so long as I am in this world I will say that it is the price which will range over a fair period of time that really matters. One of the things which has been started in this country at Government intervention is caustic soda. It is well-known that caustic soda can come into this country at very cheap prices; and if it comes at those cheap prices and the people in the trade are wiped out, we would be doing an injury to the country at large. We will get an assured supply at cheap prices but in the long run we would hurt the interests of the country. I will say only this, therefore, that the entire attitude of Government in the matter of protection is certainly not in the interest of capitalists but in the interest of the country as a whole, and the consumers form a very large part of it. I have no hesitation in saying that in view of the world attitude today and the factors that have come into being Government will specially look into this question if it is found that this question has not been looked into in the past. I think the time has now come when in assessing whether protection should be given we should not only consider the factors which have come out as a result of the

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officials in every possible way in their interrogations, speeches and suggestions, must have in their heart of hearts supreme faith in Government, because they feel that once a Government takes charge of an industry everything will be perfect and things will be all right. I am not quite so certain of that. Cases are not unknown where nationalization has resulted in deterioration of services. One has also to avoid the danger of political issues being injected into an industrial concern or political patronage being exercised when nationalization is introduced. Industry which requires high technical skill and efficiency does not always admit certain principles which are accepted canons in Governments, namely, promotions of officers by the usual standards of promotion in State service. The most senior man may be much below the level of a junior man. A private concern can easily supersede the senior to appoint a junior. A misfit can be easily weeded out, but it is easy for a man getting appointed in Government service but it is most difficult to get him out. Thus with all my faith in nationalization, I sometimes feel as to whether it would not be wise to introduce nationalization not just at the present stage but a little later. I would certainly not hesitate to do so if I had the feeling that the whole legislature wants such measures. Unfortunately, barring Professor Ranga and a few others, there has not been any decisive opinion expressed in the House. Certainly Sir Zia Uddin has expressed his opinion in that sense but I am not certain if many of us would at best like only the industries of others to be nationalized but not of the first person, singular number. I would like to nationalize really on an extensive national scale. If I want to nationalize, I would not touch at one point only, so that the capitalist at one corner would be touched and not at the other.

Secondly, I am quite aware that something should be done in the matter of wages and living conditions of the workers. Let me say here that I know it by experience I have gathered within the last few years. I am aware of the agonies of industrialization. I have seen myself how in some cases capitalists have built up their fortunes, giving low wages, providing only sub-human residential quarters for the workers and giving no thought to their welfare or living conditions. My friend the Honourable the Labour Member has within recent months tried to bring legislation after legislation to rectify some of these. I have known industries which are still employing children below a certain age. Quite a good deal has been done by the Labour Member to bring about better conditions among the workers. I agree that these are matters which would be and should be looked into as soon as possible but I am not so certain if these matters can form a subject matter of an enquiry by a Tariff Board, which we are talking about. But even if they can be, it would obviously take a very long time before we can find out any remedy and this would frustrate all our objects to avoid dumping from outside before an inquiry of this character may be finished along with a tariff inquiry. At the same time I do not wish to shirk my responsibility. I do feel that something should be done in this matter. I am proposing to consult my Honourable friend, the Labour Member—I have already had some consultation with him—to find out as to whether a suitable machinery may not be devised which will simultaneously look into these questions. I am grateful to my friend Mr. Chaman Lal for having brought this matter to my notice. I have also been discussing this matter; if any industry wants protection and the consumers have to pay, the country has a right to know what is being done in the matter of living conditions and wages for the labourers, quite apart from the other factories.

I shall also take up the question of consumers in protected industries in consultation with Departments concerned. I agree that probably the time has come in India, with reference to the future industries as well as the industries which have existed in the past when we should make a comprehensive review as to what should be our attitude, if at any time we are again asked for grant of protection, in the matter of wages and living standards of the workmen and also in the matter of prices. This price question

I might say has very strongly come to my notice during wartime and I felt that probably the price which has been charged requires a little bit looking into, particularly with reference to those industries in which some protection or other has been given. The question has been asked whether there should be more Boards in order to speed up investigations. On this point, I propose to consult the Chairman of the Tariff Board from the point of view of volume of work which they have and which they are likely to have, and after discussing with him, I hope to have this matter settled. Then the question has been asked by my Honourable friend Mr. Gwillt as to what will happen if the legislature does not sanction the tariff imposed by executive order. Importers have notice of the possibility of the legislature turning down any duty imposed by executive order. The same position arises whenever the duty is reduced or enhanced and in either case, it comes to an end. To give an illustration what would have been the position if the Bill was passed by this House on Friday last was not passed by the House. It will mean exactly the same position. I hope my Honourable friend will appreciate that.

There is just a little confusion regarding the scope of the tariff enquiry which is being held by the present Tariff Board. It is clear from the terms of reference that there are two types of industries which come within its scope, first the industries which have been started at the instance of Government, secondly, industries which have developed in war-time. Sir, those industries which were in existence before the war and which developed in war-time, also come within the purview of the Tariff Board enquiry. Therefore, it is not a fact that it is only confined to such industries as are started during the war period. It also refers to other industries which were started before the war and which had been developed later.

Then, Sir, my Honourable friend made suggestions about Standing Committee. I am prepared to give him this assurance that I will consult the Standing Committee for their advice, if I am here, before I think of passing an executive order. I will go one step further and I would say that if I am personally satisfied that the Tariff Board recommendations are of such a character that an industry can wait for a few months, till the legislature can meet, then I will certainly not pass the executive orders, but wait till the legislature actually meets. Then Sir, I am also quite prepared to give this assurance that all cases of rejections of the recommendations which are made by the Tariff Board will in due time be brought to the notice of this House. That, I think, will be an easy matter, and I know perfectly well that there are so many Honourable Members of the House, who, if at any time there is any default on the part of the Government, will always be too alert to immediately bring this question up for being answered on the floor of the House.

Now, Sir, I come to my Honourable friend Dr. Sir Ziauddin Ahmad, who I find is slowly waking up. He asked me why I proposed the Protective Tariff Continuation Bill in 1944. Sir, my Honourable friend is a distinguished mathematician. If I remember aright, once some 87 or 88 years ago, I remember to have read in the newspapers that my Honourable friend was the recipient of Sir Isaac Newton scholarship. I think I am correct. I might compare him, in the same way in matters outside mathematics, with Sir Isaac Newton. It is well known how Sir Isaac had to find two openings for the cat and kitten. My Honourable friend will always try to find some opening for and kitten. Well, there is actually an opening both for the cat and the kitten. Well, Sir, he asked me why did I do it in 1944? I might say that at that time when I did it, he was a Member of this House and a very much active Member but he never said a word then as to why I was doing it.

Dr. Sir Zia Uddin Ahmad: I was not present in the House. It was done in my absence.

The Honourable Dr. Sir M. Azizul Huque: If my Honourable friend were a lawyer he would have known that ignorance of law is no excuse. But in any way, my Honourable friend knows the reason why it had to be done. Because

Pundit Thakur Das Bhargava: I have not understood the joke. I do not know whether it is a joke at all, but I can submit one thing: We know how the Government of India acted before the appointment of the Fiscal Commission and the Industrial Commission. The doctrine of *laissez-faire* was adopted. All our industries were ruined by the Government of India. My Honourable friend mentioned caustic soda. Caustic soda can be had in this country for the mere collection, for the mere asking. If you had not taxed salt, and allowed free manufacture of the parent substance salt you would have got many industries in this country, and this country would have been in the position of exporting rather than importing. Even afterwards, I remember, when the protection was given to steel industry, to sugar industry and to cloth industry, steps were taken to see that the interests of Great Britain were protected at all times. For instance, when protection was extended to cloth, I remember that a recommendation was got made that as in regard to fine cloth, the machinery could not be had in England, and fine cloth could not be manufactured in India. What is the present position? If any industrialist takes into its head today to establish some national industry which would compete with the industry in England, there are many obstacles in the way. First of all, he shall have to apply to the Government of India in regard to capital issue, and he will be told in reply that in 'national interest' he is not allowed to go in for such industry. Then with regard to machinery Government has the right and power to see whether the right type of machinery can become available to him or not. He cannot get machinery from any other country except those in sterling area. Even today such hurdles are there in India that nobody can do anything in the matter. In fact I have never found the industries in this country in such a helpless situation as they are in today. Nothing can be done except through Government and the Government sit tight on every matter in which the interests of Great Britain are involved. I can understand that the Honourable the Commerce Member will do his very best in regard to Indian industries in which there is no clash with the British interests, but I am very doubtful if he will be able to do the needful in the case which I have mentioned just now. Therefore, I submit that the House will not be discharging its duty properly if it does not insist that in regard to industries in respect of which there is concurrence between the recommendations of the Tariff Board and the Standing Committee for Commerce, the necessary protection should be given, and the Government of India should not be given powers to veto down the recommendation. In all other cases it depends on the view of the Central Government whether they give protection or not. After all it is a matter of months only because as soon as the House sits we will see whether protection is to be given and all the matters will come before this House. For this interim period I wish that in regard to these matters there may be no discretion with the Central Government to deny protection to any industry which is wanted by the country.

Mr. President: Amendment moved:

"That in Sub-clause (1) of Clause 2 of the Bill:—

(i) after the word 'is' where it first occurs, and before the words, 'of opinion' the words 'after consultation with the Standing Committee for Commerce' be inserted; and

(ii) after the word 'may', the words 'and if such recommendation is concurred in by a resolution of the Standing Committee for Commerce shall' be inserted."

The Honourable Dr. Sir M. Azizul Huque: I have no hesitation in giving an assurance that such matters will be placed before the Standing Committee for Commerce, but I certainly feel that an amendment of this character is one which should not be on the Statute Book. I give this assurance that every case will be placed before the Standing Committee for Commerce for their advice, and I do hope that on that assurance my Honourable friend will find reasons not to press this amendment.

Pundit Thakur Das Bhargava: Sir, I beg leave to withdraw the amendment. The amendment was, by leave of the Assembly withdrawn.

Mr. President: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Sri M. Ananthasayanam Ayyangar: Sir, I beg to move:

(1) "That in clause 3 of the Bill, for the words 'As soon as may be after' the words 'During the session of the Central Legislature next following the date of' be substituted."

and
(2) "That in clause 3 of the Bill, the following Proviso be added, namely:—
'Provided that where for any reason a Bill as aforesaid is not so introduced, the notification shall cease to have effect on the expiry of two months from the termination of the said session'."

This is not an amendment of any importance except that it makes it obligatory on the Government to introduce a measure ratifying the protection already given during the off season as soon as the next session is held. In case that matter is not brought within two months after the close of the session of the Assembly, the notification should lapse *ipso facto*.

The Honourable Dr. Sir M. Azizul Huque: I am prepared to accept that.

Mr. President: I shall now put the two amendments before the House.

Amendments moved:

(1) "That in clause 3 of the Bill, for the words 'As soon as may be after' the words 'During the session of the Central Legislature next following the date of' be substituted."

and
(2) "That in clause 3 of the Bill, the following Proviso be added, namely:—
'Provided that where for any reason a Bill as aforesaid is not so introduced, the notification shall cease to have effect on the expiry of two months from the termination of the said session'."

Dr. Sir Zia Uddin Ahmad: I followed the oration of the Honourable the Commerce Member. I wish that that oration had been delivered to an audience of 5,000 persons. But it was not the kind of speech I would very much like to hear. We had two issues before us. The first was that of protection—whether that should be given for the benefit of the capitalist or should it be given for the benefit of the people.

Mr. President: Order, order. Is the Honourable Member attempting to speak on the policy? He has to speak on the amendment.

Dr. Sir Zia Uddin Ahmad: I am talking on the amendments. I am finished. That was discussed at great length. He avoided the real issue which we objected to. He is taking away from us the power of legislation though my friend's amendments have placed some restriction. But the Executive should never have power of taxation without previously consulting the Legislature. This is an issue over which I have had a fight and my friend said nothing about it. This power of the Legislature is like a sacred trust and he is now wanting us to agree to his proposal and cut our throat. I say, how could we possibly give away the power we possess of imposing taxation, whether as a protective duty or anything else, to the Executive because in one case it may be all right but in the other case it may not be. Remember the story of the fowl. The fowl died and the owner began to weep. There was a gathering of people and they enquired what had happened. They said why so much crying over a fowl which cost only eight annas? The owner replied that it was not so much the fowl that was lost, but the thought that it may be a member of the family to-morrow. Likewise here. Once you have given away the power of taxation, tomorrow the Finance Member will come and say

The Honourable Sir Archibald Rowlands: That is a foul slander on me.

Dr. Sir Zia Uddin Ahmad: The real issue is that he is wanting us to sign our death warrant and to give the Executive power of taxation which the Legislature alone should have. This is just omitting the real issue and going on talking.

[Dr. Sir M. Azizul Huque]

Fiscal Commission report but also take steps to find out what we can do in the interests of the consumers as a whole, the working classes and the industry. And I hope that with this explanation the House will accept the Bill in the present form. I have said that it is merely an empowering legislation, which gives power to Government to pass it by executive order for a short period of time. And when responsible public opinion grows in the country and is ventilated more and more, there is no danger of the kind which my Honourable friend fears.

Dr. Sir Zia Uddin Ahmad: Then why is it proposed to take away the power of the legislature?

The Honourable Dr. Sir M. Azizul Huque: I am not doing it. This session ends on the 18th April and I do not know when the House will meet next. In the meantime during the interim period if we want some power and Government consider it necessary to impose it we will do it by executive order. If Government find they can wait, they will not do it. But we will do it if necessary and as soon as the House meets we will bring in the proper legislation and get the sanction.

Dr. Sir Zia Uddin Ahmad: Then why not have it that as soon as the House meets the additional duty which has been imposed will automatically stop?

The Honourable Dr. Sir M. Azizul Huque: That is an agreed amendment which I am going to accept.

Mr. President: The question is:—

“That the Bill to enable the immediate imposition of protective duties of customs on imported goods be taken into consideration.”

The motion was adopted.

Pundit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I move:

“That in sub-clause (1) of clause 2 of the Bill—

(i) after the word ‘is’ where it first occurs and before the words ‘of opinion’, the words ‘after consultation with the Standing Committee for Commerce’ be inserted; and

(ii) after the word ‘may’, the words ‘and if such recommendation is concurred in by a resolution of the Standing Committee for Commerce shall’ be inserted.”

In moving this amendment I have a twofold object. First of all I wish that as soon as a recommendation is made by the Tariff Board, the Central Government should take the Standing Committee for Commerce into confidence, convene a meeting and know their mind. Secondly, if that Standing Committee is of the view that protection is necessary and agrees with the recommendation, the Central Government will have no power to refuse protection to the industry. In case the Standing Committee does not agree, Government can still grant protection if they so desire.

That is the sum total of my proposal as made in this amendment. I consider that the Honourable the Commerce Member has made out a very good case for certain powers being given to the Central Government and the Standing Committee for Commerce; I for one do not agree with those who say that protection is unnecessary or that it should be hedged round with such restrictions as to become useless in providing conditions conducive to the growth of industry. I heard with some pain the speech of my Honourable friend Sir Zia Uddin Ahmad: I have read the Fiscal Commissioner's report and I have also with me the report of the Industrial Commission of 1916-18. All those recommendations were to the effect that if certain conditions were fulfilled protection must be given.

Mr. President: Order, order. The motion for consideration having been agreed to, which means that the principle of protection is accepted, the question of desirability or otherwise of protection should not be discussed again. The Honourable Member should speak on the amendment.

Pundit Thakur Das Bhargava: Then I take it that the only question is as regards the machinery for dealing with a situation which might arise when the House does not sit in session. With regard to that my complaint is not that Government have given protection in undesirable cases. My own fear is that Government are not doing enough and will not give the protection which the industry shall require and they are not keen enough to protect the industries of this country. I know the past record of this Government; I know how this Government has been behaving in the past and I am extremely apprehensive that in a case where the interests of India will clash with the interests of Great Britain this Government will be unable to do the needful. The Honourable the Commerce Member has just given the example of sugar in Great Britain and how a great amount of money was spent in Great Britain even when sugar could be had cheaper from other countries, because sugar is an essential article of subsistence. May I know from the Honourable the Commerce Member how he would behave if there was an invasion of India? Have we got aeroplanes and other weapons of warfare here? Have we got heavy industries here? We know from the past record of this Government that even during the war-time when there was opportunity to build heavy industries and there was an occasion to do much for the development of industries in this country, they did not do anything worth the name. Some time back a committee (Humphrey's Committee) was appointed which reported that locomotives could be produced in this country and a start could be made within 15 to 18 months of the Report. The Report was made in 1940, and during these seven years no effort has been made in that direction. I am very much apprehensive that in regard to certain other industries also, where British interest will clash with the interests of India, full efforts will not be made by this Government to protect the industry, and therefore I have proposed in this amendment that where the recommendations of the Tariff Board are in accord with the Resolution of the Standing Committee for Commerce, the Government should not be given powers to veto down the recommendation.

It will be said that this Standing Committee for Commerce is only an advisory committee. We find on page 96 of the Manual of Business:

“The following subjects will be laid before the Standing Committees:

(ii) Reports of Committees and Commissioner (not including unpublished reports of departmental committees) on which the Indian Legislature is not adequately represented.”

From the assurance given by the Honourable the Commerce Member it is now clear that the Standing Committee for Commerce will be consulted in matters like these. But then this House has got its own responsibility in the matter. In questions relating to protection this House has to look to the interests of the consumers, the producers as well as the capitalists and the industry itself, and the House should not divest itself of its responsibility in the matter only by providing that the Standing Committee for Commerce may be consulted. The House will be well advised in insisting that the powers of this House be delegated for this interim period to the Standing Committee for Commerce, and its recommendations will have a binding character instead of an advisory character. It may be said that in the constitution of any other country an advisory body of this nature will not be found to possess such powers, but I may say that we have got an irresponsible executive. In no other country do we find an executive of this nature, an executive which has no guts to stand against the pressure of British interests. We have seen in the past and our experience of past hundred years so far as the Government of India is concerned shows that where there is a clash in our interests and the interests of Great Britain, this executive has always decided in favour of Great Britain.

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): Hear, hear!

The Honourable Sir Archibald Rowland (Finance Member): In favour of Bihar!

[Dr. Sir Zia Uddin Ahmad]

all kinds of irrelevance. This is the work of newspapers and editors and correspondents. But I thought in the House we talked of actual facts. Of course in the case of these newspaper writers (I am not talking of these gentlemen here), I have heard a good deal of the Aligarh affair but the real thing is that the shopkeeper shot the customer with two shots. This was not mentioned by any newspaper. This is the real issue. I think we should lay down certain conditions under which we can give this power. My friend has said that this should be operative for a certain time, that is two months after the next meeting of the Assembly. But the next meeting may not be for another year. In that case it may operate for a year. Secondly, nothing should be done without consultation with some representative of the legislative body, that is the Commerce Committee. If this Committee agrees with the recommendation of the Tariff Board, then it may be imposed for a temporary period and should be ratified as soon as the Assembly sits.

Mr. Leslie Gwilt (Bombay: European): I do not wish to oppose this amendment but I do want to reiterate the point I made during the first reading. I agree with my friend, Sir Zia Uddin Ahmad that if we pass this Bill what we are doing is to allow a very considerable amount of authority to pass out of the hands of the Legislature into the hands of Government. The Bill as it stands permits the Government to impose a tariff on the recommendation of the Tariff Board but without the sanction of the legislature until such time as a Bill has been presented before the House to give sanction to the action Government have taken. I think that is bad enough. Now what the amendment seeks to do is to permit a state of affair where a Bill may never come before the House at all, and I would reiterate the point that I made on the first reading and that is this— and perhaps I could illustrate it a little more clearly by giving an example, let us say, of kerosene lamps. Supposing a manufacturer puts a case to the Tariff Board that he can manufacture kerosene lamps in this country at a rate cheaper than they can be imported: The Tariff Board then, Sir, imposes a tariff of possibly 100 per cent. It may well be that an importer has a large shipment of lamps on the way. He pays the duty. He then tries to sell those lamps and the chances are that when the prospective consumer finds that they are substantially more expensive than lamps he has been in the habit of buying in the past, he will hold off from making a purchase for a time. There is a session of the Assembly and a Bill as envisaged in this Bill does not come before the Assembly. Two months after the Assembly is over for some reason or other and as envisaged in this amendment, the duty is withdrawn. In the meantime and through another importer there may have been another shipment of lamps coming in the country. The first importer will have paid a very heavy rate of duty: the second importer will not have paid that rate of duty. The first importer thus will be very heavily penalised, unless Government are going to hand him back the duty and I take it that they are not going to do so. I feel therefore that it is obligatory on Government, if they are going to exercise the powers they are to be given under this Bill, to bring their case subsequently to the legislature, because I feel that the legislature is the only body that can have a check on the Tariff Board. I do not wish to be misunderstood as criticising the Tariff Board. They are a perfectly reasonable and responsible body of men but on the other hand, if they recommend a duty and Government exercise their powers under this Bill, I think the legislature should have the opportunity of knowing the reason why.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Mr. President, I had no intention of intervening in this debate but having been brought up in the traditions of the countervailing excise duties on textiles I welcome the word protection whenever I hear it. The duty of the legislature should be to lay down the policy and it should be the duty of the Executive to

carry out that policy. What I have not been able to understand is why should the Honourable the Commerce Member have surrendered so badly to criticism and given in at every turn. There is the Tariff Board and there is the Standing Committee of the Commerce Department. They will come into contact and probably clash with each other at every turn. The point I would like to impress upon my Indian colleagues in this House is that if what people say is likely to come true, then the Committee that will control the Tariff Board as well as the Executive will be of a representative character and not of the type of irresponsible Government that we have today. Therefore barring cases of the exceptional type to which reference was made in the speech of the Honourable Member who preceded me I am inclined to the view that we should welcome anything that helps our industry to receive protection provided it does not interfere with the international market and therefore the concessions already given by the Honourable the Commerce Member should help us to assist him in doing the best he can. I therefore am happy to support the amendment, which the Honourable Member to my right has moved. There is nothing in it which goes against the promise or the assurance which the Honourable Member has already given that in two months as soon as the Assembly meets again, the action taken by the Government would receive legal sanction.

Mr. Manu Subedar: Sir, I want to refer to one or two misconceptions on this issue. The whole question is that having decided as we have done in accepting the principle of the Bill that protection should be given not in the interest of any particular section, but in the interest of the country as a whole, the important issue is that protection is like medicine to a patient. Having decided that the patient should survive or be kept alive, it is very important that the medicine should reach the patient before it is too late and from that point of view I feel that the position taken by Government in clause 3 was quite reasonable, except for constitutional purism and except for extra caution that the Executive Government do not abuse the powers which are placed with them.

Though my Honourable friend the Commerce Member showered a few flowers on me, I did not find myself in such a serious disagreement with most of his speech as to justify the flowers which he handed me. But I do feel that if protection is decided upon, it is not because it helps the capitalists as my friend Dr. Zia Uddin Ahmad repeatedly says but because it keeps the industry alive, because it keeps employment going, because it produces commodities which are necessary for security reasons in this country and in some cases because it is only under those conditions that these commodities could be produced, in case the foreign supply of it is cut off for any reason. It is therefore not one particular issue, all the interests are concerned and I take it, as the Honourable the Commerce Member read out in the references which he quoted, reference to the Tariff Board and general references, that it is not a single specific issue which will be considered by them. It will certainly not be the question of dividends to the industry. Which industry approaches the Tariff Board? Not one which has

Mr. President: I am afraid the Honourable Member is going into the whole question of protection.

Mr. Manu Subedar: I am on the issue of timely help being given to the industry. It is the question of timely help to which I will keep the issue more restricted

Mr. President: The issue in the present clause and the amendment is that the legislature must have control. The other issue which the Honourable Member is trying to raise relates to clause 2. That has no concern with this clause.

Mr. Manu Subedar: Clause 2 is referred to in this section and the Bill as a whole does involve the giving of timely assistance. But I will try to confine myself to the very narrow issue of this section.

Mr. President: That is right.

Mr. Manu Subedar: I was saying that the medicine should reach the patient in time to keep him alive. Whatever your motive may be in keeping him alive, the medicine should reach him in time and therefore this section is perfectly in order but my friend is improving on it and I would like to support him.

I would deal with only one point which fell from my friend Mr. Gwilt, *viz.*, the position of the importer. I do not say that the importer also is not one section of the community, one whose interests should not be considered when all other interests are being considered simultaneously. But I do say that an importer takes the risks of his trade. If after an importer imports his goods the tariff is increased, he makes a profit on his previous import. But if the tariff is diminished after he has imported he loses on his goods. This is the normal risk attaching to the import trade and I do not see any method by which the legislature can provide for meeting contingencies of this kind, when the whole issue lies between the time of one meeting of a legislature and another. The issue is not much longer and so I do not see any means by which the legislature can provide to deal with specific issues affecting individual importers or exporters whose shipments are on the seas. Therefore I feel that the clause which we have got is in order and the amendment which is made to it just imposes that degree of consultation with the Standing Committee of this House which I consider necessary.

Sir, I support the amendment.

[At this stage, Mr. President vacated the Chair, which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)]

The Honourable Dr. Sir M. Azizul Huque: I have only to say this that I have no objection to accept the amendment if the House desires it. But if my Honourable friend looks to the Section itself he will find that a statutory mandatory duty is being put upon the Government, and I cannot conceive of any Government, even under existing conditions, failing to discharge that duty which is mandatory under the statute. The duty is that:

"As soon as may be after the issue of a notification under sub-section (1) of section 2, there shall, . . . be introduced in the Central Legislature."

And there is no alternative. They must do it. If any Government does not do it, it is a matter which can also be adequately dealt with even under the present constitution. This Bill proposes to impose the executive action binding. It is only up to the state that a session can meet that this is required.

As far as the first amendment is concerned, "As soon as may be after" is an ordinary legal phraseology in general terms. My Honourable friend wants instead: "During the whole session of the Legislature next following the date of". I have no objection to it. But as I read and interpret it, it is wholly unnecessary. I still hope that my Honourable friend will not press the amendment in view of the explanation that Government have absolutely no intention of flouting the Legislature, that Government propose at every stage to bring up the matter. And the fact that I have brought this Bill at the instance of a suggestion made in the Standing Committee by the other side ought to be enough to show that we are anxious to do our best in the matter.

Mr. Gwilt's point has been met by Mr. Manu Subedar quite ably.

I have to reply to the last point. I am sorry I cannot reply to Sir Zia Uddin's very businesslike and relevant speech. But if he were here I would have said to him:

"Would some power giftie give us
To see ourselves as others see us"

As I said, I have no objection to accept the amendment if my Honourable friend presses for it.

Sri M. Ananthasayanam Ayyangar: I do, and I request my Honourable friend to accept it.

Mr. Deputy President: The question is:

"That in clause 3 of the Bill, for the words 'As soon as may be after', the words 'During the session of the Central Legislature next following the date of' be substituted."

The motion was adopted.

Mr. Deputy President: I have to put the other amendment. The question is:

(2) "That in clause 3 of the Bill, the following Proviso be added, namely:—

'Provided that where for any reason a Bill as aforesaid is not so introduced, the notification shall cease to have effect on the expiry of two months from the termination of the said session'."

The motion was adopted.

Mr. Deputy President: The question is:

"That Clause 3 as amended stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Mr. Manu Subedar: With reference to Clause 4, may I ask the Honourable the Commerce Member to explain sub-section (2) which is not at all clear. It runs:

"Such rules may prescribe the conditions subject to which any goods shall be deemed to be produced or manufactured in a particular country for the purposes of this Act."

What is the nature of these rules which will be made?

The Honourable Dr. Sir M. Azizul Huque: If my Honourable friend will see Clause 2 he will find:

"The Central Government may, by notification, in the official Gazette, impose on any goods, produced or manufactured in any country outside India and imported into British India."

Therefore it is necessary to get that power under Clause 4 by which this rule may be given effect to.

Mr. Manu Subedar: Then, Sir, I want to speak on it.

Mr. Deputy President: Mr. Manu Subedar.

Mr. Manu Subedar: I quite understand the difficulty that goods may be imported into India from one country. But they may not be goods actually prepared there. They may be just assembled there and they may be coming from a particular country or a particular direction, but the real origin may be different. They may be mis-branded or mis-named and I can imagine many circumstances in which it may be necessary for the Government of this country to act and to make necessary rules. I want to know from the Honourable the Commerce Member whether it is contingencies of this kind which he has in mind or whether there are others.

The Honourable Dr. Sir M. Azizul Huque: I think a power like this is really put in to deal with any exigency that may arise in the course of action. If I find—as far as I can read the section of the law—that at one stage goods imported from country 'A' actually come from country 'B', there will be the power under the rule-making clause to deal with it because it is in fact a fraud.

Mr. Manu Subedar: Will my Honourable friend also have power to deal with certain type of goods being dumped in this country at a price which he does not consider satisfactory? Because, the rule-making power, as I see, is a general power, and if it is a general power I do not object to it, but I only want the power to be exercised timely.

The Honourable Dr. Sir M. Azizul Huque: On that point I am not able to speak clearly till I have that matter examined.

Dr. Sir Zia Uddin Ahmad: One question is not quite clear to me. What would be the relations of the goods produced in Indian States and brought to British India? Will they be treated as if they were manufactured in British

India, or will they be treated as if they were manufactured outside British India and the customs duty collected? This relation between the Indian States and British India is a very difficult relation as far as customs duties are concerned. We have seen a number of cases of goods belonging to Indian States being smuggled and brought to British India and no satisfactory solution has yet been obtained. I would like to know how this will operate with regard to the transfer of goods from Indian States to British India and *vice versa*.

The Honourable Dr. Sir M. Azizul Huque: Here also it is very difficult for me to speak clearly without a detailed examination of the point. I can quite visualize a case in which a man starts a factory in an Indian State, does not pay any income-tax, employs children, takes other dubious steps and yet comes to British India and competes with the Indian market. But, without further examination I cannot say anything on that. I will have that point looked into.

Mr. Deputy President: I may point out to Honourable Members that in the last one or two days I have been allowing this procedure of cross-questions on the Bills. One Honourable Member gets up, then he has to reply. Then, another Honourable Member gets up, and then he has to reply. This is not really the proper procedure. In the interest of having the Bill and its provisions fully thrashed out I have given full latitude, but I think this shall not be followed by the Honourable Members. If Honourable Members make their speeches, then the Government Member has to reply, and then closure—no more speeches after that.

The question is:

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. Sir M. Azizul Huque: I move:

"That the Bill, as amended, be passed."

I am thankful for the response which I got from the different sections of the House. I also thank very much Sir Zia Uddin Ahmad for giving me instruction as to what a speech should be, namely, businesslike, methodical and not in the fourth dimension of space. I shall conclude with this: I think my friend Dr. Sir Zia Uddin Ahmad should also remember a few lines of the Scotch poet—

"Would some power the giftie give us,
To see ourselves as others see us!"

Mr. Deputy President: Motion moved:

"That the Bill, as amended, be passed."

Mr. Manu Subedar: Sir, I would like to complete that point which the Honourable Leader of the House said on the third clause was not quite relevant. I was on the point with regard to the protection, in order to disabuse the general idea that protection is asked for by those industries which are extremely prosperous and which pay high dividends. I want to inquire whether industries coming to the Tariff Board are concerns which have been paying 5 or 10 or 20 per cent dividends, or whether they are as a rule those which have already lost a little and who have a very serious apprehension that they will come to more serious loss. What is the effect of this more serious loss? That the industry will be liquidated, that the concern will stop producing, because if producing means more loss you cannot go on producing; and if that happens not only the capital invested in it is lost, but the employment of the workmen who are concerned with it is gone, and the nucleus of trained labour is all dissipated and when the country wants those goods again they are in difficulties. In fact, no more appropriate example could have been given than the one which the Honourable Commerce Member gave with regard to cigarettes, when the Scissors people

brought it down to one anna a packet, and in the course of one year killed the factory in Bangalore, the district from which I think my friend hails

The Honourable Dr. Sir M. Azizul Huque: No; I am sorry; I do not hail from Bangalore.

Mr. Manu Subedar: Anyway, from the Rangpore district whose tobacco is so well known—I was told that the bulk of the Burma cheroots (of which I was very fond) were made from the Rangpore tobacco—the tobacco went to Burma and they made the Burma cheroots. Anyway the whole point is this: the Honourable Commerce Member explained it, but it seems to be necessary to say it over and over again—the whole point is that the keeping alive of certain industries in this country and the preventing of their going under and closing down is an objective of public policy which is fixed, not in the interests of any particular section, but in the interests of all. If that was not so, the situation would have been very different. I do not say that for that reason when a Tariff Board examines it, they should not balance all the considerations. I do not say all the interests should not be represented; I do not say that a fair wage clause should not be put into the arrangement when protection is offered to any particular industry. But let us consider this: does this country wish to remain hewers of wood and drawers of water? Do you want industry to produce goods, the want of which you have felt during the war time by the foreign supplies having been cut off completely? Do you want to keep as a matter of security some elementary industries in this country, or do you want all the new concerns and the new industries which have grown up during and through the demand of war, to go under and that we should resume the original position by which we import the bulk of our requirements and we grow raw materials and export them? Is that the conception of this country's future which any set of people in this House have, or is the other conception which we have now realised, that the most important object is not so much production but maximum employment? Do we want the largest number of people to have their self-respect and to have the reward for their labour and do we want to create scope for all the millions who are not at present employed or who are semi-employed? And if we want to do this, then a certain amount of rapid industrialisation is what is indicated, at all events, in order to enable us to produce even for the handicrafts all those tools, all the hand machines and all the other things which only factories can produce. After that we can add to the handicrafts of the people; we can add to the earnings of the village artisans who help their crafts, and generally see that there is a well balanced plan by which side by side with factories the largest number of the rural population which is unemployed or under-employed at present gets work and gets what is more, the wages and gets what is most important of all, the self-respect which comes from the reward of their own labour which is given to them. If we are seeking these opportunities, then our efforts should be to have a well-balanced plan involving the protection of such efforts as have grown up in this country. The great tragedy of this country is that we were a very highly skilled people at one time. We are a country largely of unskilled population now

The Honourable Dr. Sir M. Azizul Huque: Question.

Mr. Manu Subedar: Millions in rural areas are unskilled; and the task is to change these millions of unskilled persons into skilled persons, to change as quickly as possible as large a number as possible, and to have a general and an all embracing plan in which factory type of production in industries of the type which we have already developed, forms a very important part. Therefore, I say that it is high time that we drop some of the old slogans with regard to this matter: every time protection is mentioned, our European friends will come up with the consumers' interest; every time the consumer is mentioned, they come up with the prices issue; every time something else is mentioned they come up with some other set issue. All this has been known to us. We are finding them out; and I trust that this country is no longer going to be sent from

[Mr. Manu Subedar]

pillar to post and going to have vague ideas of what it is doing, not being quite sure what it is doing. Let us be quite certain what we are about and in that light, I hope the plans of the Government are being developed and if they are not developed now, I am confident, that as soon as the Government changes, plans will be developed; and once those plans are developed, it will all go according to that schedule, namely, the maximum of production in this country increasing the national income, and the maximum amount of employment. Therefore I feel that while the powers sought in this Bill are correct, the misapprehensions, and this Government's propaganda with regard to their protective policy and with regard to the comments on that protective policy which have come from several parts of the House and outside—for propaganda in this matter has not been quite so successful. I trust the Honourable Commerce Member will take occasions to explain the policy as he did indeed on this occasion, in reply to the debate on the second reading. Sir, I support the Bill.

Dr. Sir Zia Uddin Ahmad: Sir, during the debate, three different issues were raised. The first is whether India should be industrialised or should remain a country producing raw materials. There is only one answer to this question and that is that India should be industrialised. There is no difference of opinion on that.

The second thing is whether the development of industrialisation should be within high tariff walls. Here we have a difference of opinion. It is not necessary to have very high tariff walls for the development of industries. There are better methods of doing it. As my friend, Mr. Manu Subedar pointed out, we must keep in mind the maximum amount of employment and also not raising the prices for the consumers. These are the two points that we have to keep in mind.

But the third issue on account of which I object to this particular Bill and which has been very tacitly acquiesced in by my friends to the right is this. I do not wish to hand over the power of taxation, which is an exclusive right of the legislature, to the executive. This is the thing to which I objected and I will continue to object; and of course I do not want to attribute any motives; but I cannot understand how my friends on the right have accepted this principle, that the power of levying protective duties should be handed over to the Government. I understand that the Tariff Board as pointed out by the Honourable Member is a very good Tariff Board. We have absolute confidence in the Tariff Board. But we cannot give away our power which we enjoy. Today it is a small Bill. What happens tomorrow we do not know. Therefore this particular power we should not give, at least I am not prepared to give, under any condition.

Sri M. Ananthasayanam Ayyangar: This Bill does not empower the Government for all time to come. It restricts the scope of the operation till the 31st day of March 1949—only three years and not more. Certainly we are in favour of the principle that powers of taxation ought not to be given away to the executive. That is why we have hemmed in this power with a restriction. After all the powers that they exercise will not be for more than six months at the most. Six months will be the maximum amount of interval. Though tariffs have been provided, in the various schedules power is given to the Government to decide from time to time what the value of the goods that come in are. It is also provided in one of these sections of the Tariff Act that if some other country tries to dump its goods into this country and sell it below the market price, as a result of the subsidy it gets, then the tariff values can be increased, on which the tariff can be imposed. Such power has been given from time to time to the executive and it is not doing much out of the way if we clothe the executive with this power. In the exceptional circumstances of the case, we have got to see that our industries are protected.

I would like the Honourable Member to give me information about the glass industry. It has been repeatedly requesting the Government to protect it. It is one of the items which have gone to the Tariff Board and which the Tariff Board is considering. 95 per cent of the raw materials are available in this country. One or two items such as soda ash alone are not produced in this country and it has to be brought from other countries. Unfortunately the previous members did not take the same view as my Honourable friend with respect to the protection of industries in this country. They very often set one member against another. If one talked of the industry, they would ask—what about the consumer and others. In this way, they have been playing one off against the other. If the industry is protected and it progresses, then the country as a whole progresses and it will be a question for the future as to whether a particular industry should be nationalised or not.

As regards clause 4, I have some doubts. That requires some clarification. It says:

"In particular and without prejudice to the generality of the foregoing power, such rules may prescribe the conditions subject to which any goods shall be deemed to be produced or manufactured in a particular country for the purposes of this Act."

We are talking only of goods manufactured or produced in this country for which protection is given. We are not making a difference between one country and another in relation to the goods coming into this country from foreign countries. It is not a question of Imperial Preference. Why this kind of language is used there, I am not able to see. If in the case of an industry like the glass industry where 95 per cent of the raw materials are procurable in this country and only 5 per cent is not available, if the Tariff Board makes a recommendation that it should be protected, is it open to the Government under the rules to say—this does not require protection. Why should it be necessary for the Government to make rules to find out whether a particular industry deserves protection or not, if the Tariff Board makes a recommendation for protection. In either case, it is not happily worded. I therefore seek some enlightenment from the Honourable Member on this point.

The Honourable Dr. Sir Muhammad Azizul Huque: I do not propose to take much time over this. My friend has raised a question which I dealt with. I am afraid it will not be possible to give a very detailed interpretation until I have the actual facts but I shall certainly consult him privately and discuss this matter with him.

As regards my friend Dr. Zia Uddin, I would only say this. He has stuck to his theory. Many theories, particularly political theories, have done great harm, because they are taken irrespective of the realities and we have seen in the political history of this country how political theories which are very sound in books are not applicable to social life and I think the sooner my friend leaves his theory and comes to face the realities, it will be better. The doctrine of the majority, which is one of the theories in politics, has been found to be wholly impracticable in dealing with democracies of today.

While I agree with everything that my friend Mr. Manu Subedar has said. I do not agree with him that this country is full of unskilled workers. India is one of the countries where skilled labour, particularly in the cottage industries, is probably unique in the whole history of economics. There is no country in the world where you will find such artistic finish as is done by the cottage workers. Can you say that they are unskilled men? They may be unskilled from the point of view of the modern machine. From the point of view of real skill shown in art, industry and culture, the cottage worker still stands as the supreme example of what skill can do in industries. I am supported in this by the fact that throughout the war the Bevin boys who went to England, with absolutely no training whatever, picked up the most accurate knowledge of the machines within the quickest possible time, I know that, and I have seen quite a lot of their work. Anyway even in industries you will find how quickly a man is able

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to pick up the technique of the thing. Therefore I will certainly not allow my friend to go unchallenged on that point. India has got millions of unskilled labourers, as every country must have. There are also millions of skilled workmen in this country. Sometimes I was amazed to see how machines are handled by unskilled workers. I am grateful to the Honourable Members of this House for the reception that this Bill has got.

Diwan Chaman Lal: Is the Honourable Member prepared to give an assurance to the House that he will consider the quantum of protective duty necessary in the case of any particular industry where protection is necessary before he proceeds to give that protection.

The Honourable Dr. Sir M. Azizul Huque: I have said that all these factors must be relevant to an issue as to whether protection should be given.

Mr. Deputy President: The reply has already been given by the Honourable Member. If any member wants clarification of any point, he can put a question.

Mr. Abdur Rahman Siddiqi: I should like to have clarification from the Honourable the Commerce Member on the point of the rules to be framed under clause 4(2). What is it that is in his mind, when he is asking us to pass this into law? He has reassured the Honourable Member to my right that he will meet him in the sanctum of his office and explain what it means. I demand an explanation in this House as to what is in the mind of the Government of India when it states this point. Are the rules going to be framed for the protection of countries other than India?

The Honourable Dr. Sir M. Azizul Huque: It is not my idea to have a secret talk with my friend Mr. Ayyangar in regard to the point that he has raised. What I meant was that he has raised a point which cannot be settled without going into details and I told him that I will have a discussion with him on that point. If there is any other member who wants to discuss it with me, I shall only be too glad to discuss it with him also. But if there is any other Honourable Member who wants elucidation, I will be glad to discuss it with him. The intention is to make Rules having regard to the provisions in section 2 which I already explained.

Mr. Abdur Rahman Siddiqi: If the explanation comes after the law has been passed, will he bring forward an amending Bill?

The Honourable Dr. Sir M. Azizul Huque: Certainly, if necessary.

Mr. Deputy President: The question is:

"That the Bill as amended be passed."

The motion was adopted.

INDIAN SOLDIERS (LITIGATION) AMENDMENT BILL

Mr. P. Masón (Government of India: Nominated Official): Sir, I move: "That the Bill further to amend the Indian Soldiers (Litigation) Act, 1925, be taken into consideration."

Mr. Deputy President: This is a very small Bill and I hope it will not take up very much of the time of the House. I think, however I should explain the history of the case and explain why it is that I have to come now to the House for an amendment of the Act. The original Act was passed in 1918 and it contained section 11 which provided that any time spent by a soldier out of the country either overseas or in a special or war area, such time should be excluded from the period of limitation in any suit which he wished to institute on his return on any cause of action which happened while he was away and which prejudiced his right. As originally drafted that section was absolutely straight forward and clear and it provided that the period should be excluded in respect of any kind of suit. In the years immediately after 1918, however when soldiers were coming back from overseas, it became apparent that this was not always working fairly. Cases arose in which soldiers came back and questioned a sale

which had been made in perfectly good faith and in which the buyer in perfectly good faith had built a shop or a house on the land. If the soldier then came back and exercised his right of pre-emption, he caused considerable loss to the buyer. The Punjab Government was particularly affected as also the North-West Frontier Province, and they suggested that suits regarding pre-emption should be excluded from the operation of this section. This was carried out by the proviso which now stands as section 11 which was passed in 1922. I think in the years after 1922, there was very little occasion for the use of this Act at all, because there were no soldiers coming back during that period and its operation was never questioned again until the present war. It was then found that although this proviso did operate justly in the case of land near towns or habitations in respect of which people wanted to put up shops it operated rather unjustly in respect of agricultural land because the right of pre-emption in respect of agricultural land is a very valuable privilege which a soldier values very highly and he did find sometimes when he came back from overseas that the land to which he had a right to pre-emption had been sold. Accordingly it was provided in 1944 that there should be an exception to the proviso permitting the Central Government to make orders which would provide that the original section would operate in certain areas, that is to say, in certain areas, the soldier would have the right of pre-emption without taking into account as limitation the period which he had spent overseas. That is the position at present. But we want to make the position a little more clear. I must agree that the whole process of this Act and the varied amendments to it have been one of trial and error, but I think we have now got it right. What we want to provide now is this period of limitation shall be excluded in the case of agricultural land and in the case of direct descendants of the persons selling, but we do not want that it should operate in respect of non-agricultural land or in the case of distant relations and it is merely to put that into effect that this Bill has been drafted. It has been pointed out to me by one of my Honourable friends opposite that the Bill as drafted leaves a very wide latitude and it is suggested that we should be a little more precise in drafting. We have between us drafted an amendment which I hope he will move and which I am prepared to accept. Soldiers are now coming back from overseas and they are coming back in very large numbers at a rapidly increasing rate and they are anxious to get back quickly and get themselves settled quickly. I hope the House will not refer this Bill to the Select Committee. It would mean a long delay and I hope the House will agree to pass this Bill into law.

Sir, I move.

Mr. Deputy President: The question is:

"That the Bill further to amend the Indian Soldiers (Litigation) Act, 1925, be taken into consideration."

The motion was adopted.

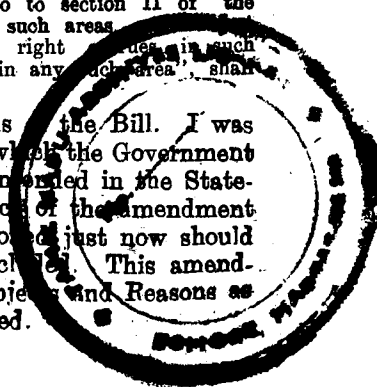
Mr. Deputy President: Clause 2.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I move:

"That for clause 2 of the Bill, the following be substituted:

"2. Amendment of section 11, Act IV of 1925.—In the proviso to section 11 of the Indian Soldiers (Litigation) Act, 1925, for the words "except in such areas as may be notified by the Government in that behalf" the words "except where the said right is excluded in such circumstances, and is in respect of agricultural property situated in any such area," shall be substituted."

Sir, I have read the Statement of Objects and Reasons of the Bill. I was not able to understand what was meant by the amendment which the Government proposed. It did not cover all that they wanted to. As indicated in the Statement of Objects and Reasons, I suggested that in the place of the amendment proposed by the Government, the amendment which I moved just now should be substituted so that agricultural lands also would be included. This amendment which I have moved fits in with the Statement of Objects and Reasons as given in the Bill. I move that this amendment be adopted.



Mr. Deputy President: Amendment moved:

"That for clause 2 of the Bill, the following be substituted:

"2. Amendment of section 11, Act IV of 1925.—In the proviso to section 11 of the Indian Soldiers (Litigation) Act, 1925, for the words "except in such areas, and subject to such modifications, if any", the words "except where the said right accrues in such circumstances, and is in respect of agricultural property situated in any such area", shall be substituted."

Pundit Thakurdas Bhargava (Ambala Division: Non-Muhammadan): Sir, so far as the amendment is concerned, the word 'agricultural property' appears in the amendment. In the Punjab Pre-emption law, the two words that appear are, 'land' or 'village immoveable property'. The word 'agricultural property' does not find a place there. Now, Sir, 'agricultural property' may mean or may not include 'village immoveable property'. I can consider circumstances in which agricultural property may have a meaning different from the one envisaged by the use of word land and village immoveable property under the Punjab Pre-emption law. In my humble submission, the word 'agricultural property' will give rise to many disputes. When a soldier comes back and brings a suit of pre-emption in respect of village immoveable property he is likely to be met with the plea that village immoveable property is not agricultural property. His house, his enclosure, etc., are not agricultural property in the sense that they cannot be used for agricultural purposes. So my submission is that these two words have a special meaning within the purview of the Punjab Pre-emption Act; and in order to avoid litigation it is better that the words "land and village immoveable property" be substituted for the words "agricultural property". I submit that this substitution should be made.

Sir, I move:

"That in the amendment as moved by Mr. Reddiar for the words 'in respect of agricultural property', the words 'in respect of agricultural land and village immoveable property' be substituted."

Mr. Deputy President: The amendment has not been given to me.

I have got to put it to the House, because I understand the other one is an agreed amendment.

Amendment moved:

"That in the amendment as moved by Mr. Reddiar for the words 'in respect of agricultural property', the words 'in respect of agricultural land and village immoveable property' be substituted."

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, there is no such thing as agricultural property in the Pre-emption Act. The Pre-emption Act talks about two things; it talks about agricultural land and village immoveable property. Therefore the amendment as tabled does not cover the point that we want to place before the House.

Mr. P. Mason: Sir, this amendment is acceptable.

Mr. Deputy President: Then I will put it to the House.

The question is:

"That in the amendment as moved by Mr. Reddiar for the words 'in respect of agricultural property', the words 'in respect of agricultural land and village immoveable property' be substituted."

The motion was adopted.

Mr. Deputy President: Now the amendment as amended is open to discussion.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I am in favour of this enlargement of the scope of the Litigation Act being made for soldiers who come back so that they may get back lands or file suits for them. But I feel that agricultural land is a provincial subject. With regard to soldiers' litigation, of course, we are entitled to legislate here. But when such litigation of soldiers appertains to agricultural land is it open to us to make this enactment or is this legislation merely ineffective?

Mr. P. Mason: It is central legislation because it concerns a central subject. But it has been undertaken in consultation with the provinces; and furthermore, this proposal provides that the provisions of the Exception and the proviso would only operate where the Provincial Government asked the Central Government to publish a notification.

Seth Yusuf Abdoolah Haroon (Sind: Muhammadan Rural): Was it at the instance of the Punjab Government that this Bill was brought because they found difficulty and an Ordinance was proclaimed during the war?

Mr. P. Mason: Yes, Sir. Both the Punjab and the North-West Frontier Province were the main Provinces concerned and they were very anxious that this should be done before the soldiers started coming back.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I am glad the amendment has been accepted. There is another point that I want to mention and that is that this right of pre-emption is allowed here only to lineal descendants, but in the villages it is also given to other people.

Mr. P. Mason: It is not only given to lineal descendants but also to agnates. We have left that rather vague and it is covered in the Bill by the words "in such circumstances" because it will vary to some extent from province to province, and each province will lay down its own rules. But in the Punjab the intention is that it should cover agnates as well as lineal descendants.

Sardar Mangal Singh: I should like to know whether in the Punjab the right of pre-emption is given to those holding land in the same patti.

Mr. P. Mason: No, Sir; that is intended to be excluded.

Diwan Chaman Lall: Is it not a fact that this right is given to the soldier? And if the soldier is entitled to the right of pre-emption he gets it whether he is an agnate or a lineal descendant or in any other capacity? I take it that it is only confined to soldiers.

Mr. P. Mason: As far as we are concerned, yes.

Sardar Mangal Singh: That is my point. If he has a right

Mr. Deputy President: The Honourable Member has made his point clear.

The question is:

"That for clause 2 of the Bill, the following be substituted:

"2. Amendment of section 11, Act IV of 1925.—In the proviso to section 11 of the Indian Soldiers (Litigation) Act, 1925, for the words "except in such areas, and subject to such modifications, if any, the words "except where the said right accrues in such circumstances, and is in respect of agricultural land and village immoveable property situated in any such area", shall be substituted."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 2 as amended, stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Mr. P. Mason: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Deputy President: Motion moved:

"That the Bill, as amended, be passed."

Pundit Thakur Das Bhargava: Sir, when I read this Bill and the Statement of Objects and Reasons I understood that the intention was only to limit the right in cases where the pre-emptor came as an agnate. I however find that, so far as the pre-emption law in the Punjab is concerned, a person has got the right to pre-empt in many other cases also. For instance, if occupancy rights are sold the proprietor as such can pre-empt occupancy rights and vice versa. Similarly if there is a daughter's son he in his capacity as daughter's son can

[Pundit Thakurdas Bhargava]

come and claim pre-emption of land which his grandfather has sold, though he is not an agnate in that sense. As the provision in the Bill stands, I take it that the full rights of pre-emption provided in the statute have been secured to a soldier and not only his right as an agnate. If that be so, I am quite content that the soldier has got his full right and not a restricted right in his capacity as an agnate only.

Sardar Sampuran Singh (West Punjab: Sikh): As I understand the Bill, in my opinion the right of pre-emption, which ordinarily arises on account of the neighbourhood of land or owning any land in the same village or patti, has not been considered in this Bill, for the simple reason perhaps that no legislation is proposed for the purpose of stopping the business of selling or buying of lands altogether. If all kinds of pre-emptions could be made after the soldiers come back from the war, I think the whole business concerning land will be stopped. The special rights have been created only for the agnates and descendants from the concern ancestor. I think the rights of the cognates and the descendants have been specially safeguarded and that is the only purpose of this Bill so far as I understand it. The Bill does not seem to extend the other points which have been raised. If the Members are very keen they would have proposed an amendment, but they have not done so. The purpose of the Bill seems to be very clear, and I think it should be passed.

Mr. P. Mason: The intention, as I take it, of my Honourable friend, Mr. Thakur Das, is that this Bill should permit any soldier the right of pre-emption and permit him if he has been overseas to exercise the same right in exactly the same way as he would had he not been out of the country. That is also Sardar Mangal Singh's contention. I entirely agree however with what Sardar Sampuran Singh has just said. That has been illustrated by experience. That is the reason why in 1922 the Punjab Government and the North-West Frontier Government both objected to the unfettered exercise of this right of exclusion for limitation in the case of pre-emption and why they suggested that suits regarding pre-emption should be excluded from the operation of this Section. As Sardar Sampuran Singh has pointed out, a feeling of uncertainty in all transactions regarding land was created. The intention is to limit that uncertainty by excluding those people who merely happen to own land in the same patti and limiting it to descendants and agnates. That is the intention, Sir, and that is the purpose of the words 'in such circumstances'.

Mr. Deputy President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): Sir, it is now five minutes to five, and I suggest that the House may now adjourn. We may take up the next Bill tomorrow which is an important one.

The Honourable Dewan Bahadur Sri A. Ramaswami Mudaliar (Leader of the House): I agree.

Mr. Deputy President: As the House is unanimous, I adjourn the House.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 9th April, 1946.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBER SWORN:

Mr. Indra Singh Puri, C.I.E., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

PUNISHMENT TO CERTAIN INDIAN ARMY MEN

1655. ***Mr. Sasanka Sekhar Sanyal:** Will the War Secretary be pleased to state:

(a) whether the following persons of the 4th Indian Coastal Battery (or of any other composition) were punished as noted against their names (or otherwise punished); if so, where, and why;

Names	Sentence
(i) Mankumar Basu Thakur	Hanged.
(ii) N. K. Dey	"
(iii) D. D. Roy Choudhury	"
(iv) N. K. Mukherjee	"
(v) N. Mukherjee	"
(vi) N. Barua	"
(vii) P. Chakrabarty	"
(viii) S. K. Mukherjee	"
(ix) K. P. Aich	"
(x) Abdul Rahaman	Transportation for life
(xi) R. N. Ghosh	Transportation for life
(xii) A. K. Dey	Seven years' Rigorous Imprisonment;

(b) the age of each of them at the time of the said punishment and the rank of each of them in their regiment; and

(c) the nature of their trial, and the arrangements for their defence?

Mr. P. Mason: (a) and (c). Yes, Sir. They were tried by Summary General Court Martial at Bangalore between the 6th of July and the 5th of August, 1943, and awarded these punishments. All except Gunner A. C. Dey were convicted on a charge of conspiring with others to cause a mutiny;

Diwan Chaman Lal: Cannot hear a word. May we ask my Honourable friend to repeat the answer?

Mr. P. Mason: (a) and (c). Yes, Sir. They were tried by Summary General Court Martial at Bangalore between the 6th of July and the 5th of August, 1943, and awarded these punishments. All except Gunner A. C. Dey were convicted on a charge of conspiring with others to cause a mutiny. Gunner Dey was convicted for being aware of, but not disclosing the conspiracy. The accused were defended by an Indian Commissioned Officer who in civil life was an advocate of a Presidency High Court, assisted by two other officers with legal experience.

(b) I lay a statement on the table.

Statements

		Years
M. B. Thakur	Jemadar	21
N. K. Dey	Havildar	26
D. D. R. Chowdhury	"	25
N. Barua	"	23
C. R. Mukerjee	"	24
P. Chakravarty	Naik	23
S. K. Mukerjee	Gunner	22
A. C. Dey	"	21
K. P. Aitch	"	23
R. N. Ghosh	"	21
N. M. Mukherjee	"	21
M. Rehman	"	26

Mr. Sasanka Sekhar Sanyal: Will the Honourable the War Secretary be pleased to state what were the overt acts of the alleged conspiracy?

Mr. P. Mason: The object of the conspiracy appears to have been to cause the unit to be disbanded and in order to achieve that end three separate series of acts were committed. First these people attempted to burn down their barracks and also a considerable amount of other property in which there were explosives. They actually set fire to property containing explosives but I think the fire was put out in time to prevent a very serious disaster. They then endeavoured to stir up communal trouble in the unit without a great deal of success and finally they started a conspiracy to cause men to desert and in this they met with considerable success to such an extent that they caused the monthly desertions from a comparatively small unit to rise to twenty a month.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state if it is a fact that the principal prosecution witnesses were one Mr. Barnett and one Mr. Lahiri, the son of the promoter of the regiment and another Mr. Ganguly, and whether it is also a fact that this Mr. Ganguly stated in his examination-in-chief that there was some conspiracy and that on cross-examination he said that he was tutored to say what he had said?

Mr. P. Mason: I would need notice of that.

Mr. Sasanka Sekhar Sanyal: Is the Honourable Member aware that copies of the proceedings were asked for but the request was refused?

Mr. P. Mason: I am not aware of that.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state that this Mr. Lahiri and Mr. Barnett were on a previous occasion accused of having pilfered rations in the regiment?

Mr. P. Mason: I am not aware of that. I was aware of the fact that among the witnesses two were to some extent involved in the conspiracy and were actually confederates, I mean accomplices, but their evidence was not given very great weight, and it was merely used to corroborate on certain points outside the conspiracy the main evidence which was believed by the Court.

Mr. Sasanka Sekhar Sanyal: Is the Honourable Member aware that a copy was asked for in respect of the evidence of those persons who were outside the accomplices and the accused?

Mr. P. Mason: I am not aware of that.

Mr. Sasanka Sekhar Sanyal: Is the Honourable Member aware that a lawyer was brought from Calcutta, namely, one Mr. D. M. Sen to appear on behalf of the Defence but that he was returned on the assurance that he would be

informed subsequently when the charges were ready and further that he was at a subsequent stage informed that his appearance was not required?

Mr. P. Mason: I am not aware of that.

Mr. Sasanka Sekhar Sanyal: Is the Honourable Member aware that certain persons who were examined as Defence witnesses and after they had made their deposition that they were prosecuted for perjury, put in a cell, not given food, not given water, and when water was asked for urine was given and later persecuted?

Mr. P. Mason: I am not aware of that. I should say that I have studied the proceedings of this Court Martial and naturally none of the suggestions made by the Honourable Member appear in those proceedings, and I would rather question whether they arise out of the question.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state whether he is prepared to release the correspondence between the lawyer Mr. D. M. Sen of Calcutta and the Army authorities?

Mr. P. Mason: I have not seen the correspondence. I will see whether the correspondence can be released.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state whether it is a fact that after these Defence witnesses were convicted for perjury, some of the men of the regiment protested, giving their reasons?

Mr. P. Mason: I was not aware of that.

Mr. Sasanka Sekhar Sanyal: Has the Honourable Member's attention been drawn to certain statements made in the press here and before relating to the so-called farce of a trial?

Mr. P. Mason: No, Sir.

Shri Sarat Chandra Bose: Will the Honourable the War Secretary please say if it is a fact that the only overt act they were charged with was setting fire to a palm-leaf hut?

Mr. P. Mason: No, Sir. I have already explained the act for which they were charged.

Shri D. P. Karmarkar: Is the Honourable the War Secretary prepared to place a copy of the proceedings of the trial on the table of this House?

Mr. P. Mason: I think I probably can. I would like to make enquiries first.

Shri Sarat Chandra Bose: Were the relatives of these persons informed that charges had been made against them of mutiny?

Mr. P. Mason: I think they must have been. It is the usual practice.

Shri Sarat Chandra Bose: Were they informed in fact? I am not asking about the practice.

Mr. P. Mason: I do not know that.

Mr. Sasanka Sekhar Sanyal: If I place before the Honourable the War Secretary the file of these persons who say they were not given intimation, setting forth the details of how they were kept in the dark, will he be prepared to take the file and consider the question of having a non-official enquiry into the matter?

Mr. P. Mason: Yes, Sir, I am certainly prepared to consider the suggestion.

Shri Sarat Chandra Bose: Is the Honourable Member prepared to ascertain whether the relatives of these persons were informed that these persons were tried and sentenced, some of them to death and the others to long terms of imprisonment?

Mr. P. Mason: I have told you, Sir, that I do not know whether or not they were informed but that it is the usual custom so to inform them.

Diwan Chaman Lal: May I ask my Honourable friend if he is aware of the fact that under the Indian Army Act not permitting a lawyer to attend and defend the cases of these people makes the entire trial illegal and *ultra vires*?

Mr. P. Mason: I am not aware of that fact. But the Indian Commissioned Officer who defended them had also been a lawyer. He was an Indian Commissioned Officer but he was an Advocate of a Presidency High Court. To defend them he had the assistance of two able counsel and in the Judge Advocate's summing up he particularly mentioned the able way in which the defence had been conducted.

As to whether or not anyone was refused, who wished to defend them or whom the accused wished to have as their defence Counsel, as I have said, I have no information about that but I can find out.

Diwan Chaman Lall: May I ask my Honourable friend if it is a fact that the accused asked to be defended by private counsel to which they are entitled under the Indian Army Act but the counsel was refused? Is it not a fact that under those circumstances the trial is *ab initio* illegal and *ultra vires*?

Mr. P. Mason: (a) I have already told you that I do not know. I have studied the proceedings of this court of enquiry and information of that nature would naturally not be included in the official proceedings.

(b) As to whether or not that would make the whole proceedings *ultra vires* I cannot say without notice.

Mr. Sasanka Sekhar Sanyal: Is the Honourable the War Secretary aware that the Indian Commissioned Officer who was engaged for defending these people was put under prosecution or proceedings immediately after he had finished the cross-examination of the first witness and that after the trial was over he was suspended and degraded?

Some Honourable Members: Shame, Shame.

Mr. P. Mason: I think it is a little premature to say shame, because an allegation has been made of which we have no proof and my information is that nothing of the kind happened. I do not even understand the term used by the Honourable Member as to putting the person "under prosecution".

Mr. Sasanka Sekhar Sanyal: I said "proceeding".

Mr. P. Mason: I do not even understand that.

Mr. Mann Subedar: In view of the very serious allegations that have been made, will the Honourable the War Secretary now put the whole file of this case before the Defence Consultative Committee after impartial further enquiry into each of the allegations which have been made in this House and giving the explanations of such authorities as there may be to give such explanation?

Mr. P. Mason: I have already said that I will examine the record and see if there is any reason why it should not be made public. Personally I do not see any reason why it should not. And as to putting it before the Defence Consultative Committee I think there are certain difficulties in that. That body will have the greatest difficulty in getting through the programme which will be before it, including matters of high policy and it will be too much to take up their time with looking into the record of a case which I believe extends to some 500 or 600 pages. I think it would be better if I place the record, as I said I am not quite sure whether I can do it, on the table of the House and anyone interested could look into it and we can see if any further action is required.

Shri Sarat Chandra Bose: Is it a fact that His Excellency the Commander-in-Chief had spoken highly about these men of the Indian Coastal Battery, who were subsequently charged with having committed these offences?

Mr. P. Mason: It is a fact that until about six months before this act, the unit had had a very good record.

Mr. Mann Subedar: We are interested in the punishment of those who were delinquents. If the serious allegations made here were correct, will my Honourable friend not merely content himself with placing the record for our information on the table of the House but will he institute an enquiry so as to bring to book those officers who were responsible for this misdirection of justice?

Mr. P. Mason: It is begging the question: to suggest that I should institute an enquiry in order to bring some people to book. That is a wholly wrong approach. The object of the enquiry should be to ascertain the truth. I will certainly have this matter looked into. As to the various allegations which have been made I will have them examined and I will, if need be, make a report to the House as to the results of that enquiry.

Shri Mohan Lal Saksena: Is not the Honourable Member aware that the facts brought out in the question were stated by Mr. Sanyal on the 1st of April in this House?

Mr. P. Mason: Some of them were.

Shri Mohan Lal Saksena: Did the Honourable Member take any steps to make enquiries?

Mr. P. Mason: I did, Sir.

Shri Mohan Lal Saksena: What was the result?

Mr. P. Mason: I have not had time to make a very full enquiry but such knowledge as I have of the case I have acquired since then.

Shri Mohan Lal Saksena: What is the difference between the manner in which all these men were tried and the Gestapo method?

Mr. President: Order, order. Next question.

ENQUIRY INTO ALLEGATIONS MADE BY MISS RANGA RAO OF W. A. C. (I.)

1656. ***Shri Satya Narayan Sinha:** (a) Has the attention of the War Secretary been drawn to the statement issued by Miss Ranga Rao, published in newspapers of the 24th March, 1946, demanding a proper commission of enquiry to bring to light with dignity and goodwill all the necessary facts to help to establish as untrue, malicious and wholly incorrect allegations and the slur on the fine corps of the W.A.C.(I)?

(b) Is it a fact that Miss Ranga Rao, while in service and also after her resignation, requested the War Department to give publicity to some of the regrettable features of the W.A.C.(I) policy? If so, what action, if any, was taken by the War Department?

(c) Does he propose to appoint an impartial Enquiry Committee to go into the whole matter?

Mr. P. Mason: (a), (b) and (c). Sir, I have on more than one occasion tried to explain why Government do not consider it necessary to hold a Commission of Enquiry into this matter. But I have not perhaps succeeded in making myself sufficiently clear, and I have now received figures which demonstrate my point conclusively.

A Commission of Enquiry is expensive, not only in money, but also in time; in the time not only of the distinguished persons who sit on the Commission, but also of the persons into whose conduct the enquiry is made.

For these reasons, it is advisable to hold a Commission of Enquiry only in the Government believes that there is a likelihood that something is wrong. In the case of the W.A.C.(I), Government have no reason whatever to believe that there is anything wrong with this corps. If there was anything wrong, many of the members would wish to leave the service. Whereas the facts are that 721 officers out of 928 and 9432 auxiliaries out of 10651 wish to continue in the corps beyond their release date. That is roughly 80 per cent. of officers and 90 per cent. of auxiliaries wish to continue in the corps. This is I am sure the highest percentage of any corps in either the British or Indian Army, and I suggest that on these facts it is impossible to deny that the Corps as a whole is healthy, contented and happy. And it is generally agreed that it is doing good work and is efficient.

Against this we have only the following facts. One Indian lady of senior rank resigned her commission after eight months service only and that five others of her juniors also resigned. We also have a letter of the authenticity of which we have no proof, purporting to come from 100 members of the Corps, published in

a paper on whose reputation I should prefer not to comment. There have also been one or two other letters regarding which the great majority of the Corps are very indignant.

I conclude from this that there are therefore no reasonable grounds for appointing a Commission of Enquiry.

This is only part of the case for believing that conditions in this Corps are good. I have already agreed to lay the whole case before the Defence Consultative Committee; and if after hearing the whole case the Committee do not agree with me that a Commission would be wasting its time and that of other people, I shall be surprised.

Mr. Manu Subedar: Will Government give facilities to the All-India Women's Council who have considered this matter sufficiently important and who propose to inquire into this subject?

Mr. P. Mason: No, Sir. I have given very good reasons why we should not do that. The All-India Women's Conference is a body which has taken no interest whatever in that corps. They have never attempted to help the service during the war. They have never volunteered to look after the soldiers or of their families in the way the W.V.S. have done and they have no knowledge whatever of service conditions.

Mr. Manu Subedar: Is not the All-India Women's Conference, from the perusal of whose report my Honourable friend can satisfy himself, concerned with the honour and the reputation of Indian women and is not that the most outstanding issue arising out of the allegations made, whose truth must be ascertained?

Mr. P. Mason: May I suggest that it would be the best thing to leave it till the Defence Consultative Committee, which is meeting at the end of this week, have seen the whole case.

Prof. N. G. Ranga: May I know what arrangements are being made for the resettlement of these women once they leave the Corps; and whether the absence of such arrangements is the cause for those wishing to remain there in preference?

Mr. P. Mason: (a) That does not arise out of the question; and

(b) I have answered this on previous occasions.

Prof. N. G. Ranga: It has not been answered.

Mr. President: Order, order. The question has been answered previously.

TOURS AND PURCHASES OUTSIDE INDIA BY OFFICERS OF INFORMATION AND ARTS DEPARTMENT

1657. ***Shri Satya Narayan Sinha:** (a) Will the Honourable Member for Information and Arts please inform the House as to how many Senior Officers of his Department during the past twelve months have gone out of India on deputation?

(b) Is it a fact that both the Secretary and the Joint Secretary of the Department, as well as the heads of the Counter-Propaganda (now Research and Reference Section) and Publications Division have been out of India on deputation recently? If so, what was the exact nature of their jobs, how long did they stay out of India and what was the extra expense the Department had to bear for the same?

(c) Is it a fact that the Joint Secretary of the Department, Mr. Thapar, while in the United States of America, besides doing other things, was responsible for the purchases of many vans, caravans, projectors and other equipment? If so, how much money was spent on these, and to what use is this equipment now going to be put?

The Honourable Sir Akbar Hydari: (a) Five.

(b) Yes, Sir.

I lay a statement on the table.

(c) No, Sir.

Statement

Name of Officer 1	Period of stay out of India 2	Extra expenditure 3	Object of Deputation 4
Mr. G. S. Beaman, C.S.I., C.I.E., I.C.S.	2 months and 10 days	Approximately Rs. 13,300	To make enquiries into (i) the organisation of cultural, literary and other art associations and their relationship with Government and (ii) to examine the charter of B. B. C. in the light of the possibility of a similar organisation for All-India Radio.
Mr. P. N. Thapar, C.I.E., I.C.S.	3 months and 11 days	12,950	To discuss (i) production and commercial and non-commercial distribution of Indian shorts in England with the Ministry of Information, (ii) reception and distribution of telephotos, (iii) Supply of books to India, (iv) High Commissioner's proposal to constitute a publicity section and the possibilities of holding an Indian exhibition in London and to study the working of (g) B. B. C. Indian Broadcasting Section, (b) Crown Film Unit and other documentary film studios with particular reference to scripting and editing, (c) Exhibition and display section of Ministry of Information, (d) working of the British Film Institute, (e) rediffusion or relaying of Radio Broadcast, (f) the problem of manufacture of cheap radio sets in India, (g) distribution of Indian shorts in America and (h) study of the use of films in mass education and instruction.

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Name of Officer 1	Period of stay out of India 2	Extra expenditure 3	Object of Deputation 4
Mr. F. Watson, O.B.E.	About 2 and a half months.	Approximately Rs. 4,000	To study the organisation and methods of conducting research and reference tasks.
Lt.-Col. G. E. Wheeler, C.I.E.	4 months and 10 days	14,300	To discuss with the authorities on the spot the question of co-ordinating the publicity and distribution arrangements in the Middle East and U. K.

Shri Mohan Lal Saksena: Did they submit any report?

The Honourable Sir Akbar Hydari: One of them did.

Prof. N. G. Ranga: What did the others do? Did they not even submit reports?

The Honourable Sir Akbar Hydari: One of them submitted a formal report. The others submitted their observations on the relevant files.

Shri Mohan Lal Saksena: Will the Honourable Member place a copy of these observations and reports before the House?

The Honourable Sir Akbar Hydari: No, Sir.

HEAD OF COUNTER PROPAGANDA DEPARTMENT SENT ON DEPUTATION TO ENGLAND

1658. ***Shri Satya Narayan Sinha:** (a) Will the Honourable Member for Information and Arts please state if it is a fact that the head of the Counter-Propaganda Department when he went out of India, did not avail of the air passage and went by sea because his step son too had to go with him? If so, why did he not come back also by sea?

(b) Is it a fact that the latest of these "going on deputation" stunts is being tried by the head of the News Section of the All-India Radio? If so, are Government aware that before being sent on this so-called deputation, this particular officer had applied for leave to go to England for some domestic matters of his own and that the "deputation" idea was an after-thought to save him all the expenses and botheration of passages and priority?

The Honourable Sir Akbar Hydari: (a) I presume the question refers to the Director of the Research and Reference Division. The reason suggested for his going to U. K. by sea is incorrect. His passage was not a matter of such urgency as to demand a priority by air. As regards his return, the war came to an end with unexpected suddenness while he was in U. K., and he therefore cut short his deputation and returned by the fastest available means.

(b) The Director of News and External Services recently went on deputation to U. K. No leave application was made by him, and the further allegations are incorrect.

Mr. Manu Subedar: For what purpose was this officer, mentioned in (b), sent on deputation, may I know?

The Honourable Sir Akbar Hydari: I have answered this before. He is the Director of News and External Services of the All-India Radio. From time to time it is desirable that officers of the All-India Radio contact people in the B. B. C. He went on one of those visits. I have previously given the details.

Prof. N. G. Ranga: Which was the result of what? Was it that he realized his domestic needs and afterwards started on deputation or was it that because the deputation was needed he was able to satisfy his domestic needs?

The Honourable Sir Akbar Hydari: I do not know about his domestic needs, Sir.

Shri Mohan Lal Saksena: Our information is that he went to arrange for his divorce.

The Honourable Sir Akbar Hydari: Then, you know better than I do.

Shri Mohan Lal Saksena: May I know who decides whether a particular officer is to proceed to U. K. or U. S. A. is it the Honourable Member or the officers themselves?

The Honourable Sir Akbar Hydari: I decide.

Sri M. Ananthasayanam Ayyangar: Could the Honourable Member tell us if similar operators concerned in the radio organizations of other Dominions have likewise gone to B. B. C. from time to time or whether India is the only country which does so?

The Honourable Sir Akbar Hydari: I really cannot answer that question. I do not know what the practice is in the Dominions. But judging from the number of people one sees in London on deputation from the Dominions, it is extremely likely.

Sri M. Ananthasayanam Ayyangar: For what purpose was this officer mentioned in (b) sent? What is the particular information or instruction that he wanted from the B. B. C. and what is the instruction or information that he has brought so as to advance the cause of radio in this country?

The Honourable Sir Akbar Hydari: I think I have answered it on previous occasions. I do not carry the instruction in my head. But if the Honourable Member wishes, I shall lay the information on the table of the House.

Sri M. Ananthasayanam Ayyangar: What steps have been taken on the so-called reports submitted by persons sent on deputation?

The Honourable Sir Akbar Hydari: I would require notice for this.

Shri Mohan Lal Saxena: May I know for how long he was on deputation in England and whether the period of his deputation was decided by the Honourable Member?

The Honourable Sir Akbar Hydari: No. But Mr. Watson was there for about two months, I think.

Seth Govind Das: Will the Honourable Member say what is done in the Dominions as far as these matters are concerned and see that the policy of India is also adjusted to what is happening in other Dominions?

The Honourable Sir Akbar Hydari: We must decide what we do according to India's needs and not according to the practice in the Dominions.

REPATRIATION OF INDIAN TROOPS FROM MIDDLE EAST AND PALESTINE

†1659. ***Mr. Ahmed E. H. Jaffer:** Will the War Secretary be pleased to state the approximate number of Indian troops in the Middle East especially in Palestine at the present time, and whether it is proposed to repatriate these troops at an early date?

Mr. P. Mason: I am not permitted to disclose the number of troops in any particular theatre. The majority of Indian troops serving in the Middle East have, however, already been repatriated. I can give no information at present regarding the repatriation of the remainder.

REPATRIATION OF FOREIGN PRISONERS OF WAR TO EASE FOOD SCARCITY

1660. ***Pandit Mukut Bihari Lal Bhargava:** (a) Will the War Secretary please state the number of prisoners of war of alien nationalities still confined in various places in India with the particulars of places where they are confined and the nationalities to which they belong?

(b) What is the quantity of foodgrains and other food materials necessary for meeting the needs of these prisoners of war during a month?

(c) Do Government, in view of the acute food situation, propose to take steps to repatriate these war prisoners to their respective homelands or any other place outside India? If not, why not?

Mr. P. Mason: (a) and (b). I lay a statement on the table of the House containing the required information.

(c) Yes Sir. They are already being repatriated as fast as the shipping situation permits.

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

Statement*

(a) The number of enemy Prisoners of War now held in India is as follows :—

	Numbers
(i) ITALIANS	
Group 2, Bhopal	3,818
Group 5, Yol.	8,404
P. W. employed outside camps all over India	6,334
Total	18,556
(ii) OTHER EUROPEANS	
Central Internment Camp, Dehra Dun	55
(iii) JAPANESE	
Camp No. 29, Bikaner	1,549
Camp No. 30, Baleli	985
Total	2,534
Grand Total	21,145

(b) The quantity of foodgrains and other food materials necessary to meet the needs of these Prisoners of War for one month is as shown below.—

Commodity	Italian P. O. W.	Jap P. O. W.	Total.
	Tons	Tons	Tons
Foodgrains—			
Flour for bread making	156	...	156
Rice or Atta or Barley according to availability	...	26	26
Macaroni or Oatmeal	16	...	16
Dhall	23	5	28
Meat	43	4	47
Vegetables fresh	124	13	137

*Statement is revised as per War Department U.O.I. No. 2153 M/S. & M., dated 16th May 1946.

Commodity	Italian P. O. W.	Jap P. O. W.	Total.
	Tons	Tons	Tons
<i>Foodgrains—contd.</i>			
Potatoes	158	4	160
Fruit fresh	31	6	37
Fruit dried	4	...	4
Tea	4	11350	4/1350
Sugar	13	1	14
Skimmed milk powder	16	2	18
Jam	7	...	7
Salt	6	2	8
Chillies	1½	...	1½
Baking powder	½	...	½
Margarine	8	1	9
Cooking Oil	2	1	3
Bacon tinned	7	...	7
Offal (most e.g., Kidney)	22	...	22
Cheese tinned	4	...	4

Sri M. Ananthasayanam Ayyangar: Is there a proposal on the part of the Government to retain any of these foreign nationals in this country?

Mr. P. Mason: No, Sir. Even when they want to stay in this country they are not allowed to do so.

SHOOTING OF JAPANESE PRISONERS OF WAR IN DEOLI DETENTION CAMP

1661. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Home Member please state if it is a fact that recently during the last month shooting was resorted to in the Detention Camp at Deoli, where Japanese war prisoners are confined? If so, why was the shooting resorted to, and by whom?

(b) What was the number of casualties, and what, if any, was the justification for such shooting?

The Honourable Sir John Thorne: (a) and (b). On the 26th February it was necessary for a military party to open fire to quell a riot among the Japanese civilians internees (not prisoners of war) at the Deoli Internment Camp. The rioters had armed themselves with sticks and knives and were stoning the camp staff and the military party. 19 rioters were killed and 12 wounded.

Some of the internees refuse to believe that Japan has surrendered and the trouble started with assaults by this party on other internees. The camp authorities decided to isolate the ring-leaders but this action was resisted and members of the camp staff were assaulted.

WHEREABOUTS OF SARDAR AJIT SINGH AND IQBAL SHADAI

1662. *Mr. Sasanka Sekhar Sanyal: (a) Will the Honourable the Home Member be pleased to state the whereabouts of (i) Sardar Ajit Singh, and (ii) Iqbal Shadai?

(b) Was any of them in the Italian legion of the I.N.A.?

(c) Was any of them captured during the occupation of Italy?

(d) Was any of them ever brought to the Red Fort at Delhi?

(e) What are the intentions of Government with regard to their being put on trial or being released?

(f) What are the charges against them?

The Honourable Sir John Thorne: (a) Mr. Ajit Singh is in detention in Germany. The whereabouts of Mr. Iqbal Shadai are unknown.

(b) Both of them were organisers of the so called Free India Movement in Italy.

(c) Only Mr. Ajit Singh was captured.

(d) No.

(e) The Government of India have no intention of putting them on trial. The question of the release of Mr. Ajit Singh is for the authorities who detained him.

(f) Does not arise.

Mr. Sasanka Sekhar Sanyal: Is it a fact that Sardar Ajit Singh was brought to India at one time?

The Honourable Sir John Thorne: No, Sir.

Mr. Sasanka Sekhar Sanyal: Is it a fact that Sardar Ajit Singh and one Garwar Singh came by the same boat and they were landed in India?

The Honourable Sir John Thorne: During the war, Sir?

Mr. Sasanka Sekhar Sanyal: After capture.

The Honourable Sir John Thorne: I believe not. My information is to the contrary.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to institute an enquiry taking the evidence which Garwar Singh might give? He was brought to India, he was kept in the Red Fort and after that he was taken away.

The Honourable Sir John Thorne: If the Honourable Member will give me his information and the source of it, I will certainly make an enquiry.

Prof. N. G. Ranga: In case Sardar Ajit Singh is still in Germany, what steps do the Government of India propose to take in order to try to bring him over to India?

The Honourable Sir John Thorne: Well, Sir, he left India in 1907, that is about forty years ago, and I do not think it is incumbent on the Government of India to make any representations to ensure his speedy repatriation.

Seth Govind Das: He may have left this country at any time. But he is an Indian. As such, is it not the duty of the Honourable Member to enquire where he is, why he is detained and why he is not released?

The Honourable Sir John Thorne: I answered that on the question of his repatriation.

Mr. Sasanka Sekhar Sanyal: Have any steps been taken for getting him released?

The Honourable Sir John Thorne: Not by the Government of India.

Shri Mohan Lal Saksena: Is he detained in the British zone of occupation in Germany?

The Honourable Sir John Thorne: I cannot answer that without notice.

Shri Mohan Lal Saksena: Will he make inquiries and let us know?

The Honourable Sir John Thorne: Yes.

(b) British personnel are not eligible for service in the Royal Indian Air Force.

(c) There may be isolated cases in which airmen who had asked for, but had not been granted release, were subsequently discharged under I. A. F. Act Rules, Chapter II, para. 18, Clause (vii)—“Services being no longer required”. Discharge under this heading does not entail forfeiture of release benefits, nor can it in any way deprive an airmen of any benefits with regard to future employment.

(d) R. A. F. discharges are the responsibility of H. M. G. It is not a fact that any class of persons are elevated to superior ranks on the eve of demobilisation with a view to getting them employed elsewhere.

(e) Indian airmen have, as stated, made representations and have refused duty. Allegations of discriminatory treatment were among their grievances. The airmen named by the Honourable Member were discharged. There is, however, no record of their having previously applied for release.

(f) No, Sir.

Mr. Sasanka Sekhar Sanyal: Will the War Secretary state whether he is prepared to give opportunities to these two persons named for proving that they were victimised?

Mr. P. Mason: I take it he means the persons named in part (e). They have their normal channel if they wish to prove anything; and if they wish to make any representation they can do so.

REMOVAL OF RESTRICTIONS ON AND RESTORATION OF ESTATE OF RAJA MAHENDRA PRATAP SINGH.

1665. ***Shri Mohan Lal Saksena:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that Raja Mahendra Pratap Singh was declared a fugitive in 1924 by the then Viceroy and Governor General in Council?

(b) Will any action be taken against Raja Mahendra Pratap Singh if he comes to India now?

(c) Will he give details of his estates and properties attached under the Bengal States Prisoners Regulations, 1918?

(d) Will he also give details of the estates and properties of Raja Mahendra Pratap Singh forfeited to His Majesty's Government under the Raja Mahendra Pratap Singh Estates Act, 1923?

(e) If Raja Mahendra Pratap Singh returns to India, will Government consider the question of restoration of his estates and properties to him?

(f) Is it a fact that relations of Raja Mahendra Pratap Singh are forbidden to have anything to do with him under a Sanad, dated the 7th September, 1924, issued under the signature of Lord Reading?

(g) If Raja Mahendra Pratap Singh returns to India, will Government consider the question of relaxing orders so that his relations can entertain him?

The Honourable Sir John Thorne: (a) He was described as a fugitive from justice in the Mahendra Pratap Singh Estates Act, No. XXIV of 1923.

(b), (e) and (g). These questions will be considered if and when they arise.

(c) and (d). These details have been published in the *Gazette of India* of 8th July 1916, 25th November 1916 and 26th January 1918, and in the Schedule to the Mahendra Pratap Singh Estates Act.

(f) His son was granted the forfeited estates under a Sanad which contains a condition “that neither he nor his heirs shall render support to the said Mahendra Pratap Singh either pecuniarily or otherwise in any manner whatsoever”.

Prof. N. G. Ranga: Sir, I am authorised to ask these questions of Sir Vijaya Ananda—Nos. 1666 and 1667.

Mr. President: I thought the authority was only for those of Shri Sri Prakasa.

Prof. N. G. Ranga: Shri Sri Prakasa as well as Sir Vijaya Ananda?

Mr. President: They will be taken up at the end,** if there is time.

BAN ON MALAYAN INDIAN LEADER, MR. N. RAGHAVAN'S VISIT TO INDIA

†1666. ***Maharajkumar Dr. Sir Vijaya Ananda:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that Mr. N. Raghavan, the Malayan Indian leader, has not been allowed to visit India?

(b) Is the ban imposed by the British Military Administration in Malaya or the Indian Government, itself?

(c) If imposed by the latter, will the Honourable Member state the reasons for such imposition?

The Honourable Sir John Thorne: The Government of India have informed the local authorities that they have no objection to Mr. Raghavan's return to India.

(b) and (c). Do not arise.

ENQUIRY INTO EXPLOSION AT CHUNAR FORT

†1667. ***Maharajkumar Dr. Sir Vijaya Ananda:** Will the War Secretary be pleased to state whether in regard to the Explosion which occurred at the Chunar Fort on the 10th March, 1946, in which four civilians and one Indian soldier died, Government propose to order a non-official inquiry or at least appoint members of this House to the Military Court of Inquiry?

Mr. P. Mason: It is not within my powers, or those of anyone else, to appoint Members of this House to a Military Court of Enquiry. Under the law, such a court must consist of soldiers, not of politicians or bureaucrats, such as the Honourable Member or myself. The findings of the Military Court of Enquiry which was assembled to report on the incident are now awaiting confirmation. I can see no grounds for holding a non-official enquiry.

REST AND RECREATION ALLOWANCE TO PROVINCIAL AND CENTRAL GOVERNMENT SERVANTS

1668. ***Sri R. Venkatasubba Reddiar:** (a) Will the Honourable the Home Member please state if it is a fact that the Government of India have granted the concession of rest and recreation allowance to their employees?

(b) Is it a fact that this allowance is admissible only to the Government servant and his wife, and not to their children?

(c) Is it a fact that certain Local Government, e.g., United Provinces have extended this concession to the children of their employees subject to a maximum limit of two full fares for children?

(d) Do the Government of India propose to see that a uniform policy is adopted throughout the country in the matter of concessions and make an employee eligible to the full extent of the concession either when he travels with his wife or with his children alone or with the whole family together, subject to the monetary limit of each category?

The Honourable Sir John Thorne: (a) to (c). Yes.

(d) The Provincial Governments and Central Government are competent to make rules in the matter of travelling allowance concessions for their employees during leave for rest and recreation. The Government of India do not consider that it is necessary or possible to ensure absolute uniformity in this respect.

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

**These questions and answers have, however, been printed serially in these Debates.—
Ed. of D.

Prof. N. G. Ranga: Has Government any definite information that he has surrendered his Indian nationality?

The Honourable Sir John Thorne: I am not sure of that.

Prof. N. G. Ranga: In view of the fact that they are sure of one thing, that he happens to be an Indian, will Government try to use their good offices with the authorities who are now in charge of that part of Germany where he is kept in detention, and try and effect his release?

The Honourable Sir John Thorne: I cannot undertake to do that. I am not certain for what reason he was taken into custody or what is contemplated by the authorities who are in charge of him.

Shri Sarat Chandra Bose: Will the Honourable Home Member please enquire whether Sardar Ajit Singh has asked for repatriation to India?

The Honourable Sir John Thorne: Yes; I will do that, if the Honourable Member so desires.

Diwan Chaman Lal: Is the Honourable Member aware that Sardar Ajit Singh is held in the greatest veneration and respect by the people of India?

The Honourable Sir John Thorne: I think they must have pretty long memories if they hold him in veneration and respect.

Diwan Chaman Lal: It is because their memories are long that they hold him in veneration and respect.

WHEREABOUTS OF SARDAR HARDAYAL SINGH OF 1/15 PUNJAB REGIMENT

1663. ***Mr. Sasanka Sekhar Sanyal:** (a) Will the War Secretary be pleased to state the whereabouts of Quarter Master Havildar Sardar Hardayal Singh of the 1/15, Punjab Regiment?

(b) When and where was he last heard of, and what happened to him thereafter?

Mr. P. Mason: (a) and (b). Havildar Sardar Hardayal Singh is at present at the Holding and Enquiry Centre in Multan where his case is being investigated.

I felt myself, Sir, though perhaps I may be wrong that this information is not of sufficient general interest to warrant taking up the time of the House, and accordingly gave this information privately to the Honourable Member ten days ago in order that he might consider withdrawing the question.

Mr. Sasanka Sekhar Sanyal: Since the Honourable Member has referred to it, I admit that he has given me the information—it was really his opinion—and left the matter there, leaving me free to take it up on the floor of the House. Will the War Secretary please state when this gentleman was taken into custody?

Mr. P. Mason: I am afraid I do not know that; I should require notice.

Mr. Sasanka Sekhar Sanyal: Will he kindly say for how long he has been in detention?

Mr. P. Mason: I am afraid I shall require notice.

Mr. Sasanka Sekhar Sanyal: Will he please state what are the charges against him?

Mr. P. Mason: There are no charges against him.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member state whether there was any offence for which steps have been taken towards his interrogation?

Mr. P. Mason: Yes; he is being interrogated.

Mr. Sasanka Sekhar Sanyal: Will he be pleased to state who are the persons who are carrying on this work of interrogation actually?

Mr. P. Mason: No; I do not think I could make such a statement; certainly not.

Shri Sarat Chandra Bose: Will the Honourable the War Secretary state why interrogation is going on, when, according to him there are no charges against the gentleman?

Mr. P. Mason: In order to see whether a charge should be framed.

Prof. N. G. Ranga: For how long will the interrogation continue?

Mr. P. Mason: Until we know the whole evidence in the matter and know the position.

Prof. N. G. Ranga: Are we to understand that this interrogation is to run into a campaign of vendetta and for a number of months?

Mr. Sasanka Sekhar Sanyal: Will the War Secretary be pleased to state whether his Department has sent a reminder to the interrogating authority asking for expedition in the investigation?

Mr. P. Mason: I have repeatedly explained that in all these matters we are hoping to finish these interrogations by the end of this month. There may be a few left over to go on into the next month, but not very many.

Prof. N. G. Ranga: And we have repeatedly said that we are getting tired of these repeated promises which do not fructify.

Mr. P. K. Salve: May I ask the War Secretary if the interrogation is directed towards getting a confession from the person concerned?

Mr. P. Mason: No.

Diwan Chaman Lal: What are the methods being employed for interrogation?

Mr. P. Mason: I do not think that really arises out of this question.

Mr. President: It does not arise and the question has been put so many times.

DISCRIMINATORY TREATMENT AGAINST INDIANS IN R. I. A. F.

1664. ***Mr. Sasanka Sekhar Sanyal:** Will the War Secretary be pleased to state:

(a) the proportion of Indian, Anglo-Indian and non-Indian strength of the R.I.A.F. in the technical and non-technical Departments;

(b) the comparative amenities for British and Indian members of the R.I.A.F. in the matter of food, cloth, pay and prospects, and the reasons for the disparity, and whether Government have taken up the policy of removal of disparity; if so, in what directions;

(c) whether Indians of the R.I.A.F. who asked for release, were not given release, but were subsequently discharged; if so, whether this was done with a view to depriving them of any lien upon future employment by virtue of their right as ex-servicemen;

(d) whether any Britisher has been so discharged; and if it is a fact that Britishers are elevated to superior ranks on the eve of demobilisation with a view to facilitating their being employed otherwise and elsewhere;

(e) whether Government are aware that Indians represented and protested against these and other discriminatory treatments and that a large number of them went on sympathetic strike at the time of the strike of naval ratings in Bombay and Karachi; whether Government are aware that the men were asked to put their grievances and case formally through their representatives and that when this was done through, one Prabhu and one Thakkar, these two boys, who were earlier refused release, were summarily discharged; and

(f) whether Government have issued instructions for getting rid of undesirable and malcontents (by a secret circular) by giving discharge orders?

Mr. P. Mason: (a) The Royal Indian Air Force is wholly an Indian Service recruited on an All-India basis without distinction of class or creed. Statistics, therefore, are not maintained on a communal basis.

REPRESENTATION OF MUSLIMS VIS-A-VIS CLASSIFICATION OF GOVERNMENT SERVANTS FOR RETENTION IN SERVICE

*1669. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable the Home Member please state what criterion has been laid down for classifying the temporary staff of the offices of the Central Government into three categories for purposes of retention in Government services, and what safeguards have been provided to guard against indiscriminate classification of persons in category "C"?

(b) Have instructions been issued that all Government offices will try to make up the shortage of Muslims and that the orders regarding classification into three categories will not be made an excuse for turning out all Muslims by placing them in category "C"?

(c) In view of the shortage of Muslims, do Government propose to issue instructions that no Muslim will be discharged on any pretext till the shortage of Muslims is made up?

The Honourable Sir John Thorne: (a), (b) and (c). I invite attention to the reply I gave to question No. 783, on the 8th March, 1946. I cannot undertake that the Government will go beyond the instructions to which I have referred and which, I trust, will not be evaded in the manner suggested by the Honourable Member.

MUSLIMS IN INDIAN AUDIT DEPARTMENT

*1670. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable the Finance Member please state the total number of Gazetted Officers and Accountants employed in the Indian Audit Department and the number of Muslims holding these posts?

(b) Is there a provision in the rules that on account of direct recruitment of men in the Accountant's cadre, minority communities should be given at least one third of the posts? If so, how many Muslims, who have qualified in the Departmental Examination for Accountants, have been permanently promoted as Accountants?

(c) Is it a fact that out of the only two Muslim Assistant Accounts Officers under the control of the Accountant-General, Posts and Telegraphs, one has been reverted and replaced by a non-Muslim?

(d) Is it a fact that the enquiry instituted against the Muslim Assistant Accounts Officer was conducted by non-Muslim officers throughout and that the Muslim officer was not given a copy of the report of the Enquiring Officer even on demand?

Mr. B. C. A. Cook: (a) and (b). The Honourable Member's attention is invited to the replies given to his starred question No. 784, on the 8th March, 1946.

(c) and (d). The Honourable Member may kindly refer to the replies given to his starred question No. 785, on the 8th March, 1946.

SECRET INTERCEPTION OF PRIVATE CORRESPONDENCE UNDER POST OFFICE ACT

*1671. *Shri Sri Prakasa: Will the Honourable the Home Member refer to his replies to starred questions Nos. 628 and 629 asked on March 4, 1946, and state:

(a) what public emergency arose and when, because of which secret interception of private correspondence is exercised at the present day under Section 26 of the Post Office Act of 1898;

(b) if it is a fact that the Central Government have granted any certificate regarding the existence of public emergency as required in Sub-Section 2 of Section 26 of the Post Office Act;

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

(c) if it is a fact that secret interception has been going on the correspondence of some individuals continuously for twenty years or more; if so, whether Government issue orders in writing from time to time continuing this process; and

(d) if it is a fact that Government issue orders for the interception of all articles addressed to any individual or specify particular articles or class of articles that can be so intercepted?

The Honourable Sir John Thorne: (a) Powers of secret interception are exercised not only on the occurrence of a public emergency but also in the interests of public safety or tranquillity.

(b) No. But the question does not quite accurately reproduce the sense of the sub-section.

(c) and (d). These are matters of detail which depend on the procedure followed in the various Provinces.

ENQUIRIES re STATUS, INFLUENCE, MEANS OF LIVELIHOOD, ETC., OF MEMBERS OF CENTRAL ASSEMBLY

*1672. *Shri Sri Prakasa: Will the Honourable the Home Member be pleased to state:

(a) if enquiries are made regarding the status, influence, means of livelihood, etc., of every member of the Central Assembly;

(b) if these enquiries are made through subordinate Revenue and Police Officers;

(c) if Government have received information regarding members of the present Assembly; and

(d) if they propose to place on the table of the House the information as received about all the members of the present Central Assembly?

The Honourable Sir John Thorne: (a) to (d). I understand that enquiries have been made. The results have not yet reached Government; and I have stopped the enquiries.

PROFITS TO GOVERNMENT DUE TO SOME HIGH DENOMINATION NOTES HAVING NOT BEEN TENDERED FOR EXCHANGE

*1673. *Shri Sri Prakasa: Will the Honourable the Finance Member please refer to his replies to starred questions Nos. 625 and 627 asked on March 4, 1946 and state:

(a) what further amounts have been claimed after that date from the Reserve Bank by members of the public in exchange for the High Denomination Notes;

(b) the amount of money that has been saved to Government by High Denomination Notes not having been presented for cashing; and

(c) if Government are now in a position to assess the results of the operation of the Demonetization Ordinance?

Mr. B. C. A. Cook: (a) Rs. 2.98 crores between the 9th February and the 22nd March, 1946.

(b) The Governor and the Deputy Governor of the Reserve Bank have been authorised to permit exchanges of high denomination notes up to the 26th April, 1946. Thereafter the Central Government can still permit exchange of high denomination notes in hard and genuine cases. It is therefore too early to estimate what amount of high denomination notes will not be tendered for exchange.

(c) Not yet Sir. The examination of the declarations is still in progress.

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

BROADCASTS IN MALAYALAM FROM STATIONS IN MADRAS PRESIDENCY

1674. *Sri A. K. Menon: (a) Will the Honourable Member for Information and Arts be pleased to state how many Broadcasting Stations there are in the Madras Presidency? Where are they located?

(b) What are the languages in which broadcasting is being done in the medium wave transmissions of those Broadcasting Stations?

(c) Is Malayalam language one of them? If not, why is it omitted?

The Honourable Sir Akbar Hydari: (a) Two. Madras and Trichinopoly.

(b) Madras.—English, Tamil and Telugu.

Trichinopoly.—English and Tamil.

(c) No. The medium wave transmitters at Trichinopoly and Madras cannot serve the Malayalam speaking districts.

Prof. N. G. Ranga: Will any steps be taken either to provide a separate broadcasting station for Malayalam speaking people or to provide the necessary equipment to the Madras or Trichy stations in order that broadcasting in Malayalam may be made?

The Honourable Sir Akbar Hydari: In the basic plan for the development of broadcasting in India, provision has been made for two urban centres at Trivandrum and Calicut and one rural centre at Cochin for the broadcasting of Malayalam programmes.

Prof. N. G. Ranga: Will Government take early steps to provide a broadcasting station for the Telugu speaking peoples, preferably at Bezwada?

The Honourable Sir Akbar Hydari: I will consider that.

Sri M. Ananthasayanam Ayyangar: May I know if the two stations proposed to be started for the West coast are only a post-war plan or is the Honourable Member making any immediate arrangement?

The Honourable Sir Akbar Hydari: It is in the post-war plan. We are now in the post-war period.

Sri M. Ananthasayanam Ayyangar: If it is post-war, has the Honourable Member considered the desirability of removing some broadcasting plants from here which are catering to the Middle East and Far East and taking them to the southern part of India?

The Honourable Sir Akbar Hydari: You asked me the same question some time ago. I said I would consider the matter. I am awaiting a report from the technical people.

Shrimati Ammu Swaminadhan: Considering that the Malayalam programme is so short, will not the Honourable Member hurry up the scheme for having a station for Malabar before long and not wait for the post-war plans to develop?

The Honourable Sir Akbar Hydari: I will certainly consider it.

Babu Ram Narayan Singh: How many new broadcasting stations are under construction?

The Honourable Sir Akbar Hydari: I will supply the information to the Honourable Member. I do not carry it in my head.

Babu Ram Narayan Singh: What is the position about Patna?

The Honourable Sir Akbar Hydari: I explained the position about Patna in answer to your question some weeks ago.

Mr. President: That does not arise. Next question.

BROADCASTS IN MALAYALAM FROM STATIONS IN MADRAS PRESIDENCY

1675. *Sri A. K. Menon: (a) Will the Honourable Member for Information and Arts be pleased to state the time taken daily by the short wave broadcasts in the Radio stations of the Madras Presidency?

(b) What is the allocation of languages—English, Tamil, Telugu and Malayalam, in these short wave broadcasts?

(c) What is the total population of the Madras Presidency along with those of the States of Travancore and Cochin? What is the proportion of the Malayalam speaking population in it?

(d) Do Government propose to give the Malayalam language the importance that it deserves considering the vastness of the population that speaks that language in South India?

The Honourable Sir Akbar Hydari: (a) The Shortwave transmitter at Madras broadcasts ten hours daily on week days and eleven hours on Sundays. There is no shortwave transmitter at Trichinopoly.

(b) Excluding music items and including news, the approximate comparative durations per day are: Telugu—1 hour 55 minutes, English—58 minutes, Tamil—27 minutes, Malayalam—13 minutes.

(c) The population of Madras is 5,68,34,703 and the Malayalam population is roughly one-sixth of that. (These figures are taken from the census of India 1941).

(d) Yes. A plan for the development of Broadcasting in India is under consideration, which provides for Stations in the Malayalam speaking areas.

Mr. Manu Subedar: Will the Honourable Member not consider the English language during the intervening period before he can establish a Malayalam centre, and give more time to the Malayalam language?

The Honourable Sir Akbar Hydari: The Madrasis are English speaking generally.

Sri M. Ananthasayanam Ayyangar: We have got our own indigenous languages. We have not become Anglicized. May I ask the Honourable Member what is the programme that is being broadcast during this period of 13 minutes?

The Honourable Sir Akbar Hydari: Music and news.

Sri M. Ananthasayanam Ayyangar: In view of the fact that there is a separate station at Trichinopoly for Tamil and Madras caters for Telugu and Malayalam, will the Honourable Member consider the desirability of increasing the time devoted to the Malayalam language?

The Honourable Sir Akbar Hydari: I will consider that but I may get a protest from the Tamil and Telugu speaking people.

NEWS BROADCASTS IN MALAYALAM FROM A. I. R., DELHI

1676. *Sri A. K. Menon: (a) Will the Honourable Member for Information and Arts be pleased to state the South Indian languages in which news is being broadcast by the All-India Radio from Delhi?

(b) Is the Malayalam language one of them? If not, why is that language neglected?

The Honourable Sir Akbar Hydari: (a) Tamil and Telugu.

(b) No. With the present transmitting facilities, it has not been possible to add to the list of languages in which news is broadcast.

BROADCASTS IN MALAYALAM FOR INDIANS OVERSEAS

1677. *Sri A. K. Menon: (a) Will the Honourable Member for Information and Arts be pleased to state the languages in which broadcasts are being done by the All-India Radio for Indians overseas?

(b) Is the Malayalam language one of them?

(c) If not, why not? In view of the fact that a large number of the population. If the post is sanctioned it will carry emoluments equivalent to those of rectify the omission?

The Honourable Sir Akbar Hydari: (a) English, Tamil, Hindustani, and Gujarati.

(b) No.

(c) *First part.*—All-India Radio broadcasts are at present confined only to the four languages which are most widely spoken by the Indians resident in South East Asia and South and East Africa.

Second part.—The plans for external broadcasts are at present under consideration. Due regard will be paid to the claims of Malayalam before a final decision is taken.

PUNJAB POLICE RULES FOLLOWED BY DELHI POLICE.

1678. *Babu Ram Narayan Singh: (a) Will the Honourable the Home Member please state if it is a fact that the Delhi Police and the Punjab Police have a joint cadre and that the former follows the rules, regulations, traditions, pay and allowances of the latter?

(b) Do Government follow the Punjab Police in all these respects so far as the entire office staff of the Delhi is concerned? If not, where and on what basis or principle does there exist differentiation, and why has it been allowed by the Central Government to stand?

(c) Is it a fact that a post of Deputy Superintendent of Police is being created in the office of the Delhi Police? If so, what would be the monthly total emoluments of this post?

The Honourable Sir John Thorne: (a) The Delhi Police and the Punjab Police have separate cadres for Lower Subordinates and a joint cadre for Upper Subordinates and Gazetted Officers. The Punjab Police Rules govern both the Delhi and the Punjab Police Forces and normally the Delhi Police follow the Punjab Police rates of pay and allowances.

(b) The same rules govern the Punjab and the Delhi Police office staffs.

(c) A proposal for the creation of a post of Deputy Superintendent of Police as Registrar or Office Superintendent of the Delhi Police is under consideration. If the post is sanctioned it will carry emoluments equivalent to those of the other Deputy Superintendents of Police, viz.:

(1) Pay in the scale of pay for Provincial Police Service in the Punjab.

(2) Office allowance—Rs. 75 p. m.,

(3) Local allowance—Rs. 75 p. m.,

(4) Motor Car allowance—Rs. 87-8-0 p.m.

(5) War allowance according to the rates fixed by the Government of India.

Sri M. Ananthasayanam Ayyangar: Since the last strike of the Police in Delhi, has any attempt been made to revise their pay and allowances, with a view to avoid a recurrence of similar strikes?

The Honourable Sir John Thorne: We follow the same rates as the Punjab. Speaking without precise information, I think there is a proposal in the Punjab to improve their rates, and if that is done the same rates will be applied in Delhi.

APPOINTMENT OF MIR MOHALLAS BY CHIEF COMMISSIONER, DELHI.

1679. *Sgt. Seth Damodar Swroop: Will the Honourable the Home Member be pleased to state if it is a fact that the Chief Commissioner of Delhi has recently appointed *Mir Mohallas* in the various *Mohallas* of Delhi? If so what are the functions of these *Mir Mohallas*, and what amount, if any, do Government intend to pay them monthly or yearly as honorarium?

The Honourable Sir John Thorne: Yes. There are two grades *Mir Mohallas*. An inam of Rs. 180 a year is paid to the first grade and an inam of Rs. 150 a year to the second grade. The functions of the *Mir Mohallas* are in brief to render such assistance to the officials of Government and the municipal

authorities as they may reasonably require and to further all measures undertaken by Government or the municipality for the improvement of the health and welfare of the people in their area.

Shri Mohan Lal Saksena: How are these *Mir Mohallas* appointed?

The Honourable Sir John Thorne: They are appointed, I think, by the Chief Commissioner.

Prof. N. G. Ranga: How are they selected? What is the machinery for selecting *Mir Mohallas*?

The Honourable Sir John Thorne: I must ask for notice.

Shri Mohan Lal Saksena: Is it not a fact that the police informers are appointed sometimes as *Mir Mohallas*?

The Honourable Sir John Thorne: I am not sure what a police informer is.

Sreejot Rohini Kumar Choudhuri: Is the Honourable Member aware that we on this side, have not heard a syllable of his answer?

The Honourable Sir John Thorne: The main trouble is the fans.

Mr. President: If the Chair is permitted to say so, the talks that go on on the left in loud tones also prevent the Chair from catching what the Honourable Members are saying.

Sreejot Rohini Kumar Chaudhuri: In smaller provinces like Assam and Lucknow, microphones have been installed inside the House?

Mr. President: That matter has been brought to my notice and it is under consideration.

Mr. M. Asaf Ali: Will the Honourable Member say why are these *Mir Mohallas* required considering the fact that their functions will be confined to look after the health and other measures initiated by the Government and the municipality? The Government and the municipality have got ample arrangements to look after these matters and why are these *Mir Mohallas* required and on whose recommendations are they employed?

The Honourable Sir John Thorne: This experiment was introduced at the end of 1943 in imitation of the practice which prevails in some of the Cities of the Punjab. It has been sanctioned for three years in the first instance, and we shall be interested to see when these three years lapse whether the experiment is a successful one and whether it is worth continuing.

Mr. M. Asaf Ali: Is the Honourable Member aware that this practice prevailed here before 1857 and it was abandoned soon after 1857. I do not see why it should be revived now. It is a completely reactionary measure.

Prof. N. G. Ranga: How many are employed and how much is spent on them?

The Honourable Sir John Thorne: I think 150 are employed. The amount paid is for the first grade Rs. 180 a year and for the second grade Rs. 150 a year. I am afraid I have not got the total cost here.

Mr. M. Asaf Ali: Will this amount be charged to the revenue of the Province or to the revenue of the municipality? In either case it will be either the municipality or somebody who may be advising the administration of the Province which should sanction it. I do not see the point of appointing these people.

Mr. President: What is the question?

Mr. M. Asaf Ali: Will the Honourable Member bring this fact to the notice of the Chief Commissioner that the feeling here is that these *Mir Mohallas* should not be appointed and that they should be abolished?

The Honourable Sir John Thorne: I am not sure what the feeling of the House is, but these questions and answers will be brought to the notice of the Chief Commissioner.

Mr. Manu Subedar: May I know whether this is a new kind of title? May I know whether the word 'Mir' is the same as 'Amir'—a nobleman?

The Honourable Sir John Thorne: I am afraid I cannot answer that.

MOBILE POLICE FORCE AND WIRELESS SETS IN VILLAGES OF DELHI DISTRICT

1680. *Sjt. Seth Damodar Swroop: Will the Honourable the Home Member, please state if it is a fact that the Chief Commissioner of Delhi has requested for the sanction of the Central Government for keeping mobile police force and wireless sets in the villages of the Delhi District? If so, what amount if any have the Central Government sanctioned for this purpose?

The Honourable Sir John Thorne: No such request has been made by the Chief Commissioner, Delhi, and the Central Government have not sanctioned any amount for this purpose.

BAN ON MONTHLY FLAG SALUTATION IN NEHRU PARK, CONNAUGHT PLACE, NEW DELHI

1681. *Sjt. Seth Damodar Swroop: (a) Will the Honourable the Home Member, please state if it is a fact that before August, 1942, public meetings used to be held at Nehru Park in Connaught Place, New Delhi?

(b) Is it also a fact that a loudspeaker is installed in the Centre of the said Park, that people crowd there every evening to listen to the All-India Radio propaganda broadcasts and that the police band is also played in the said Park every Saturday?

(c) If the answers to (a) and (b) are in the affirmative, what are the reasons for the interference of the Police and the Municipal authorities in the monthly flag salutation ceremony?

The Honourable Sir John Thorne: (a) No exact record is available but questions were raised as to the appropriateness of using the Park as a place for street preaching both in 1938 and in January, 1942. In 1943, the New Delhi Municipal Committee passed a bye-law forbidding the use of the park for meetings without prior permission.

(b) Yes.

(c) Interference is only necessary when the bye-laws have not been complied with.

DESTRUCTION OF PETITIONS BY COMMANDANT 10/6 RAJPUTANA RIFLES

1682. *Babu Ram Narayan Singh: Has the attention of the War Secretary been drawn to letter No. A/13/1/104, dated the 7th-8th May, 1944, of the Commandant, 10/6 Rajputana Rifles, stating "As you are bringing up petitions for cases already decided, all petitions in your hand-writing will be destroyed"?

Mr. P. Mason: Yes, Sir. The letter was addressed to a person who was constantly sending petitions on behalf of others in cases which had already been decided.

Babu Ram Narayan Singh: If applications for reconsideration are to be torn in this way, then what are the chances of appeals coming in?

Mr. President: Order, order. Is the Honourable Member putting any question for eliciting further information?

Babu Ram Narayan Singh: How can a man appeal?

Mr. President: The Honourable Member is arguing. What he is saying is a matter of opinion.

Mr. P. Mason: Appeals are entertained and decided. But in these cases the appeals had been turned down.

GRIEVANCES OF LUCKNOW CANTONMENT BOARD VOTERS

1683. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to state whether he has received a representation from the General Secretary, 'Hindu Sangh', Lucknow Cantonment, dated the 24th March, 1946, regarding the failure of the Cantonment Board, Lucknow, in making timely notification of the "change of the voters qualifying date"? If so, what action has been taken thereon?

(b) Are Government aware that the Cantonment Board failed not only to notify to the public regarding the formalities for qualifying date, but they also did not proclaim to the public about the alteration from June to January, as altered by the Government of India?

(c) Are Government aware that many voters have been consequently deprived of their votes? If so, do Government propose to take necessary action to redress the grievances of the voters?

Mr. P. Mason: (a) Yes. A representation has been received, but as the change of date had been notified in the *Gazette of India* dated 9th June 1945, I do not propose to take any action thereon.

(b) The Cantonment Board did not specifically notify the public regarding the change of date during 1946 but 1st January of each year was notified as the date for the purpose of section 27(1) (a) of the Cantonments Act in the *Gazette of India*, dated the 9th June 1945.

(c) 148 voters are stated to have been disqualified on account of being in arrears of payment of taxes on 1st January 1946. Government do not consider it necessary to take any such action as is suggested. The voters are advised to pay up their arrears for the future in good time. There have been no complaints from other cantonments, in respect of which the method of notification was the same.

Shri Mohan Lal Saksena: What harm will be done to the Government or the Cantonment Board if the disqualification is removed and the order is modified?

Mr. P. Mason: If the order is changed and presumably if these people are allowed to record their votes in spite of having arrears on the notified day, it would encourage other voters not to pay their taxes and it would lead to a general feeling of insecurity in the processes of law.

Shri Mohan Lal Saksena: Is it a fact that it was not publicly notified that this was the last date for paying up the arrears?

Mr. P. Mason: I have already stated that it was published in the *Gazette of India*.

Shri Mohan Lal Saksena: Besides publication in the *Gazette of India*, was it published in the local papers?

Mr. P. Mason: I have said, no.

Shri Mohan Lal Saksena: In view of the fact that this was not published in the local papers, nor was it published by beat of drum, but that it was simply published in the *Gazette of India*, will the Honourable Member consider the advisability of just revising the order this time and warning the public that they should take care in future?

Mr. P. Mason: No, Sir.

Shri Mohan Lal Saksena: Why not, Sir?

Mr. P. Mason: Because as I have already said the same method of notification, which worked perfectly harmoniously in other cases, was followed in this case also and to do what is suggested by the Honourable Member would encourage voters not to pay taxes.

Shri Mohan Lal Saksena: Will the Government direct that in future these notifications should be published in the local newspapers also and not merely in the *Gazette of India*?

Mr. P. Mason: I will consider that.

LEAKAGE OF BUDGET PROPOSAL re IMPORT DUTY ON GOLD AND SILVER

1684. ***Shri Mohan Lal Saksena:** (a) Will the Honourable the Finance Member be pleased to state if he is aware of the news published in several papers that there was a good deal of speculation in bullion at Bombay, few days before the presentation of the Budget?

(b) Is he also aware that it was from the speculation in Bombay that it was known that there was going to be imposed an import duty on gold and silver? If so, did he make enquiries to find out whether there was any justification in the popular belief that there was a leakage about this proposal?

(c) What action, if any, has he taken to put an end to this?

The Honourable Sir Archibald Rowlands: (a) Yes.

(b) and (c). I have read newspaper accounts to this effect, though I have received no positive information to establish the fact that there was a leakage. Nevertheless, in view of the allegation, I am causing a special enquiry to be made. The enquiry is not yet complete.

Shri Mohan Lal Saksena: Is it not a fact that the Honourable Member, Dr. Sir Zia Uddin Ahmad himself said that he was in Bombay at the time and he got information of that before the Budget was presented?

The Honourable Sir Archibald Rowlands: I do not remember Dr. Sir Zia Uddin Ahmad saying that; but, like every other Honourable Member of the House, he has got to pick up all sorts of rumours while in Bombay.

Mr. Manu Subedar: Has the Honourable Member noticed that in several newspapers in Bombay, in the financial columns, names were mentioned of big operators who conducted their operations to their own tremendous advantage through alleged securing of prior information regarding the Budget?

The Honourable Sir Archibald Rowlands: I have seen reports of some members who are alleged to have made a lot of money; others lost a lot of money. Somebody always loses. Fools are born every minute. Some people make money, others lose money. In point of fact, irregular movements in the Stock Exchange just before the Budget rather suggest that nobody knew what was going to happen, somebody bet in one way, somebody else bet in the other way; but, nevertheless, in view of the allegations, I am causing a special enquiry to be made.

Mr. Manu Subedar: Was the increase of duty on bullion discussed by the Honourable Member with any public man of Bombay or with officials of the Reserve Bank or with any other class through whom leakage might have possibly occurred?

The Honourable Sir Archibald Rowlands: I am not prepared to disclose what happened between the Government of India and the Reserve Bank. The answer to the other two questions is in the negative.

SUPPLY OF LONDON TIMES TO OFFICERS OF GOVERNMENT OF INDIA

1685. ***Shri Sri Prakasa:** Will the Honourable Member for Information and Arts please refer to his reply to starred question No. 1174 asked on March 22, 1946, and state:

(a) if copies of the *London Times* (Daily Air Mail Edition) are being supplied to various Departments and officers of Government on their application or are given to them at the initiative of the Department itself;

(b) if he is assured that the officers who are supplied with copies of the *London Times* actually utilise them and profit by them;

(c) if he is aware that there are many officers who do not want this paper at all; and

(d) if Government are satisfied that the money spent yields fruitful results; if not, whether Government propose to stop any further purchase of the paper at public expense?

The Honourable Sir Akbar Hydari: (a) In a few cases requests were received for the supply of copies of the *Times* but, generally speaking, the supply was arranged at the initiative of Information and Arts Department.

(b) I assume that to be the case.

(c) No.

(d) The creation of a wider outlook among the functionaries of any administration is desirable but I am having the distribution list examined with a view to its curtailment.

CLASSIFICATION OF PERSONS CONVICTED IN CONNECTION WITH DISTURBANCES ON MARCH 7, 1946

1686. ***Sjt. Seth Damodar Swroop:** (a) Will the Honourable the Home Member be pleased to state as to how many Congress and other political workers have been arrested in Delhi in connection with the disturbances on March 7th?

(b) What kind of treatment is being meted out to them in jail, i.e., whether they have been classified according to their social status or are being treated as ordinary criminals even while they are under trial?

(c) Is it a fact that Messrs. Khurshed Ahmed Kazmi, Sardar Jagat Singh and Shri Deo Dutt Vashisht, who occupy high social status, have not been classified as superior class under trials? If so, why?

The Honourable Sir John Thorne: (a) to (c) The information has been called for and will be placed on the table of the House in due course.

PROCESSES OF EXPLOITATION OF INDIA'S RAW MATERIALS DISCOVERED BY COUNCIL OF INDUSTRIAL AND SCIENTIFIC RESEARCH

1687. ***Prof. N. G. Ranga:** Will the Honourable Member for Planning and Development be pleased to state:

(a) how many new processes of industrial production and exploitation of India's raw materials have been discovered and prepared by the Council of Industrial and Scientific Research;

(b) how many of them are actually offered to private enterprise and how many are accepted on lease by private enterprise, and what they are;

(c) why technical annual reports or summaries of them are not being published, and whether they will be published hereafter; and

(d) how many new regional laboratories have been opened and where and for what kind of researches?

The Honourable Sir Akbar Hydari: (a) More than 40 processes have been developed by the Council of Scientific and Industrial Research for utilising Indian raw materials, chemicals of Indian manufacture, and wastes from Indian industry.

I lay on the table of the House list of these processes.

(b) The council has offered about 40 processes for commercial exploitation of which thirty two have been leased out to private parties. I lay on the table of the House a list of these processes.

(c) Annual reports on the technical work of the Council are published every year, but due to paper shortage their number has been restricted. The *Monthly Journal of Scientific and Industrial Research* also gives an account of the research work done under the auspices of the Council.

A consolidated report on the utilisation of the research work done by the Council till the end of March, 1945, will be published shortly.

(d) So far only the Technological wing of the Central Glass and Ceramics Institute has been opened at Calcutta.

I lay on the table of the house a list of the various laboratories proposed to be opened.

List of processes evolved under the auspices of the Council of Scientific and Industrial Research

1. Utilisation of horn and hoof for Air foam manufacture.
2. Utilisation of chemicals of Indian manufacture for water-proofing and fire-proofing of canvas and other fabrics.
3. Utilisation of methyl alcohol for the manufacture of formaldehyde.
4. Utilisation of horn and hoof with shellac for moulding powder.
5. Utilisation of Bhilwan nuts for stoving and air drying enamels, moulding powders, reclamation of waste rubber for the manufacture of ebonite and other hard and soft rubber goods.
6. Utilisation of rubber latex for the manufacture of lining and seaming compound for canning industry.
7. Utilisation of crude tar for the manufacture of high grade disinfectants.
8. Utilisation of Indian Tallow and hydrogenated oils for the manufacture of stearic and oleic acids.
9. Utilisation of barks of Terminalia Arjuna and Butea frondosa for the manufacture of dyes for wool and cotton.
10. Utilisation of Tamarind seed Testa for the manufacture of dyes for wool.
11. Utilisation of Gracilaria from Travancore and other places in India for the manufacture of Agar, Agar.
12. Utilisation of neem seeds for the manufacture of certain useful products.
13. Utilisation of Indian natural resins for the manufacture of petrol pump diaphragms.
14. Utilisation of waste materials from sugar and starch industry for the manufacture of furfural.
15. Utilisation of Indian vegetable oils for the manufacture of lubricating oils.
16. Utilisation of Indian raw materials for the manufacture of carbon electrodes.
17. Utilisation of Indian manganese ore for dry-cell manufacture.
18. Utilisation of Indian natural resins for treatment of cheap Indian wood for the manufacture of Bobbins for Jute and Textile Mills.
19. Utilisation of molasses for the manufacture of calcium Gluconate.
20. Utilisation of Glands from slaughter houses for the manufacture of Glandular products.
21. Utilisation of sludge from Aluminium industry and Ilmenite ore for the manufacture of Titanium dioxide.
22. Utilisation of phosphate nodules for the manufacture of fertilisers and phosphorus.
23. Utilisation of Coffee bean and husk for plastics.
24. Utilisation of Indian natural resins for the manufacture of petrol-proof hose pipes and tubes.
25. Utilisation of waste zinc slimes for the manufacture of zinc salts.
26. Utilisation of Jute waste, cotton waste, coir for plastic, boards and cork substitutes, etc.
27. Laminated board with paper and fabric as base.
28. Parchment and Butter paper.
29. Annatto dye for colouring of vegetable ghee, milk, aerated waters, etc.
30. Extraction of sulphur from Baluchistan ore.
31. Manufacture of Barium Chloride.
32. Manufacture of Potassium chlorate.
33. Manufacture of Vacuum pumps.
34. Manufacture of Aluminium welding fluxes from chemicals of Indian manufacture.
35. Manufacture of Radio Resistances, condensers and loudspeakers.
36. Duplicating Ink.
37. Mosquito repellent creams from Indian materials.
38. Welding electrodes from Indian steel coated with flux from chemicals of Indian manufacture.

39. Water-proofing compound for cement mortars from chemicals of Indian manufacture.
40. Hydraulic brake fluid.
41. Metal polish from chemicals and other raw materials of Indian origin.
42. Sintered glass.
43. Purification of China clay to render it suitable for use in rubber industry.
44. Shark liver oil.
45. High tension ignition cable testing device for field use.
46. Patching cement for repairing rubber and synthetic rubber tanks.
47. Slushing varnishes for metal tanks for petrol storage, and for rubber, synthetic rubber, and laminated tanks for carrying petrol in aircraft.
48. Smoke candles and distress signals for use in land and aerial operations.
49. Substitute hairlock.
50. Collapsible tubes.
51. Reclamation and use of perspex.
52. Improving hot food containers.
53. Antigas cloth.
54. Luminous paints and pigments.
55. Substitute for glass.
56. Silver and glossy transparent paper.
57. Solid fuel.
58. Oil silks.
59. Waterproof paint for indianite roofing slabs.
60. Atoxyl and carbarsone.
61. Benzidine.
62. Para-amine phenol.
63. Radio resistances.
64. Drawn laminated mouldings.
65. "Bemax" like products.
66. Yeast extract.
67. Photo-sensitising dyestuffs.
68. Photographic plates and paper.
69. Water detecting composition.
70. Treatment of bamboo reeds for use handlooms.
71. Urea.
72. Nitrobenzene, aniline and methylaniline.
73. Pyrethrum emulsifier.

List of processes which have so far been leased out to private parties.

1. Manufacture of Air Foam solution.
2. Manufacture of Barium chloride.
3. Manufacture of Bhilawan stoving Enamel.
4. Manufacture of Bhilawan Air Drying Varnishes.
5. Manufacture of Glass substitute.
6. Manufacture of Laminated Boards from paper.
7. Manufacture of Laminated Boards from jute and fabrics.
8. Manufacture of Luminous Paints and Pigment.
9. Manufacture of Oil Silks.
10. Manufacture of Potassium chlorate.
11. Manufacture of Plastic Collapsible Tubes.
12. Manufacture of Silver paper and glossy transparent paper.
13. Manufacture of Carbon Electrodes for Dry Cells.
14. Manufacture of Carbon and Graphite Electrodes for Chemical and Metallurgical industry.
15. Manufacture of Stearic and Oleic Acids.
16. Manufacture of Cork Substitutes.

Treatment of Manganese Ores for use in Dry Cell Manufacture.
 Manufacture of Petrol Pump Diaphragms.
 Manufacture of Moulding Powders from horn and hoof with Indian natural resin.
 Manufacture of Vacuum Pumps.
 Purification of China Clay.
 Manufacture of Dye Extracts and Dyed Shades on wool and Cotton from the barks of terminalia arjuna and butea frondosa.
 Manufacture of Dye Extracts and Dyed Shades on wool from tamarind seed testa.
 Manufacture of Annato Dye Extracts.
 Manufacture of Atoxyle and Carbarsone.
 Manufacture of Jettol Type of Disinfectants.
 Improvement of Jute Mill Bobbins by resin impregnation.
 Extraction of Potash salts from molasses.
 Manufacture of Calcium Gluconate.
 Manufacture of Tin Lining Compound.
 Waterproofing of Indianite Roofing Slabs.
 Manufacture of Ebonite substitutes and other hard and soft rubber goods from rubber waste.

List showing details about the various proposed laboratories

Laboratory	Location	Functions
1. National Physical Laboratory	Delhi	The work of this laboratory will cover the following :— 1. Weights and Measures. 2. Applied Mechanic and Materials. 3. Heat and Power. 4. Optics. 5. Electricity. 6. Electronics and Sound. 7. Building and Housing Res. 8. Hydraulics Research. 9. Analytical Chemistry.
2. National Chemical Laboratory.	Poona	This Laboratory will cover the following branches of science :— 1. Inorganic Chemistry including Analytical Chemistry. 2. Physical Chemistry including Electro-Chemistry. 3. Chemistry of high Polymers. 4. Organic Chemistry. 5. Biochemistry including Biological Evaluation. 6. Chemical Engineering. 7. Survey and Intelligence.

Laboratory	Location	Functions
3. National Metallurgical Laboratory.	Jamshedpur	This laboratory will cover all aspects of metallurgical research both fundamental and applied and will also carry out research on Ores, Minerals and Refractories.
4. Central Glass and Ceramic Research Institute.	Calcutta	This Institute will carry out research on the improvement of the existing technique of manufacture of glass and ceramic articles and on the commencement of new processes.
5. Fuel Research Station	Dhanbad	This Laboratory will chiefly deal with :— 1. Chemical and Physical survey of Indian coals. 2. Processing and preparing coal with special reference to metallurgical coke. 3. Low temperature carbonization of coal. 4. Other day to day problems confronting the industry.
6. Road Research Institute	Delhi	This Institute will tackle the problems of highway engineering in India with a view to introduce the proper use of materials and standards of modern road engineering.
*7. Building Research Station	Roorkee	In collaboration with the Thompson College of Engineering.
*8. Institute of Leather Technology.	Madras	In collaboration with the University of Madras.
*9. Fundamental Research	Bombay	In collaboration with the Tata Institute of Fundamental Research.
*10. Dyastuffs Technology	Bombay	In collaboration with the Bombay University.
11. *Internal Combustion Engines.	Bangalore.	In collaboration with the Indian Institute of Science.

* Substantial grants are made to these bodies by the Council of Scientific and Industrial Research.

JALAHALLI MILITARY HOSPITAL NEAR BANGALORE

1688. *Prof. N. G. Ranga: Will the War Secretary be pleased to state:

- what use is being made of the Jalahalli Military Hospital near Bangalore with a capacity for ten thousand beds;
- the cost of its maintenance;
- the number of superior and junior establishment (doctors, nurses, etc.) employed in the Indian section thereof; and
- whether it is a fact that it is not being used even up to one tenth of its capacity?

Mr. P. Mason: (a) The Military hospitals situated in the hospital town Jalahalli are being used for psychiatric cases, long duration cases, and those cases requiring specialist treatment from ALFSEA and India. The present

authorised bed strength is 5,450 and not 10,000 as stated by the Honourable Member.

(b) The approximate estimated cost of maintenance (establishment, equipment and buildings) is about 68 lakhs of Rupees per annum.

(c) The Superior establishment (doctors, nurses, etc.) number 381 and the junior establishment 1,903.

(d) No, Sir. Out of the 5,450 authorised beds an average 3,351 were occupied by patients during the month of March 1946.

UNSTARRED QUESTIONS AND ANSWERS

CLASSIFICATION OF ACCREDITED PRESS CORRESPONDENTS

186. Babu Ram Narayan Singh: Will the Honourable Member for Information and Arts please refer to the reply to starred question No. 212 asked on the 12th February, 1946, regarding class distinctions amongst the accredited correspondents and state the date from which this distinction has been abolished? And if not yet abolished, what are the reasons therefor, and who are the members of the Advisory Committee?

The Honourable Sir Akbar Hydari: The A and B distinctions between accredited correspondents have been abolished with effect from 15th March, 1946.

CLASSIFICATION OF ACCREDITED PRESS CORRESPONDENTS

187. Babu Ram Narayan Singh: Has the attention of the Honourable Member for Information and Arts been drawn to Resolution No. 8 passed by the All-India Newspaper Editors' Conference held at Allahabad in February, 1946, which reads as under:

"The All-India Newspaper Editors' Conference is of opinion that there should be no discrimination between correspondents accredited to the Government of India and request the Standing Committee to take necessary steps to secure the application of a uniform standard in regard to extension of facilities to correspondents accredited to the Government of India", and state the action taken thereon; and if no action has been taken, the reasons therefor?

The Honourable Sir Akbar Hydari: The system of "A" and "B" class accreditation was abolished on the 15th March, 1946.

MANUFACTURE OF OPIUM ALKALOIDS

188. Mr. Manu Subedar: (a) Has the Honourable Member for Planning and Development received any representation from the Indian Chemical Manufacturers' Association regarding the manufacture of opium alkaloids in India?

(b) What steps has he taken to encourage such manufacture in India?

(c) Is it a fact that during the war the need for opium alkaloids was felt acute?

(d) Is it also a fact that the available supplies in India were not adequate as no manufacturing capacity was developed?

(e) What are the difficulties on this subject?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) to (e). It has been considered desirable, in the larger interests of the country, to restrict the manufacture of opium alkaloids to as few manufacturing centres as possible. Government have their own alkaloid works at Ghazipur which are capable of meeting the country's entire peace-time requirements. During the war however India was called upon to supply opium alkaloids to the Defence Services and the Eastern Group supply countries as well as to the trade in India and for some time it was not possible to meet in full the demands from the trade. A new alkaloid plant has since been installed at Ghazi-

pur with the object of increasing the output and the new plant is estimated to be capable of producing much more than the total of India's requirements. The supply position at present is quite satisfactory and no difficulty is anticipated in meeting trade demands.

PAUCITY OF SIKHS IN COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

189. Sardar Mangal Singh: Will the Honourable Member for Planning and Development please state:

(a) the number of officers and Assistants, separately, in the Council of Scientific and Industrial Research on (i) technical side, and (ii) administrative side;

(b) the number of Sikhs in the officer's and Assistant's grades on both sides; and

(c) in view of the paucity of Sikhs in the service of the Council of Scientific and Industrial Research, whether the Government propose to promote and appoint suitably qualified Sikhs in this section?

The Honourable Sir Akbar Hydari: (a) On the technical side: 24 Officers and 23 Assistants; and on the Administrative side: 3 Officers and 11 Assistants.

(b) One officer and one Assistant (technical) and one Assistant (Administration),—3 in all.

(c) Recruitment on the administrative side is made strictly in accordance with the prescribed communal ratio rules, and Sikhs are in fact adequately represented. On the technical side, only men with special technical qualifications for the type of work, which they have to do, can be recruited, and it is not desirable to prescribe any communal formula for such recruitment.

SUBJECTION OF INDIANS TO TORTURE

190. Mr. Manu Subedar: (a) Will the Honourable the Home Member be pleased to state if he has received a representation from a former M.L.A. (Central) Mr. C. S. Ranga Iyer, regarding subjection of Indians to torture?

(b) Was this representation of Mr. Ranga Iyer based on his own personal experience?

(c) Have Government denied subjection of Indians to torture in their book "India in 1925-26" (pages 193 and 194)?

(d) Are Government aware that Mr. Ranga Iyer has informed the Home Secretary in his letter, dated the 10th March, 1946, from his own experience of subjection to torture, that torture still continues in India?

(e) Do Government propose to put an end to this torture? If so, when?

The Honourable Sir John Thorne: (a) to (e). A number of representations have been received. There are no grounds whatever for Mr. Ranga Iyer's suspicions and apprehensions.

SHORT NOTICE QUESTION AND ANSWER

DELETION OF SECTIONS OF GOVERNMENT OF INDIA ACT re COMMERCIAL SAFEGUARDS

Mr. Manu Subedar: (a) Will the Honourable the Planning and Development Member inform this House what progress has been made for the deletion of sections 111 to 121 of the Government of India Act 1935 popularly known as the Commercial Safeguards, since the passing of the Assembly resolution on this subject last year?

(b) In view of the limitation which these sections put on Legislative authority of this House as well as all Provincial legislatures and thus (in the words of Sir Ardeshir Dalal) 'hinder planning and development' what further steps do Government of India propose to take to secure their deletion?

The Honourable Sir Akbar Hydari: (a) and (b). Sir Ardeshir Dalal in pursuance of the undertaking he gave to this House did take up the matter.

But last year while in London Sir Ardeshir was advised that in view of the imminence of the constitutional discussions he should let matters stand for the present. These discussions are now taking place. If, as we all must hope, there is a settlement, the question raised by my Honourable friend which is part of the bigger issue will also be settled along with it.

Mr. Manu Subedar: If a decision is reached, will my Honourable friend take an opportunity of immediately informing the provincial Governments and the public who are very much concerned about this?

The Honourable Sir Akbar Hydari: My Honourable friend will know the decision just as soon as I shall.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): Sir, arising out of the question and answer just given, may I ask a question of the Leader of the Opposition? I understood that he wanted a day for a debate on the clauses relating to these commercial safeguards. But in view of the answer that has now been given and in view of the fact that Government are very much pressed for time. I should like to know whether the Leader of the Opposition is still of the opinion that any time be spared for the purpose.

Shri Sarat Chandra Bose (Calcutta Non-Muhammadan Urban): Sir, I have had an opportunity of talking over this matter with the Leader of the House and the Honourable Member for Planning and Development. It is true that we were pressing for a full discussion of this subject; but as a result of the conversations I have had I have ascertained that it is not possible for Government to give anything more than half a day. That, I am afraid, will not be sufficient. I have also considered the answers just now given by the Planning Member and I shall say that, in the hope that the unanimous verdict which the House gave last year will be respected and that the constitutional discussions will result in the removal of the offending sections of the Government of India Act and also in the hope that similar sections will not disfigure the statute-book of the future, I shall not press for a day during the current Session. If it becomes necessary to raise the question again, next Session, I shall approach you, Sir, and make my suggestions to the House, including of course, the Government benches.

Mr. President: So for the present, at any rate, it is clear that no day need be allotted.

MOTION FOR ADJOURNMENT

STARVATION DEATHS IN THE STREETS OF CALCUTTA

Mr. President: We will now take up the adjournment motion of which the admissibility was being discussed yesterday. I should like to know what the Leader of the House has to say on it.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): I said that we will collect whatever further information can be collected and my colleague Mr. Sen will give that information now.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, I think it would be better to have a discussion in the proper way, because he will give his information and we will also give our information, and if possible guidance, to Government in the matter, as to how to approach this question. It is a serious thing; it has started in one place and may continue in other places also. Therefore I suggest that it should be taken up for discussion. As you made it clear, it is not a motion of censure but of discussion and questions of party or other things do not arise. Therefore a full debate is necessary, and I hope the Leader of the House will agree to have the matter taken up at 4 p.m.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: After my colleague has given the information the House will be in a better position to

know whether the matter requires further consideration at this stage. As I said yesterday, I would very much like to avoid a general discussion on the food position or on the constitutional responsibilities. That would certainly not be a matter for urgent consideration at this stage on an adjournment motion. It would lead to a roving discussion on many matters and it is very difficult to confine it to any particular aspect of it. My Honourable friend has raised the question of a certain number of deaths occurring in the streets of Calcutta. Yesterday my Honourable friend Mr. Sen gave such information as he was in possession of and promised to give further and clearer information on the whole matter. That information has now been obtained and I suggest that the House may hear what Mr. Sen has to say on the actual facts.

Mr. President: I might state at this stage what my reaction to this adjournment motion is. It is neither the general food problem nor the constitutional aspect of the thing, that I have in mind in considering the importance or urgency of this matter. I was looking at it from a different point of view, and that is that, the necessary supply of food for all the parts of the country has been undertaken as their responsibility by the Government of India. It is, in that way, an all-India question. One of the most important aspects of the question would be the question of procurement, particularly from surplus areas, and a question may be raised, as to whether it may not be necessary for the Government of India to have powers whereby they can compel the Provincial Governments to procure food so as to be able to meet the requirements of the deficit areas. Provincial Governments may be inclined to look to their own provincial needs in preference to the needs of other Provinces; and notwithstanding their best desire to help the whole of India, a position may arise where the procurement would not be as efficient as possible. Therefore, I was considering it from the point of view as to whether it would not be necessary or proper for the Government of India to assume some more powers so as to help procurement as also more equitable or effective distribution; and I was thinking whether the discussion could not be restricted only to this aspect. That is my own reaction: I do not know what the opposition wants or what Government feels about it. If there is a discussion, it will be restricted to such issues and will not go to the wider issue of the constitutional position or the general question of food.

I am only discussing the admissibility of the motion and not its merits.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Sir, on that issue I should like to say this. The adjournment motion deals with questions relating, at the best, to the availability of surpluses or stocks in Calcutta and in Bengal province. There is no allegation whatever that there are not enough stocks, so far as the province of Bengal is concerned; I do not think it is anybody's case that there are not enough stocks there and that the Government of India should provide further stocks.

Mr. Sasanka Sekhar Sanyal: Is it not a fact that the Bengal Government have not disclosed their stocks as yet for the last six or seven months?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is another matter. So far as the Government of India are concerned, I think I am in a position to state that no demand for any further stocks has been received from Bengal province. I am anxious that the motion should be confined to conditions in Bengal; and on the conditions in Bengal no question arises of supplies not being enough.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): The point is that the rural areas

Mr. President: Let us hear what Mr. Sen has to say.

Mr. B. B. Sen (Secretary Food Department): As I said yesterday, the question is not that Bengal Government have not the stocks. The Bengal Government have ample stocks to meet the situation for the present and I can quote the latest stock figures. On the 23rd March in Calcutta, the Bengal Government had about 157,000 tons of rice and in the other districts about

[Mr. B. R. Sen]

234,000 tons. So there is no question that Bengal Government is short of rice and that the Government of India must come to their rescue immediately.

Yesterday I promised the House further information on this question and I shall read to the House the contents of a telegram I have received.

So far as can be ascertained, after careful enquiry, no death has occurred in the streets of Calcutta due to starvation or to other causes. Two deaths of starvation reported in the Auxiliary Government Hospitals accommodating destitutes in March and two other deaths by Municipal Health Officer had been enquired into and reported on as follows:

Mr. President: Will he please read a little slowly.

Mr. B. R. Sen: One was a sick beggar woman in the streets who was taken to hospital where she died. The other one was an old woman who collapsed in the streets and was taken to hospital where she died without being able to speak. These are the two cases of death which can be ascribed to starvation. The rest are deaths due to other causes and all these deaths took place in hospitals.

I enquired whether entries in hospitals have gone up in the last one month. The reply is: "Total taken into the Auxiliaries and hospitals in March was 209 as compared with 160 for the two preceding fortnights. Admission in the first week in April was 98". So there has been some increase in the admission into hospitals.

I asked what arrangements they had to accommodate these destitutes on their way to Calcutta. The reply is: "Three relief centres on roads to Calcutta, namely Belur in the Howrah District and Diamond Harbour and Sonapur in the 24 Paraganas district are in full working order and three others being arranged for immediately".

Appearance of destitutes in the city according to the Bengal Government, is partly due to contraction of local charity and 50 of the destitutes actually transferred to destitute camps in March were persons belonging to other provinces who had been in Calcutta for some time.

I asked what arrangements they had made to remove persons who look like suffering from starvation to hospital. The reply is that there are daily patrols to remove destitutes: ambulances remove sick persons when reported. Additional lorries for the purpose of removal of destitutes from the streets of Calcutta are being arranged.

Then the question was what additional arrangement they propose to take in order to find food for people who were drifting into Calcutta. The reply is that food and relief is available for all necessitous persons and isolated deaths ascribed to starvation are those of persons affected by illness or contraction of charity, whose condition was not reported by neighbours and who were not actually found in the streets till too late.

This is all the information I have got. I agree that there should be no deaths from starvation and Government must take all necessary measures to prevent deaths from starvation. We are taking with the Bengal Government all further measures that are necessary in order to prevent such deaths.

Mr. Sasanka Sekhar Sanyal: May I have your permission to place certain facts before the House so that Government may apply their mind to it.

So far as the question of the number of deaths is concerned, it is said by the Government communique that two were deaths from starvation and there were other unidentified deaths which must be in the hospitals. Anyone with a little commonsense and understanding will see that this is a sad specimen of the hiding policy of Government, because they say that persons once admitted into hospitals can never be identified. Whereas when they are treated as patients their names and descriptions are given. Are we to understand that the Bengal hospitals are so badly managed?

Mr. President: The Honourable Member is arguing his case. I believe what was stated yesterday was unclaimed bodies; not unidentified bodies.

Mr. Sasanka Sekhar Sanyal: In the report there were unidentified bodies.

Mr. President: My impression was that certain bodies in the hospitals were unclaimed as paupers.

Mr. B. R. Sen: I mentioned that these were persons buried as paupers in the ordinary course.

Mr. Sasanka Sekhar Sanyal: There are certain things which have to be considered. I very much appreciate his saying that there has been a contraction of local charity. Why has this contraction taken place? For two reasons. In the first place there is an alarmist feeling that there is a general shortage. In the second place the price, so far as the grower is concerned is very low, but so far as the purchaser is concerned, it is very high. On the floor of the House there has been much discussion on this point. I have got series of telegrams in which it is said that the growers are getting nothing and the middlemen making large profits and consumers purchasing at forbidding rates. Therefore this starvation problem cannot be tackled successfully unless Government goes immediately into the question of subsidiary aid. This is not a theoretical question. But the fact is that this problem was tackled by the Government of Great Britain in times of war. Later in the war, rice subsidies were given to the growers and then the minimum price level was fixed for the grower and the maximum price level fixed for the purchaser. It is a very practical proposition and if I may, I would draw the attention of the Leader of the House and the Food Department to the report that has been left by Sir Henry French who considered this question. He also admitted the wisdom of that policy but he thought under the existing circumstances and on the advice of the Food Department, that it was not advisable. That was two years back. Now they should apply themselves to this question.

Then the Honourable Member must take the responsibility of feeding Greater Calcutta as they did before. Previously the Government did not take things seriously. But today the Government will never be excused for unpreparedness. Therefore, they must take up the matter immediately, and there is one thing which ought to be considered by the Government, namely, allaying all the panic. This panic has been aggravated by the food shortage, and for the further thing in Bengal that large shipments have been sent out. I have facts with me. In 1945 and throughout the war, several thousands and thousands of tons of rice were shipped outside India. My good friend, Mr. Sen, may say that these were on replacement basis to Ceylon. I have consulted the chart of the Customs Department. There are different columns. There are foreign countries in one column and the coastal centres in a different column. Those centres which were meant for Colombo and Cochin were shown separately. But there were no columns for "despatched to foreign countries". I believe that the Food Department is being hoodwinked by some other power bigger than the Customs. I will tell you another trick. These shipments are meant for Colombo but they are not all really for Colombo. They first go to Colombo and then they are rebooked for unknown destination. This is the information which I am giving the Honourable Member and I want the Food Department to apply their wisdom into this question. Even in February 1946, large quantities were exported out of Bengal and this was elicited from an answer put by Mr. Banerjee. I would urge upon the Government to make enquiries into the matter and I assure the Government that if they want help with proper information, well we are at their disposal and we will give them the necessary assistance. I assure the Leader of the House and the House that I will not go into the responsibility of the Centre *vis-a-vis* the Provincial Governments. I will deal with the question of Centre's duty in the matter, and I will give suggestions which, if accepted, will relieve the food situation in Bengal. I hope, Sir, I will be able to make out a good case not in a spirit of rant but with the earnest desire to help in the matter.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: In spite of all that has been said, we are concerned with an adjournment motion. It is true it is not sought to be a censure motion, but still there are certain rules which have to be applied: that it is a matter of urgency, and it is a matter of specific kind. All that my Honourable friend has been saying for the last several minutes do not indicate that there is anything urgent or specific.

An Honourable Member: People are dying.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is exactly the sort of statement which creates panic which my Honourable friend rightly deprecated. What should not be done in this House is to create unnecessary panic and I beg of them not to create panic all over the country by suggesting where it is not a fact and where it has been stated by my Honourable friend, Mr. Sen, after careful enquiries, that it is not a fact that there has been any large starvation or any number of deaths due to starvation, that Calcutta is quite amply supplied with stocks of food and deficit areas in Bengal are supplied with stock of food. It has been said over and over again that there has been no export to foreign countries. If Bengal is a surplus area owing to the happy harvest this year, part of it must go to other provinces and I cannot conceive of any other method of transportation from Calcutta Port to other parts of India except by sea. It seems to me, Sir, that on the statement that has been made, there is no case for adjournment motion either by way of censuring the Government or eliciting further information. We have no further information that we can place at the disposal of this House at the present time. Therefore, it seems to me that there is no point in having an adjournment motion on this subject at the present time.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): May I tell the Leader of the House that it is not our desire to create panic in any way, but that we cannot feel reassured merely by the statement that there were only two deaths from starvation. The House will remember that in 1943 several assurances were given, but we know what the result was. Apparently there is a shortage of food in mofussil areas and therefore people are rushing to the cities. There is something wrong with the distribution of food. I do not know, but I heard the Honourable the Food Secretary say that Bengal has ample stocks today. We want more information on that point and we shall then make our suggestions as to how the food is to be distributed in the different parts of the province. That is a matter which the Government of India should take upon themselves. We do not feel, having regard to past experience, that we can have any confidence in the Bengal Government, at any rate, until it is very differently constituted. The Government of India have taken responsibility for the supply and the distribution of food all over the country and I shall tell them that the facts which have been brought to the notice of the House are ominous.

Further, there is the question also of exports and imports. My Honourable friend, Mr. Sanayal, has spoken about exports and further details will be forthcoming from him. I know some of those details myself. As regards imports of rice, we got information through the newspaper *Free Press Journal* yesterday that Indonesia had offered 500,000 tons of rice to India and all that they wanted was that shipping facilities should be arranged for by the Government of India. All these are matters of policy and therefore I suggest that the time of the House will be well spent if it has a general discussion on this subject.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): May I also, in support of what our Honourable leader has said, urge upon the Leader of the House the desirability of this debate? In view of the fact that the last time when we had a general discussion on the food problem in the country was long ago, and in view of the fact that it is the most urgent problem facing the country,—may I urge the need and the desirability of facilitating a discussion, in which not only the point as to whether there is sufficient food in Calcutta or not, and whether, in case there is sufficient food there, it is a matter of faulty methods of distribution that should make people still

starve, or, whether it is something else, but besides all that, the desirability of placing before this House, and thereby before the country, all relevant and up-to-date facts and review of the Food situation may be put forward. For instance, the fact that the Government of India, unwittingly probably, have created a panic deserves discussion. I do not suggest that they did it deliberately with a view to create panic but they went about the thing in a way that a great deal of unnecessary panic has been created. They announced again and again that there was almost total failure of crops everywhere. And now, we have Government statements from several provinces that the foodgrain position has improved, and that there are surpluses available

Mr. President: Order, order. I am afraid the Honourable Member is arguing the question on merits. I am chiefly concerned with the admissibility of the motion, and I was, I must confess, feeling divided on the point. The question does appear to me to be of importance and urgency also, if at all preventive measures are to be taken in time. I also see the intense desire to make suggestions. I do not think that anything more by way of information can be had just at present, but when I feel divided I propose to follow the rule of allowing the discussion on merits rather than preventing it. I think the matter should be discussed even if I am committing a mistake. But I must say that I do feel divided.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: We had half an hour discussion and the very nature of the discussion shows that it is the desire of the House to help the Government in this matter. We are equally anxious to take some of the Honourable Members into confidence and place all the facts before them. But what I wanted to avoid was precipitating a general food debate, and I am in a position to say that the Standing Committee of this subject will be convened before the House adjourns and all the facts will be placed before them.

Prof. N. G. Ranga: This is the last occasion when we can possibly have any discussion at all on food.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is what I am fearing—a general discussion on food.

Prof. N. G. Ranga: before the House adjourns. The other point is that the villagers have no means of publicity. It is there that the pinch comes in. People in villages are not properly informed; they believe that towns are being fed while they are starving and so they rush to the towns.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I would rather have the adjournment motion than further discussion at this time.

Mr. President: As I said, I do not know whether under the rules the motion is strictly inadmissible or admissible. I do feel divided, and I had better admit the motion and have the discussion at Four of the Clock.

Sir Cowasjee Jehangir (Nominated Non-Official): Can we have discussion for one and a half hour?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Yes, we are very much pressed for time. (Interruption).

Mr. President: Order, order. The House has already taken half an hour. I understand that the South African Delegation is also coming and meeting the Members. So let us have the adjournment motion but discuss it for a shorter time. Keeping the pressure on time in view, let us also talk very much less on legislative business.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: You may fix the motion for 4-30 P.M., Sir.

Mr. President: Not at 4-30 P.M. I can fix it earlier, if wanted. The Member has a right to carry on up to 6 P.M.

Shri Sarat Chandra Bose: We shall cooperate with the Leader of the House and shorten the debate as much as possible, and I hope we shall not go beyond?

Mr. President: The issue will be the restricted issue and not the wider issue. The cooperation should also be extended for the purpose of shortening the speeches on the legislative programme.

Shri Sarat Chandra Bose: We shall certainly bear your remarks in mind.

Mr. M. A. F. Hirtzel (Bengal: European): Sir, I do not know what exactly is the issue to be discussed. There has been so much discussion already that I am a bit confused and would like to know from you what the issue is.

Mr. President: I would better do it at 4 o'clock.

PAPERS LAID ON THE TABLE

REPORTS OF THE LABOUR INVESTIGATION COMMITTEE

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I lay on the table a copy each of the following *Reports of the Labour Investigation Committee:—

- (1.) Report on an Enquiry into Conditions of Labour in the Silk Industry in India.
- (2.) Report on an Enquiry into Conditions of Labour in the Cement Industry in India.
- (3.) Report on Labour Conditions in Carpet Weaving.
- (4.) Report on Labour Conditions in the Iron Ore Industry.
- (5.) Report on Labour Conditions in Coir Mats and Matting Industry.
- (6.) Report on Labour Conditions in the Mica Mining and Mica Manufacturing Industry.
- (7.) Report on an Enquiry into Conditions of Labour in Dockyards in India.
- (8.) Report on Labour Conditions in the Shellac Industry.
- (9.) Report on Rickshaw Pullers.
- (10.) Report on Labour Conditions in the Rice Mills.
- (11.) Report on Labour Conditions in the Glass Industry.
- (12.) Report on an Enquiry into Conditions of Labour in the Bidi, Cigar and Cigarette Industries.
- (13.) Report on an Enquiry into Conditions of Labour in Plantations in India.
- (14.) Report on an Enquiry into Conditions of Labour in the Gold Mining Industry in India.
- (15.) Report on Labour Conditions in Potteries.
- (16.) Report on Labour Conditions in the Chemical Industry.
- (17.) Report on an Enquiry into Conditions of Labour in the Manganese Mining Industry in India.
- (18.) Report on an Enquiry into Conditions of Labour in the Mineral Oil Industry in India.
- (19.) Report on an Enquiry into Conditions of Labour in the Woollen Textile Industry in India.
- (20.) Report on an Enquiry into Conditions of Labour in the Paper Mill Industry in India.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): These papers are not circulated. Will the Honourable Member be good enough to supply them to those who apply for them?

The Honourable Dr. B. R. Ambedkar: I shall certainly consider it, Sir. We have not got sufficient number of copies.

Mr. President: The present request is to supply copies to those only who ask for them.

MERCHANT SEAMEN (LITIGATION) BILL.

PRESENTATION OF THE REPORT OF SELECT COMMITTEE

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir I present the Report of the Select Committee on the Bill to provide for the special protection in respect of civil and revenue litigation of serving merchant seamen.

MICA MINES LABOUR WELFARE FUND BILL

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

"That the Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry be taken into consideration."

The important provision of the Bill is contained in clause 3, where it is proposed that a levy should be made upon the export of mica in order to constitute a fund for providing for the welfare of the labour employed in the mica mining industry. The nature of the welfare activities which this fund will undertake are detailed in clause 2 of the Bill. It is not necessary for me to go over these clauses and read them to the House. Before I go further I would like to explain to the House why the Government of India have thought it necessary to institute a fund of the sort mentioned in clause 3 of the Bill and I do not think I could do better than read a few extracts from the report of a Committee on labour conditions in mica mining and mica manufacturing industry. The report is made by Prof. Adarkar who was a member of the Fact Finding Committee appointed by the Tripartite Labour Conference. With your permission, Sir, I propose to read a few extracts from this report.

On page 27 of this report Prof. Adarkar says:

"We did not see urinal or latrine accommodation provided in any mine. Reference to this breach of the Mines Act, has already been made above. One just wonders what the workers do while working 500 feet below they are called upon to answer calls of nature. Lack of arrangements for good drinking water is a crying evil of the mica mining industry. The doctors told us that diseases like dyspepsia, intestinal trouble, etc., were caused by the presence of harmful minerals in the water supplied to the workers. As I said earlier, some of the bigger firms carry water in lorries to mines but generally women are employed to fetch water from dirty pools five to six miles away. This water is carried and stored in filthy earthen pitchers or drums. The supply of even such water is inadequate. No water is usually made available for washing purposes. The problem is a very serious one and deserves immediate attention."

Speaking of housing the report says:

"No adjectives can properly describe the 'houses' in which workers are housed. The more temporary amongst them look like tents of leaves held in position by a strong bamboo or wooden pillar. Houses proper are of two types; we may describe them separately:—

(i) *Built entirely of bamboo and grass.*—We saw a house built by a mine owner for workers which was typical and the roofing was of green leaves. The general appearance was that of a cattle shed. There was hardly any necessity for doors and windows as it was airy from every side. This shed housed one family worker with his wife and two children along with 10 other workers. There was no privacy for the family. The children were separate. Grass had been spread on the floor and workers slept upon that at night. No rent was however charged for the accommodation provided. It may be noted here that the other 8 or 10 occupants had been put into the cottage by the employer after the family worker had occupied. As the worker was not paying any rents, he could not possibly grumble.

(ii) *Better type of houses.*—Their number is very small and generally they are meant for durhans, khalasis or carpenters. There are single-room tenements built in lines and are rent free. Their walls are built either of brushwood or of kuchcha bricks and roofs are built of wooden beams. They are closed rooms with doors but ventilation is very poor. It must be emphasised again that these quarters are not meant for ordinary workers but are reserved for the superior skilled staff. It is important to note here that no latrines or urinal accommodation is provided even for those who live in these quarters with the result that they go out into the open to attend to calls of nature. As has been pointed out earlier, this causes them to develop diseases like ankylostomiasis and anaemia. Workers do not like to stay in these quarters, despite the efforts of the employers to make them do so. Workers like to walk 4 to 6 miles each way and prefer to stay at home at night. The employers want them to stay at mines as this would ensure regularity of attendance but the workers dreading compulsory overwork prefer to ignore such exhortations. Moreover, their own huts are definitely better built than the quarters provided by the employers."

[Dr. B. R. Ambedkar.]

I will read another passage which deals with occupational and other diseases which are prevalent in mica mines. The report says:

"Diseases which mica workers suffer from may be classified as (a) those that are directly attributable to mining operations and working conditions and (b) those that are caused by the configuration and natural vegetation of the mining area. In this connection, we could collect some information in the Bihar area, and the following analysis is based mainly on the information.

(a) The following diseases may be considered under the first category:—

(i) *Silicosis*.—This is a disease of the lungs and is attributed to dry machine-drilling of quartz rock. Machine drills have octagonal ends with a regular bore running right through the drill. The drill is rotated by machine and quartz dust produced in the drilling process escapes with great force through the bore and strikes the driller right on his nose. Within a few seconds thick clouds of quartz dust envelope the driller and he inhales that dust continuously. The tiny quartz pieces enter the body and injure the lungs. The first symptom of silicosis is bronchitis and this gradually develops into silicosis proper. The incidence of the disease is fairly high but due to the excessive turnover of labour it is not detected early. What saves most of these workers from early death is their seasonal migration to agriculture. If the driller works continually even for one whole year he cannot escape catching the disease and within five years or so he may die. One employer stated that he had lost 16 of his best drillers within the past five years. It seems that the only possible way of saving the drillers from this disease which proves fatal in nearly all cases is to prohibit dry machine drilling by an order under the Indian Mines Act. Of their own accord so far only the Chrestien Mining Company have introduced wet drilling in some of their mines. But no other firm is planning even to follow suit at any rate during the course of the present war. It may be noted here, however, that all employers declared themselves in favour of statutory prohibition of dry drilling."

Then a description is given of the prevalence of dyspepsia, rheumatism, bronchitis, malaria. I need not go through the whole list of them. But I would like to draw the attention of the House to the following paragraph in the Report:—

"Welfare activities are conspicuous by their total absence. Canteens, creches, entertainments and washing or any other facilities are things entirely unheard of in the mica mining area. The bigger firms like the Chrestien Mining Company, the Chatturam Horilram Company, and the Indian Mica Supply Company, have made arrangements for medical aid."

Then they give details below.

"Medical aid, wherever it is provided, is free. No arrangements have been made, however, for child or adult education."

Now, Sir, I can go on for a length of time quoting passages from this Report in order to show that the conditions of work in mica mines have really become intolerable and that the time has arrived for Government to intervene in this matter and to do something for the workers in the mica mines.

The next question, Sir, is the best method of dealing with this subject. So far as that question is concerned it seems to me that there are really two ways of dealing with the subject. One way is to impose the liability upon the employer and to prescribe certain measures of welfare and to leave it to the employer to carry them into effect and reserve to the Government the power to inspect and to see that the obligation imposed upon the employer is carried out by him. The second method is for Government to take charge of the welfare measures themselves and to make the employer bear the cost of it. The first method, to my mind, is an imperfect method, and for two reasons. Firstly, different employers have different capacities to bear the cost of welfare measures. That being so, it is not possible for small employers to keep up the standard which may be prescribed by the Act. Secondly, it is hardly possible for the Government to engage such a large body of inspectors so that they could constantly go round, keep a vigil and see that the standards are maintained. Government, therefore, has come to the conclusion that the better method would be for Government, in matters of this sort, to take the responsibility on their own shoulders and to compel the employer to pay the cost of these welfare measures. Sir, it is this principle on which this Bill relating to the welfare

of workers in mica industries is based. If I may say so, so far as the Government of India is concerned, this is by no means a new principle which the have adopted. As the House knows, during the war the Government of India issued an Ordinance for the welfare activities of the population engaged in coal mining. It was done by Ordinance. But the principles embodied in the present measure are exactly the same as the principles embodied in that ordinance. It is, therefore, unnecessary for me to dilate upon the necessity or the advisability of the principle on which this measure has been based.

Sir, there is one other point to which I would like to make some reference. As Honourable Members will see, under the Bill it is proposed to constitute two Committees to advise the authorities who will be administering this Fund as to how this money should be spent. One Advisory Committee will be for the Province of Madras and another will be for the Province of Bihar. Some Members might feel that the Government of India has shown no reason why, for instance, another area which is also a mica producing area has been omitted from this consideration, namely Rajputana. I would like to explain to the House the reason why we have not thought it necessary to constitute a third Committee for Rajputana. Rajputana occupies a very small place, for the moment, in this mica industry and I like to give the House some figures on that point. Take the mica mines in India. I have got the figures for 1941. In Bihar the total number of mines in 1941 were 623. Of them those that worked throughout the year were 297. In Madras the total was 108 and those that worked throughout the year were 47; while in Rajputana, although the total was 62, those that worked throughout the year were only 8. Taking the question of the number of workers, I have got figures for 1943. The figures are as follows. In Bihar the total number of workers working in mica mines was 81,431; in Madras it was 18,379; in Rajputana it was only 15,000. It is, therefore, thought that it would be better not to constitute a separate Committee for Rajputana. The reason is obvious. All these Advisory Committees involve a great deal of administrative cost, and I do not want that the money in the Fund should be spent on mere matters of administration more than we can help it. We, therefore, propose that it would be better to economize by not having one Committee and to leave the matter to be provided for in some other way. Sir, I do not know whether there is any other clause in the Bill which requires any explanation or any specific comment. As the House will see, the matter is very urgent and I am very keen to see that this Bill is put on the statute book.

I find there is an amendment in the name of Honourable Members, the object of which is to send this Bill to a Select Committee. I am not willing or rather I am opposed to referring this Bill to a Select Committee, because I do not think that this Bill can be said to be either controversial or complicated as to require the labours of a Select Committee to be spent upon it. However, if the members of the House are keen on having the matter referred to a Select Committee, if they agree that the Select Committee shall be authorised or directed to return the Bill before the Session ends, so that I can move the second reading of the Bill, I would not object to such an amendment. Sir, I move.

Mr. President: Motion moved:

"That the Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry be taken into consideration."

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): Sir, I move:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Miss Maniben Kara, Mr. S. C. Joshi, Babu Ram Narayan Singh, Sri R. Venkatasubba Reddiar, Mr. Gauri Shankar Saran Singh, Sri A. Karmakara Menon, Prof. N. G. Ranga, Mr. Geoffrey W. Tyson, Mr. Madanbhai Singh, Dr. Sir Zia Uddin Ahmad, Khan Bahadur Hafiz M. Ghazanfarulla, Mr. Muhammad Nauman and the mover with instructions to report by the 15th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. President: Will 15th be all right?

The Honourable Dr. B. R. Ambedkar: No; it will be too late.

Mr. Ahmed E. H. Jaffer: I will amend it to the 12th if that is the feeling of the House.

Mr. President: Amendment moved:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Miss Maniben Kara, Mr. S. C. Joshi, Babu Ram Narayan Singh, Sri R. Venkatasubba Reddiar, Mr. Gauri Shankar Saran Singh, Sri A. Karunakara Menon, Prof. N. G. Ranga, Mr. Geoffrey W. Tyson, Mr. Maandhari Singh, Dr. Sir Zia Uddin Ahmad, Khan Bahadur Hafiz M. Ghazanfarulla, Mr. Muhammad Nauman and the mover with instructions to report by the 12th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Geoffrey W. Tyson (Bengal European): Sir, in rising to support the amendment of Mr. Jaffer for reference of this Bill to a select committee, I should like to say that I do not think that any of the responsible elements in the producing end of the industry would oppose or dispute the motives which have actuated the Honourable Labour Member in bringing this Bill forward. On the other hand, I think it is fair to say that we have not heard from the Honourable Labour Member the whole picture as it affects the industry today. He has quoted from the report of an officer appointed to investigate the labour conditions prevailing in the industry, but I myself am of the opinion—and I think there will be other elements in this House also—that a consideration of the imposition of a cess for the particular objectives which Dr. Ambedkar has in view should have been taken in the context of the report of the inquiry committee which has been sitting for the last twelve months investigating the affairs of the industry. I believe that that report is now ready—possibly already printed; and in considering the questions raised in this short and I think laudable Bill in many respects, we should have the whole picture as discovered by the Mica Inquiry Committee, with a view in fact to ascertaining what the industry will bear in the way of additional costs, because this is not the only cess which the Honourable Member has in view for that industry. I understand that he has in mind a marketing and grading cess, which is going to impose a further charge upon the producing industry. If it is proposed to impose a cess of 2½ per cent. for purposes of labour welfare—the principle of which I am not disputing at the moment—and a further cess, I believe, of 3½ per cent. for purposes of marketing and grading in the near future, the industry is going to be saddled with an additional burden of 6 per cent., at a time when there exist, both in Britain and in America which are the chief consuming centres for the export of mica, very considerable surplus stocks of lots and splittings, as a result of the excess production in which the industry engaged during the war. India undoubtedly in her mica deposits possesses a most valuable mineral asset. Mica was listed during the war by the American administration and by the British administration as a critical mineral, and it plays a very large and important part in the composition of a number of armaments. The Government of India are quite right to be concerned with the conduct of the industry which mines this important mineral. One would wish that they show that concern sometimes in a little more practical manner than the one which is proposed today. But I do suggest that this cess, to which I again affirm I have no objection in principle, and the other imposts which the Honourable Labour Member in his right zeal for the cause of labour which are under contemplation to put upon the industry—I could wish that they could be considered in the context of the wider problems which have been raised by the report of the Mica Mining Committee, which I think sat for over a year, under the chairmanship of Mr. Justice Reuben of the Bihar High Court. There is also overhanging the industry at this particular stage considerable surplus stocks in the hands of the Governments of the two chief consuming markets, and I understand that the Government of India made some attempts recently to come to an agreement about the prices; it was not a very successful attempt; and as long as those stocks are in existence it is not possible for many producers, especially the smaller producers, to obtain any-

thing like a reasonable profit on their current production. If the cess proposed in the Bill which it is now proposed to refer to a Select Committee is added to a reduction in costs, a number of producers will be obliged in fact to find the money out of capital and reserves, if they have any; and I suggest that the Honourable Labour Member and the Government of India might turn their mind, if they accept the principle of the cess and think it is a good thing, to considering how in fact it can be passed on to the consumer who is, as to 90 per cent. of the output of this mineral, a non-Indian consumer. These and many other points will doubtless be raised before the Select Committee and I will not speak at greater length upon them except to repeat what I said in the beginning, that the principle incorporated in Dr. Ambedkar's Bill is unexceptionable, but its implication does require a good deal of detailed consideration, and I hope that this will be accorded to the Bill by the Select Committee, reference to which as suggested by Mr. Jaffer's amendment, I now hereby support.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): I support the motion and in doing so I shall confine myself to two matters. Obviously the intention of this Bill is to promote the real welfare of the labourers in the mica industry. I find that in sub-clause (b) of clause 3 of the Bill it is provided that the fund may be utilised to defray the grant to a Provincial Government, a local authority or the owner, agent or manager of a mica mine, of money in aid of any scheme approved by the Central Government for any purpose for which the Fund may be utilised. One cannot always be sure that every owner, agent or manager of a mica mine has always the welfare of the labourers at heart. My submission is that at this stage, at the beginning of the consideration of welfare work, these funds should not be given to the agent or manager, etc. for improving the condition of the workers.

Secondly, so far as I can see from clause 4 of the Bill, it is not proposed to associate any representative of this House or the legislatures in the provinces. Our experience shows that, where any Government is concerned, especially the Central Government, it is always in need of guidance and vigilance at the hands of elected members. I should suggest that it should be compulsory for the Central Government to include in the advisory committee an elected representative of the provincial legislatures or the Indian legislature. With these two observations, I support the reference to a Select Committee.

Diwan Chaman Lal (West Punjab: Non-Muhammadan): I was originally not of the opinion that this matter should go to the Select Committee and be delayed any further but on closer examination both of the Bill and of the speeches made by my Honourable friend and by my Honourable friend behind me. I have come to the conclusion that it is necessary that the terms of this measure should be very carefully scrutinised by a Select Committee with a view to improving these terms.

I have a complaint to make against my Honourable friend. A few days ago I asked him to send me a copy of the report to which he has made reference this afternoon. To this day I have not had a reply from my Honourable friend. I submit that in these matters the House ought to be informed and be fully in possession of all the facts available in respect of these matters. Here is a report which was printed last year. It is available to my Honourable friend but it is not available to my Honourable friends on these benches. It is on the strength of this report that this Bill has been brought before us and yet when we ask for it, it is not made available to us. It may be that my friend is overworked and but for the courtesy shown to me, Mr. President, by your very worthy Secretary, I would not have been in possession of the report even now.

I take it that my Honourable friend's object is laudable but there are many things which have got to be considered. My friend did not mention what sum of money he expects to get out of the 6½ per cent. *ad valorem* cess he is going to levy. The cess is going to be levied only on exports and not on production

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—on that quantity which leaves this country for America, or Great Britain or any other part of the world. The production which will be utilised in the country itself will be free from any levy. We do not know whether the amount my friend is going to collect is going to be sufficient for the purposes which he has in view.

I do not see why the cess should not be at the source but should apply only to the production which goes out of the country. My Honourable friend over there raised another point. He said: "Oh, it is a terrible thing. It will oppress the industry. You are going to ask for another levy in regard to marketing and so on. You are going to overburden this industry, which is so hard pressed that it may go out of business". Now, Mr. President, we know something of the horrible conditions of the workers in this industry and if this industry cannot live without the perpetuation of those horrible conditions, then the industry deserves to die. I submit that my friends should make up their minds not to exploit any more the man power of this country, if the industry cannot bear these charges. Does my Honourable friend know that there are 18 thousand children of tender age between 6 and 12 who are being employed by this industry, little children being paid 3 annas a day and no provision made for the control of the hours of work of their employment?

Mr. Geoffrey W. Tyson: Not in the mines.

Diwan Chaman Lall: My Honourable friend says 'not in the mines'. My Honourable friend knows perfectly well that the Indian Mining Act has ceased to have any reference whatsoever to this industry. Does he not know that in spite of the Act these children and women have been working in these mica mines? They may be working underground and there is no provision made to control this industry. There are no inspectors, no method of finding out from the attendance registers what the hours of work are, whether these workers are being employed overground or underground, because there is no inspection and no attendance registers. Does my Honourable friend know that none of the labour legislation, not one, which has been passed, is applicable to the workers and there is no means available to the Government to obtain information for the purpose of prosecuting those who contravene the sections of this labour legislation. Take the Workmen's Compensation Act. It is supposed to apply here but accidents are not covered by this Act.

There is the question of women underground. They are not prevented from working underground in spite of legislation. There is the question of the employment of children of tender age. The employment of Children's Act, although it is supposed to apply, has been nullified by this industry which has had absolute freedom to drive a coach and four through all labour legislation and do what they like.

Now, I ask is this state of affairs to be allowed to continue? My Honourable friend is worried only about welfare conditions. That is a laudable object but will my Honourable friend go a little further and see to it that the provisions of this labour legislation which is on the statute book strictly apply to the workers in these mines, those who work underground or those who work above ground known as *uparchallas* or those work in between. Do I take it that something will be done by my Honourable friend to make an effort to bring the workers strictly within the purview of the legislation regarding labour which is on the statute book.

Now my friend says further that he is going to leave out Rajputana and he gave us the figure of 15 thousand workers.

The Honourable Dr. B. R. Ambedkar: I did not say that I would leave out Rajputana. I shall be constituting a separate committee.

Diwan Chaman Lall: I did not hear my Honourable friend say that he would constitute a separate committee. I heard him say, "some other means". I am glad he says "some separate committee" now. As far as this measure is concerned, Rajputana is left out.

The Honourable Dr. B. R. Ambedkar: These welfare measures will be carried out with the aid of this Fund.

Diwan Chaman Lall: Will the money from Madras and Bihar be taken to help the Rajputana workers?

The Honourable Dr. B. R. Ambedkar: We might employ some other agency some other organisation in order to carry out the activities connected with welfare workers. The Fund will pay.

Diwan Chaman Lall: I take it that the Fund is going to be utilised and will be utilised, not only for Madras and Bihar but also for Rajputana, and that the provisions of this measure regarding Welfare committees that he is setting up will not apply to Rajputana, but some other method will be found. That is the position, I take it. If that is the position, the money he is likely to get, in my estimation—I may be entirely wrong, because my Honourable friend is in a better position to tell the House—is about five lakhs a year, if you take the total value of production, I do not think all is meant for export—some good part of it is not meant for export. Therefore the sum of five lakhs which you may reckon—I am not a good mathematician—this sum will be reduced by that extent. Do I take it that this amount will be sufficient to deal with thousands of workers who are engaged in this industry. I believe the number of employees who would be covered by this industry runs into several thousands and their numbers have increased, during war years. Mica has been of very great importance as far as war industries were concerned. Therefore, Mr. President, I find that although the measure, as far as it goes, is a good one, it does not go far enough. Here is an industry in which efforts should be made to bring in a greater measure of State control and a greater measure of taxation. I do not know whether my Honourable friends of the European Group have considered, possibly they have, possibly they own a good part of this business.

Mr. Geoffrey W. Tyson: No part.

Diwan Chaman Lall: I do not know whether they have considered what the financial position is in regard to the exploitation of these mines. When my Honourable friend made a statement that this industry may not be able to bear this particular cess, did he then consider what the financial implications of this industry were? Now that he says that he did not consider this question and he does not know the financial implications of this industry, how can the House say, that a 6½ per cent *ad valorem* duty would be so great as to break of the industry?

Mr. Geoffrey W. Tyson: I never said that, I did not know what the financial implications were. I may say that when I interrupted my Honourable friend a moment ago, all I said was that no part of the industry was in the hands of people on these Benches. The industry is entirely Indian owned and Indian managed. It has been so for some time.

Diwan Chaman Lall: My Honourable friend is taking the word 'industry' in a very narrow sense indeed. I take it that Honourable Members sitting on those Benches are very vitally interested in the export of this particular commodity. I take it that that is not part of the industry which is in the hands of Indians. Therefore, I say that my Honourable friends of the European Group are vitally interested in the price of mica. What they mean is this, by putting this cess, it will increase the price, and therefore it will hurt the market in Great Britain and in America.

Mr. Geoffrey W. Tyson: Again, I must intervene. I did not make myself clear to the Honourable Member. What I said was that the cess should be paid by the consumer, should be levied on the export. I cannot see how that is a suggestion which endorses the implication which my Honourable friend Diwan Chaman Lall puts forward.

Diwan Chaman Lall: All I can say is if my Honourable friend reads the report of his speech, he will come to a different conclusion. He was trying to frighten the House into the belief that regarding this particular cess, and the

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marketing cess, you have got to be careful lest you break the back of the industry. That is what my Honourable friend was driving at at that time. The reason why the European Group is interested in this particular matter is because this commodity is exported to America and to Great Britain and utilised by America and Great Britain as raw material for very important purposes, for preparation of electrical apparatus, for wireless purposes and purposes connected with war. Naturally they are interested as buyers of this commodity and being interested as buyers of this commodity, they would be happy to see that the price of this commodity is not raised against them.

Mr. President: The House will now adjourn for Lunch. The Honourable Member can continue his speech after Lunch.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Diwan Chaman Lal: Sir, when we rose for Lunch I was talking about my Honourable friend's interruption. When he said that as far as he was aware there was no employment of women or children underground I do not know where my Honourable friend got his facts from, whether they are of his own personal knowledge or not or whether he merely considers that since the Act was passed preventing women from working underground therefore it must be concluded that there are no women underground in these mica mines. In this report which my Honourable friend failed to present me with he will find on page 8 a statement made by Dr. Adarkar who made an inquiry into this matter. He says that although an Act was passed prohibiting the employment of children below 15 years of age in certain specified occupations, mica manufacture was not one of those occupations which were specified.

"The Act was amended in 1939, and the employment of any child who had not completed his twelfth year was prohibited in any workshop connected with, *inter alia*, mica cutting and splitting. By a proviso, however, operations carried on in a house by the occupier with the aid of his family only and without employing any hired labour were exempted from the provisions of the amending Act. The Act, therefore, does not apply to domestic manufacture of mica splittings. In spite of the Act, however, the employment of children between 6 and 12 years of age in fairly large numbers is prevalent on an amazingly wide scale in open defiance of law and the employers make no secret of it. Surprising though it may seem, child labour was found even at the Government Factory at Pachamba in Bihar."

So I do not know where my Honourable friend got this particular fact from. It is regrettable that even a Government controlled mine, according to this report, has been openly violating all the provisions of labour legislation applicable to these workers.

This is in regard to children, and in regard to women the report says:

"In contravention of the provisions of the Indian Mines Act, both women and children appear to be employed underground in mines quite openly in all the three mica areas."

This is in reference to Bihar. I must say that my Honourable friend's information in regard to this matter is being challenged by the gentleman who made this report to Government after a very detailed inquiry. As a matter of fact long ago I remember having written on the subject myself in a little book that I wrote about 1932. There I find a chapter on mica. According to this report the number of children employed is about 14.7 per cent.; but at that time my estimate was that the number of children employed was somewhere about 27 per cent. of the total employment in these mines. This is a very serious fact. And why are these children employed? It is obvious. The employers want to make big profits on sweated labour. This is one of the most deeply sweated industries in the whole of India; and I am glad that my Honourable friend has taken this necessary step, but I think it is a step which is not likely to meet the entire deplorable situation as we find in these areas.

There are 113,000 employees—women and children—engaged in this industry, and I take it that in respect of not only the men and women employed but even in regard to children employed in these factories there is no limit to the hours of work that they have to put in in these mines. I am told that they come at about 10 in the morning and leave at about 5 in the afternoon; that is seven hours at least. And there are no regulations, no prohibition and no inspection of the hours of work. And on what, Sir? On a pittance of three or four annas a day; that is what these children get. I submit that if there is a case for a closer investigation into methods that must be employed to put industrial labour in these mines on a sound footing, there is no case stronger than this which can be put forward on the floor of this House. Every step must be taken; the steps that are being taken are not sufficient. All that my Honourable friend is doing is this. If the total number of people employed is 113,000 and he gets a little two lakhs for expenditure on welfare amongst them, he will spend two rupees per head. But what about the breaking of the provisions of all labour legislation, what about the hours of work, what about the application of the Children's Employment Act, what about the application of the Indian Mines Act? All these things are of very great importance to the well-being and the welfare of the working classes. And I submit that in these circumstances it is necessary not merely to set up a welfare fund. The matters which will be discussed in the Select Committee will be as to the sort of welfare fund that it should be. But it is necessary also to go a step further and see that all the provisions of the law are respected by the employers in this industry. I am told that there is a mica purchasing mission. Has that been wound up? My Honourable friend Mr. Ram Narayan Singh tells me that they have been given a monopoly. There are complaints in regard to this mission that by restricting the purchase of mica to particular grades they have brought down the level of employment in the mica mines. Who are these people in the mica supplying mission? I hope my Honourable friend will be able to throw some light on this subject. There is a case made out not only for labour legislation affecting the welfare of the working classes, but a complete case made out for the nationalisation of this industry in order that Government may be able to do the right thing by the workers who are engaged in this industry. I therefore submit that these matters have got to be considered.

The recruitment question is a very important one in this industry. We have seen the evils of recruitment in the Assam tea plantations,—the appointment of Sardars to engage these workers. A similar system prevails in the mica mines. There are Sardars engaged for the purpose of recruiting labour and the evils connected with the Sardari system of employment are well known to everybody who has studied this subject. There is the question of hours of work, there is the question of sweated wages, there is the question of a complete disregard of all labour legislation. All these matters will have to be considered and cannot be considered unless my Honourable friend takes the next step forward in reference to this matter and deals with this subject in a more comprehensive manner.

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): Sir, I welcome this measure, but I do not support the motion for consideration of the Bill just now. I had a motion standing in my name for circulation for public opinion, but my Party decided for its reference to Select Committee and this motion has already been moved by my Honourable friend, Mr. Ahmed Jaffer, and I support this motion.

I am glad that Dr. Ambedkar has done very much in this matter. He has taken up the cause of suffering labourers, but his attitude reminds me of the attitude of a man who is on the verge of death and is filled with feelings of remorse for his acts of omissions and commissions. This Government has been in this country for about two centuries and everybody knows that the Government is on the verge of death—there is no doubt about that. This Mica industry has been in existence for about a century, but up to now the Government did nothing with regard to this industry. The first thing the Honourable Dr. Ambedkar did was the constitution of the Mica Enquiry Committee, and I say

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that that committee was unconstitutional. The Government of India in the Central Legislature according to the 7th Schedule to the Government of India Act can legislate only with regard to welfare of labour and regulation of labour. The Government of India and the Central Authority have got nothing to do with the regulation of Mica trade and business. So the constitution of the Mica Enquiry Committee is certainly unconstitutional. A great hew and cry was raised at that time, but this Government and our worthy friend, Dr. Ambedkar, did not listen to all that. When he says 'that the conditions of labour in Mica industry have become deplorable and the time has come when he must take these steps'. I am rather surprised. I am a resident of the Hazaribagh district and I can tell him that these miserable conditions of the mica labour began when the Mica industry began. These miserable conditions and intolerable conditions existed from the very beginning in the Mica industry and now Dr. Ambedkar says that the time has come when he ought to take some steps. 'As I said, I welcome the measure but with a feeling of resentment. What has the Government been doing so long?' We know that the Mica industry has been so long in this country; the Government has been so long in this country, but uptil now Mica traders and the local people are nothing more than hewers of wood and drawers of water. This Government has not done anything with regard to the use of Mica in this country uptil now; after so long a time we have always exported mica to other countries. We are only the exporters of raw materials, and we know, as my Honourable friend, Diwan Chaman Lal has said, that this material is very very essential for several purposes. This Government has done nothing so far as its use in the country is concerned, and now I ask Dr. Ambedkar, if he is patriotic in the least, to come forward with another proposal, another scheme so that every inch of mica is used in this country and whatever we export, we should export in the form of finished goods so that all the profit shall be ours.

As my Honourable friend, Diwan Chaman Lal, has said the Bill has been submitted to us, but connected papers have not been given to us. The paper has been laid on the table. I think this paper ought to have been sent to the members and at least I hope that the Honourable Member will supply copies of the Mica Enquiry Committee Report and also of the Report on the conditions of labour to the members of the Select Committee today.

I am glad that the Honourable Member has agreed to the motion of reference to the Select Committee. Therefore I will not say much on the subject, but in order to prepare his mind I tell him that so far as the constitution of the Advisory Committee is concerned, I do not understand the constitution of the Committee. There are labourers, and there are mine-owners, but there ought to be, as my Honourable friend, has suggested, local representatives on the Committee and at the same time there must be also representatives of local Governments concerned on the Committee.

As regards clause 5—appointments and powers of officers—I would like to say, in order to prepare the mind of the Honourable Member, that it is better that administration should be left in the hands of the Provincial Governments. Sir, officers will be appointed and there will be nobody to control them, and Government of India, sitting in Delhi, will be controlling officers at Kodarma so many miles away. This is an impossible situation, and it will be making the officers there all-important and all-independent, and they will be doing everything and anything in collaboration with the mine-owners. They will not be doing proper things.

It has been said that although law has been passed prohibiting the employment of children and women, but the practice still continues, my Honourable friend has said that this is not done. I am a resident of that district and I am a congress worker; I have been visiting Kodarma almost every week, if not twice a week. No Rules and laws are obeyed by the mine owners. I know that even children and women are employed underground and although this Government has passed the Maternity Benefit Act, it has not been extended to the

women working there. Although according to law women may not be allowed to work underground, but they are employed there and this Maternity Benefit Act ought to have been extended to them. As regards administration, I am convinced that if the Government of India really want to do anything for labour and for the removal of their grievances, then the administration of the fund ought to be placed in the hands of the Local Governments. But they say that officers will be appointed by the Central Government and funds will be administered by them, but this is not proper. At the same time I do not understand Section 3, clause (b). According to it the fund is to be distributed among a Provincial Government, a local authority or the owner, agent or manager of a mica mine and so forth. I think there must be a very strong administrative committee on the spot who will administer the fund and there ought to be some controlling authority also on the spot, not so many miles away in Delhi.

As I know that I am also on the Select Committee, we shall do whatever we can there. At the same time I say that the Bill has to be so amended as to be of some use to the people there. And if possible, some other items may be included, as my friend Diwan Chaman Lal has said, namely, regulation of labour and hours of work. If all these things are not included in the Bill here, I trust the Government will bring this measure up as soon as possible, so that although the Government is going, even at the time of their departure, they will have the satisfaction that they have done something for labour in this country.

Miss Maniben Kara (Nominated Non-Official): I welcome the Bill which has been moved by the Honourable Dr. Ambedkar. I also endorse the demands made by the previous speakers on this question. But I would like to draw the attention of the House to the question regarding hours of work and to say that the suggestions made must come up in the form of another Bill. The Bill which is at present before us only goes to show that certain welfare measures should be undertaken. Certainly there are a number of suggestions which can be made in the Select Committee, which I hope will be accepted by the Honourable the Labour Member but I must admit that I was shocked to listen to the appalling conditions of the workers in the mining area which were presented to us this morning by the Honourable the Labour Member. It is certainly terrible for workers if all those things mentioned this morning do exist, and I am surprised that the Government of India took so many years to realize that something should be done for the people who live in these horrible conditions. The condition, a report of which we had this morning, is certainly not a condition in which we would expect even the cattle of this country to exist. It is a most disgraceful state of affairs that the workers in an industry which is of such importance should be living in those horrible conditions. And that is why any measure which goes for the betterment of the conditions of the workers should be welcomed by all the Members of this House.

I do not want to repeat all that has been said by the previous speakers, but I just want to point out that the Members of the Labour Investigating Committee made certain observations on the standard of living of the workers. By this Bill we are not going to raise the standard of living of the workers. This is only a reform measure. Reforms of this kind are in no way going to help to raise the standard of living of the workers. So long as the wages of the workers are as low as they are, it is idle to talk of any uplift of the standard of living. Such reform measures will be of some help but they will not remove the root cause of the misery. Such measures like facilities for medical attendance, better housing, facilities for drinking water are certainly essential necessities of life and I am glad that they will be provided to some extent by this Bill. But I may on this occasion warn the Labour Member that if he thinks that by such measures the standard of living of the workers will be materially improved or bettered, I think he is mistaken. The improvement of the living standard can only come when the workers feel that they are the masters of the money which they receive and the money is in their own hands. There was another thing which the Honourable the Labour Member said about social services being undertaken either by the employers or the Government. I am

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glad, Sir, that he has stated that for various reasons they have realized that the workers will have no confidence in welfare measures undertaken by the employers. He has good reasons, namely that it will require more men to inspect whether the employers carry out those measures or not. Secondly he has also given one or two reasons why the Government should take them over. I happen to be working among workers. I know the mind of the workers. I know that any such measure undertaken by the employers is always looked upon with distrust by the employees. The reason is that they lose their independence. They feel that they are under obligation, and rightly too, because at the time of crises pressure is brought on the workers by denying them certain facilities provided by the employers. For this reason, I believe that all such measures must be directly undertaken by the Government and I also endorse the remarks made by my friend, Diwan Chaman Lall, that a day may come when these industries will be nationalised and come directly under the control of Government. With these remarks I support the amendment to the Bill.

The Honourable Dr. B. R. Ambedkar: I do not propose to take very long in replying to the criticisms which have been made against this Bill. I wish to state very briefly my opinion with regard to the points that have been raised by three speakers. I shall first deal with the points raised by my friend, Mr. Tyson. I agree that he had a legitimate ground of complaint when he found that I had made no reference in the speech that I made in support of my motion with regard to the surplus stock of mica or the additional cesses that were proposed to be levied and the report of Mr. Justice Reuben. Sir, I deliberately did not touch upon these points in my speech, because I knew that these points would be raised by my friend Mr. Tyson and that I would have to reply to them. If I did not do so it was largely because I wanted to save the time of the House.

New Sir, the position is this that "Although" the Labour Department and the Government of India have decided to proceed with measures of social welfare on the basis of the report made by Prof. Adarkar. The decision was taken by the Labour Department long before the report of Prof. Adarkar was made. I am glad to say that the decision taken by the Labour Department has been fully supported by Mr. Justice Reuben in his report on the Mica industry.

3 P. M. In fact he himself has suggested that there should be a general levy on the mica produced or exported and that about 5/12 of the receipts under the general cess should be set apart for labour welfare in the mica mines. Therefore in proceeding with this measure we are in no sense departing from the report made by Mr. Reuben. All that we have done is that instead of having a single cess as suggested by Mr. Rubben to be distributed and allocated for different purposes we have thought it necessary to have a separate fund for welfare and another fund for certain administrative measures that may be necessary for the industry as such. The reason for making this decision is obviously due to the fact that the welfare fund will have to be administered by a separate agency, while the fund for other purposes will have to be administered by a separate agency. There my Honourable friend Mr. Tyson will see that the decision of the Government of India is in full accord with the report of Mr. Reuben.

With regard to the additional cess we have, as my Honourable friend will see, fixed the cess in the initial stage at a very low figure. The figure suggested in the Reuben report is 6 per cent, *ad valorem*.

Mr. Geoffrey W. Tyson: Labour or General?

The Honourable Dr. B. R. Ambedkar: General. This is a matter which will have to be examined at a later stage as to exactly what should be the pitch of the cess in order that the cess may produce sufficient revenue which would be adequate both for welfare and other purposes.

Diwan Chaman Lall: How much does my Honourable friend expect?

The Honourable Dr. B. R. Ambedkar: I will come to that a little later. With regard to the question of surplus stock I would like to inform the House that the Government of India has been in negotiation with His Majesty's Government for a long time over the question of the disposal of surplus stocks of mica which have been held by His Majesty's Government as well as by the United States. I am glad to say that we have come to an agreement whereby no sort of harm will be done to the mica industry by the disposal of the surplus stock. The negotiation has reached the final stage and in a few days time a press note will be issued informing the industry and the general public of the arrangement which has been arrived at between His Majesty's Government and the Government of India. I might say that this arrangement has the fullest support of the mica industry itself.

With regard to this measure I would like also to inform the House that this measure has been undertaken with the fullest consent of the industry itself. This question was first broached by me at a conference which was held at Kodarma on 29th April 1944, at which I presided and the representatives of the mica industry were also present, and I was glad to find that the industry as a whole responded to my suggestion for having a welfare fund. The matter was again taken up on 9th November 1945, at a conference held at Dhanbad under the chairmanship of the Coal Mines Welfare Commissioner. There again, the producers of mica accepted the suggestion. Lastly, a third conference was held on 19th December, 1945, also at Dhanbad under the chairmanship of the Secretary of the Labour Department, where a final agreement was reached between the Government and the Mica mineowners. I would also like to state that our proposal to levy a cess on the industry does not seem to have discouraged the industries from further exploiting the field of mica production and I find that during the last few months, there have been to my knowledge at any rate, three big floatations of new companies which have entered into the field of mica. I find, for instance, a new floatation under the name of Micanite and Mica Products Co., Ltd., from Madras with an authorised capital of Rs. 5 lakhs. Another is called the Saraswati Mica Industries Limited, from Calcutta with an authorised capital of Rs. 5 lakhs and I know as a matter of fact that the Christian Mining Industries Ltd., have also applied for capital, issues for mica mining and for the establishment of a micanite factory. These circumstances would show that the cess has not been viewed by the industries in any tragic manner and I think that they believe that it would be possible for the industry to bear the burden of this welfare cess.

Coming to the points made by my friend Diwan Chaman Lall, I must apologise for not supplying him with a copy of the report which he had asked for at some early stage. I must say that I altogether forgot about it. But I do not think that he has in any way lost in dealing with the matter in the way in which he has dealt with it. All that probably he would have done if he had the report is that he would have made a speech of double the length of what he did.

With regard to the question that he put to me as to how much revenue the cess will produce, I hesitate to give the House any definite figure and the reason is quite obvious. The production of mica has not been at a very steady figure. For instance, I have figures here from 1934 to 1944. In 1934, the value of mica produced was Rs. 6,80,525, while in 1944, it was 2,78,01,400 and there have been various figures for the different years in the intervening period. It is no use, therefore, for me to give the House any particular figure. We must allow sometime for the industry to stabilise itself in the postwar period. (But taking the figure for 1944) I calculate that the cess would be somewhere in the neighbourhood of Rs. five lakhs. I quite appreciate that that is not a very large sum. Personally, if I may say so, what I am fighting for is not the total effect or the total amount. What I am fighting for is the establishment of a principle. If later on it was found that the fund was not sufficient it would be still open for any member of the Government who would be in charge of this to come forward and increase the cess and

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thereby augment the amount and carry on the measures of social welfare which otherwise would not be possible.

With regard to the Mica Purchase Mission, the point to which my friend made reference, is a matter not relevant to the Bill which we are considering and I do not therefore propose to enter into the questions arising out of the Mica Purchase Mission's activities. But I can tell my friend that so far as I know anything about it, the industrialists engaged in the production of mica in this country have not only not had any harm done to them but I am quite satisfied that they have made more than ordinary profits.

My friend, Diwan Chaman Lal, spent a great length of his speech in discussing the lax administration of the Mines Act. He referred to the employment of children and of other matters relating also to employment of women. As I said, I am quite aware of this fact, and the Labour Department has on the anvil legislation to remove all the defects which have been reported upon by Mr. Adarkar in the course of his Report dealing with the workers in mica mines. And if there was time available to Government, it would have been possible even in this session to bring forth a Bill to remove these evils. But I have no doubt that that will be done without delay.

Coming to the points raised by my friend, Mr. Ram Narayan Singh, I know he made a great point, that this was a very delayed measure. He said that the mica industry was there, the evils have been there, Government has been here and nothing was done. If I may tell him, he only forgot to mention one thing, that he also was there, and for a long number of years. If he had taken the earliest opportunity to move in this matter to energize and organize the conscience of the Government and of the industrialists, I have no doubt that the delay of which he has complained would never have occurred. But I hope he will agree that it is better late than never.

With regard to the question of administration of the Fund, I think the point that he made was that the administration should be left to the Provincial Governments. I am sorry to say that I cannot accept that principle. This legislation is a Central legislation. It is a legislation for which the Central Government is responsible. The Fund is raised by the Central law. The Fund is raised for a particular and specific purpose. Having regard to these circumstances, it seems to me unjustifiable on the part of the Government of India to allot the whole of this sum to the Provincial Governments, where they might be merged in the general revenues of the Province and spent, I suppose, in accordance with the wishes—I do not say whims—of the Provincial Government. I am of opinion, since the responsibility for the Fund is a Central responsibility, since the Fund is for a specific purpose, and since it would be a sort of a trust which the Government of India would be administering, it is in every way desirable—not only desirable but necessary—that the Central Government from beginning to end should keep its hand on the administration of this Fund. While this is so, I should like to tell my Honourable friend that he has probably not studied the way in which the Coal Mines Labour Welfare Fund is administered. I would therefore like to tell him some details about it, because the administration of the Coal Mines Welfare Fund would be the model—indeed not only the model but the pattern—on which the administration of this Fund will be carried on. In the matter of the Coal Mines Welfare Fund, the administration is vested in a Commissioner who is generally a provincial officer, an officer lent by the Provincial Government. If I may tell him, the person who is now administering the Coal Mines Welfare Fund is an officer lent by the Bihar Government, and he should rest assured that even in the matter of the administration of the Mica Fund we shall be applying to the Bihar Government to lend us an officer of the Bihar Government. As I said, and as the Bill provides, the constitution of the Committee will be such that the representatives of the mica industry from Bihar and also from Madras, would be local people knowing local conditions. Further, according to the

constitution of the Coal Mines Welfare Fund, the orders provide by rules that the Provincial Governments shall send their representatives to be members of the Advisory Committee. The same procedure will be followed with regard to the Mica Advisory Committee. We shall provide that by rules. These Committees meet every three months, certain agenda is prepared and the advice of the Committee is sought. There are men drawn from producers, owners, workers and from Provincial Governments as well. The annual budget is also placed before the Advisory Committee. Their advice is obtained. It is after their advice is obtained that the Funds begin to operate on the various purposes for which money has been provided.

With this I believe my friend, Mr. Ram Narayan Singh, will see that there is not going to be any autocracy from the centre. Here is a great deal of decentralization, a great deal of co-operation in the administration of this Fund between the producers, the workers and the Provincial Government. Sir, I do not think that there is any other point which has been raised in the course of the speeches on this Bill to which I have not given my reply, and I do not think I need say anything more than this.

Mr. President: The question is:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Miss Maniben Kara, Mr. S. C. Joshi, Babu Ram Narayan Singh, Sri R. Venkatasubba Reddiar, Mr. Gauri Shankar Saran Singh, Sri A. Karunakara Menon, Prof. N. G. Ranga, Mr. Geoffrey W. Tyson, Mr. Madandhari Singh, Dr. Sir Ziauddin Ahmad, Khan Bahadur Hafiz M. Ghazanfarulla, Mr. Muhammad Nauman and the mover, with instructions to report by the 12th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

BANKING COMPANIES BILL.

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I move:

"That the Bill to consolidate and amend the law relating to Banking Companies be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, Sir Cowasjee Jehangir, Mr. B. C. A. Cook, Mr. Ram Nath, Mr. M. A. F. Hirtzel, Mr. G. W. Tyson, Sir Mohammad Yamin Khan, Haji Abdus Sattar Haji Ishaq Seth, Seth Yusuf Abdoola Haroon, Mr. Mohammad M. Killedar, Mr. Manu Subedar, Mr. Mohan Lal Saksena, Mr. M. Ananthasayanam Ayyangar, Mr. P. B. Gole, Mr. Sasanka Sekhar Sanyal, Mr. T. A. Ramalingam Chettiar, Mr. Satya Narayan Sinha, Sardar Mangal Singh and the Mover (by that, Sir, I take that it means the Finance Member for the time being), that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five, and that the Committee be authorised to meet at Simla."

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan).]

This is the third occasion in less than eighteen months that a Bill substantially like the Bill before the House has been discussed in this Assembly. It was first brought before the House in November 1944, when the House approved of circulation for eliciting opinion. It came back almost a year ago when there ensued a four days debate, and the discussion took the whole universe for its theme. In respect of space, the range was Australia via Sweden to New York. I looked in vain and I was disappointed at not finding any reference to Panth Piploda, but I believe that an enterprising gentleman from Panth Piploda did in fact express some views about the original Bill. His name is rather obscure but so is Panth Piploda. In respect of time, we had references to the pre-Christian era, the period of Warren Hastings, down to the present day and the future millenium. So far as subjects were concerned, we had all the old favourites from sterling balances to cottage industries. So far as the length of speeches was concerned, we had a ten minute speech from my Honourable friend Sir Cowasjee Jehangir, a speech for an hour and a quarter from my friend Mr. Manu Subedar who was himself beaten at the post by our champion speaker, Prof. Ranga, who took one hour and twenty five minutes.

[Sir Archibald Rowlands.]

relation to the admission of banks into the schedule or the exclusion of banks from the schedule. We have put that into a separate clause which expands the definition of the powers of the Reserve Bank as laid down in the Reserve Bank of India Act in relation to the inclusion of a bank in the schedule or the exclusion of a bank from the schedule. We have done two things. First of all we have conferred upon the Reserve Bank the power, which now rests in the Central Government, for admitting a bank in to the schedule. The Reserve Bank is in a better position than the Central Government for verifying whether a banking company satisfies the requirements of section 42 (6) and is fit for inclusion in the schedule. The second point is this. At the moment, if a bank has the necessary minimum capital of Rs. 25 lakhs, it is automatically admitted to the schedule. There is no power to withhold admission to the schedule if, in the opinion of the Reserve Bank, a bank is not in any way suitable for inclusion in the schedule. If after inspection, the Reserve Bank finds that the affairs of the bank are conducted in a way which is detrimental to the interests of the depositors or which is unsatisfactory in any other way, it can be excluded from the schedule. The more extreme penalties are still reserved for the Central Government.

I think that covers all I need say. In my own judgment this Bill is overdue and the experience of the last three years shows that it is urgently necessary. I find that my friend has tabled an amendment to circulate this for eliciting opinion. I trust he will withdraw it. It has been circulated for opinion already. The old Bill was not essentially different from the present Bill. The changes made are in matters of procedure which experience has shown to be necessary and if banking is to be developed in this country in the way in which it ought to be and if industry is to get ahead, a Bill of this nature is necessary and necessary at an early date. Sir, I move.

Mr. Deputy President: Motion moved:

"That the Bill to consolidate and amend the law relating to Banking Companies be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, Sir Cowasjee Jehangir, Mr. B. C. A. Cook, Mr. Ram Nath, Mr. M. A. F. Hirtzel, Mr. G. W. Tyson, Sir Mohammad Yamin Khan, Haji Abdus Sattar Haji Ishaq Seth, Seth Yusuf Abdoola Haroon, Mr. Mohd. M. Killedar, Mr. Manu Subedar, Mr. Mohan Lal Saksena, Mr. M. Ananthasayanam Ayyangar, Mr. P. B. Gole, Mr. Sasanka Sekhar Sanyal, Mr. T. A. Ramalingam Chettiar, Mr. Satya Narayan Sinha, Sardar Mangal Singh and the Mover, that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five, and that the Committee be authorised to meet at Simla."

There is an amendment by Mr. Ahmed E. H. Jaffer, that the Bill be circulated for the purpose of eliciting opinion thereon. The Honourable Member is not here. I want to inform Honourable Members that this amendment is not in order. Honourable Members should be careful when they give notice of their amendments. I want to invite the attention of Honourable Members to Standing Order 39 (2) (b) which says:

if the member in charge moves that his Bill be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

This date has not been specified in the motion. This is only for the information of Honourable Members. When they give notices of amendments, they should be careful how to draft them.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau, Indian Commerce): I support the motion moved by the Honourable the Finance Member to send this Bill to a Select Committee. It is not widely recognised in this country how inter connected the life and condition of various classes of people are and in particular the functions of a bank are not very clearly understood. When a man puts by Rs. ten which he does not need this month, with this bank but which he needs after six months his only concern is the safe

custody of that fund but this money goes to increase the working capital of the bank and in millions of little accounts like this there is a fund of working capital built up from which the affairs of the country and all those who need finances, who need money for a short time and are in a position to repay are helped by means of advances. It is by the activities of the enterprising people that trade and industry is carried on and it is to help trade and industry in this manner that the banks function and it should function and it should not be regarded that the functioning of the bank is not the concern of all sections of the population, because if one bank fails for some reason or other—and I shall presently come to those reasons—then the shock to the credit system spreads to more than one centre of population, more than one grade and group of people. All round there is a change, as in the working of the atom bomb by which you can disturb one section of the credit system without having counterbalancing shocks given to all parts thereof. Sir, there is not the slightest doubt that this Bill is a good Bill and is overdue. It should have been introduced long ago. As I said last time, it is the baby of Sir George Schuster, and I am afraid that the two subsequent Finance Members had either not sufficient interest or sufficient understanding of the problem, otherwise they would not have, in spite of repeated reminders from the Chambers of Commerce have postponed the introduction of this Bill. I, Sir, personally as Chairman of the Indian Merchants Chamber, in 1934, when Sir James Grigg came round, mentioned as the first thing at the first formal interview, that the recommendations of the Banking Enquiry Committee should be carried out. I have no doubt that if this reform had been introduced earlier, this reform which is the result of eleven Banking Enquiry Committees and of the activities of the Central Banking Enquiry Committee over a period of two years at a cost to the country of nearly 25 lakhs of rupees, if this reform had been carried out earlier, I have no doubt that 669 small and big Banks which failed during the interval of 1934 to 1943 which have been mentioned by the Government in connection with this Bill, some of these Banks would have been saved. Had some of these Banks been saved that much money would have been saved to the depositors in whose interest this Bill is brought. Had these Banks been saved, that much less shock would have been offered to industry and trade affected and also the all round shock to the credit system of the country would have been less. It is remarkable that in spite of these failures mentioned by Government, failures some of which could have been avoided by earlier legislation, it is remarkable that there is considerable progress in the banking business of this country. Many new institutions have come into existence which promise well.

Now, Sir, I will not go into individual clauses, each one of the clauses here received at our hands attention in very great detail and it is as a matter of fact from that labour that the Bill originates. But why was each clause introduced here? Because from previous accounts of liquidation of Banks, which went into liquidation, from previous history it was found that the privileges and freedom given to various persons in connection with Banks were abused. Take for example the prohibition of the pledging of unpaid call money of Banks. It was actually done in certain cases. Take again the indulging in trading operations, that was done by certain Banks, take the speculative activity, that was also done by certain Banks, take the promotion of companies, interlocking and subsidiary companies in the interests of people who were controlling the Banks, that was also done, and lastly the question of loans to Directors and concerns in which the Directors were personally interested. All these prohibitions which we find in this Bill are justified on the ground that these loopholes were availed of by unscrupulous people and that while pursuing their own greed, and their own private interest, they gave a shock to the system as a whole. They discouraged banking as a whole, they discouraged

[Sir Archibald Rowlands.]

In view of the very exhaustive debate that took place on this Bill a year ago, a report of which will be available for the Select Committee, and having regard to the heavy pressure of business before the House which we have now at the end of the session, I do plead that the House will cut the present discussion short, and, as I said, most of the points that are likely to be raised were already raised a year ago, and they are on record. I myself will try and establish an example of brevity and confine myself largely to dealing with the more important changes in the present Bill as compared with the Bill that was before the House a year ago. All the changes in point of fact are explained in the memorandum which accompanies the Bill.

The first important change is in clause 6 where we have dropped two sub-clauses—(1) (f) and (1) (g). Clause 6 is very much like a memorandum of association of company where the promoters put in everything they can possibly think of and draw the memorandum in such wide terms that they can do almost everything, whether it has anything to do with the company that is going to be established or not. Clause (1) (f) authorised banks to promote industry. On reconsideration, we have come to the conclusion that, in the present state of banking in India, it would be wise for banks not to engage in the risks that attach to industrial undertakings, which are better left to special accommodation by corporations that are established for that purpose. As the House will remember, I did mention in my budget speech that the Government has in mind the setting up of an industrial finance corporation for this very purpose.

Secondly, there is sub-clause (1) (g) which authorised a bank to acquire immovable assets other than assets like buildings etc. Again, we have come to the conclusion how that banks with large time and demand liabilities had better keep their funds fluid rather than lock them up in assets which may cause some difficulty in realisation.

The next change is in clause 7 of the Bill. The original clause 7 compelled a company which indulged in business of a banking nature, such as loan corporations and *nidhis*, and non-scheduled banks, to make it clear in their title that they were also engaged in banking business. It was pointed out that the retention of a clause of this kind would mean that institutions long established in this country and abroad, with an international reputation, like the American Express Company, would themselves have to change their title. So we provided for that by adding at the end of the clause a provision exempting scheduled banks from the operation of the clause.

The next clause where there is an important change is clause 8. The intention of the original clause was to prevent banks—a very sensible provision too—from engaging in trade. But in the course of investigation, it was pointed out that this would prevent banks from selling goods which they were asked to sell on the instructions of a customer in respect of bills of exchange; and we have provided for that again by making it quite clear that goods that have been in possession of a bank in connection with bills of exchange shall be exempt from the general clause exempting a bank from indulging in trade.

Clause 12 is a short one, which places a limit on the amount of brokerage or commission or remuneration which anybody can earn in raising capital for the banking concern of 2½ per cent.

The next clause I want to deal with is clause 16, which corresponds to clause 15 of the old Bill. That clause was defective. The intention was quite simple, and the intention is retained in the present clause. That clause prevented the formation of a subsidiary company whose business had nothing to do with banking; but it was defective in this respect in that, while it prevented a bank from forming a subsidiary company of that nature, it did not prevent a bank from acquiring control of such company. It laid down that

a bank could invest up to 40 per cent, in a company—and if the directors were to invest an additional eleven per cent, they would get effective control of the company: and recent experience has shown that a loophole was left which led to various undesirable interlocking arrangements. So we are tightening up the clause by laying down that a banking company cannot acquire more than 20 per cent. of the shares of a company and they cannot invest more than 20 per cent. of their own money in such company.

The next clause 18 deals with licensing. We have considerably widened the scope of this clause. The original clause merely provided that a bank carrying on business in British India, but incorporated outside British India or the United Kingdom, could not carry on the business without a license. We have now gone much further than that; and we are laying down that no company or bank, other than a scheduled bank, shall carry on a banking business without a license from the Reserve Bank. Scheduled banks are exempted so long as such banks continue to be scheduled banks.

There are two exceptions to this: that is to say, a non-scheduled bank can continue to carry on business without a license but at the end of five years, it has got to satisfy the conditions which will lead to the grant of a license. Secondly, a company incorporated in a country which discriminates against Indian banks will not be able to get a license at the end of five years. There are such countries. The clause goes on to state that in order to get a license, the Reserve Bank has to be satisfied that the interests of the depositors are safeguarded and that the business is carried on in a reasonably business like and reasonably efficient manner.

The second thing which the clause does is to lay down that, even if a bank or banking company has been authorised to carry on banking business in India, it shall not open a branch without a license from the Reserve Bank. Banking in India in recent years has become rather lop-sided. The larger towns are overstaffed with a plethora of banks, and there are places where there are no banks at all; and the intention of this new licensing provision is to see that towns that have already got too many banks will get no more.

The next one is clause 20. The intention of this clause was quite a simple one and really covered the case of banks operating in British India but having a country of origin elsewhere. The clause laid down that, at the end of the year, such banks must have in India assets equal to 75 per cent, of their time and demand liabilities. It was pointed out that they could very easily arrange that once a year, if they were not too badly equipped; and so the new clause lays down that that position shall obtain at the end of every three months, and the quarterly returns are intended to show what the position in that regard is.

Clause 22 is a new clause. This may be somewhat contentious and it will, no doubt, be argued out in the Select Committee. It enables the Reserve Bank to call for information from a bank even relating to a customer's account. This was not put in in a surreptitious way, in order to meet every contingency that might arise. It is actually based on cases where a certain number of fictitious customers' accounts were opened and discovered. There is no intention of publishing the name of the customer or his account but information will be taken to publish in a consolidated and analytical form any information so obtained. The House may remember that in the recent Bank of England Bill similar powers have been taken, although there certain assurances have been by Government as to how that provision will be operated. As I say, when this clause comes under examination in the Select Committee, it will be looked into carefully. Much as Professor Ranga might want to expand it and others want to restrict it, the answer will be about right.

The next clause is merely an extension of the old clause dealing with inspection. Two new sub-clauses have been inserted enabling Inspectors to get more information than they otherwise would. Also, we have removed the old clause 28. The provisions correspond to the provisions of the Reserve Bank of India Act section 42(6) which defines the powers of the Reserve Bank in

[Mr. Manu Subedar.]

people from deposit habit and cheque habit and they generally kept the country backward. As I explained in the beginning, they prevented the use of fallow capital, the use of money which was not wanted by 'A', 'B', or 'C', for a few months, but which was more useful to 'X', 'Y', or 'Z'. It is through the machinery of the Bank that this fallow capital can be used and put to productive and useful purpose. This is the justification for this piece of legislation that is before us. It is unfortunate that Government have thought it fit to bring this Bill at the fag end of the Session, and it is very disappointing that a full discussion which we would like to have on a Bill of this nature cannot be had.

Now, Sir, there are four major points which I shall make in connection with this Bill. First of all the question of powers which are being given to the Reserve Bank of India. Powers are being given to the Reserve Bank of India in increasing numbers and in a variety of ways and at every stage of the bank's history, right from the inception at its birth. It is the Reserve Bank which will see that the bank right from its birth comes within the purview of the licence, and then while the institution is running, information will be sought about it, and if there is anything wrong, the Reserve Bank of India would interfere and if there is anything further wrong, it is the Reserve Bank of India which would liquidate it and send it through the final rites to which even banking institutions are liable. But, Sir, there is no corresponding obligation imposed on the Reserve Bank to help, to guide and to assist the banks when they are in difficulties. The Reserve Bank is to act merely, as a policeman, that is to say, merely in order to see that the regulations are observed and that banks work within the law. I do not say this is not a useful function. It is a very desirable and proper function, but if in the course of activities of the Bank, even through no fault of those who are running that Bank, even through a cataclysm outside, often through some calamities which occur and shake the whole money market, some small institutions get into temporary difficulties which are capable of being tided over, I ask is not the Reserve Bank then going to help them.

Take another issue. If there is a small institution which has got its money unduly frozen and it therefore finds itself in difficulties, that is to say, is unable to honour cheques for a particular time, would not the Reserve Bank enable that institution to tide over that? Or, failing that, would it not assist that institution to be absorbed or to be amalgamated by somebody who is also small, and thus together we have a local Bank doing good banking service to that particular locality, surviving and functioning for the advantage of the public, would not the Reserve Bank come to its aid . . .

The Honourable Sir Archibald Rowlands: Yes, Sir, it will.

Mr. Manu Subedar: Where is the obligation?

The Honourable Sir Archibald Rowlands: It is left to its discretion.

Mr. Manu Subedar: The Reserve Bank of India did not exercise this discretion for the last ten years. It is left to the discretion of the Reserve Bank Directors, some of them are only concerned about the shareholders, and the Reserve Bank Managing Governor and others are only concerned about the orders of the Directors, as I shall show later on. I say that obligation should be there, that obligation has not yet been fulfilled and no particular section of this Bill lays that obligation definitely on the Reserve Bank of India.

Then, Sir, the second big point which I wish to make and which I shall explain in due course is the confusion of classification. I see that so far as they have gone this Bill has been drawn up very timidly, it has been drawn up by some one who had no choice left, who felt that after all this wretched thing has been hanging over his head for some time past, let us go and do something about it. In that very timidly drawn up Bill, I am glad to find that some of the criticisms which were advanced at the time of the last Sessions when this Bill was dis-

cussed, I am glad that they have made in response to those criticisms some changes which are all to the good. But in my opinion, there is still a large amount of confusion. There is for example, section 18, section 45 and section 11. There are Banks with three kinds of classification. The Imperial Bank is a class by itself. Then, we shall have licensed and unlicensed Banks, we shall have scheduled and unscheduled banks, we shall have existing Banks and Banks which will come into existence hereafter—banks which are exempted from the operation of clause 11 for two years, other banks which are exempted from the operation of clause 18 for five years. Now, Sir, ours is a strange country, although we revel in variety. We have got, as I said on the last occasion, the very poorest who die in the streets of Calcutta and we have also got the Nizam of Hyderabad, the richest human being on the face of the globe. This is India; but why have the counterpart of this in the banking world? So far as the law and the regulation is concerned, why not try to see that the regulation of all the institutions is on the same basis and that they are treated in the eyes of law in the same manner?

Then, Sir, the third very important point in connection with this Bill which I wish to make later on is discrimination. There is discrimination intended and extended in favour of British banks in clause 18(3) and in clause 11(2), and there is discrimination against banks hailing from Indian States who are regarded as foreign banks and banks from the U. S. A. who also are regarded as foreign banks. The safeguarding clauses—I am sorry I have to bring this up whenever necessary—about which the House heard this morning are responsible for disfiguring two or three clauses of this Bill. The rules about this are contained in page 40 of the Manual, and if I wanted to move an amendment omitting the words "United Kingdom" whenever it is used in these two clauses, it would not be open to me to do so because you, Sir, would rule me out of order. With regard to the Indian States too, speaking on the date on which I am speaking, it does seem to me most extraordinary and absurd that we should regard the banks of Indian States in the same category of foreign-ness as we regard banks coming from Portugal or Brazil or Japan or any other foreign and distant and perhaps a hostile country. These States are an integral part of the Indian economy; and nothing has struck me as more absurd than the fact that some of them should be regarded as foreign, that they should be dealt with and handled as if they were aliens. Now, Sir, in 1946 when this whole issue is before the country in the form in which it is before us with the arrival of the British Cabinet delegation, it does seem to me extraordinary that we should call them foreigners and treat them as foreign alien banks. This is something which we ought to smoothen out in the Select Committee, if in the interval the foreign-ness of these Indian States has ended, as we all hope it will end.

Then with regard to clauses 16 and 17, I wish to refer to the question of multiple directorship. There is no great evil which attacks the health and soundness of business conditions in India—equal only to the evil of the managing agency system—than the evil by which one man will be director not only of two or three or fifty or sixty companies but of as many as one hundred companies. Is it physically possible for any man to attend properly to the business of a large variety of companies,—not only banks and insurance companies but steel companies, rubber companies, textile companies, glass works, pottery, railways and radio companies? Is it physically possible for any man to be aware of the technical or financial aspects of the work? And yet there are people who are attending to all these and deriving fat revenues without probably giving their money's worth to the companies from which they are receiving all these fat revenues. It is a very great evil which these two sections which my Honourable friend has introduced seek to some extent to check. My Honourable friend Sir Azizul Huque will come with his Bill which will also give a very necessary blow to the same evil, but to some extent only. I trust that some day frontally we shall make it impossible for a man to take up more work than he can physically do more work than he can properly attend to under this multiple directorship

[Mr. Manu Subedar]

which has become a feature of Bombay and Calcutta and of many other centres.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Not so much in Calcutta as in Bombay.

Mr. Manu Subedar: Sir, these are the four great features under which I wish to offer some criticism on this Bill.

I come in the first instance to the position of the Reserve Bank. The Reserve Bank which is the apex bank of the banking system of this country, which ought to be the fulcrum and the pivot of the economic life of this country, which should be the instrument of the economic policy of this country as a whole, has not unfortunately given that satisfaction which it should have. After the fate of the Bank of England which we have seen in its nationalisation, I would not like to take a bet; but I have not the slightest hesitation in saying that it will not be very long before this institution also will be nationalised in India. The Reserve Bank, Sir, is under no obligation to help and guide other banks; as a matter of fact it has not helped and guided them. And since the Honourable the Finance Member mentioned this matter I will say that it was the view of one part of the financial press, which he constantly refers to, that one of the big failures, viz. the Travancore Bank, could have been avoided had the Reserve Bank been free and had it been willing to act in time in order to help and had not merely looked on while that bank was sinking.

[At this stage, Mr. President (The Honourable Mr. G. V. Mavalankar) resumed the Chair]

What I feel is that the Reserve Bank ought to be saddled with the obligation to help the banks in the same manner as it is saddled with the obligation to guide and check and look after them. It should not be a mere Gestapo but it should also be a nurse. Additional powers are given to the Reserve Bank under various heads but the failure of the Reserve Bank in the past is nowhere greater than in their failure to carry out the obligations given to them under section 55(1), which requires of them the creation of a second schedule in order to take into the system of Indian banking the indigenous bankers of India who are great in numbers and vast in influence and who are at present entirely loose. They are not at all in link with the western type of banking system which we have created. The Reserve Bank has equally failed with regard to obligations under section 55 (1) (b) in the matter of financing of agriculture. Have they done anything in the last twelve years of their existence to carry out this obligation? If they have not done so, why is this failure written large on them? Still more striking is the failure of the Reserve Bank with regard to section 17 (2) (a) which gave the Reserve Bank the power of rediscounting bills. Sir, I had a talk with the Managing Governor of the Reserve Bank and I found that he was not willing to undertake this work unless the banks applied to him. I had a talk with some of the banks and asked them why they did not apply and take advantage of this rediscounting facility which was given to them; they replied that they could not do so as they would be marked out as needy and their credit would be affected. This is an issue which can be easily set right, and more specifically as the question of liquidity is brought in clause 19.

Sir, as it is now 4 o'clock, I will stop here and resume my speech tomorrow.

MOTION FOR ADJOURNMENT

STARVATION DEATHS IN STREETS OF CALCUTTA

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the Assembly do now adjourn."

Mr. President: Motion moved:

"That the Assembly do now adjourn."

Before the debate begins I wish to state the scope of discussion on this adjournment motion as some Honourable gentleman from the European Group wished me to do.

As stated by the mover of the motion, it is not a motion to censure the Government, nor is it a motion for the purpose of discussing the executive administration of the food supply by the Provincial Government of Bengal. As the food problem is, in a material degree, an All-India problem, involving such vital questions as procurement of food from surplus areas, transport of food within the land from one place to another, import and export of foodgrains, etc., the question is obviously one which cannot be effectively tackled with unless both the Government of India and the Provincial Government concerned are fully co-operating with each other and have one mind in respect of the steps necessary to be taken in each province, with special reference to the peculiar position of that province. In this light, the question is of importance and, is as well, a concern of this House.

The scope of discussion will, therefore, naturally be to have such information as may be available, to make and discuss such suggestions to the Government of India as will be helpful for achieving and ensuring the fullest co-operation of Provincial Governments without undue interference with the autonomy of the province and to discuss and suggest such ways and means in respect of the problems of transport, export and import, etc., which are bound to arise, from time to time, and are incidental to a successful food administration on an All-India scale.

I believe, the Honourable Members will appreciate that it is not possible to specifically define in more concrete terms the scope of the discussion on this motion.

Mr. Sasanka Sekhar Sanyal: Sir, it is not with an object of receiving cheap claptrap that I move this motion, but I am anxious that all sections of the House will assemble their combined wisdom in order to face the impending peril. The magnitude of the last disaster is still in our memory. Sir, I am told that a Daily has described my motion as 'stabbing in the back'. I assure all sections of the House, political opinions and parties that it is not my purpose to stab anybody. If I want to stab, I want to stab this scourge of famine, and if possible kill it by frontal attack. Today the zero hour has struck and it would be unwise to think that these deaths are of sudden appearance. As far as we know 1945 crops in Bengal failed if not completely and now all the winter and spring crops have nearly failed. It has had an accumulative effect, and I expect the Members of this House to realize the seriousness of the matter so that they can meet the situation, a situation which will be affecting Bengal today, but which will shake the very foundations of the Governments in the Centre and the Provinces. If 1945 situation was bad, today the situation is worse, because people are already exhausted and their fighting capacity has gone very low.

Earlier in the course of the day my good friend, Mr. Sen, Secretary Food Department, laid before us two important propositions, but they left us unconvinced. In the first place he proposed to make a distinction between what the Health Department of the Bengal Government considers to be deaths due to destitution and deaths due to starvation. So far as we are concerned, we make no distinction between the two, and it is up to the Government to disabuse themselves of this artificial distinction which has been the source of a lot of mischief in the past. In 1943 we insisted upon the authorities preparing tables showing the figures of mortality directly or indirectly connected with destitution and starvation, but it is a pity that even the lessons of 1943 have not been properly understood. The very first thing that the Government of India should have done was to instruct the Provincial Governments to introduce a column in their mortality figures in which they should show the nature of deaths from week to

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week and from month to month. And this is one of the constructive suggestions which I wish to make to the Government that they should call for mortality returns every month, because from these mortality figures they will be in a position to understand whether the economic condition is improving or getting worse.

Another proposition of fact which was given by the Secretary Food Department was that he had got a declaration from the Bengal Government to the effect that food stock is sufficient. Sufficiency is a very treacherous term. Are we to understand that the stocks in the custody of the Bengal Government are good enough to meet the requirements of the Bengal province? Certainly not. The stocks are good as a stock, but they are certainly much less than the requirements of the province. That does not indicate that Bengal is not faced with famine. In order to appreciate the correct position, we ought to know what is the exact food position of the entire province taking into consideration the actual or probable private stocks in the custody of private parties.

Then, Sir, I warn the Government against such complacency as has been indicated by the announcements which have been made by Government. In 1943 we had similar declarations and assurances. Here persons like Sir Azizul Huque proclaimed from the housetops that food was enough. There in Bengal no less a person than the Governor of Bengal, Sir John Herbert, announced several times that food was enough, and his announcements were followed by the announcements of different Ministers from time to time saying that there was no cause of panic or worry or anxiety and that food was enough. But this 'sufficient stock' did not stand in good stead, and people began to die like dry leaves. I would like to put one question to the Honourable the Food Secretary. If there is sufficient stock, why is it that hunger marches have begun? We know our people are conservative and they do not leave their villages so easily, but since food resources are gradually becoming shy and dry, these hunger marches have begun. It is no use shutting one's eyes to facts and it is better, as a proposition of wisdom, to look into the facts as they are in the background of what happened in 1943. This 'hunger march' has begun for two reasons. Today the stocks are shy in the villages because the 'Grow More Food' campaign has failed. Secondly, the agriculturists are put to large expenses in the production of food and they do not get proper return; they do not get a remunerative price in the market.

Apart from this the Defence of India Rules are applied, sometimes formally and sometimes informally, by the Collector, or the Sub-Divisional Officer, or the Food Supply Officer, who go into the villages and threaten the villagers to dispose of their stocks or else they shall have to face the consequences. These threats are used by the procuring agent. He jumps into the village, makes a raid into the village godowns and purchases the stock at a low price. Then they pretend that they have purchased at a higher price and they charge from the Government much higher prices. The result is that the consumer has to purchase at forbidding prices. Therefore, Sir, as was pointed out by the Leader of the Opposition in the course of the food debate, we must take steps on the lines of what England did during the war time, that we must subsidize the grower at one place and the consumer at another. Unless the Indian Government looks into the matter with clear eyes, the conclusion is clear that they want to pretend to do things but they do not mean what they say.

Then I come to the question of distribution. My friend does not believe that the existence of stocks is not enough. Will the stocks walk straight into the stomachs of the hungry people? They must be made available. For example in 1943 in Jessore railway station, loads of thousands of maunds of paddy stood exposed to the sun and rain until they became rotten. What happened in Sibpore godowns? Loads of foodgrains were wasted. The other day in the course of interpellation it appeared that in some of the districts of Midnapur, Nadia and Hooghly, these foodgrains were wasted. There is no proper arrangement for safe custody in the godowns and no arrangement for protecting them

from decay. In Bengal as the Municipal, the Local and District Boards have no authority under the Act to inspect, they could not inspect, as a result of which the decay could not be detected unless the things gave a foul smell that covered miles of space. Even today in Bengal, foodgrains are being wasted and decomposing. What steps are Government taking to prevent such things?

There is another matter. In rural Bengal, as in any other rural part of India, the people are suffering considerably. This is due to the fact that no extensive rationing is there. Rationing is in some towns of Bengal. Even this rationing is not compulsory. Unless Government undertakes to introduce a system of compulsory rationing this overall cut of 20 per cent will add insult to injury.

I would advise the Government to start in every important place cheap kitchens and canteens and community kitchens. These latter are essential because these lower middle class people have not only little purchasing power, but their power for procuring fuel has been affected and they must be given every assistance. If they get ready-made food, cooked under sanitary circumstances they will avail of that, and it is up to the Government to advise the Provincial Government and to set up a machinery of its own to supervise all these things.

In this connection, free kitchens also come in. But while I would urge upon the Government to see that all public and private enterprises are combined for the purpose of setting up free kitchens, I must give a warning against the gruel they served in 1943. This gruel instead of doing real benefit, was responsible for the death of several thousands if not more, because this gruel, as scientists have found out, did not possess more than 600 calori value and it has been stated by scientists that if a man sleeps twenty-four hours, and even if his muscles and other parts of the body do not work, and only the blood circulates, the calori value of his food must be 1,000. And here is 600 for active people. Therefore I would suggest that the Government should take steps to take the advice of scientists so that the experience of 1943 is not repeated.

Then two large questions come in. The narrow question affects Bengal and that leads to the question of imports and exports. Yesterday it was given out that the Indonesian people are willing to give 5,00,000 tons of foodgrains. May I know if the Government of India are prepared to avail themselves of the offer? When the Azad Hind Government of Netaji Subhas Chandra Bose made the offer of foodgrains from outside India, they could not accept that because prestige stood in the way. Are we to understand that today the same superstition is working? Therefore, I suggest that the offer which has been given by the Indonesian people should be accepted at once and then exports should be stopped. Here is a very ticklish question. My friend, Mr. Sen, will probably stand up and refute all the allegations. But I have the information in my hands which will show that not only in 1945 but in 1946 from the ports of Chittagong and other ports of Bengal and India, shiploads of foodgrains have gone to unknown destinations. It is for the Government to find out actual state of things.

Mr. B. R. Sen (Secretary, Food Department): Give the particulars.

Mr. Sasanka Sekhar Sanyal: I will give him the particulars. Here is a full chart.

Then there is another question. The overall cut of twenty per cent has been made in the essential foodgrains. We are told that something is being cooked in Europe and something is being done by His Majesty's Government in Great Britain. I want to inform the members of the Government that in England, the United States and Canada, wheat which is essential, is not rationed. Bread is not rationed. But here our poor people, who eat only cereal, they are subject to rationing. Again the Government of India should make a representation to His Majesty's Government that they should submit themselves to a ration in wheat and bread so that the surplus may be available for us here. Here is an acid test of sincerity and goodwill. If they mean what they profess, then this test should be applied at once. Further, I submit that the matter should be

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considered from all these aspects. I hope the Government will rise to the height of the occasion, and if necessary they will take all sections into their confidence so that the calamity of 1943, the disaster which happened at that time is not repeated.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhamadan Rural): In view of what was said this morning when the question of the admissibility or otherwise of this motion was being discussed, I have no desire to try in any way to apportion any blame or to try to lay down the responsibility for the deaths which have been reported, either on the Centre or on the Provinces. What we want is that a matter of such great importance should not be allowed to drift and that every step which may help to make a recurrence of the ghastly tragedy of 1943 impossible, should be taken not only in time, but even well before time. Our difficulty, Sir, is that we have not the statistics and the figures that are needed to make an intelligent appreciation of the situation. Members in this House and elsewhere have cried in vain not only now but in the past also, trying to impress upon the Government not only the desirability but the essential need of their providing every possible information to the public from time to time. We have been sitting here for three months now practically, and except for the meagre information that we had during the food debate in the beginning, we have no information as to how things are going on province by province, how stocks stand, what the requirements are, what the expected possibilities are and what are the ways in which the needs of every area are going to be met. In fact, I have a suspicion that the Government do not themselves have the necessary statistics and figures to an adequate degree. It is an appalling state of affairs, because in this world today, statistics and figures and correct data are the essential vehicles through which alone anything can be done. We do not know, for instance, how our acreage in the different provinces are yielding from year to year and how they stand today. A few weeks ago we were told of harrowing prospects of a terrible famine facing this country on account of the drought that we had on our heads. It was stated that during the last 35 years such drought had never occurred in this country. A few weeks later however the Government have said that the situation in those very provinces is vastly better and different. It was said that the entire winter crop in the U. P. was almost annihilated. If I am not mistaken, the Honourable the Food Member said that there was no prospect of the crop yielding anything like the normal yield or even very much less. Now reports from every district in the U. P. state that if there is any shortage anywhere it is very small. We were told that the production in the Punjab was going to be very much below the normal. The other day we had a statement by one of the largest cultivators in the Punjab, a certain European gentleman. He said, I hope it is correct, that he had 150,000 acres of land under his cultivation, and, he pooh-poohed the idea that there was going to be any deficit. This gentleman has been a member of the legislature. He said that the crops were such that they were going to have enough for themselves and plenty to spare. Take Bengal. We know that the average production of rice in Bengal during the last decade or two has been something like 8.6 million tons. The yield for the current year, according to Government information, is going to be 9.3 million tons. These are figures published by Government only last week. Thus, there is a surplus of 700,000 tons of rice this year above the normal annual yield. Then, only five or six years ago, before the war, we know, that the annual carry over in Bengal used to be something like 100,000 tons. We know the argument will be advanced that the population of Bengal has been rapidly increasing. I do not know about that nor do I want to go into that point, because I have very limited time at my disposal. But in the brief space of a few years the population could not have increased to an extent that, with the permanent annual carry over of nearly 100,000 tons plus the 700,000 tons surplus that there should be this year if Government figures are correct, in all making 800,000 tons—that that surplus in Bengal should be nowhere. It is

amazing. I am not suggesting that the Government are deliberately trying to conceal things or to gloss over facts. My complaint is that the Government would not have statistics and figures collected regularly from time to time in a rational manner which alone can enable them to tackle this problem successfully. I should like to have an answer on this point.

There are other aspects of this question. Here is before me this very fine report of Dr. Burns about the Technological Possibilities of Agricultural Development. He has gone into the production figures of every single item of foodgrains. The total production of rice in the year 1942-43 (I take this as there are no later figures given, but I take it too that in subsequent years we must certainly have had an increase) was 23 million tons. Wheat was nine million tons and other foodgrains were in all over 16 million tons. Now, Sir, with your permission I should like to read to the House what Dr. Burns has to say about the possibilities

Mr. President: The Honourable Member seems to be going into the history of the whole question.

Pandit Govind Malaviya: No, Sir. I will be as brief as possible.

Mr. President: The Honourable Member has already taken seven minutes. He has got only eight minutes more.

Pandit Govind Malaviya: Very well, Sir. Speaking about rice Dr. Burns says that on a conservative estimate these yields can be increased by 30 per cent. I shall come to the end of his paragraph. He says:

"There should even be no difficulty in increasing the present average outturn by 50 per cent, namely, ten per cent, by variety alone", and so on and so forth. About wheat he says something similar, about jowar 20 per cent., about bajra 25 per cent, about maize 25 per cent, and so on and so forth.

Now, Sir, of the total rice production of 23 million tons even a ten per cent, increase would mean 2.3 million tons. Wheat production having been nine million tons even a ten per cent, increase would give us .9 million tons and the other crops would give us 1.6 million tons. That will make a total of 4.8 million tons, which is more than the total amount of deficit which the Honourable the Leader of the House at one stage stated before the Combined Food Board. Now, Sir, three years have elapsed since Government had this report before them. I want to know what they have done in this direction; leaving alone the question of increasing the acreage in the country. Did the Government realise the magnitude of the tragedy that was facing the country? If so, why did they not arrange to supply even seeds to the cultivators which without the least further effort would have given us more than four million tons annual increase in foodgrains production in the country. Three or four years have passed and we are nowhere near that point. Months ago, I had privately brought this to the notice of the Honourable Food Member. (Based as my point was on Government published figures of incontrovertible authority, he could give no answer to it. It appears to me to be a matter of almost criminal negligence that when all the food shortage in the country could so easily have been met permanently, the Government have not cared to move their little finger in that direction. It should be unnecessary to make any further comments on the matter.

Similarly, there are other things. I have not the time to go into details but I should like to know why all this has not been done. Why did not Government take a rational view of the difficulties of procurement? Why did not the Centre give to the provinces sufficient money to subsidise the purchase and sale of foodgrains, so that they may be sold at a very much cheaper rate in the ration shops. With the rural rationing which my friend Mr. Sanyal has suggested and with those cheap grain shops which might cost us a great deal

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of money, but I suppose the problem is big enough for it, the difficulty of procurement will be minimised to a great extent and . . .

The Honourable Sir Jwala Prasad Srivastava (Food Member): How will it be minimised?

Pandit Govind Malaviya: I am coming to that if the Honourable the Food Member will care to listen to me. We should thus reduce the sale prices of grains. And on the other hand, we should pay better prices to the producers not only better prices but tempting prices. For instance, today wheat is being sold at ration shops at something like three seers to a rupee. If we sell the wheat to people at these shops at four or five seers to the rupee and then offer to the cultivators a price of one and a half or two seers to a rupee, where is the cultivator in India who will not be willing to part with his wheat at that tempting price?

Mr. B. E. Sen: Where is the money?

Pandit Govind Malaviya: I say this not because I think that the cultivator should not have the wheat for himself but I want to take a practical view of things.

The Honourable Sir Jwala Prasad Srivastava: Where will you find the money? Have you calculated how much it will cost?

Pandit Govind Malaviya: My friend today speaks of the money for it. If I had the time I would go into the budget and show how much money is being wasted by the Departments in the Centre and elsewhere and how by diverting a major part of that money this problem could be successfully solved. I have not the time for it. I am not suggesting easily that we should deprive the cultivator of his wheat. The wheat and rice cultivators in various parts of the country did not themselves take wheat and rice normally. They lived upon some other cheaper and locally abundant spare and swift-crop grains. During these coming four months mangoes also largely made up their daily meal. Therefore, if we can appeal to his sentiment and tell him that the country is going to starve, he will be willing to live upon kodon and kakuni, birra and matar and sava and mangoes, the local products which he used to produce, and live upon largely, and part with his wheat and rice at tempting prices with which money he can serve his other needs. That is an easy method of doing it. You will say, "How are we going to induce the people to co-operate?" There are or will be in all the Provinces now Governments of the people. Let us have a representative from each one of these Governments and set up a Central Food Board here with representatives of the Central Government also on it, and in consultation with these representatives of the Provinces carry on a policy which would invite the co-operation of local committees made up of local representatives, whom the people respect and who by their advice and appeal would then induce the people whose confidence they possess to part with wheat and rice, and enable you to solve this problem.

Sir, the panic which has been created by the Government over this matter has done more harm in this country than even the foodgrain shortage which we have at present. As I have worked out, there is no foodgrain shortage in Bengal; there is no foodgrain shortage in Bihar; there is no foodgrain shortage in the U.P.; there is no foodgrain shortage in the Punjab; there is no foodgrain shortage in Sind. There is difficulty only in the South of India, and if we had not created this terrible panic, if we had not thereby goaded the poor and the rich alike to close upon the little which they had and to try to get everything more that they could lay hands upon, possibly the difficulties would have been very much less. I therefore suggest that this Government should not take it lightly whether two persons die in Calcutta or two hundred persons die. One single life is precious enough for a Government to take pains. I hope the Government will still see its way to adopt the suggestions which have been made by Mahatma Gandhi and which have been made in this House and by others, and, by thus winning the confidence of the people, will save the situation.

I should like to pay a compliment to the Honourable the Leader of the House for the conspicuous ability with which he tried to obtain foodgrains for India. We all admire him and except for the fact that he did not represent either this country or its people and that he was an agent of an alien Government which has not the confidence or the respect of this country, except for that impersonal reason, he should have even won our gratitude for his work.

I hope, Sir, this House will adopt this adjournment motion to impress upon the Government the vital need for their giving up their lethargy, inaction and inefficiency and for dealing with this problem in a manner that will ensure that no lives may be lost, and the people in India may be able to feed themselves properly.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Yesterday the *Hindustan Times* said that the Punjab Minister is doing his best over this food problem. I would like to draw the attention of the Honourable Member for the Food Department to an article in the *Hindustan Times*, dated the 8th April, on page 4, under the heading 'The 50-50 Muddle'. It says:

"One of the constant complaints received by Mr. Sachar concerns the rationing of wheat and rice on a 50-50 basis. It is said that many famished Bengalis died when they were forced to eat wheat in the absence of rice. Punjabis in rationed towns are complaining of mysterious ailments which they attribute to rice eating. Muscular pains, colds, indigestion and gout have been traced to the introduction of rice in the menu. Heavily displayed advertisements are appearing in several Indian language papers describing the woes of the Punjabis as a result of rice-eating."

It is difficult to understand the utility of conserving wheat at the expense of rice when the Punjabis need wheat and people of other provinces want more rice."

Sir, even on a prior occasion I brought to the notice of the Honourable Secretary for the Food Department that where rice is not wanted rice is sent; where wheat is not wanted wheat is sent; where a man does not know how to prepare raw rice, raw rice is supplied; where a man does not know how to prepare boiled rice he is supplied with boiled rice. In spite of several attempts to draw the attention of the Department, Sir, they have not chosen to alter their decisions and try to send rice where rice is needed. Madras is a province which is accustomed to rice-eating. Punjab is accustomed to wheat-eating. But some time ago the rice ration in the Punjab has been increased and wheat ration has been cut short. In Delhi where most of the people are accustomed to eating wheat, I understand wheat ration has been cut short since yesterday or the day before yesterday. Now that the Government is getting a lot of wheat, or at least something, from the other countries, I would request the Government to take that wheat and distribute it to the provinces where wheat is being consumed habitually, and to divert the rice which the Punjabis and others who are not accustomed to eat, and on whom the rice is being sought to be thrust, procure as much as possible and send it to provinces like Madras or other provinces where rice is consumed on a large scale and where nothing but rice is consumed.

I wanted to help the Food Department by raising some short notice questions. Somehow or other I find that the Food Department in this Government has been accustomed not to accept any short notice questions. These questions were addressed not with a view to criticize the Government but only to help them, if possible, to get as much as possible from the ryots. Yesterday I addressed three questions, but two of them have been returned to me saying that the Food Secretary is unwilling to accept the questions. One of them is:

"Is it a fact that the Government of India insist on foodgrains being purchased and sold through wholesalers and retailers and do not approve of the idea of large scale producers or associations of producers supplying direct to retailers either as grain or as rice; and if so whether the Government propose to direct that if large scale producers or associations of producers are prepared to supply to retailers grain or rice directly without the intervention of the whole sellers they shall be permitted to do so?"

I do not see any reason why this question should not have been accepted. I knew even before I sent these questions that the Food Secretary, as usual, would refuse and say that he is unwilling to accept the short-notice questions. I had no time to fulfil the ten days limit. So I made a special request in my

[Sri R. Venkatasubba Reddiar.]

letter. But somehow or other, the usual answer, that he is unwilling to accept the questions, has been given. The other question is:

"Is it a fact that the Bengal Government has repeatedly been saying that the rural population migrate to the province as they do not find foodgrains available in villages and die in the province."

Mr. B. R. Sen: Do these short notice questions have any relevancy to the adjournment motion, Sir?

Mr. President: The object of the adjournment motion is neither censure nor a mention of the past sins of what may be commission or omission. The object is to give such constructive suggestions that the Honourable Members may have to give with reference to the situation with which the country is faced. And if Honourable Members restrict themselves only to that aspect of the question, then only the adjournment motion will be well discussed. That is the view which the Chair takes.

Sri R. Venkatasubba Reddiar: It is only with that view that I am referring to this. We were told that in Bengal people emigrated to the cities because they did not find grain in the villages: they expected to get some food in the cities which were already rationed; and not being able to get any food they were obliged to die of starvation. My suggestion therefore is that whenever this monopoly procurement or any system of procurement is undertaken by the Government, a sufficient quantity should be left in the villages for those people who are living there—those who produce and those who do not produce—and only the excess over that quantity should be exported from that village. If that system is followed, I do not think these people would have gone to the cities in Bengal or anywhere else and died there. Their deaths could have been avoided by the Government pursuing this policy. This is the suggestion I wanted to make in putting that question: it was not with any idea of censuring Government.

We expect rationing to mean that what is available will be distributed to all people equally. There is a system of statutory rationing and informal rationing. Informal rationing has been introduced, I understand, throughout Madras province, in the villages. As the Honourable Food Secretary said a few days ago, informal rationing does not mean that the Government or authorities who introduce this rationing are obliged to supply to all those who need grain, whereas statutory rationing throws that duty on them. In informally rationed areas they procure whatever is possible from the producers; they do not care for the people who do not produce and they take away everything from them and they say they are not obliged to meet the demands of those people and they do not care: they say they are not bound in informally rationed areas to supply those who have no grain. This should be put an end to. When the Government thinks it has a right to take away a man's produce from the population of that village, for the benefit of those who do not produce, it is the first duty of the Government to see that they provide for all those people who live in that village, whether they are producers or landowners or landless people or nonproducers. There is no meaning in saying that they will take away what is available now and when they find that the village has no grain or insufficient grain, then they will send it back; because when they send it back they add to it the cost of taking it to the town and sending it back from the town to the village, with all the wholesale's and middleman's charges. I would suggest that just as they are running grain shops in the Railway Department and this Government is spending twelve crores of rupees on that account, all the poor people whose means of purchasing are very limited may be supplied with grain at below cost price or the price at which it is purchased in the villages.

Government has proposed virtual subsidies for the sinking of wells and also the supply of manure and granting of loans and free grants. These can only be paper propaganda. The other day the *Hindustan Times* had a caricature showing that the Honourable Member was only growing files and not growing crops. As a matter of fact the Madras Government have announced

that they would subsidise the sinking of wells and give half grants to those persons who are prepared to sink wells within three months. I understand that so far nobody has been able to get the sanction of the Government or the authorities concerned for sinking their wells; the time given is between the 15th February and the 15th June: the time is so short that no person can take advantage of it; and all this advertisement that they are subsidising or doing this or that will only go in waste, and any subsidy will not reach the man for whom it is intended.

So once again in spite of the fact that the Food Department and the food officials in the provinces have been turning a deaf ear to our joint proposal or request to give the producer a remunerative price, I would implore the present Food Secretary and the Food Member, so long as they are there, to assure this price only to induce the production of more grains. With these words I support the motion.

Mr. Abdur Rahman Siddiqi (Calcutta and suburbs: Muhammadan Urban): Mr. President, I wish the Honourable and learned Leader of the Opposition had not allowed this motion to be put before the House. I am sure you have felt as sleepy as I have done in listening to the speeches delivered from my right: they were heartless, they were argumentless and they were meaningless, for the simple reason—I repeat with greater emphasis the quotation from some paper which the Honourable Mover brought to your notice—that I have passed through all the stages of the Famine through which the Honourable the Mover of the adjournment motion and the Honourable and learned Leader of the Opposition have passed. You must have noticed that most of the speeches including that of the Mover were beside the point. It is one of the tragedies of this House that ordinary members like us do not get copies of the adjournment motions and their exact language. I was successful in getting one. It speaks of "the recent starvation deaths in the streets of Calcutta." In 1943 processions began to come into Calcutta and the propaganda that was broadcast all over the world was that there was a famine in Bengal, but it was restricted to Midnapore and Calcutta, as if the rest of Bengal where almost two millions out of the three millions died, did not exist. These processions came only to Calcutta. I would like to ask the Honourable the Mover if he does make a reply to explain why Calcutta and no other town like Dacca, Faridpore, Mymensingh, Rajshahi and other places, had no processions? Speaking with some knowledge of Calcutta and the vital statistics as they are published, I declare here with all the sense of responsibility I can command that this trying to hang an adjournment motion, on just two deaths in Calcutta from starvation is a novel manner of welcoming a Muslim Ministry in Bengal. It has a very ugly meaning of opposing the possible chances of things coming to a sensible arrangement in Bengal. (Interruptions). Will you kindly ask these gentlemen not to interrupt? Otherwise I may have to hit back, which I should like to avoid.

Mr. President: Order, order. Let there be no interruptions.

Mr. Abdur Rahman Siddiqi: Calcutta has a pavement population of anything from one lakh to two lakhs. Marriages take place on the pavement, children are conceived on the pavement, they are born on pavements, and they live and die on pavements. The Corporation of Calcutta, and the Government of Bengal have tried their best to eliminate this population; but religious-minded Hindu gentlemen will go on tolerating them, will go on allowing them to live on the pavement; and if any action is taken, then you are considered as possessing heart of stone. Deaths among them occur due to many causes including destitution and starvation. This is normal to Calcutta. There is nothing new in that. An adjournment motion because two old women died of starvation is not justified.

Sir, Honourable Members to my right are talking of Calcutta alone. God be praised. Bengal is reported on good authority to possess enough. Why don't they concentrate their efforts now on Madras, Bombay, Travancore and leave Bengal into the safe hands of people who will now see to it that

[Mr. Abdur Rahman Siddiqi.]

whoever is the Food Member at the Centre, Bengal is not neglected as in the past. We have now got, I hope, the power to make the people at the Centre wake up. During the famine there was unfortunately a Viceroy here who had peculiar notions regarding the governance of India. Within a period of four months, we had four Food Members and incidentally he himself had charge of the Department for a time. Now, whether the Secretary of State succeeds in India or not, we shall see to it that the Government of India does not play any of the tricks that it did during the last famine and to-day I assure you,—and through you Members on my right who are trying to make political capital out of the death of two old women who died in the hospital of destitution and starvation—that things shall improve soon. They have tried to make a distinction between the two words. Even if I accept that destitution and starvation are one and the same thing, let me assure you that the Health Officer of Calcutta does not acknowledge the seriousness of the position as the Honourable the Mover of the adjournment motion would have us believe. Sir, may I also draw your attention to the fact that all this talk of scarcity and the two deaths due to starvation are restricted to Calcutta. Why don't they realise that processions if restricted to 24 Parganas Hoogly, Howrah and Midnapore alone have a sinister meaning in them. The moment this is realised the game is exposed. They bring in conducted processions into the city of Calcutta, then, of course, nationalist newspapers publish photographs and shout a good deal but people who understand the meaning behind it realise that it is a *natak*, and a *tamasha*. This is something which disproves their case rather than supports it.

There is no danger in Bengal. I know Government statistics are not dependable. Government statistics in the matter of jute have been acknowledged by the Government of Bengal to be incorrect but, Sir, so far as conditions today are concerned things are not so bad as they are perhaps in the South. I, therefore, beg of the Honourable Member who have moved this adjournment motion to leave Bengal alone for the time being. We shall take care of ourselves and of them also. I guarantee, almost with a certainty, that I shall not allow the Honourable the Mover of the adjournment motion to die of starvation. I shall also see to it that those who are trying to create this unnecessary trouble, to create this sense of fear and panic on information which cannot be considered as dependable or reliable,—because two women have died of starvation—are not allowed to have their own way. Vital statistics as published by the Corporation are always questioned by gentlemen of the nationalist tendency of mind and they need not have brought this adjournment motion. I hope even, at this last moment, the Honourable and learned Leader of the Opposition will not allow this adjournment motion to be passed. I will repeat my appeal and say—if possible, withdraw it. If you cannot do it, then let it be talked out. Let there be at least for the coming months no repetition of the horrors not of the famine but of the attitude of my non-Muslim compatriots who gloated over the deaths in the Muslim community in the last famine, because they felt that in the 1951 census the Muslim majority will go down. I can speak with knowledge for I heard the statement with my own ears. I appeal to the Honourable and learned Leader of the Opposition not to allow that poisonous, that bitter experience of the past to be repeated. We suffered agonies last time. There is no danger of suffering agonies now. I beg of them to extend a helping hand to us and we shall see that starvation does not stalk the land now and in the future.

The Honourable Sir Jwala Prasad Srivastava: Sir, I welcome this motion as it gives me an opportunity to state clearly once again what the position of the Centre is vis-à-vis the Provinces. This is necessary at the present moment because new ministries are coming in and I think we should make it clear how the Food Department has worked in the past and what its powers and scope are. Speaking constitutionally, the Food Department at the Centre has no authority or very little authority over the Provinces.

[At this stage, Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan).]

Food is a provincial subject, so is agriculture and we at the Centre have no real power to dictate to the provinces as to what they should do or they should not do. But in 1942, it was realised that if India was not to suffer from food shortage and starvation on a large scale, it was necessary to have an all-India plan. We should have a Food Department at the Centre. This Department was intended to co-ordinate the activities of the various Provinces and to bring

them into line with the all India plan, it was felt necessary that we, 5 P. M. should have an all India front for food. Some Provinces turned round and said, "You have no business to order us or to dictate to us." But we persisted and in the end we were able to evolve a policy which depended on four main points; the first was procurement, the second was controlled movement, the third was rationing, and the fourth was price control. I am glad to say that in the all India Food conference, which was held in Delhi in October 1943 the main planks of our policy were accepted unanimously. All the Provinces agreed to work according to them. That was the sanction that we had. In that conference, I said very clearly that public opinion in India and abroad looked to the Government of India to lead and to direct the united efforts of the various Provinces in connection with food within the common plan. I said that it was my inescapable duty as Food Member to accept that challenge and to carry out the policy. I said to the representatives of the Provinces that I looked to them, to give me their support and their co-operation. I went on to say that in the mobilisation of India's resources, the Government of India would be obliged to take and implement decisions which might at times conflict with what appeared to be local or sectional interests. I also said that whenever possible, to the greatest extent possible the Government of India would proceed after consultation with the Provinces and with their consent. But if circumstances should compel the Government of India to proceed otherwise, I said, that I looked to them to accept and implement those decisions which we, at the Centre, and which we alone could take in the interest of India as a whole. Sir, that was the statement of policy which I made in 1943 and since then by convention and by common consent, it is being carried out. Now, Sir, it is extremely important that when Member after Member in this House gets up and criticises the Government of India, he should understand what our limitations are and to what extent we can go. In a lot of these matters it is up to the Provinces to take decisions and it is not the intention of the Government of India to interfere unduly with the autonomy of the Provinces. A good deal of the criticisms which I have heard made to-day and which were made in the course of the Food Debate, some time ago pertains to matters which concern the Province. Now, we have popular Government functioning in the Provinces, we have Legislative Assemblies there; and it would be only right that those grievances should be ventilated there. In the last resort if there are matters which require co-ordination, matters which can be dealt with only by the Government of India, they may be ventilated here. Sir, I do not know whether it is understood that the only power which the Central Government have of control or guidance and co-ordination over provincial action are those which relate to the proclamation of emergency and the existence of section 93 Governments. For example, the Central Government have power to give directions under section 126-A. We have in the Food Department used these powers on two occasions only, to give directions to Provinces. Then, Sir, the other power of guidance and control is under section 54 of all actions in section 93 Provinces. I want to make it clear that the Government of India, that is to say the Governor General in Council, does not possess that power. It is the Governor General in his individual capacity who possesses this power. These are the two main powers. Now that section 93 Governments have disappeared, we shall have to leave things more and more to the Provinces and it will be their duty to carry out the main policy which may be agreed upon between themselves under the guidance of the Central

[Sir Jawala Prasad Srivastava.]

Food Department. It is with this object in view that I propose summoning a conference of all the provincial Premiers so that they may sit round the table and decide upon the main features of their food policy, which is urgent, as we all know. I hope that as soon as ministries are constituted I shall be able to call this conference. For example, there is the question of price. As I explained elsewhere the other day we take the responsibility for fixing prices on a regional bases or on an all India basis. If Provinces break away and fix their own prices, procure grain and sell grain at their own prices, there will be chaos and confusion and nothing else. Moreover, the importance of an all India plan has been shown by the fact that we have been able to make strong representations to the United Nations and the Combined Food Board at Washington and we have been able to get these imports or at least the promise of these imports. Now, Sir, if a Province went on its own begging for allocations I do not think it would have succeeded. There is also the question of transport and it is only the Centre which can control movement and provide transport. In a time of scarcity and emergency like this it is most important, to my mind, that all the Provinces should work together and work to a common plan. I do not have much doubt that Provinces will agree to continue the policy that we have so successfully pursued so far. There is a good deal of agreement between the Provinces today as there has been in the past, and I hope that nothing would be done to break that.

Sir, mention was made of an offer said to have been made by the Indonesian Premier of a large quantity of rice. I received information about it only today and I am looking into the matter. I do not know whether an offer was really made and when, but I shall pursue the matter and if there is any rice to be obtained from Indonesia the House may rest assured that we shall try to get it.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): It is one-half million tons, mentioned in an interview by the Indonesian Prime Minister.

The Honourable Sir Jwala Prasad Srivastava: We have not received the offer in the Food Department. I received a telegram today from my friend Mr. Sadanand of the *Free Press of India*, and I am looking into the matter. If that rice is available there we shall be very glad to have it.

Sir, this debate has taken the usual course; I do not think there are any major points which have been ventilated this evening and which I am required to answer. We have discussed almost threadbare all the details of food policy and administration. If there are still any points left or points made by speakers after me; my Honourable friend Mr. Sen will reply to them.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): Sir, I can assure you that I shall not detain the House for more than a few minutes, and that I am particularly anxious that Mr. Sen, the Food Secretary, should make his contribution to this debate. If I have decided to speak it is because of certain remarks which fell from my Honourable friend Mr. Siddiqi. The debate which we initiated this afternoon was not initiated in a light-hearted manner; and even if it were possible for me or for any Member of my party to emulate the manner and tone of Mr. Siddiqi we would not do so, particularly on a question of the nature and of the magnitude now before the House.

The Honourable the Food Member has laid down the policy of the Central Government in regard to this matter. I desire to impress upon him the lesson which we and others have learnt since the year 1943. It is this. The famine of 1943, and its aftermath have demonstrated the necessity of a strong Central Government which would be able to coordinate the activities of the different Provincial Governments in this country.

The Honourable Sir Jwala Prasad Srivastava: I agree.

Shri Sarat Chandra Bose: The Honourable the Food Member says he agrees. I have no doubt he does; but if I have raised this subject, it is because I consider it necessary to give him a warning against the fissiparous tendencies

that we see all round. Not only should this food problem be one which should engage the attention of the Central Government more than it has done in the past; there are other problems too in regard to which it is necessary that the Central Government should be the co-ordinating body with reference to the activities of the different Provincial Governments. And if I may venture to make a suggestion, one of the subjects to which the Central Government should apply its attention, energy and knowledge and also advise its officers to do so, is the subject of agriculture. In the course of this debate several suggestions have been made by the Honourable the Mover of this motion and by other speakers on behalf of my party who followed him; and I would request the Food Member and the Food Secretary to give careful consideration to the concrete suggestions already made. It was my privilege during the first food debate which took place—as far as I can remember—on the 30th January last to make six concrete suggestions. I do not know how many of these suggestions, which were welcomed by the Food Member himself, have been implemented by now.

The Honourable Sir Jwala Prasad Srivastava: Every one has been pursued.

Shri Sarat Chandra Bose: I suppose there is a difference between pursuing a subject and implementing certain suggestions. However, I want to add to the suggestions I made that the attention of the Central Government and the Provincial Governments should be concentrated more than before on the rural areas, because we have all found from experience that the rural areas have been neglected in the past. This lesson we learnt in 1943. Neglect of rural areas was what we were apprehensive of yesterday when news of starvation deaths came through the papers. I would ask the Food Member and the Food Secretary either directly or through the Bengal Government to give more attention to the rural areas than has been given in the past. The people of the rural areas do not start hunger-marches for the fun of the thing, notwithstanding the light-hearted effusions of my Honourable friend Mr. Siddiqi. Hunger-marches are due to hunger and not for the purpose of making political demonstrations. I would therefore request Government—particularly the Food Member and the Food Secretary—to pay particular attention to the rural areas, to examine the figures that may reach them regarding the stocks in the rural areas and to apply themselves more vigorously to the question of transport of food. That is a matter in which the Central Government can certainly do a great deal of good to the rural population.

The Honourable Sir Jwala Prasad Srivastava: We always do that. In November last I personally visited 35 districts of Bengal and went into the rural areas.

Shri Sarat Chandra Bose: I am glad to hear that the Food Member has applied himself to this question. But the distress in the rural areas continues, and there can be no doubt whatever that unless we are vigilant the distress will increase. And it is because we desire the Government of India to be more vigilant than before that we moved this adjournment motion.

Sir, I shall not detain the House any longer because we desire that before this debate ends the Food Secretary should make his contribution to it.

Mr. B. B. Sen: The debate this afternoon has covered a wide ground, but I propose to confine myself to the actual motion moved, i.e., deaths in the streets of Calcutta. I have this morning given the facts of the case as far as they are known to us. There have been two deaths from starvation in the second half of March. The other deaths reported were deaths due to other causes in hospitals, and deaths of paupers which are usually taken care of by the Municipal authorities. The admissions in the Auxiliary Hospitals in Calcutta have increased in recent weeks which shows that there has been some increase in the influx of destitutes from the surrounding areas. Bengal Government's attention has already been drawn to this and they have taken up the question of stopping the flow of the destitutes into the city. They have got three relief centres for the destitutes already working on the roads to Calcutta. They have taken up the setting up of another three homes for the destitutes.

[Mr. B. R. Sen.]

As for the destitutes in the streets of Calcutta, daily patrols have been arranged to remove these destitutes to the hospitals when necessary. In spite of all these arrangements, there have been deaths which are greatly regrettable, but the Bengal Government we are assured, are taking all possible steps to prevent such deaths in future.

The question arises whether the Bengal Government have got sufficient stocks to meet the situation. My Honourable friend, the mover of the motion, said that the 1945 rice crop in Bengal has been a total failure. He is not correct in his statement. The Bengal Government had themselves issued a press note some months ago to say that the crop position this year which had looked very dangerous in the month of August improved with the rains in September and their estimate was that they would get 94 per cent. of the normal rice crop this year. The normal rice crop is about 9.7 million tons.

Mr. Sasanka Sekhar Sanyal: Is the Honourable Member aware that this report of the Government was challenged by the national press and that there was no further communique issued by the Government?

Mr. B. R. Sen: We are satisfied that the best possible assessment has been made. Challenges are always made, but they are not proved. We are satisfied that the Bengal Government have made as good an estimate as anybody could. Their estimate is that there will be 9.2 million tons of rice as against the normal crop of 9.7 million tons. On this basis the Bengal position is better than that of most of the deficit provinces this year, and we do not think that the stock position need cause anxiety for the coming few months. We are constantly watching the situation in Bengal; we are in daily contact with the situation in Bengal; stock position is telephoned to us every morning. If at any time we find that the Bengal position has deteriorated or shown indications of deterioration, we shall do whatever is necessary to be done.

My Honourable friend, Mr. Sanyal, also asked the question what we meant by Bengal Government having sufficient stocks. It is true that the Bengal Government have not under their control all the surplus stocks of the province. But they have got sufficient stocks to meet their present commitments in rationed areas and to maintain their provisioning scheme. In Bengal certain areas are covered by statutory rationing and certain other areas are covered by provisional rationing, i.e., cards are issued to poorer sections of the people and they are assured of a certain ration on the production of cards.

Mr. Sasanka Sekhar Sanyal: May I know if the Honourable Member will consider the advisability of introducing extensive rationing in rural areas either on compulsory basis or otherwise?

Mr. B. R. Sen: That has been one of the main planks of our policy. We have constantly advised the Provincial Governments that they should extend rural rationing, especially in those areas where there is any apprehension of scarcity. In Madras there is statutory rationing over the whole of the Malabar district. In other districts there is informal rationing which is very much the same but without statutory backing. It is one of the main points of our policy that rationing should be extended to rural areas where trouble is apprehended and we have constantly pressed this on the Bengal Government and we have no doubt that Bengal Government will extend their rationing to rural areas where it is necessary to do so.

It is true, as I have said, that there have been two deaths, and I entirely agree that if there are deaths we must see why these deaths took place in spite of sufficiency of stocks and in spite of adequate arrangements for the destitutes. This is a matter which requires further examination and I assure the House that the Central Government will take up this matter with the Bengal Government, and if it is possible to remove any defects in the administration, we shall do so. We have every hope that the Bengal Government will fully co-operate in making their administration successful in this matter.

With your leave, I will read out a passage from a Press Note which has been issued by the Bengal Government on this matter:

"The Bengal Government have under observation the first signs of the outbreak of destitution in Calcutta."

Indicating the lines on which the problem is being dealt with, Government state that:

"Ample accommodation is available in destitute camps in Calcutta which have been kept in existence since 1943, and steps to remove destitutes from the streets to these camps have been resumed. At the same time preventive measures are being taken in the two districts from which destitutes have begun to arise in the 24 Parganas and Howrah, to arrest this flow both by the provision of home relief and employment at relief works in the districts, the point where distress originates, and by opening destitute camps to accommodate persons who have left their villages and intercept them so far as possible on the way to Calcutta."

See the Bengal Government now are sufficiently facing the situation. Apart from running these destitute homes in Calcutta they are trying to provide home relief to people in the rural areas. I think that the House should feel satisfied that the Bengal Government would do whatever is necessary to be done to prevent deaths from starvation in future.

Question has been raised as regards exports. My Honourable friend, Mr. Sanyal, said that one of the causes of the present development must be the panic which has been caused by reports about exports. I entirely agree that statements about large exports do create panic, but I do not agree with him that these statements are correct. Several statements had appeared in the press. The first statement that I saw was by the President of the Marwari Chamber of Commerce in which he gave certain figures. I investigated this matter through the Chief Controller of Exports here and through the Exports Trade Controller in Calcutta, and on the figures that we were supplied I issued a communication. In spite of the contradiction, another statement was issued by the President of the Marwari Chamber of Commerce. I contradicted that statement again in a weekly Press Conference that was held in Delhi. There have been several questions both in this House and in the Upper House in regard to this matter and on every occasion we have stated that the policy of the Government is that there should be no export of foodgrains from India.

The Honourable Sir Jwala Prasad Srivastava: And there has been none.

Mr. B. R. Sen: Mr. Sanyal said that he had documents with him. The documents which he is referring to is the daily export list. The President of the Marwari Chamber of Commerce also referred to that daily export list. I was in Calcutta last week and one of the things I did was to meet the President of the Marwari Chamber of Commerce, and ask him on what basis he was making those statements. He explained to me the statement on which he had based his reports. I went with him to the Exports Trade Controller's office and set round with him and the Exports Trade Controller and discussed the whole matter. It was quite clear to him after the discussion that he had made his statements on incorrect and inadequate information. He said that he was prepared to issue a statement to that effect. The point is that the daily export lists are supplied with the shipping documents of the shippers. These export lists do not necessarily represent the actual shipments made. The shipments very often fall short of the figures given in the export list. Sometimes they exceed the quantities mentioned there.

Mr. Sasanka Sekhar Sanyal: Is the Honourable Member in a position to say which of these items in the shipment report is incorrect, that is to say, which are the ships supposed to reach foreign countries and do not reach?

The Honourable Sir Jwala Prasad Srivastava: Every one.

Mr. B. R. Sen: I discussed this very point. According to him certain exports have taken place to foreign countries other than Ceylon and Ceylon is not one of the foreign countries. It was explained by the Exports Trade Controller that during the war, in order to prevent information being given about exports outside India were shown as exports to foreign countries. This practice continued till December 1945. Though there is a column in that daily export list to show exports to foreign countries and another to show exports to Ceylon, actually during the war all exports outside India were shown as exports to

[Mr. B. R. Sen.]

foreign countries. Therefore the statement that I made that out of 62,000 tons mentioned altogether 42,000 tons went to Ceylon though shown as to foreign countries, that statement was fully correct. Another item was export of 16,000 tons. It was actually an export to Mysore through the Port of Marmagoa and Marmagoa is a foreign port.

Mr. Sasanka Sekhar Sanyal: Will the Government of India consider the desirability of issuing a statement showing in the communique that consignments which were meant for foreign countries, giving the details, actually reached such Indian ports and they were availed of by such and such?

The Honourable Sir Jwala Prasad Srivastava: We have done that already.

Mr. B. R. Sen: It is very hard to allay the suspicions of Mr. Sanyal. We have done our best to place the facts before the House.

Mr. Sasanka Sekhar Sanyal: Incompetence and inefficiency will necessarily lead to suspicion.

Mr. B. R. Sen: Well, we shall leave it at that.

Sir, very valuable suggestions have been made in the course of this debate. For instance on the subject of distribution, Mr. Sanyal said that in 1943, there was wastage of foodgrains owing to inadequate arrangements for distribution. Since 1943, a good deal of improvement has been made in the matter.

Then as regards storage, it is true that a good deal of food was wasted owing to defective storage. The Bengal Government have since constructed storage to the capacity of 760,000 tons and the wastage has been greatly reduced. Several Members have raised the question of remunerative prices. This is a matter which we have discussed on innumerable occasions both inside and outside the House, and the Members opposite I am sure have no doubt as regards the views that we hold in this matter. The Honourable the Food Member has just mentioned that he would try to bring together the Premiers of the different provinces as soon as possible and discuss with them this among other subjects which vitally effect us at the present moment. Sir, I think this is about all I have to say. There are certain other points. We have made a note of them and we shall attend to them with the urgent consideration that they deserve.

Mr. Sasanka Sekhar Sanyal: Will the Honourable the Food Member please give an assurance that he and his Government will see to it that no such deaths occur in the near future. I express this because I appreciate the points made by the Government and as such I will not press the motion. Will he say that he will do all that lies in his power?

The Honourable Sir Jwala Prasad Srivastava: I would very much like to see that no deaths take place. But as I stated before, it depends mostly on the Provincial Governments and I could not give a guarantee of that kind. It is not possible for me to do so. I have not the machinery in the provinces to see to a thing like that.

Shri Mohan Lal Saxena (Lucknow Division: Non-Muhammadan Rural): Will he give an assurance that whatever lies in their power will be done?

Mr. Deputy President: He has already said that.

The Honourable Sir Jwala Prasad Srivastava: Certainly we will do that.

Mr. Sasanka Sekhar Sanyal: In view of the statement made by the Honourable Member, although I do not agree with all that he has said, still as he expects the Provincial Governments to play their part, and I believe the Provincial Governments will play their parts, I beg leave of the House to withdraw my motion.

Mr. Deputy President: Has the Honourable Member leave to withdraw? The motion was by leave of the Assembly withdrawn.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 11th April, 1946.

Thursday, 11th April, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar), in the Chair.

MEMBER SWORN

Mr. Hugh Weightman, C.I.E., M.L.A. (Secretary, External Affairs Department).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

PERSIAN GOVERNMENT'S NOTICE TO U. N. O. RE- NON-WITHDRAWAL OF RUSSIAN TROOPS

1689. *Prof. N. G. Ranga: Will the Foreign Secretary be pleased to state:

(a) if he is aware of the Persian Government's notice to the U. N. O. to bring the unsatisfactory state of its relations with Soviet Russia for discussion in the U. N. O.;

(b) whether it is a fact that Soviet Russian troops alone are in certain parts of Persia; if so, in what strength and in what parts of Persia; or whether British troops also are in Persia, if so, in what strength; and

(c) what the Soviet Government says in justification of its refusal to withdraw its troops from Persia?

Mr. H. Weightman: (a) Yes.

(b) and (c). All British forces were withdrawn from Persia by the 2nd of March, 1946. It is not possible to state accurately or in detail the strength and disposition of the Russian troops in North Western and part of North-eastern Persia. There are, however, encouraging indications of withdrawal in accordance with the agreement between Persia and Russia reported early this month to the Security Council for the complete evacuation of Russian troops by the 6th May.

Prof. N. G. Ranga: Are Government satisfied that so far as the oil interests of Persia are concerned neither the Anglo-Americans on one side nor the Russians on the other are trying to gain any special advantage at the cost of Persia?

Mr. President: I am afraid that is a question which concerns the Persian Government.

RUSSIAN AGGRESSION AGAINST PERSIA

1690. *Mr. Ahmed E. H. Jaffer: (a) Will the Foreign Secretary be pleased to place on the table a copy of the correspondence, if any, that has recently passed between the Government of India and the Secretary of State in connection with the wanton and unprovoked aggression on the part of the Government of the Soviet Union against the friendly and neighbouring State of Persia?

(b) Have Government made any protest on behalf of the people of India in regard to the threat on the part of the Soviet forces to the frontier of India in their advance through Persia? If not, why not?

(c) Have Government at any time drawn the attention of the Home Government to the anxiety of the people of India in regard to this vital matter.

Mr. H. Weightman: (a) I regret that the correspondence is confidential and cannot, therefore, be placed on the table of the House.

(b) and (c). As I stated in reply to supplementary questions arising from my answer to question No. 119, put by Mr. M. R. Masani, on the 21st March, 1946, Government took care to draw the attention of His Majesty's Government in the United Kingdom to the feeling of alarm and indignation to which wide expression had been given in India.

Mr. Ahmed E. H. Jaffer: Did it have the desired effect? Now that the situation has improved, was it due to the action on the part of the Government of India?

Prof. N. G. Ranga: Have the Government of India a diplomatic machinery of their own or a representative of their own in Persia to keep them in constant touch with the latest developments in that country?

Mr. H. Weightman: Does that question arise, Sir?

Mr. President: I think it does arise out of this question. The Honourable Member is entitled to ask for information as to whether the Government of India have got a machinery of their own in Persia?

Mr. H. Weightman: We have an Additional Counsellor of our own attached to the British Embassy in Teheran.

Prof. N. G. Ranga: Is that additional Consul subordinate to the Government of India or is he directly responsible to the British Government?

Mr. H. Weightman: He is appointed for the purpose of keeping us in the closest touch possible with events in Persia of interest to India.

Prof. N. G. Ranga: Who appoints him? Who pays him? And to whom is he subordinate?

Mr. H. Weightman: The Government of India pay him and he is subordinate to them.

Mr. Manu Subedar: Is there any special machinery on behalf of the Government of India in any other country of the kind which my Honourable friend mentioned? Is it not a fact that it is through His Majesty's Government that all foreign relations and all foreign information is secured by the Government of India?

Mr. H. Weightman: I must again ask, Sir, whether that arises out of this question.

Shri Sri Prakasa: Are the Government of India able to inform the Soviet Government direct from time to time, the feelings in our country in this behalf?

Mr. H. Weightman: If the Honourable Member desires to know whether the Government of India have any direct representation of their own in Moscow the answer is in the negative.

NEED FOR COVERED RAILWAY PLATFORMS AND OVERBRIDGES AT LEVEL CROSSINGS AT INDORE, B., B. & C. I. RAILWAY

1691. ***Pandit Mukut Bihari Lal Bhargava:** (a) Will the Honourable the Railway Member please state the annual income at the Indore Railway Station on the Bombay Baroda and Central India Railway?

(b) Is it a fact that Indore is the most thickly populated and industrialized town in the whole of Rajputana and Central India?

(c) Is it a fact that there is not a single covered platform on the Railway Station Indore and that there is not a single waiting room there?

(d) Is it a fact that the Railway Station is situated in the heart of the city, that there are two level crossings and that the public traffic is held up for a considerable time on several occasions during the course of the day in the absence of any over-bridge to the great hardship and inconvenience of the people of the town? If so, will the Railway administration consider the advisability of relieving the public from this great hardship and inconvenience? If not, why not?

The Honourable Sir Edward Benthall: (a) Information has been called for and I shall place it on the table of the House in due course.

(b) I am prepared to agree that Indore is thickly populated and is one of the major industrial towns in Central India.

(c) There is no covered platform at Indore but there is a third class waiting shed and upper class waiting room accommodation.

(d) The railway station cannot be said to be in the heart of the city. It lies between the city and the residential and administrative part of Indore.

There are two level crossings, one at either end of the station. As is usual where level crossings are situated in built-up areas, some delay to road traffic is unavoidable and undoubtedly occurs.

The provision of overbridges in place of the level crossings is a matter for the Civil as well as the Railway Administration and is under consideration.

Prof. N. G. Ranga: Is it proposed to provide a covered platform in the near future at Indore railway station?

The Honourable Sir Edward Benthall: I have not got that information without looking through the file, but all cases where accommodation requires to be improved are under consideration.

Shri Mohan Lal Saksena: With reference to part (c) of the question may I know whether there is any waiting room for third and inter class passengers at the station?

The Honourable Sir Edward Benthall: There is an open shed.

Shri Mohan Lal Saksena: I am asking about waiting rooms for inter class passengers.

The Honourable Sir Edward Benthall: I have no information on that point.

Shri Mohan Lal Saksena: Will the Honourable Member kindly see, if there is no waiting room for inter class passengers, that they should be permitted to avail themselves of the first and second class waiting room?

The Honourable Sir Edward Benthall: Plans for improving the amenities for passengers are under consideration on all lines. I cannot give a particular undertaking in reply to that particular question of my Honourable friend.

Shri Mohan Lal Saksena: In view of the importance of this particular station at Indore, there should be some waiting room for inter class passengers, if there is none already.

The Honourable Sir Edward Benthall: As I have said, the whole question is under consideration.

DIRECT TRAIN SERVICE BETWEEN KHANDWA AND AJMER

1692. ***Pandit Mukut Bihari Lal Bhargava:** (a) Will the Honourable the Railway Member please state the actual distance between Ajmer and Khandwa, and the time taken by 33 Up and 29 Up trains to reach Khandwa from Ajmer?

(b) Are Government aware of the inconvenience caused to the passengers who have to pass the whole night at Ratlam waiting for the train which they get only in the next morning? Do Government propose to consider the advisability of running 29 Up and 30 Down direct to avoid such inconvenience?

The Honourable Sir Edward Benthall: (a) The distance between Ajmer and Khandwa is 393 miles. No. 33 Up which is a through train, is scheduled to cover the distance in 26 hours 20 minutes. No. 29 Up terminates at Ratlam, and the journey from Ajmer to Khandwa by this train would take 32 hours 35 minutes, including a wait of 10 hours 5 minutes at Ratlam for the connecting train to Khandwa.

(b) Government recognize that every break of journey is attended with some inconvenience, but passengers to Khandwa are expected in their own interest to travel by the through train No. 33 Up. The question whether an additional

through train should be introduced is for the railway administration to decide according to the requirements of traffic on the one hand and their available resources on the other. This is a matter which I suggest could be suitably represented to the Administration through the L. A. Committee, but I shall send a copy of the question and my reply to the General Manager, B., B. & C. I. Railway for information.

ADVISABILITY OF STARTING NEW MAIL TRAIN ON MALWA LINE FROM AJMER TO KHANDWA

1693. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable the Railway Member please state if it is a fact that no Mail train runs on the Malwa line from Ajmer to Khandwa? If so, do Government propose to consider the advisability of running a Mail train on this line either by converting one of the passenger trains already running or by starting a new Mail train? If not, why not?

The Honourable Sir Edward Benthall: Yes, there is no mail train on the Ajmer-Khandwa Section. The suggestion to inaugurate a Mail Service should be put to the Railway Administration through the L. A. Committee. But, in the meantime, I am conveying it to the General Manager, B., B. & C. I. Railway.

HIGHER FARE CHARGED FROM III CLASS PASSENGERS TRAVELLING BY FAST PASSENGER AND MAIL TRAINS

1694. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state if Government are aware that third class passengers on the Bombay Baroda and Central India Railway, Metre Gauge, are required to pay higher fare, while travelling by fast passenger and Mail trains, than what they have to pay while travelling by ordinary passenger trains?

(b) Is it a fact that same fare is charged from superior class passengers irrespective of the fact whether they travel by ordinary passenger trains or by fast passenger or Mail trains? If so, why is this distinction made in case of superior class passengers?

(c) Do Government propose to consider the advisability of charging the same fare from third class passengers irrespective of the fact whether they travel by ordinary passenger or Mail trains? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Yes. Owing to limited third class accommodation in Mail and Fast trains, a slightly higher fare is charged from third class passengers travelling by such trains on the B., B. & C. I. Railway with a view to restricting the traffic in the interest of the longer distance travellers. No such consideration arises in the case of higher class passengers.

(c) The question of doing away with the existing difference in Mail and Ordinary third class fares on certain Railways is under consideration.

Prof. N. G. Ranga: Is it not possible for Government, now that the war is over, to provide greater accommodation for third class passengers by making a larger number of third class bogeys available and do away with the discrimination of fares between mail and passenger trains?

The Honourable Sir Edward Benthall: The plan is to do so as soon as rolling stock is available. But at present there is not sufficient rolling stock.

INTER CLASS ON B., B. & C. I. RAILWAY (METRE GAUGE)

1695. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable the Railway Member please state if Government are aware that there is no Inter Class in the Bombay Baroda and Central India Railway, Metre Gauge? If so, do Government propose to introduce Inter Class on this line also? If not, why not?

The Honourable Sir Edward Benthall: Inter class accommodation is provided on certain Sections of the B., B. & C. I. Railway metre gauge, where the traffic offering justifies it and suitable stock is available. The second and third parts of the question do not, therefore, arise.

NEW SCHEME FOR RESERVATION OF BERTHS IN LAHORE

1696. *Hafiz Mohammad Abdullah: (a) Will the Honourable the Railway Member please state whether it is proposed to institute a new scheme for the reservation of berths in Lahore? If so, what is the new scheme, and the purpose for its institution in preference to the present system?

(b) What is the cost of the new scheme in men, material and accommodation? The Honourable Sir Edward Benthall: (a) A Combined Booking and Reservation Office has been opened in the Headquarters Office. All reservations will be made from this Office instead of the former arrangement under which this was done in two places, namely, in the Headquarters Office and at the Lahore Railway Station. The scheme has been introduced to put a stop to complaints from the public regarding reservation arrangements at Lahore, and also in order to ensure close liaison between the sale of tickets and reservation of berths.

(b) The scheme has involved an additional expenditure of Rs. 784 per month and the expenditure of a sum of Rs. 45,500 on reconditioning on modern lines of one of the rooms in the Headquarters Office.

REPRESENTATION OF MUSLIMS AND GIRLS UNDER NEW SCHEME OF RESERVATION OF BERTHS ON N. W. RAILWAY

†1697. *Hafiz Mohammad Abdullah: (a) Will the Honourable Member for War Transport please state the communal ratio of persons employed in the present Reservation office at Lahore?

(b) What will be the communal proportion when the new scheme of centralizing the policy in the N. W. Railway Headquarters office is brought into effect?

(c) Is it a fact that all officers in the Headquarters Office in charge of the reservation scheme are non-Muslim?

(d) Is it a fact that considerable difficulties are being experienced in the recruitment of girl Reservation Clerks?

(e) Is it a fact that sufficient number of girls of the requisite qualifications was not forthcoming (particularly Muslim) when the post was last advertised by the North Western Railway Subordinate Service Commission? Is it a fact out of the three girls already recruited not one is a Muslim girl?

(f) Is it a fact that the standard of qualifications is now being brought down from Intermediate to Matriculation?

(g) Is it a fact that some of the present incumbents of the posts of Reservation Clerks are graduates and F.As. having many years experience of the Railway working?

The Honourable Sir Edward Benthall: With your permission Sir, I propose to reply this question after replying to Question No. 1699. (a) I lay on the table a statement giving the required information.

(b) I lay on the table a statement which gives the position with regard to the vacancies already filled. Eight temporary posts of Lady Reservation Clerks, Class II, Grade I, remain to be filled and of these vacancies, six are reserved for Muslims but, in case a sufficient number of Muslims is not forthcoming to satisfy the quota reserved for them, the balance of the vacancies will be treated as unreserved.

(c) The reply is in the affirmative. (d) to (f). In response to an advertisement issued in January 1946, by the N. W. R. Service Commission for the recruitment of ten Lady Reservation Clerks, only thirteen candidates applied, seven of whom, including one Muslim, were eligible and were called for interview, but only two candidates (not three), viz., one Anglo-Indian and one Indian Christian, were found suitable and were

†This question was taken up after Q. No. 1699, but it has, however, been printed serially in these Debates.—Ed. of D.

appointed. Government are informed that the poor response to the advertisement was due to the high educational requirements, viz., F. A. or F.Sc., Senior Cambridge or its equivalent, and to attract a sufficient number of candidates and to provide a wider field for selection, another advertisement has been issued by the Commission in which the standard of educational qualifications has been lowered to Matriculation or Junior Cambridge or its equivalent.

(g) Of the seven temporary Reservation Clerks, Grade III, who were employed at the Lahore Railway Station and are now temporarily utilized in the Headquarters Office on reservation work, one is a graduate and another has passed the F.Sc. examination. Both of them have rendered a number of years service on the railway, but only about six months of this service was spent on reservation duties.

Statement showing the communal composition of Reservation Clerks at the Lahore Railway Station

	Anglo-Indians	Muslims	Hindus	Total
(1) Reservation Clerks, Grade IV (150—10—190)	1	1	...	2
(2) Reservation Clerks, Grade III (105—5—140)	...	4	3	7
Total	1	5	3	9

Statement showing the communal composition of Reservation Clerks at the Headquarters of the North Western Railway, Lahore

Category of Staff	Muslims	Hindus	Sikhs	Anglo-Indians and Domiciled Europeans	Indian Christians	Total
Reservation Supervisor (320—15—380—20—500)	...	1	...	...	...	1
Reservation Incharge (150—10—190)	*2	...	...	...	...	2
Clerks (100—5—140)	...	1	...	...	...	1
Clerks, Class I Grade II (65—5/2—85)	1	...	...	...	...	1
Booking Clerks (105—5—140)	...	1	...	...	...	1
Booking Clerks, Grade II (66—4—90)	...	2	...	...	...	2
Temporary Lady Reservation Clerks, Class II Grade I (100—10/2—120)	...	...	...	1	1	2
Total	3	5	...	1	1	10

*One out of these two is officiating temporarily.

Mr. Ahmed E. H. Jaffer: With regard to the answer to part (c) of the question, may I ask the Honourable Member the reasons why all the officers in the headquarters office, in charge of reservation schemes, are non-Muslims and why there is not even one Muslim Officer? What is the difficulty? Were these posts advertised. or is it, as usual, that Muslims are not forthcoming or are not to be found?

The Honourable Sir Edward Benthall: I do not know. There is no undertaking to spread a particular community round the whole Department evenly.

PROPOSAL TO SHIFT RESERVATION OFFICE FROM LAHORE RAILWAY STATION TO HEADQUARTERS OFFICE

1698. *Hafiz Mohammad Abdullah: Will the Honourable the Railway Member please state whether Government are aware that complaints have appeared in the press against the proposal of the North Western Railway to shift the Reservation Office from the Lahore Railway Station to the Headquarters Office of the N. W. Railway which is at some distance from the Railway Station?

The Honourable Sir Edward Benthall: Government are not aware of any complaints in the Press against the proposal referred to in the question.

Seth Yusuf Abdoola Haroon: If this reservation office was shifted from the station will it not be inconvenient to the passengers travelling on that railway?

The Honourable Sir Edward Benthall: I do not think so, once it is generally understood by the public. The whole object is to improve the service and the reliability for the public.

REVERTION OF MALE RESERVATION CLERKS AT LAHORE TO MAKE ROOM FOR LADY CLERK

1699. *Hafiz Mohammad Abdullah: (a) Will the Honourable the Railway Member please state whether Government are aware that it is proposed to revert a number of Reservation Clerks employed in the Lahore Reservation Office so as to make room for girl Reservation Clerks?

(b) Are Government aware that most of these girls will be entirely inexperienced and will have no background of the Railway working at all?

(c) Are Government aware that the present male Reservation Clerks have been working as such for several years and have suffered the stress and strain of the War condition?

(d) Are Government aware that many Reservation Clerks junior to them are working as such in other Divisions and at other Railway Stations?

(e) If the new scheme of employing Lady Reservation Clerks has to be enforced, do Government propose to consider the advisability of reverting the junior most Reservation Clerks rather than the Reservation Clerks at the Lahore Station?

The Honourable Sir Edward Benthall: (a) As the result of frequent complaints by the public against the Reservation Clerks employed at the Lahore Railway Station, it was decided to transfer the work of reservation of berths to the Head Office of the N. W. Railway and to employ Lady Reservation Clerks. This decision will result in the replacement of seven male Clerks who were employed in an officiating capacity against seven temporary posts, but Government are informed that efforts will be made to provide them in other posts carrying the same scale of pay. Those who cannot be so provided will be reverted to their substantive appointments.

(b) Government do not consider that this will be necessarily true. In any case the candidates will be given suitable training.

(c) The reply to the first portion is in the affirmative but as regards the latter portion, Government cannot subscribe to the view that the Reservation Clerks in question have suffered the stress and strain of war conditions to any serious degree.

(d) and (e). Reservation Clerks, as a separate class, are employed only at Delhi and, prior to the change, referred to in the reply to part (a) above were also employed at Lahore. As the unit of promotion of Reservation Clerks up to Class II, Grade I is the Division, the seniority of Reservation Clerks officiating in that Grade in the Lahore Division cannot be combined with that of similar Clerks on the Delhi Division for the purpose of determining reversions to substantive rank.

Mr. Ahmed E. H. Jaffer: What is the idea of appointing lady clerks in place of men? Is it that girls are more efficient than men, or is it to encourage the public to travel more because we have girls selling tickets?

Mr. President: Order, order. The Honourable Member wants to know why preference is given to girls.

The Honourable Sir Edward Benthall: It is an experiment for the purpose of trying to improve reservation.

Mr. Ahmed E. H. Jaffer: How?

The Honourable Sir Edward Benthall: By concentrating the reservation at the headquarters. And it is hoped that the lady clerks will show better patience and courtesy with the public. It will also, we hope, remove malpractices due to collusion between the platform and the reservation staff.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member hopeful of success being achieved by this experiment, and if so will the experiment be tried at other centres all over India?

The Honourable Sir Edward Benthall: Let us see the result of this first.

Miss Maniben Kara: Is it not a fact that efficiency has increased since the appointment of women to these posts?

The Honourable Sir Edward Benthall: I am not quite certain. We shall have to wait and see.

Mr. Ahmed E. H. Jaffer: May I know from the Honourable Member whether the object of this is not indirectly to re-employ the W. A. C. (I) girls?

The Honourable Sir Edward Benthall: Sir, the answer is in the negative.

RESERVATION OFFICE IN HEADQUARTERS OFFICE OF N. W. RAILWAY

1700. *Hafiz Mohammad Abdullah: (a) Will the Honourable the Railway Member please state whether it is a fact that one of the reasons for the institution of the new scheme of the centralization of the Reservation Office in the Headquarters Office of the North Western Railway is the necessity for checking corruption and bribery said to be rampant in such offices?

(b) Is it a fact that no Reservation Clerk has so far been charged either departmentally or through the Anti-corruption Department of the Government of India with any specific charge of accepting illegal gratification? If not, will Government please state any specific case in which bribery and corruption have been proved against the Reservation Clerks?

(c) Why are the two Posts of Reservation Clerk Grade II, being abolished from the Headquarters' Office Reservation Scheme?

The Honourable Sir Edward Benthall: (a) One of the reasons for the introduction of the new scheme is to check possibilities of corruption and bribery.

(b) The reply to the first portion of the question is in the affirmative. As regards the second portion, there has been no specific case of proved acceptance of illegal gratification on the part of any Reservation Clerk.

(c) There are no Reservation Clerks in Grade II. The question of any such posts having been abolished, therefore, does not arise.

UNION OF SOUTH AFRICA'S DEMAND FOR FORMER GERMAN SOUTH WEST AFRICA

1701. *Sri S. T. Aciayan: Will the Foreign Secretary please state:

(a) whether Government are aware of Reuter's news, dated the 15th March, 1946, from Cape Town, that General Smuts, the Prime Minister of the Union of South Africa, announced at the South African House of Assembly that he will at the next meeting of the United Nations' Organisation claim the incorporation of the South-West Africa in the South African Union;

(b) whether Government are aware that the *Indian opinion* wrote an editorial recently urging that such incorporation will be against the Indian interests;

(c) whether Government are aware that the public opinion of the Indian community in Africa and India are opposed to the inclusion of the South-West Africa in the Union of South Africa;

(d) whether the representative of the Government of India at the United Nations Organisation has been instructed to oppose the proposal; and

(e) if the India Government's spokesman at the United Nations Organisation has not been already instructed to oppose the proposal to incorporate South-West Africa in the Union of South Africa, whether Government propose to instruct him now to oppose the said proposal in view of the public opinion of Indian community in India and Africa?

Mr. H. Weightman: (a) Yes.

(b) I have not seen the editorial in question.

(c) Government are aware that such an opinion has been widely expressed.

(d) and (e). I would refer the Honourable Member to part (b) of my reply to question No. 1584, asked by Prof. N. G. Ranga, on the 5th April 1946.

Seth Govind Das: Will the Government see that no portion of Africa is taken by South Africa and will the Government oppose any such proposal of Field Marshal Smuts in this respect?

Mr. H. Weightman: It certainly is not within the competence of this Government to see that such a thing happens or does not happen in Africa. As for the rest, I would again refer the Honourable Member to the replies given on the 5th April, 1946, both to the substantive question and also by the Honourable the Leader of the House to supplementary questions.

Mr. Manu Subedar: Will the Honourable Member tell the House what steps are being taken in order to see that the position of Indians now in West Africa is not worsened by the territory being absorbed by South Africa?

Mr. H. Weightman: I am afraid that question should be addressed to the Commonwealth Relations Department. I may mention here that the Indian population of South West Africa amounts only to fourteen.

Prof. N. G. Ranga: Who is our delegate to the U.N.O. now? Is there any permanent delegate associated there as India's delegate or is the next delegate to be selected by the Government? Is that the position when the next session of the U.N.O. meets?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is so.

Prof. N. G. Ranga: I have the authority from Sir Vijaya Ananda to put his questions, Sir.

Mr. President: For today?

Prof. N. G. Ranga: Yes, Sir.

Mr. President: Very well; they will be taken at the end.†

†These questions and answers have, however, been printed serially in these Debates.—
Ed. o' D.

SAFEGUARDING OF INDIAN INTERESTS IN PACIFIC.

†1702. *Maharajkumar Dr. Sir Vijaya Ananda: Will the Foreign Secretary be pleased to state:

(a) whether it is a fact that India has been invited to the Dominion Premier's Conference to discuss mainly matters pertaining to the Pacific; and

(b) if so, what steps are being taken to safeguard the Indian interests in the Pacific?

Mr. H. Weightman: (a) and (b). I imagine that the Honourable Member has in mind the statement made by the Prime Minister in the House of Commons on the 18th March on the subject of forthcoming consultations in London between the Commonwealth Prime Ministers. Mr. Attlee stated that consultations had been proceeding in the hope of arranging a meeting of Commonwealth Prime Ministers during April but that it had not proved possible to arrange a meeting at which all the Prime Ministers could be present simultaneously. Arrangements had therefore been made to hold a series of consultations in London at times convenient to all concerned. It was added that the main subject for discussion would be matters pertaining to the Pacific, but that the consultations would afford opportunity for conversations on other matters of common concern.

It is understood to be the intention of His Majesty's Government to invite also a representative from India at a suitable stage.

APPOINTMENT OF SIR GEOFFREY PRIOR TO REPRESENT INDIAN GOVERNMENT'S VIEWS BEFORE COUNCIL OF FOREIGN MINISTERS.

†1703. *Maharajkumar Dr. Sir Vijaya Ananda: (a) Will the Foreign Secretary be pleased to state if it is a fact that the Government of India have appointed Sir Geoffrey Prior to represent their views before the Council of Foreign Ministers?

(b) If so, why was it that no Indian official was deputed for the purpose?

Mr. H. Weightman: (a) The Honourable Member presumably refers to the first meeting of the Council of Foreign Ministers which was held in London in September 1945. The Government of India appointed Sir Geoffrey Prior to represent their views on any question on which India, as one of the United Nations, might have been invited to submit views for the consideration of the Council.

(b) No Indian official with the requisite experience was available at short notice at that time.

PROPOSAL TO APPOINT MR. ROWLERSON, GENERAL MANAGER, O. T. RAILWAY AS MEMBER, TRANSPORTATION.

1704. *Sri R. Venkatasubba Reddiar: (a) Will the Honourable the Railway Member please state if it is a fact that the present Member, Transportation, is due to retire on or about July 1946?

(b) If the answer to (a) is in the affirmative, do Government propose to give him an extension of service? If so, how long and why?

(c) Is there any proposal to fill this post by bringing in Mr. Rowlerson, General Manager, Oudh and Tirhut Railway?

(d) Are Government aware that there was a universal complaint against the maladministration of the present Oudh and Tirhut Railway (formerly Bengal and North Western Railway) of which Mr. Rowlerson is the General Manager?

(e) What are the reasons for the selection of Mr. Rowlerson?

+This question was postponed to be taken up at the end, the questioner being absent; but as it could not be reached during question hour the reply was laid on the table :-
Ed. of D.

(f) Do Government propose to consider the advisability of appointing a suitable Indian to the post of Member, Transportation? If not, why not?

The Honourable Sir Edward Benthall: (a) No, but the Member, Transportation, is due to retire on 31st October, 1946.

(b) No. The second part does not arise.

(c) Yes, it is proposed to appoint Mr. Rowlerson, General Manager, O. T. Railway, to succeed Mr. West as Member, Transportation, in the Railway Board.

(d) Government are aware of certain differences between the administration of the O. T. Railway and State Railway practice due to the fact that the constituent parts of the O. T. Railway until recently operated under company management. Government do not admit this as evidence of maladministration.

(e) After taking all the factors into consideration, Government have selected Mr. Rowlerson as being the most suitable person available for filling this particular post.

(f) Government have considered the claims of all officers eligible for appointment to the post. I would add that such appointments are not made on the basis of communal or racial considerations.

Prof. N. G. Ranga: Why is it that Government have not thought of appointing an Indian to this post?

The Honourable Sir Edward Benthall: They have thought of it.

Prof. N. G. Ranga: Why is it that they have not appointed an Indian?

The Honourable Sir Edward Benthall: I would refer the Honourable Member to my answer to part (e). Mr. Rowlerson has been considered to be the most suitable officer available.

Mr. Manu Subedar: In view of the fact that the personnel of the Railway Board and the exclusion of Indians therefrom has been commented upon in this House over and over again, throughout the Railway Budget debates, has not the Government of India now in future appointments, made up their mind to consider the claims of an Indian?

The Honourable Sir Edward Benthall: They have, and if the Honourable Member has read his papers, he will have observed the appointment of two Indians to the Railway Board.

Diwan Chaman Lall: May I ask whether the selection was made by my Honourable friend or anybody else? Who was the authority that made this particular selection and came to the decision that no suitable Indian is available for this post?

The Honourable Sir Edward Benthall: The Government of India.

Diwan Chaman Lall: May I take it that in the first instance, then, it is my Honourable friend, the representative of European interests who made this selection and then placed it before the Government of India?

The Honourable Sir Edward Benthall: I am not prepared to disclose how the Government of India arrives at its decisions.

Diwan Chaman Lall: May I take it that this matter did come up before my Honourable friend, who is answering this question and who represents European interests in this country and that he recommended that this European, instead of an Indian, should be appointed to this post?

The Honourable Sir Edward Benthall: Of course it came before me; and I represent all interests in this country.

Mr. Manu Subedar: May I know whether one of the two appointments mentioned by my Honourable friend is not that of Mr. Puri, which is a purely acting appointment and why that appointment is acting? May I know why

Indians are put in the Railway Board now and then, just to please this House, and merely in acting appointments and why are they not made permanent?

The Honourable Sir Edward Benthall: Would the Honourable Member wish that an Indian should not fill up an acting appointment when such appointments are available?

Mr. Manu Subedar: Are the permanent members of the Railway Board now all non-Indians? Is it not true that the two names mentioned by my Honourable friend are only for acting appointments?

The Honourable Sir Edward Benthall: No; the second appointment, that of Mr. Khan, is Member for Staff and that is a permanent appointment, to take the place of Col. Wagstaff when the latter retires.

Mr. Manu Subedar: In other words, today, is it a fact that there is only Mr. Puri who is acting and he is the only Indian?

The Honourable Sir Edward Benthall: Yes; at the moment that is so; but Mr. Khan will soon come in.

Mr. Manu Subedar: Therefore when my Honourable friend said that there were two appointments of Indians made by the Government of India, his answer was somewhat misleading?

The Honourable Sir Edward Benthall: No; I deny that; I said that if the Honourable Member had read his papers, he would have observed that two appointments of Indians had been made.

Diwan Chaman Lall: May I ask my Honourable friend if he is prepared to give on the floor of the House the names of the Indians who were considered for this particular post?

The Honourable Sir Edward Benthall: No; I am not prepared to disclose how Government arrives at its decisions.

Diwan Chaman Lall: Is my Honourable friend prepared to give the names I do not ask how Government comes to a decision, I merely want the names of the Indians who were considered along with the name of Mr. Rowleson.

The Honourable Sir Edward Benthall: No; I think it would be highly invidious to disclose such proceedings.

Dr. Sir Zia Uddin Ahmad: May I ask whether there is any Muhammadan on the Railway Board now?

The Honourable Sir Edward Benthall: Mr. Khan will be a member of the Railway Board as soon as he takes over from Col. Wagstaff.

Mr. Ahmed E. H. Jaffer: What is meant by the fact that the Government of India made this appointment? Does it mean the Governor General in Council or the Executive Council or only the member in charge of the portfolio?

The Honourable Sir Edward Benthall: The Government of India is the Governor General in Council.

Mr. Ahmed E. H. Jaffer: May I ask whether the Indian Members of the Executive Council ever protested to the Honourable Member against appointing a Non-Indian to this post, especially when there were so many complaints against this person, as admitted by the Honourable Member?

The Honourable Sir Edward Benthall: The Government is not prepared to disclose how it arrives at its decisions.

Prof. N. G. Ranga: Is it or is it not a fact that the policy of the Government of India is to Indianise the Railway Board and if so, when do they hope completely to Indianise it?

The Honourable Sir Edward Benthall: In course of time, yes; but not if it involves unfairness to officers who have served India well.

Diwan Chaman Lall: May I give notice, in view of the seriousness of this matter, that I shall raise it as a matter of adjournment of the House at the earliest moment?

Mr. Ahmed E. H. Jaffer: The Honourable Member "in course of time": what is meant by "course of time"? Five, or ten or fifteen years?

Mr. Manu Subedar: A couple of centuries!

The Honourable Sir Edward Benthall: If the Honourable Member had listened to my answer, he would realise that it is not possible to put a term of years to it. I said that the proposal is to Indianise, but not if it involved doing injustice to European officers who have served India loyally and well.

(Seth Govind Das Rose to ask a question)

Mr. President: This will be the last supplementary question on this.

Seth Govind Das: How long is this question of Indianising the Railway Board going to take? Is the Government even thinking of Indianising the Railway Board?

The Honourable Sir Edward Benthall: We had a considerable debate on this subject in the course of the Railway Budget, in which I explained the circumstances in which at the present time we still find that a large number of senior officers of the railways are Europeans—for historical reasons; the historical reasons being that officers who joined the service some 25 or 30 years ago were largely European. I remember quoting to this House a statement that about 1924, two-thirds of the officers were Europeans; and about ten years before that, probably 90 per cent. were Europeans. Therefore, of all the officers who are right at the top and whom one would naturally expect would be considered for these jobs, the great majority are Europeans; and it is not easy to Indianise these posts without doing a serious injustice to officers who have served India loyally and well.

AIRWAYS CONNECTIONS BETWEEN CERTAIN BIG CITIES.

1705. *Sri N. Narayanamurthi: Will the Secretary for Posts and Air be pleased to state:

(a) when the much-needed and long-awaited direct Airway connection between Delhi and Madras is going to be opened for civilian traffic;

(b) whether there is any proposal to connect Calcutta with Madras by a direct air-line with intermediary stations at Bhubaneswar and Vizag; and

(c) whether the Government propose to consider the advisability of developing Gannavaram Air Port in the proximity of Bezwada, into a first class Station, to serve as a Junction of not only the two main air-lines between Delhi and Madras and Madras and Calcutta, but also for any prospective Vizag to Bombay line via Bezwada and Secunderabad?

Sir Gurunath Bewoor: (a) It is intended to establish a civil air transport service between Delhi and Madras as soon as the operating companies are in a position to undertake the operation.

(b) The Honourable Member is referred to the Post-war Air Transport Plan, a copy of which is in the Library of the House. The air service between Calcutta and Madras will probably include landings at Cuttack, Vizagapatam and Bezwada, but the precise route will be a matter for the decision of the Air Transport Licensing Board. It is unlikely that a landing will be made at Bhubaneswar.

(c) The Honourable Member is referred to the Post-war Programme of Civil Aviation Capital Works, a copy of which is in the Library of the House. It is the intention to develop a civil aerodrome at Bezwada, probably at Gannavaram. The routing of air services will be a matter which the Air Transport Licensing Board will decide in due course. An air service from Vizagapatam to Bombay via Bezwada and Secunderabad is not at present contemplated.

Seth Yusuf Abdoola Hareon: Which is the company which has been given the license for operating this route?

Sir Gurunath Bewoor: No company has been given any license yet.

Seth Yusuf Abdoola Haroon: May I know from the Honourable Member what action he has taken on the supplementary questions put the other day that there is urgent need of a debate in this House and whether he will consider having a debate before the Session comes to a close, regarding the air services in India?

Mr. President: How does that arise?

Seth Yusuf Abdoola Haroon: When these licenses have been given to a company and the licensing board is still being formed, we do not know what form it will take. Therefore there is urgent need that there should be a debate in this House before the licensing board is formed and licenses are given to any of the companies.

Mr. President: The matter may be relevant but it does not arise.

Haji Abdus Sattar Haji Ishaq Seth: With regard to part (a), will the Honourable Member be a little more definite than he is? Can he say by what time the operating companies will finish their preparations?

Sir Gurunath Bewoor: It is very difficult to say. Certain companies have purchased aircraft which are now being modified for passenger transport and they are also engaged in selecting personnel and when these are ready, permission will be given to operate this service on a temporary basis until the licensing board has been constituted and they issue licences.

Prof. N. G. Ranga: With reference to part (a) of the question, in view of the fact that passengers are put to inconvenience in having to go to Bombay and then to Madras, will Government take this question into their active consideration and not postpone it to their post-war development plan?

Sir Gurunath Bewoor: The matter is under active consideration. We are hoping that one of the companies at least will be ready with some aircraft as soon as possible. The exact date cannot be given because it is a question of modifying certain types of aircraft used for military purposes for passenger transport.

Haji Abdus Sattar Haji Ishaq Seth: Surely the Honourable Member can tell me whether this will take two months or three months.

Sir Gurunath Bewoor: I am very sorry I can't.

Haji Abdus Sattar Haji Ishaq Seth: It may take two or three years?

Sir Gurunath Bewoor: No.

Seth Yusuf Abdoola Haroon: If temporary licences are given to these companies, because they have invested money, will they have priority when the licensing board is formed?

Sir Gurunath Bewoor: No, Sir. They will be warned absolutely clearly that the permission now given to operate will give them no claim whatsoever.

Mr. Ahmed E. H. Jaffer: When will the licensing board be formed and licenses given for the new companies?

Sir Gurunath Bewoor: We will be constituting a licensing board fairly soon. As regards the second part of the question, the rules were laid on the table.

PRINTING OF MONEY ORDER FORMS ON BETTER QUALITY PAPER.

1706. *Sri N. Narayanamurthi: Will the Secretary for Posts and Air be pleased to state:

(a) whether he has seen and, if so, has bestowed any thought on the quality of paper which is now being used for printing Inland Money Order forms by the Postal Department;

(b) whether he is aware of the long delays in transmission which these Money Orders undergo, before they reach the addressee in soiled and sometimes torn condition; and

(c) whether, in view of the fact that the Money Order Receipts are in many cases required as evidence to be filed in courts of law, Income-tax and other offices, where again they have to stand the seasons of years,—passing from table

to table, the Honourable Member proposes to see that the Money Order Forms are printed on the old kind of stiff paper that was in use before?

Sir Gurunath Bewoor: (a) The paper used by the Postal Department for the printing of money order forms is of the requisite quality. Paper of unsuitable quality had to be used for a short time by a post office in the Punjab and N.-W. F. Circle. This was due to the fact that due to sudden shortage, printing had to be done locally and paper of the requisite quality was unobtainable at the time.

(b) It is not a fact that money order forms are unduly delayed or reach the addressee in soiled or torn condition.

(c) Paper of suitable quality is already in use and will continue to be used.

Shri Sri Prakasa: Do different provinces print their forms separately or are all the forms used in India printed at the same place?

Sir Gurunath Bewoor: All the forms are printed in two places, in Aligarh and Calcutta and these two presses supply the whole of India. As I mentioned, during the war, on a certain occasion there was a sudden shortage of money order forms and I believe it was the Lahore Post Office which was permitted to get forms printed locally for a short time. They could not get paper of the requisite quality in Lahore and it was thought better to have forms of thin paper rather than no forms at all.

DIFFERENCE IN FARES DUE TO CHANGE OF ROUTE ON CERTAIN SECTION OF N. W. RAILWAY.

1707. *Sardar Mangal Singh: Will the Honourable the Railway Member please state:

(a) whether a passenger travelling by the 34 Down Passenger Train from the stations of Sura Nusai, Jullundur City, Goraya, Phillaur, Ladowal, Ludhiana, Sanahwal, Doraha, Chawapail, Sadhugarh, Sarai Banjara and Sambhu to Delhi on the North Western Railway is entitled to change the route of travel by the 58 Down Passenger Train at the Ambala Cantonment; if not, the reasons therefor;

(b) if there is any difference in fares from those stations to Delhi *via* Saharanpur (the route of travel by the 34 Down Passenger Train) and *via* Karnal (the route of travel by the 58 Down Passenger Train); if so, what they are;

(c) if the change of route or of travel by a train at Lahore, Ambala Cantonment or Delhi for journey between Lahore and Delhi and intermediate stations *via* different routes from station up and downwards to those junctions is not permissible by rules; if so, the particulars of the rule; and

(d) if the change of travel or of route from one train to another at a Junction Station is a break of journey under a rule made under Section 47(1) of the Indian Railways Act, 1890; if so, the particulars of that rule?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the affirmative. The latter part does not arise.

(b) There is no difference in the fares between the stations referred to, *via* Saharanpur-Ghaziabad route and *via* Ambala-Karnal route. The latter part of the question does not arise.

(c) The change of route is permissible subject to certain conditions. In this connection the Honourable Member is referred to Rule 66 of the I. R. C. A. Coaching Tariff (No. 14) a copy of which is available in the Library of the House.

(d) A change of route in accordance with the rules in force, does not constitute break of journey provided the first available train is caught. The second part of the question does not arise.

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

I. AND II CLASS FARES ON B., B. & C. I. RAILWAY.

1708. ***Shri Sri Prakasa**: Will the Honourable the Railway Member please refer to his reply to starred question No. 1082 asked on March 20, 1946, and state:

(a) if it is a fact that a first class ticket usually costs twice as much as a second class ticket; and secures the reservation of a whole berth on the Bombay Baroda and Central India Railway, while three tickets secure a berth in a second class; and

(b) why a second class berth is put down as one and a half times more expensive than a first class berth?

The Honourable Sir Edward Benthall: (a) A first class ticket on the B., B. & C. I. Railway costs, I understand, twice as much as a second class ticket and on long distance trains such as the Frontier Mail, the Administration endeavours to arrange that both a first class and a second class ticket shall entitle the holder to a berth. On the particular trains to which my Honourable friend refers, which are shorter distance trains for which a very heavy demand for second class accommodation normally exists at the present time, no reservation of second class berths is at present permitted. Passengers may, however, reserve seats in the second class on purchase of tickets and three seats are apportioned to each lower berth in order to meet the convenience of the maximum number of persons wishing to travel second class. As a four-berth compartment has two upper berths and a six-berth compartment has three upper berths, one of the passengers booking a seat secures an upper berth for sleeping purposes and two passengers secure seats on the lower berth.

(b) Does not arise.

Mr. Ahmed E. H. Jaffer: Is it a fact that the passenger who wants to reserve a compartment of four berths by buying six tickets is not allowed to travel because the railway authorities take objection saying there are only four persons travelling and they must have two more passengers added into the compartment? Is it clear?

The Honourable Sir Edward Benthall: It is so and it is in the interests of the public. If six persons want to travel and only four are allowed, it excludes the other two.

Mr. Ahmed E. H. Jaffer: If the six tickets have been paid for, how does the Honourable Member make sense of this?

Mr. President: The Honourable Member is arguing.

The Honourable Sir Edward Benthall: If the Honourable Member will read my answer carefully, he will see that it does make sense.

Shri Sri Prakasa: So far as the railway itself is concerned, they get for a second class berth one and a half times more than what they get for a first class berth? Is that right and proper?

The Honourable Sir Edward Benthall: It is a case of a berth *versus* three seats. It is purely fortuitous but it is a fact. It is done not for the purpose of making money but for the purpose of accommodating as many passengers as possible.

HIGH RATES OF FARES OF G. N. I. T. BUS SERVICE IN DELHI AND NEW DELHI.

1709. ***Miss Maniben Kara**: Will the Honourable Member for War Transport please state:

(a) whether there exists any machinery to associate public opinion with fixation of rates of fare on the G.N.I.T. bus services in Delhi and New Delhi;

(b) whether Government have made any provision in the agreement under which the G.N.I.T. operates its services, for the control and consultation in the matter of fixation of fares;

(c) if it is a fact that on the new service started by the G.N.I.T. Company for the Old Secretariat to New Secretariat route, the fares are much in excess of that the company charged previously on portions of the same route; and

(d) whether in view of the high charges fixed by the present operator company, Government propose to eliminate the monopoly and permit competing concerns to operate their services?

The Honourable Sir Edward Benthall: (a) Before fixing fares under Section 43 of the Motor Vehicles Act, 1939, a Provincial Government is required to hear the representatives of the interests affected and to consult the Provincial Transport Authority. There are non-official members of the Provincial Transport Authority, Delhi.

(b) Bus services are operated under a permit issued in accordance with the provisions of the Motor Vehicles Act, 1939. The procedure for fixing fares under Section 43 of the Act is separate from the procedure for the grant of permits.

(c) The Honourable Member presumably refers to the extension of the Pullman Service. The fares charged in respect of the extended Pullman Service are on the same scale as those fixed for the previous restricted Service but are higher than those charged in respect of the ordinary services. The intention is to provide a service for passengers requiring a better class of service.

(d) No. The trend throughout the world, especially in urban areas, is towards controlled monopolies. The whole question of the fares charged by the G. N. I. T. is under review by the Delhi Administration.

Miss Maniben Kara: Is the Honourable Member aware that the G. N. I. T. charges a minimum of annas three?

The Honourable Sir Edward Benthall: I was not aware of that. If the Honourable Member will put down a question, I am prepared to look into it and answer the same.

Miss Maniben Kara: Does the Honourable Member know that the charges from Delhi Gate to the Imperial Secretariat are ten annas?

The Honourable Sir Edward Benthall: The fare from Ludlow Castle to Scindia House is eight annas. I am not able to answer whether it is ten annas from Kashmere Gate to the Imperial Secretariat.

Miss Maniben Kara: Is the Honourable Member aware that the G. N. I. T. charges one anna per mile?

The Honourable Sir Edward Benthall: For Pullman service it is very likely to be so.

Shri Sri Prakasa: Are these buses run on petrol? If so, how much petrol is sanctioned for the purpose?

The Honourable Sir Edward Benthall: I have not got the figures. The Honourable Member will perhaps put down a question.

Shri Sri Prakasa: Is not the Honourable Member in a position to say straightaway whether these buses are run on petrol or not?

The Honourable Sir Edward Benthall: I cannot say off hand if all are.

Miss Maniben Kara: In these circumstances, will the Honourable Member not consider the possibility of bus service being undertaken by the Delhi Municipality because, on account of the high charges, the public cannot possibly make the best use of these buses, for whom they are meant?

The Honourable Sir Edward Benthall: I should like to take this opportunity of saying that the question of the bus services in Delhi has been under investigation by the Delhi administration and by the War Transport Department for some time. We have had the benefit of an expert in bus services from the U. K. who has examined the whole question. We shortly hope to receive a full report on the bus services in Delhi. The company has been labouring under

very considerable difficulties during war, due to shortage of fuel and inability to secure new vehicles and parts. I am not prepared to say that the service is entirely satisfactory or that the fares cannot be reduced. I think it is probable that with the reduction in petrol price, there should be some reduction in fares. But all I can say at the moment for certain is that the whole question has been and is under careful consideration by the Delhi administration and ourselves and I hope that in the near future there should be a steady improvement in the services to the public of Delhi.

GAZETTED OFFICERS IN INDUSTRIES AND SUPPLIES DEPARTMENT.

1710. *Seth Sukhdev: (a) Will the Honourable Member for Industries and Supplies be pleased to state how many gazetted officers are working at present in the Industries and Supplies Department?

(b) How many of them are superannuated or have been re-employed after getting pension?

(c) How many temporary gazetted officers are proposed to be made permanent now?

(d) How many of them are being retrenched?

Mr. M. W. M. Yeatts: (a) 1127.

(b) 36.

(c) No decision has yet been reached.

(d) 803 Officers have left the Department since V. J. Day out of a strength of 1930.

Seth Yusuf Abdoola Haroon: With reference to part (b), is it a fact that a majority of those people who are re-employed are Europeans?

Mr. M. W. M. Yeatts: A large number of them are Ordnance Factory men who have been retained during the war and onwards for reasons of specialised skill.

Seth Yusuf Abdoola Haroon: My question was whether those re-employed after getting pension were Europeans?

Mr. M. W. M. Yeatts: I cannot say. I think it is likely. I have not got the community figures, but I believe that 17 of them were from Ordnance factories.

Mr. Manu Subedar: What is the time which the Honourable Member proposes to take in the process of retrenchment, and how many people did the Honourable Member say in reply to part (d) were retrenched?

Mr. M. W. M. Yeatts: I will repeat the answer to part (d): "803 officers have left the Department since V. J. Day out of a strength of 1930."

Mr. Manu Subedar: In what time and at what rate is retrenchment proposed to take place?

Mr. M. W. M. Yeatts: A good deal of it has already taken place. There are certain amounts of clearing up activities that have got to go on and they are still being carried out in Calcutta and elsewhere. But the bulk of retrenchment has already taken place.

Sir Cowasjee Jehangir: May I ask whether the Government have assured themselves that those who are retained at present are doing a full day's work?

Mr. M. W. M. Yeatts: You know the psychological point that when a man is uncertain whether he will stay on or not, he tends to become slack in his work, and that undoubtedly exists, and as a result of that uncertain attitude, we want to get the terms settled as soon as possible.

Sir Cowasjee Jehangir: Is there any definition of the word 'slack' in work?

Prof. N. G. Ranga: What is the justification for retaining as many as 2000 gazetted officers in this Department? You have retrenched only 803?

Mr. M. W. M. Yeatts: There are only 1,127 left.

Prof. N. G. Ranga: What is the justification for keeping so many officers?

Mr. M. W. M. Yeatts: The justification is that that figure relates to the entire textile control, it relates to the entire Disposals side, it covers the entire procurement side and development of industries, it covers the clothing factories, saddlery factory, it covers Ordnance factories, coal commission, iron and steel control and the secretariat.

Prof. N. G. Ranga: Is it not a fact that the Government said that a majority of controls have been withdrawn and therefore, is it not reasonable for any one to expect that a majority of these officers should have been retrenched?

Mr. M. W. M. Yeatts: No, Sir.

Shri Mohan Lal Saksena: May I know whether the services of these superannuated officers re-employed have been terminated?

Mr. M. W. M. Yeatts: If this relates to part (b), some of these classes cover a very wide variety. In this category of -36, there are included men from Burma whose job in Burma ended and who found work in the Old Supply Department. Then, there is another man who retired on invalid pension due to an accident, but he made good recovery and he is on now. Ordnance factory people are another category; because of their special skill it was impossible to let them go during the war. A large proportion of them will go quickly as soon as they get passages.

FERTILIZER FACTORY AT DHANBAD.

1711. *Babu Ram Narayan Singh: Will the Honourable Member for Industries and Supplies please state the stage the proposed Fertilizer Factory at Dhanbad has reached?

Mr. M. W. M. Yeatts: An agreement has been entered into with the Chemical Construction Corporation of the United States for the design, supervision of erection and initial operation of the plant. A separate agreement with the Power-Gas Corporation in United Kingdom will be entered into for the supply, delivery and erection of specialized plant available with them and their own patent. The corporation will also be responsible as agents of Government for entering into contracts with suppliers of the rest of the plant after open tender and for the erection of such plant under the supervision of Chemical Construction Corporation Engineers.

Work at site for which Government are responsible including temporary accommodation and services for erection staff, land acquisition, water supply, railway facilities, is well in hand.

Mr. Manu Subedar: May I know why it was necessary to have a firm in addition to the American firm of Consulting Engineers who will collect equipment and charge this Government commission on what they themselves do not make?

Mr. M. W. M. Yeatts: The Chemical Construction Corporation of the United States will design the general lay out of the whole plant, the Power Gas Corporation of U. K. are the people who have certain elements of their own and they are the constructing agency who would have to be paid in any case.

Mr. Manu Subedar: I understand the Power Gas Corporation will make certain things themselves and will get certain other things made from other British or continental firms and they will charge a commission to the Government of India. My question is that generally the Government of India use consulting engineers and there is no second set of commissions paid; why was it necessary in this case to pay a second commission to a British firm?

Mr. M. W. M. Yeatts: I am not sure that there is any second commission of the kind suggested; but the reason for the action taken was to secure the best possible plant in this new venture.

Babu Ram Narayan Singh: By what time is the factory expected to start working?

Mr. M. W. M. Yeatts: It is rather difficult to say that; it actually depends on when the stuff comes. You have a date given in the original report and it will probably be about 1948. I think by the middle of this year or after six months we shall be able to be very much closer to a positive date.

Prof. N. G. Ranga: Is this factory expected to be Government owned and controlled?

Mr. M. W. M. Yeatts: The idea is that it should be a Governmental corporation in which the Central Government would have a large share,—possibly half,—and that Provincial and State Governments will be asked either to put up blocks of 25 lakhs each which would give them a seat on the board or to agree to take off a certain amount of fertilisers each year which would give them a seat on the board. The drafting of the actual instrument which would form that corporation is in hand and when we have got that ready we hope to take that particular matter a good deal nearer definiteness. So far we have had tentative agreements by Provinces and States for about 4½ crores of the capital and to take off about 258,000 tons per annum of the fertiliser.

Mr. Manu Subedar: May I have a little information as to whether it is intended that the company will be managed by managers or managing directors who will be full-time officers of Government? Or is it intended that the management of this Government factory will be given over to some firm or company established outside India?

Mr. M. W. M. Yeatts: The present intention is that the corporation will run the factory and the actual management or execution will be by officers of Government.

Shri Mohan Lal Saksena: Will the composition of this corporation be placed before the Standing Committee of the House?

Mr. M. W. M. Yeatts: It has been already mentioned before the standing committee and further stages of development will also be presented to it.

ABSENCE OF LIGHTS IN ASSAM MAIL TRAINS.

1712. *Sreejot Rohini Kumar Chaudhuri: Will the Honourable the Railway Member be pleased to state if it is a fact that no lights have yet been provided in the Inter and Third Class compartments and the Lavatories attached to all the classes of compartments in the Up and Down Assam Mail Trains running between Lado and Tinsukia?

The Honourable Sir Edward Benthall: I understand that by the end of February lights had been provided throughout the rakes of 3 Up and 4 Down Assam Mails in all compartments and lavatories. I am afraid I cannot say whether there has since been cent. per cent. replacements of any damages or thefts.

Sreejot Rohini Kumar Chaudhuri: May I inform the Honourable Member that after the reply given to my question on the 27th February last stating that there were lights on these trains, I came to know by personal inquiry that lights were not put up even as late as 20th March last?

The Honourable Sir Edward Benthall: My information is that lights were provided on these two particular trains, 3 up and 4 Down Assam Mails, which is the subject of the question, by the end of February, but I do not know whether they have since been fully replaced. As I said in reply to a previous question, there have been more thefts on the Assam section of the railway than in any other part of India. I do not know why. Theft particularly took place of lavatory lights, and I do not know whether they have all been fully replaced.

Sreejot Rohini Kumar Chaudhuri: May I tell the Honourable Member and warn him that he is giving wrong information in regard to this matter?

The Honourable Sir Edward Benthall: No, Sir; it is a case of my Honourable friends statement as against my statement.

Sreejot Rohini Kumar Chaudhuri: But I am speaking on personal knowledge.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware that similar difficulties are experienced by travellers on the B., B. & C. I. and G. I. P. Railways, and will the Honourable Member take immediate steps to see that such difficulties are removed?

Mr. President: I am afraid that that does not arise out of this question.

DELAYS DUE TO TRANSHIPMENT OF GOODS BETWEEN BROAD AND NARROW GAUGE AT PARBATIPUR AND SANTAHAR.

1713. *Sreejot Rohini Kumar Chaudhuri: (a) Is the Honourable the Railway Member aware that an inordinate delay is caused in the transit of goods from Calcutta and other important towns of Bengal to Aringaoon on account of the fact that they have to be transhipped either at Parbatipur or at Santahar from the Broad Gauge Line of the Railway to the Metre Gauge?

(b) Are Government aware that this transhipment is responsible for inordinate delay, pilferage and damage to goods, and that this is seriously impeding the progress of industry and agriculture in the Assam Valley Districts?

(c) In view of the circumstances stated in (b) above do Government propose to consider the feasibility of putting a metre gauge Railway line either from Parbatipur or from Santahar to Calcutta and *vice versa* to enable the carriages to run straight through to and from Calcutta?

The Honourable Sir Edward Benthall: (a) Some delay is inevitably caused at Parbatipur or Santahar where goods are transferred from the B. G. wagons to the M. G. wagons and *vice versa*, but Government are not aware that the delay is inordinate.

(b) Suitable arrangements have been made for the prevention of pilferage and damage to goods at transhipment points. Any specific cases of damage or pilferage would receive prompt attention if reported to the General Manager, B. A. Railway.

(c) The extension of the M. G. towards Calcutta has been considered and it has been decided not to proceed with this matter for the present.

Sreejot Rohini Kumar Chaudhuri: With regard to part (c), may I know what stands in the way of this project being carried out?

The Honourable Sir Edward Benthall: A very well worked-out proposal was put up by one of the officers of the railway last year and the whole question was thoroughly examined. It is obvious that if you have got a broad-gauge and metre-gauge you have got to have transhipment somewhere, and it is thought better to have transhipment away from Calcutta rather than in the highly industrialised area in and around Calcutta. Therefore it was thought that at least for the present it would not be possible to extend the metre-gauge down to Calcutta, bringing the complications involved in the change of gauge closer to a large industrial area. That in brief is the reason why it was not proceeded with.

Sreejot Rohini Kumar Chaudhuri: Are Government aware that so far as vegetables and fruits are concerned, practically empty baskets and empty packages are delivered in Calcutta.

The Honourable Sir Edward Benthall: I believe that has happened; steps have been taken to improve the watch and ward and otherwise to supervise transhipment.

Sreejot Rohini Kumar Chaudhuri: Are Government aware that the tea associations of Assam also complained about pilferage of their own goods and tins of butter and other things were pilfered on account of this transhipment?

The Honourable Sir Edward Benthall: Yes, Sir; I think that question was raised on the debate on the railway budget.

RECONSTRUCTION OF KATHIHAR JUNCTION ON B. A. AND O. T. RAILWAYS ON ONE SIDE OF TOWNS.

1714. *Choudhury Md. Abid Hussain: (a) Will the Honourable the Railway Member be pleased to state whether he is aware that Kathihar Railway Station, a big junction of the Bengal Assam Railway and Oudh and Tirhut Railway has no head and tail as it is situated in the middle surrounded by Railway lines?

(b) Is he aware that great inconvenience is caused to the public and specially to the women passengers while crossing the Railway lines to reach the main station building to purchase tickets, and go on the platform to get in to trains?

(c) Is he aware that the existing station building is insufficient for the purpose of work of the Railway staff?

(d) Do Government propose to reconstruct the station on the one side of the town to avoid this inconvenience to the public? If so, when? If not, does the Honourable Member propose to make an enquiry about it?

The Honourable Sir Edward Benthall: I have called for information and shall lay a reply on the table of the House in due course.

It may be said, however, as regards (b) that: (i) overbridges are provided which, if they are used, make it unnecessary for any passengers to cross the tracks, and (ii) booking offices are provided at the entrance to the station premises.

Mr. Ahmed E. H. Jaffer: May I know what is meant by the "head" and "tail" of a railway station? Have all of them got "heads" and "tails"?

The Honourable Sir Edward Benthall: I was myself a little puzzled about the anatomy of this particular station.

INSUFFICIENT III CLASS ACCOMMODATION ON TRAIN BETWEEN BADNERA AND AMRAOTI

1715. *Mr. P. B. Gole: (a) Will the Honourable the Railway Member be pleased to state whether the passenger train which was recently restarted between Amraoti and Badnera contains only two carriages one of which is reserved for the first and second class passengers?

(b) Is it a fact that prior to the 15th December 1945, there were at least four carriages of which only one compartment was reserved for the First and Second Class passengers?

(c) What is the approximate number of passengers going daily between Amraoti and Badnera?

(d) Is it a fact that one third class carriage is quite insufficient for passengers going to and from Badnera?

(e) Are Government aware that the Railway Authorities at Badnera purposely cause delay in starting the train with a view to tiring out passengers and forcing them to travel by bus?

(f) Is there any contract between the Great Indian Peninsula Railway and the Bus Company regarding the carrying of passengers between Badnera and Amraoti? If so, will the Honourable Member be pleased to place a copy of the agreement on the table of the House?

The Honourable Sir Edward Benthall: (a) The passenger shuttle service, introduced on the 1st March 1946 on the Badnera-Amraoti Branch, makes 4 trips a day each way, and consists of a bogie composite first-second and third and a bogie third with luggage and brake-van.

(b) It is quite possible, though I cannot say for certain, since details of the composition of the various services run all over India are not maintained by the Railway Board.

(c) I have no exact figures but I understand that the Honourable Member himself put the number at about two thousand persons a day.

(d) The accommodation provided, equivalent to a 3rd class bogie, together with the bus services now operating—which were not in existence before last December is, I understand, adequate to clear the traffic offering.

(e) No. There is no warrant for this suggestion.

(f) The reply to the first portion of the question is in the negative; the second portion therefore does not arise.

Mr. P. B. Gole: May I know what the accommodation is for third-class passengers in the one carriage in the shuttle train?

The Honourable Sir Edward Benthall: I am afraid I have not worked that out. There is a bogie composite first-second and third,—Probably therefore one-half of one carriage—and the whole of a second carriage less luggage and brake-van. It makes four trips a day each way.

Mr. P. B. Gole: May I inform the Honourable Member that accommodation for only a hundred passengers is available there and there are about 400 or 500 passengers travelling in every train?

The Honourable Sir Edward Benthall: Yes, Sir. The Honourable Member has also spoken to me on this subject and the matter has been referred to the railway administration. When additional stock is available doubtless the railway will consider whether it is desirable to restore the extra carriages.

Mr. P. B. Gole: May I know what became of the old stock which was there before the 15th December?

The Honourable Sir Edward Benthall: It was transferred to the Bina-Katni section where they have only one train every other day. In order to suit the public generally it was thought better to make use of these carriages on this section so as to give them a train every day, in view of the fact that it was possible to supply bus services for the Amraoti-Badnera line.

(b) WRITTEN ANSWERS

INSUFFICIENT III CLASS ACCOMMODATION ON TRAIN BETWEEN BADNERA AND AMRAOTI

1716. *Mr. P. B. Gole: (a) Will the Honourable the Railway Member be pleased to state whether Government are aware that a representation was sent by the public of Amraoti complaining about the utter inadequacy of accommodation for third class passengers in the train between Badnera and Amraoti?

(b) What reply, if any, was given by the Manager of the Great Indian Peninsula Railway to the representation?

(c) Is it a fact that the Bus Company plying between Amraoti and Badnera charges three annas per passenger whereas the Railway fare is only two annas?

(d) Does the Honourable Member propose to issue instructions to the Great Indian Peninsula Railway Authorities to restore carriages to the old number and start trains from Badnera immediately after the trains on the Main Line leave Badnera?

The Honourable Sir Edward Benthall: (a) A representation from the Secretary, Council of Action, Amraoti, complaining about the inadequacy of the accommodation for third class passengers on the train service between Badnera and Amraoti was received by the Railway Board on the 16th March 1946.

(b) Government have no information.

(c) Yes, but the bus users have the advantage of being carried to and from the Amraoti market.

(d) The restoration of further coaches on this service is a matter for the Railway administration to decide depending on traffic requirements and availability of stock. I am, however, sending a copy of this question and my answer to the General Manager, G. I. P. Railway.

GRIEVANCES OF LOCK MAKERS re TRANSPORT FOR MANUFACTURED GOODS FROM ALIGARH TO SOUTH INDIA.

1717. *Shri Mohan Lal Saksena: Will the Honourable Member for War Transport be pleased to state whether his attention has been drawn to the letter published in the *Hindustan Times*, dated the 28th March, 1946, regarding the grievances of lock makers? If so, what action does he propose to take to provide transport for the manufactured goods from Aligarh to South India?

The Honourable Sir Edward Benthall: I have read the letter to which the Honourable Member refers.

There is no restriction upon the movement of locks in particular from Aligarh and neighbouring stations to South India. Locks move as "smalls" traffic, i.e., in less than full wagon loads. Wagons for carrying "smalls" are allotted in Class V Priority on the East Indian Railway and they move from the Aligarh area to South India via the G. I. P. Railway. Since the 22nd January 1946, Class V traffic from the E. I. Railway to destinations reached via the G. I. P. Railway has been restricted in order to make capacity available for more essential traffic. Hence, locks and other "smalls" traffic to South India, both from Aligarh and neighbouring stations, are unable to move unless specific orders for movement in a higher class are given by the Regional Controller of Railway Priorities in consideration of the special urgency and essentiality of the traffic. The restriction applies equally to Aligarh and to neighbouring stations. Enquiries made show that while Aligarh has observed the restriction, the neighbouring stations Harduaganj and Manzurgarhi have booked locks against this restriction. This has since been stopped.

CORRESPONDENCE WITH NEPAL GOVERNMENT FOR TERMINATING LEASE IN FAVOUR OF NATIONAL MINING COMPANY LIMITED.

1718. *Shri Mohan Lal Saksena: (a) Will the Foreign Secretary be pleased to state whether any correspondence took place with the Nepal Government for terminating the twenty years' lease in favour of the National Mining Company, Limited, Bombay?

(b) Is he aware that the aforesaid firm had invested considerable moneys on prospecting, etc., and had also entered into agreement with foreign countries to supply manganese and cobalt?

(c) Is it a fact that the same lease was given to an European firm?

(d) Had Government deputed Dr. Knox and mine expert Dr. Jhingrin to Nepal for purposes of serving on a portion of the mines? If so, will Government lay on the table a copy of their report?

(e) Was manganese and cobalt ore from the said mine sent to America for analysis? If so, what was the result of the analysis?

Mr. H. Weightman: (a) No, Sir.

(b) and (c). The Government of India have no information.

(d) Dr. Fox, then Director of the Geological Survey of India, and Dr. Jhingrin visited Nepal to examine certain mineral deposits. Their reports are confidential documents prepared for the information of the Government of Nepal and the Government of India and copies cannot be placed on the table of the House otherwise than with the consent of the Government of Nepal.

(e) Government have no information.

BAN ON ENTRY INTO NEPAL AGAINST PANDIT LAKSHMAN PRASAD SHARMA, MANAGING DIRECTOR, NATIONAL MINING COMPANY LIMITED, BOMBAY.

1719. *Shri Mohan Lal Saksena: (a) Will the Foreign Secretary be pleased to state whether it is a fact that Pandit Lakshman Prasad Sharma, Managing Director of the National Mining Company, Limited, Bombay, was refused per-

mission to enter Nepal at the instance of the Government of India? If so, why?

(b) Is it also a fact that pressure was brought to bear on Pandit Lakshman Prasad Sharma through Dr. C. S. Knox to transfer the mining lease in Nepal in favour of the Government of India?

(c) Is he aware that Pandit Lakshman Prasad Sharma is still not permitted to go to Nepal? If so, will Government consider desirability of using their influence with the Nepal Government to remove the ban?

Mr. H. Weightman: (a) and (b). No, Sir.

(c) The Government of India have no information of any recent application by Pandit Sharma for permission to enter Nepal.

PUBLICATION OF REPORTS OF GRADY COMMISSION AND ROGER COMMISSION.

1720. *Maharajkumar Dr. Sir Vijaya Ananda: Will the Honourable Member for Industries and Supplies be pleased to state whether, in view of the termination of the war, the Government of India propose to publish the Grady Commission Report and the Roger Commission Report?

Mr. M. W. M. Yeatts: The Honourable Member is referred to the reply given to starred question No. 1002, on the 14th March, 1946.

CULTIVATION OF LAND ACQUIRED BY B. N. W. (NOW O.T.) RAILWAY BY A RAILWAY CONTRACTOR.

1721. *Shri Satya Narayan Sinha: Will the Honourable the Railway Member be pleased to state:

(a) as to why an area of about 800 acres of land, acquired from time to time by the Bengal North Western Railway (now known as the Oudh and Tirhut Railway) since the year 1882 for the purpose of building a Railway Station at Semaria Ghat, District Monghyr (Bihar) has not been relinquished by the said Railway, although, it is no more required for the purpose for which it was acquired;

(b) if they are aware of the fact that this land which fell out of use of the Railway about twenty years ago is being cultivated and used by a local Railway contractor of Semaria Ghat named Pheru Mahato who is said to enjoy the favour of a local Railway official;

(c) if he is aware of the agitation which has been raging over this question for the last eight years including a number of comments and statements which have appeared in the press of Bihar condemning the action of the Oudh and Tirhut Railway in not relinquishing these lands to the Collector of Monghyr as required by the operation of Section V, paragraph 32 (iii) of the Land Acquisition Manual; and

(d) if, in view of the growing tension between the Oudh and Tirhut Railway and the tenants of Semaria Ghat (Monghyr) Bihar, the Central Government propose to issue immediate instruction to the proper authority of the Oudh and Tirhut Railway for a speedy settlement of the dispute in consultation with the Provincial Government?

The Honourable Sir Edward Benthall: (a) and (d). About 600 acres of land at the high level Semaria Ghat site are in process of being made over to the civil authorities for safe custody as the land, although not immediately required, may be required at a later date for railway purposes should the Ganges river move to certain alignments.

(b) Only a comparatively small area of this land has been licensed since 1944 to contractor, Pheroo Mahto in connection with the 'Grow More Food' campaign.

(c) Government are not aware that an agitation has been raging over this question for the last eight years. Some references have recently appeared in

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the Press and a reference was made by the Collector of Monghyr to the Railway Administration in 1944.

GATE-MEN AT LEVEL CROSSINGS BETWEEN ALLAHABAD AND GHAZIPUR ON O. T. RAILWAY.

1722. *Shri Sri Prakasa: Will the Honourable the Railway Member be pleased to state:

(a) if it is a fact that level-crossings at most places between Allahabad and Ghazipur on the Oudh and Tirhut Railway have no gatemen to close and open the gates on the necessary occasions;

(b) if it is a fact that village children are constantly playing at the gates and opening and shutting them at pleasure;

(c) if it is a fact that most of these level-crossings are over important roads like the Grand Trunk Road and other main provincial roads and that there have been many accidents; and

(d) if he proposes to ask the Railway Administration concerned to make proper arrangements at these level-crossings?

The Honourable Sir Edward Benthall: I have called for information and shall lay a reply on the table of the House in due course.

EXTENSION OF AVAILABILITY OF COUPONS NOT UTILIZED DUE TO CLOTH SHORTAGE IN DELHI.

1723. *Shri Sri Prakasa: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) the number of Ration Cards for cloth that have been issued in the city of Delhi during the current year;

(b) the amount of cloth given on these coupons and the amount for which coupons were issued but which, because of lack of cloth in the market, could not be utilised;

(c) if Government propose to extend the period for the utilisation of these coupons in view of the fact that they were rendered useless for no fault of the coupon-holders; and

(d) if Government are aware that attempts have been made to get cloth with the help of forged coupons, if so, what steps Government have taken to prevent this procedure?

Mr. M. W. M. Yeatts: (a) Approximately 187,000.

(b) The total quantities of cloth sold against ration coupons in the quarter ending February the 28th last was 4,669 bales. The Director of Civil Supplies of the Delhi Administration cannot say exactly to what extent coupons were not utilised by the end of the quarter; but at the end of February 14 bales of fine and 53½ bales of coarse cloth were left unsold in ration shops.

(c) No, Sir.

(d) Yes, Sir; the Director of Civil Supplies, Delhi, informs me that he has found that coupons were obtained improperly from the Circle Rationing Offices apparently with the connivance of the clerks concerned. The Delhi Administration have taken the following steps to prevent a recurrence of this. The issuing of permits and coupons has been withdrawn from the Circle Offices and centralised at the headquarters of the Rationing Organisation. The Delhi Administration have also approached the Security Printing Press, Nasik, with a view to obtaining a type of coupon which will defeat such dishonest attempts. The Delhi Administration have also issued orders that Food Ration Cards must be produced along with cloth ration permits, and that any person presenting more than one permit will have them confiscated.

STARRED QUESTIONS AND ANSWERS 3809 DELHI OFFICERS' ORDERS PROHIBITING RETAILERS TO ISSUE CLOTH DURING HOLI FESTIVAL.

1724. *Shri Sri Prakasa: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) if it is a fact that orders were issued by the local officers of the Department asking retail shops not to issue cloth at the time of the Holi festival, if so, why such orders were made; and

(b) if Government's attention has been drawn to the complaints in the press of Delhi regarding the difficulties of coupon-holders and the lack of cloth in the Delhi market; if so, what steps Government are taking to meet the difficulties?

Mr. M. W. M. Yeatts: (a) No, Sir. But a number of Hindu shops closed in accordance with custom. Permit holders who could not utilise their permits on Holiday were permitted to utilise them on subsequent days.

(b) Yes, Sir; I would refer the Honourable Member to my answer to his Question No. 1723.

SUSPENSION OF THE MORNING AND EVENING TRAINS BETWEEN KATHGODAM AND BAREILLY ON O. T. RAILWAY.

1725. *Sjt. Seth Damodar Swroop: (a) Will the Honourable the Railway Member be pleased to state why in the Oudh and Tirhut Railway the morning train from Kathgodam to Bareilly and the evening train from Bareilly to Kathgodam have now been discontinued?

(b) Is the Honourable Member aware of the fact that Kathgodam is situated on the border of the Bareilly District, that a very large number of village litigants from Kathgodam side have to go to Bareilly daily to attend the law courts who have to return home by the evening train and that the discontinuation of the said trains have been causing the poor peasants much difficulty, inconvenience and loss of time and money as they now have to start for Bareilly a day earlier, have to make arrangements for their stay at night in the city and have to come back home either by the after-midnight train or by the noon train on the next-day? If so, does the Honourable Member propose to advise the Railway authority concerned to run at least one early morning train from Kathgodam and one after the court time evening train from Bareilly to Kathgodam?

The Honourable Sir Edward Benthall: (a) I understand this particular service was discontinued during the war in pursuance of the policy of curtailing all but the minimum train services required to meet essential civil and military traffic requirements.

(b) Government have no detailed information about the movements and difficulties of the village litigants in the neighbourhood of Kathgodam. The restoration of particular train services is, however, a matter to be represented through the Legislative Assembly Committee to the Railway Administration concerned, who must, of course, utilize their available resources of stock and power where public demands show them to be most needed. I am however arranging to send a copy of this question and my reply to the General Manager, O. T. Railway for information.

NEED OF BRIDGE AT LEVEL CROSSING NEAR PATNA JN.

1726. *Babu Ram Narayan Singh: Will the Honourable the Railway Member please state:

(a) whether the Patna Junction Station has lately been greatly improved; if so, the total cost; and

(b) whether he is aware that repeated closure of the road crossing on the railway lines just to the west of the Patna Junction Station causes a lot of

inconvenience to the public; if so, whether he proposes to consider the urgency of constructing either an over-bridge or an under-bridge on the spot to remove the inconvenience?

The Honourable Sir Edward Benthall: (a) Patna Junction was remodelled in the year 1939-40 at a cost of Rs. 3,25,528.

(b) Government are aware that a certain amount of inconvenience is caused to the public at the level crossing in question. The construction of an over-bridge at the site of the present level crossing will be prohibitive and an under-bridge is undesirable on account of the high subsoil water level. The question of moving the level crossing further to the West is under consideration.

NEED OF RAISED PLATFORMS AT RANCHI ROAD (E. I. R.) AND RAMGARH TOWN (B. N. R.)

1727. *Babu Ram Narayan Singh: Is the Honourable the Railway Member aware of the fact that want of raised platforms on the Ranchi Road Station (East Indian Railway) and the Ramgarh Town Station (Bengal Nagpur Railway) causes great inconvenience to the travelling public? If so, does he propose to consider the desirability of constructing the raised platforms in the immediate future?

The Honourable Sir Edward Benthall: A standard low passenger platform—i.e., with a maximum height of one foot six inches above rail level is provided at each of these stations.

Government are not aware that great inconvenience is experienced by the travelling public on this account. The desirability of constructing a high passenger platform at Ramgarh Town station will be investigated, but in regard to Ranchi Road station the passenger traffic does not justify the provision of a high passenger platform in the immediate future. The station building at the latter station was constructed only 12 years ago, and would have to be rebuilt if a high passenger platform were provided.

STOPPAGE OF ASSAM MAIL TRAIN AT NALBARI ON B. A. RAILWAY.

1728. *Sreejot Rohini Kumar Chaudhuri: Will the Honourable the Railway Member be pleased to state if it is a fact that it has now been decided to stop the Assam Mail Trains at Nalbari in the East Bengal Railway Zone of the Bengal and Assam Railway? If so, with effect from what date? If not, why not?

The Honourable Sir Edward Benthall: Government have no information on a matter like this of detail working which is left to the discretion of local railway administrations. Time tables are however drawn up by railways in consultation with their Local Advisory Committees, whose function it is to acquaint the administration with the needs of the travelling public.

AGREEMENT WITH TEZPUR-BALIPARA RAILWAY COMPANY.

1729. *Sreejot Rohini Kumar Chaudhuri: (a) Will the Honourable the Railway Member be pleased to state if there is any agreement with the Tezpur Balipara Railway to let the company run the service between Rangapara North and Tezpur for any stipulated period? If so, what is the period?

(b) If there is no such agreement, why, in view of the very unsatisfactory condition of service rendered by the company, are not arrangements made for the extension of the Bengal and Assam Railway from Rangapara North to Tezpur?

The Honourable Sir Edward Benthall: (a) Yes. Under clause 86 of the order under section 8 of the Indian Tramways Act of 1898 published in the Assam Gazette under Notification No. 99, dated 1st June, 1895, authorising the

construction of the line by the Tezpur-Balipara Steam Tramway Company Limited, Government could terminate the contract fifteen years after the opening of the line and every seven years thereafter. The next option occurs in 1952.

(b) Does not arise.

OWNERSHIP OF TEZPUR-BALIPARA RAILWAY COMPANY.

1730. *Sreejot Rohini Kumar Chaudhuri: (a) Will the Honourable the Railway Member be pleased to state if the Tezpur Balipara Railway is a proprietary concern or a private Limited company?

(b) If it is a private company, who are the proprietors and who are the shareholders of the company?

(c) Where was the company registered?

The Honourable Sir Edward Benthall: (a) I understand that this is a public company, but confirmation has been sought from the Agents.

(b) Does not arise, in view of my reply to (a).

(c) 28, Dalhousie Square, Calcutta.

LOSS DUE TO DESTRUCTION OF RAILWAY CLEARING ACCOUNTS OFFICE BUILDINGS.

1731. *Sreejot Rohini Kumar Chaudhuri: (a) Will the Honourable the Railway Member please state if it is a fact that the Railway Clearing Accounts Office situated at Kishanganj near Delhi, was burned down on the Victory Day, the 7th March 1946, with all that was inside the office?

(b) Is it a fact that the same office when located in other parts of the city was completely destroyed on two more occasions previously and was partly destroyed several times?

(c) If so, what was the total loss including the cost of erecting buildings and replacement of furnitures, etc., by these tragic destructions?

(d) What is the total loss caused to Government by the destruction of buildings, repair of buildings and repurchase of furniture and other properties destroyed by fire?

(e) Do Government propose to rebuild this office or to revert to the previous system of having accounts in the respective Head Offices of the different Railways?

The Honourable Sir Edward Benthall: (a) Except for three record and a few other rooms the Railway Clearing Accounts Office buildings with all that they contained were burnt down by a mob on the 7th March 1946.

(b) A small portion 35' x 27' of a floor of one of the buildings in which the Clearing Accounts Office was housed, was burnt in July 1940. A building in which a part of the Clearing Accounts Office was working, was completely destroyed by fire in August 1942 by a mob. As far as is known this is the third occasion and this time the destruction is practically complete.

(c) Fire in 1940.—The loss was very small.

Fire in 1942.—The building belonged to the N. W. Railway. The loss on account of the building and its electrical fittings was about 3½ lakhs. No figures are available regarding the cost of furniture and other office appliances lost. A fresh set of buildings was put up by the N. W. Railway at a cost of about 2½ lakhs, a part of which was burnt down in the recent 1946 fire.

Fire in 1946.—One set of buildings belonged to the N. W. Railway. The loss on account of destruction of this building and its electrical fittings is estimated at about Rs. 68,000. The other set of buildings belonged to the Chief Commissioner, Delhi Province, and the loss of the building and electrical fittings is estimated to involve about 4 lakhs.

The loss in regard to furniture, office appliances, etc., is estimated at about 2½ lakhs.

(d) Please refer to the reply to part (c).

(e) It is proposed to rebuild the office.

INSULT TO AND RESIGNATIONS OF INDIAN PROFESSORS OF HABIBIA COLLEGE OF AFGHANISTAN.

1732. ***Maharajkumar Dr. Sir Vijaya Ananda:** Will the Foreign Secretary be pleased to state whether he has protested to the Afghan Government against the insult to an Indian Professor of the Habibia College by its Principal necessitating the resignation of twenty Indian professors from the Afghan Educational Service?

Mr. H. Weightman: His Majesty's Minister, Kabul has been requested to inform the Government of India of the facts of the case.

SUPPLY OF DHOTIES AND SAREES TO BIHAR.

1733. ***Mr. B. B. Varma:** Will the Honourable Member for Industries and Supplies be pleased to state:

(a) the total yards of dhoties and sarees both standard and non-standard, supplied in 1944-45, and 1945-46 in all the Provinces particularly in Bihar;

(b) if the quota of cloth, particularly dhoties and sarees, are supplied according to the population basis of each Province;

(c) the percentage of fine dhoties and sarees supplied to Bihar;

(d) the percentage of dhoties and sarees and other cloth supplied to each individual out of the twelve yards allotted to each individual in the Province of Bihar;

(e) if it is a fact that many members in a rural family have not yet been supplied either with a dhoti or saree ever since the control was introduced in Bihar;

(f) the percentage of cut-pieces of fine dhoties and sarees from one to three yards supplied to Bihar;

(g) which are the Textile Mills which supply these cut-pieces, and if it is also a fact that most of these cut-pieces have several cuts in them;

(h) if it is a fact that bales of handkerchiefs and durrees have been supplied in the rural areas and have been included in the quotas allotted to each individual; and

(i) whether the Honourable Member proposes to consider the desirability of allotting 75 per cent. of dhoties and sarees or long markin *thans* for the rural areas?

Mr. M. W. M. Yeatts: (a) The information desired by the Honourable Member is being collected and will be communicated to him shortly.

(b) The quota of cloth for each province is supplied on the basis of its population and pre-war consumption. Dhoties and sarees however are not supplied on a population basis, but according to the varying demands of provinces. For example, the N.-W. F. P. and Baluchistan receive no dhoties and sarees at all.

(c) 25 per cent. of the dhoties and 28 per cent. of the sarees supplied to Bihar are in fine varieties.

(d) Roughly 20 per cent. as regards dhoties and ten per cent. as regards sarees.

(e) It is highly improbable, according to the Bihar Government, who state that they have never had any such instance reported to them.

(f) The percentage of cut-pieces sent to Bihar is about 8½ per cent. No separate statistics are maintained regarding cut-pieces of dhoties and sarees particularly.

(g) I do not know.

(h) No, Sir.

(i) Yes, Sir; I will consider it.

PURCHASE OF RICE AND PADDY FROM NEPAL IN EXCHANGE OF CLOTH THROUGH BIHAR GOVERNMENT.

1734. ***Mr. B. B. Varma:** Will the Honourable Member for Industries and Supplies be pleased to state:

(a) if it is a fact that the Government of India are purchasing rice and paddy in exchange for cloth from Nepal through the Government of Bihar;

(b) if it is a fact that fifty bales of standard sarees and dhoties reserved for the Holi festival for the people of the Champaran District (Bihar) were given to unauthorised dealers to purchase paddy in exchange for these clothes thereby depriving the people of their quota on such an important occasion; and

(c) if it is a fact that three yards of cloth were given for one maund of paddy and that these unauthorised dealers supplied the paddy accordingly and sold the cloth in the black market at a higher rate?

Mr. M. W. M. Yeatts: (a) Yes, Sir. The Government of India are making available 5,000 bales of cloth to the Government of Bihar which the Government of Bihar will supply to Nepal in exchange for rice.

(b) No, Sir. The Bihar Government report that 25 bales were given before Holi to their Grain Supply Officer to supply to Nepal cultivators in exchange for rice. The Bihar Government state that there were at the time adequate stocks of the cloth in question in the Champaran District.

(c) No, Sir. Ten yards of cloth are given to Nepal cultivators at the control price for every three maunds of paddy they supply to the Bihar Government at the control price.

MEASURES FOR SUPPLY OF YARN FOR HANDLOOMS IN BIHAR.

1735. ***Mr. B. B. Varma:** Will the Honourable Member for Industries and Supplies be pleased to state:

(a) the number of handlooms that were working in Bihar before the war and at present;

(b) if it is a fact that many handlooms are out of work for want of supply of yarn; and

(c) whether the Honourable Member proposes to consider the desirability of supplying charkhas at cost price by instalments in the rural areas, so that the supply of yarn may be made available for the handlooms?

Mr. M. W. M. Yeatts: (a) In 1940, 88,600 handlooms were estimated to be working in Bihar. The number at present is estimated at 1,25,000.

(b) No, Sir.

(c) This is a matter for Provincial Governments, but I shall put to the Bihar Government the suggestion made by the Honourable Member.

NUMBER OF FACTORIES IN BIHAR.

1736. ***Babu Ram Narayan Singh:** Will the Honourable Member for Industries and Supplies please state:

(a) the number of all factories in Bihar to-day;

(b) the number of proposed factories likely to be established in the immediate future, say, within ten years' time;

(c) the kind of articles manufactured and to be manufactured by the proposed factories;

(d) the percentage of the manufactures consumed and likely to be consumed in the Province of Bihar;

(e) the names of places where these factories and their headquarters (for purposes of income-tax) are situated;

(f) the amount of capital (i) Indian and non-Indian, and (ii) Bihari and non-Bihari; and

(g) the amount of income-tax realized in 1945-46 and the Bihar share therein?

Mr. M. W. M. Yeatts: (a) Returns show the number of factories in 1944 as 428. Of these 335 were non-seasonal.

(b) to (g). The information asked for in these covers an enormous range. Some of it would require efforts of prophecy and in general the range and nature of the information sought makes it impossible of collection within reasonable bounds of time and labour.

EXPORT OF RAW HIDES AND SKINS TO U. S. A. AND GREAT BRITAIN.

1737. *Sri S. T. Adityan: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) whether Government are proposing to send delegations to Great Britain and United States of America or to either of them for the purpose of developing the export of raw hides and skins to those countries;

(b) whether it is a fact that the South Indian Skins and Hides Merchant's Association has declined to join the said delegations and whether the said Association have expressed themselves to be in opposition to the export of raw hides and skins outside India;

(c) whether Government have taken into consideration the fact that this House expressed its view against the export of raw hides and skins out of India in the division on the cut motion moved on the 14th March, 1946 to Demand No. 22 of the General Budget in regard to Commerce Department; and

(d) whether Government are aware that during the debate on the said cut motion even that section of this House which expressed itself in favour of export of raw hides and skins was against export to America and Britain?

Mr. M. W. M. Yeatts: (a) No, Sir. All that Government have agreed to is to render to two purely non-official parties, one representing merchants dealing with the export and internal trade in raw hides and skins and the other representing the leather and tanning industry, the ordinary type of assistance which Government have given and are prepared to give to any Indian businessman desiring to proceed abroad to study the latest developments in technique and trade practices and to establish contact with opposite numbers in these countries.

(b) Yes, Sir.

(c) and (d). Does not arise in view of the reply to part (a).

PURCHASES FOR MILITARY AND STRENGTH OF MILITARY OFFICERS IN CONTRACT DIRECTORATE.

1738. *Seth Sukhdev: (a) Will the Honourable Member for Industries and Supplies be pleased to state whether purchases for Military will, in future, be made by the Supply Department, Food Department or the Contract Directorate?

(b) What is the total number of Military Officers in the Contract Directorate?

(c) What strength of Military Officers will be maintained in the Contract Directorate in future?

Mr. M. W. M. Yeatts: (a) Apart from certain exceptions (e.g., war-like equipment) the Department of Industries and Supplies will procure material on behalf of military users. Food procurement will be handled by the Food Department.

(b) and (c). The Contracts Directorate does not exist now as a separate entity. Part has been incorporated in this Department and part in the Department of Food. Of the Military Officers belonging to the late Contracts Directorate ten are at present employed in this Department and three in the Department of Food. It is not intended to continue this source of recruitment.

UNSTARRED QUESTIONS AND ANSWERS

WHEREABOUTS OF MR. BHABESH CHANDRA BHADURI AND OTHER INDIAN STUDENTS IN GERMANY

191. Seth Sheodass Daga: Will the Foreign Secretary be pleased to state:

(a) if he is aware of the miserable plight of the parents and relations of the Indian students in Germany;

(b) the numbers of the Indian student in the three zones of Germany occupied by the Russians, Americans and British;

(c) whether the Indian students are detained in different zones or in the British zone alone;

(d) if it is possible to give out their names;

(e) whether Government are aware of the whereabouts of Mr. Bhabesh Chandra Bhaduri of the Central Provinces, a student of Bakelite and Engineering in Germany;

(f) if it is possible for the relations of the students to correspond with them;

(g) if it is a fact that he was last seen in Berlin on the day the Allies entered that city; and

(h) whether any steps have been taken for the early repatriation of the Indian students?

Mr. H. Weightman: The question should have been addressed to the Honourable the Home Member. It has accordingly been transferred to the list of questions for the 15th April 1946, when it will be answered by the Honourable the Home Member.

APPOINTMENT OF ASSISTANT RATIONING OFFICER ON N. W. RAILWAY

192. Sardar Mangal Singh: Will the Honourable the Railway Member please state:

(a) whether an approved list of persons, considered fit for posts of Assistant Rationing Officers, is maintained in the Headquarters Office of the North Western Railway;

(b) whether appointments to the posts of Assistant Rationing Officers, are made according to the order of merit of the candidates on the list based on seniority and fitness; if not, why not;

(c) whether any case has occurred where a senior person on this list has been passed over on grounds of Stores experience to provide for the son of some High Railway Officer; and

(d) whether the Honourable Member proposes to ensure that posting of Assistant Rationing Officers is made strictly in order of merit and seniority?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Yes, normally, though in special cases a deviation has to be made in the interests of work.

(c) The post of Assistant Rationing Officer, Grain Reserve Depot at Lahore, fell vacant in January, 1946. As it was essential that the incumbent of the

post should be a person conversant with stores procedure, the vacancy was filled by the only candidate on the selected list who was conversant with this procedure. I may add that the post has, ever since its creation, been filled by an individual so qualified. Government have no reason to believe that the selection of the individual concerned for the post had anything to do with the fact that he is the son of a senior railway officer.

(d) Does not arise in view of the reply to part (b).

SALE OF WINES AND LIQUORS BY EUROPEAN REFRESHMENT ROOMS AT DELHI JN. SITUATED ADJACENT TO II CLASS LADIES WAITING ROOMS

193. Babu Ram Narayan Singh: (a) Will the Honourable the Railway Member please state if it is a fact that Second Class Ladies Waiting Room is adjacent to the European Refreshment Rooms at the Delhi Main Station?

(b) Is it a fact that the said Refreshment Rooms are permitted to sell wines, liquors and other intoxicating articles?

(c) Is it a fact that for selling those articles the European Refreshment Rooms remain open till late hours in night say till 1 or 2 A.M.?

(d) Are Government aware that drunken persons commit public nuisance which annoy the Lady passengers in the adjoining Waiting Room?

(e) Is it a fact that the sale of drinks (intoxicating) is a great source of income to the European Refreshment Rooms?

(f) Are Government aware that intoxication is an offence under the Indian Railways Act, 1890? If so what are the reasons for allowing the sale of intoxicating drinks at those Rooms and not at any other Refreshment Rooms at Delhi Station which are far off from the Ladies Waiting Rooms?

(g) Do Government now propose to take steps to stop the sale of wines, liquors and other intoxicating articles including Beer by the European Refreshment Rooms? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Yes. The sale of spirituous liquors is permitted.

(c) The refreshment room is closed at midnight.

(d) No complaints to this effect have been received.

(e) Government have no information as to the extent of profits derived from the sale of drinks (intoxicating) by the catering contractors of the European Style Refreshment Rooms.

(f) It is an offence under Section 120 of the Indian Railways Act for any person in a railway carriage or upon any part of the railway to be in a state of intoxication. The second part of the question does not arise in view of the reply to part (d) of the question.

(g) The question does not arise in view of reply to part (d) of the question.

EUROPEAN REFRESHMENT ROOM AT DELHI JN. NOT SERVING TO PASSENGERS BEFORE 7 A.M.

194. Babu Ram Narayan Singh: Will the Honourable the Railway Member please state:

(a) If it is a fact that the European Refreshment Rooms at the Delhi Main Station are unable to supply tea, bread and butter to the travelling public leaving by the 5-20 A.M. train from that Station;

(b) If it is a fact that those Rooms ordinarily remained closed till 7 A.M. and do not serve the travelling public any kind of refreshment before that time;

(c) Are Government aware that whenever any Railway officer or any Inspector of the Catering Contractor is in occupation of the Private Rooms or the Inspector's Room next to the Retiring and Waiting Rooms tea is served in the morning tea before that time whereas the travelling public, are not served; if so, why this differential treatment; and

(d) the action taken by Government to keep open those Rooms for the travelling public an hour before the departure of the first morning train; if no action has been taken, the reasons therefor?

The Honourable Sir Edward Benthall: (a) No complaints to this effect have been received.

(b) The European Style Refreshment Rooms open at 5 A.M. The latter part of the question does not arise.

(c) Government are not aware of any such preferential treatment as mentioned in the question.

(d) Government are having the matter examined.

USE OF EUROPEAN REFRESHMENT ROOM, DELHI JN., AS BOOTH FOR INTOXICATING DRINKS BY PUBLIC

195. Babu Ram Narayan Singh: Will the Honourable the Railway Member please state:

(a) if the European Refreshment Rooms are provided by the North Western Railway at the Delhi Main Station for the use of the travelling public or for use as a booth for drinks (intoxication) by the citizens of Delhi;

(b) are Government aware that every day after nine in the night a large number of citizens of Delhi are found in those rooms with intoxicating drinks at the tables;

(c) the steps taken to prevent the abuse by the staff of the catering contractor; if no steps have been taken, the reasons therefor;

(d) what objection Government have in deleting the term in the contract which permits the catering contractor to sell wines, liquors, beers and other intoxicating articles; and

(e) if it is a fact that within half a mile or two furlongs distance from the Delhi Main Station there are restaurants and shops which are licensed to sell those articles and are serviceable to the travelling public also?

The Honourable Sir Edward Benthall: (a) European Refreshment Rooms are meant primarily for the use of the travelling public, but there is no provision in the agreement with the contractors specifically forbidding the use of the Refreshment Rooms by other than bona fide passengers during the period when the Refreshment Rooms are required to be kept open.

(b) Government have no such information.

(c) Government is not aware of any alleged abuses by the staff of the Catering contractor. The second portion of the question therefore does not arise.

(d) Government see no reason for depriving members of the travelling public of amenities, to which they may be accustomed, and who may appreciate them before, after or during a railway journey.

(e) It is understood that there are Indian Hotels licensed to sell intoxicating drinks in the vicinity of Delhi Main station, but the exact distances to these places are not known. It would generally be inconvenient and at times impracticable for the travelling public to avail of the services of these Hotels.

DIFFICULTIES TO PUBLIC IN TRANSPORT OF COAL, RAW MATERIALS AND FINISHED GOODS

196. Mr. Manu Subedar: (a) Has the Honourable Member for War Transport received representations from the Indian Merchants' Chamber, giving specific cases of difficulties experienced by the public in the matter of transportation of (i) coal, (ii) raw materials, and (iii) finished goods, between various places?

(b) What special steps does he propose to take in order to ease the transport position for the civil population, now that the war has ended?

The Honourable Sir Edward Benthall: (a) I am aware of no recent representations from the Indian Merchants' Chamber regarding difficulties experienced by the public in the matter of transportation of coal, raw materials and finished goods.

(b) The Honourable Member is referred to the relevant portions of my speech on the 18th February, 1946, in introducing the Railway Budget and to the subsequent discussion.

MORE PETROL FOR PRIVATE CARS

197. Mr. Manu Subedar: (a) Will the Honourable Member for War Transport please state what stocks of petrol were carried in India during the war period (i) peak or highest, and (ii) lowest, and what the existing stock is?

(b) How does this compare with the stock carried pre-war, and what is the principal reason why petrol to private cars should not be released now that the demand from the military has been reduced?

(c) Is it a fact that petrol is available if Government secure the co-operation of the American producers in the Middle East? If so, on what ground has such co-operation not been secured?

(d) When do Government propose to increase the normal allowances for motor cars?

(e) When do Government propose to remove the control on petrol?

The Honourable Sir Edward Benthall: (a) and *First Part* of (b). It is not in the public interest to furnish the information asked for.

(b) *Second Part.* Separate allotments are made for civil and military purposes. Account is taken of reduction in military demand in subsequent allocation for military requirements and does not render more petrol available for civil use.

(c) The supply of petrol to India, as to other countries in the sterling area, is regulated by the availability of supplies and tankers, both of which are restricted by the need for the conservation of dollars. The supply of petrol to India is in the hands of His Majesty's Government before whom India's demands are being regularly pressed. The Honourable Member may rest assured that His Majesty's Government takes full account of the availability of American petrol in the Middle East.

(d) and (e). Conditions have not yet improved and I regret I cannot make any definite statement. Relaxation or complete withdrawal of control will be effected as soon as the supply position permits.

G. N. I. T. BUS FARES IN DELHI

198. Sardar Mangal Singh: (a) Will the Honourable Member for War Transport please lay on the table of the House a comparative statement of the fares charged by the Gwalior and Northern India Transport Company, Limited, for the different services of buses within the Province of Delhi and the reasons for the difference in fares for common points served by different routes of the service?

(b) What is criterion for fixing the fares of the buses run by the Gwalior and Northern India Transport Company, Limited, within the Province of Delhi, and are Government aware that the fares are exorbitant in comparison to third class Railway fares?

The Honourable Sir Edward Benthall: (a) and (b). A copy of the pocket guide* published by the G.N.I.T. which contains a statement of the fares charged, is laid on the table. These fares have been fixed on a basis of one anna per mile on all urban routes, fares for individual stages being rounded off to the nearest half anna, except that a higher rate is charged in respect of the

*Not printed in these Debates. A copy has been placed in the Library of the House.
Ed. of D.

Pullman Service in order to reserve it for passengers requiring a better class of service and in respect of certain through services for short stages so as to assist the through passengers. Fares charged for comparatively short distance travel by bus in an urban area cannot fairly be compared with third class railway fares where the distances are normally very much greater.

COMPLAINTS AGAINST BALLABHDAS ESHWARDAS, CATERING CONTRACTOR, HINDU REFRESHMENT ROOM, DELHI JN., N. W. RAILWAY

199. Sardar Mangal Singh: With reference to the replies to starred questions Nos. 710 and 712 asked on the 5th March, 1946, regarding complaints against Ballabhdas Eshwardas, Catering Contractor of the Hindu Refreshment Room at Delhi on the North Western Railway, will the Honourable the Railway Member please state; if it is a fact that the complaints received direct by the Divisional Superintendent or by the General Manager or by the Chief Commercial Manager are not disclosed to any member of the Local Advisory Committee?

The Honourable Sir Edward Benthall: I understand it is not the general practice to bring complaints such as referred to before the Local Advisory Committee. The matter is one entirely within the General Manager's discretion.

CATERING ARRANGEMENT ON RAILWAYS BY STATE

200. Sardar Mangal Singh: Will the Honourable the Railway Member please refer to the reply to starred question No. 713 asked on the 5th March, 1946, regarding catering arrangements by the State and state the period required to complete the organisation, if decided on?

The Honourable Sir Edward Benthall: Government are unable to state any definite period which would be required for the creation of catering organisations by Railways if the introduction of departmental catering on Railways is finally decided upon. It may be stated, however, that in view of the fact that Railways are at present over-burdened with re-habilitation and post-war plans and that there is no nucleus of trained staff available with them, the process of building up departmental catering would be a long-term one.

STATE MANAGEMENT AND RENEWAL OF CATERING CONTRACT TO BALLABHDAS ESHWAR DAS OF HINDU REFRESHMENT ROOM, DELHI, JN., N. W. RAILWAY

201. Sardar Mangal Singh: Will the Honourable the Railway Member please refer to the reply to part (c) of starred question No. 711 asked on the 5th March, 1946, regarding renewal of catering contract with Ballabhdas Eshwardas of the Hindu Refreshment Room at Delhi, and state the action taken by the General Manager, North Western Railway, to inaugurate the state management of that refreshment room on the termination of the present contract on the 31st March, 1946? If no action has been taken during the past ten months, why?

The Honourable Sir Edward Benthall: The introduction of departmental catering on Government Railways generally has not yet been decided upon and the instructions referred to in part (c) of Question No. 711 are therefore not mandatory. The question of the Honourable Member, therefore, does not arise.

RENEWAL OF CATERING CONTRACT WITH BALLABHDAS ESHWARDAS OF HINDU REFRESHMENT ROOM, DELHI JN., N. W. RAILWAY

202. Sardar Mangal Singh: (a) Will the Honourable the Railway Member please state if it is a fact that the Catering Contract with Ballabhdas Eshwardas of the Hindu Refreshment Room at Delhi on the North Western Railway is due to expire on the 31st March, 1946?

(b) Is it a fact that there is already an agreement duly executed with Messrs. Sant Singh Mohinder Singh in February, 1945, for that room for a period of three years?

(c) Is it a fact that on or about the 18th March, 1946, the Railway Board instructed the North Western Railway Administration to renew that contract with Ballabhdas Eshwardas for a further period of one year, i.e., 31st March 1947?

(d) Is it a fact that the decision to renew or terminate that contract is within the competence of the individual Administration?

(e) If the replies to (a) to (d) be in the affirmative, do Government propose to terminate the contract on the 31st March, 1946? If not, why not?

(f) Was the Local Advisory Committee consulted on the renewal of the contract from the 1st April, 1946, to the 31st March, 1947? If not, why not?

The Honourable Sir Edward Benthall: (a) According to the terms of the contract it was to continue upto 31st March, 1946, or till the official termination of the Japanese War whichever was later.

(b) An Agreement for working the Hindu Refreshment Room at Delhi, for a period of three years, with effect from 15th February, 1945, was executed with Messrs. Sant Singh Mohinder Singh in January 1945 (and not in February 1945 as stated in the question).

(c) No. In view of the possibility of the policy of departmental catering being accepted, after consultation with the Central Advisory Council, all Government railways were instructed that, unless already committed, no catering contracts, about to terminate, be renewed for more than a year.

(b) Yes.

(e) No. It has been decided by the General Manager, N. W. Railway, to renew the contract for another year commencing from the date on which the previous contract terminates as explained in reply to part (a) of the question.

(f) The Local Advisory Committee was not consulted before it was decided to renew the contract. The matter is entirely within the administrative powers of the General Manager, N. W. Railway.

DEFALCATION IN GRAIN TRANSACTIONS ON E. I. RAILWAY

203. Sardar Mangal Singh: With reference to the reply to starred question No. 842 asked on the 12th March, 1946, regarding investigation of a case against Ballabhdas Eshwardas, purchasing and distributing contractors connected with the Grainshop Organization on the East Indian Railway, will the Honourable the Railway Member please state:

(a) the date on which the Special Police Establishment raided the rooms and offices of that contractor;

(b) the date on which the formal debit was raised by the Divisional Accounts Officer, Lucknow Division;

(c) the amount of the debit;

(d) the amount out of that debit and the date on which it was written off;

(e) the reasons for the amount to be written off;

(f) whether Government are aware of the extent of wastage, corruption, favouritism and abetment thereof;

(g) the reasons for not placing the name of that contractor on the Black List and removing him from all the contracts entered into and executed with Ballabhdas Eshwardas on all the Railways, and whether Government now propose to do it; if not, why not;

(h) who were the customers, whose coupons they have produced; and

(i) the date on which the case was finally closed?

The Honourable Sir Edward Benthall: (a) Information is not available.

(b) 18th May 1944.

(c) Rs. 2,17,004-8-0.

(d) The debit was only a formal one pending production and examination of the coupons as a result of which the amount of the debit was reduced to Rs. 3,542/10/2, which was recovered. There was no write-off.

(e) The question does not arise.

(f) Government have no information which may suggest corruption or undue wastage.

(g) The suggestion in this part of the question is apparently based on the assumption that the firm was guilty of any fraudulent practice. Replies to the earlier parts of the question will have shown to the Honourable Member that this assumption is not justified and therefore the question of blacklisting the contractor does not arise.

(h) The Railway employees in the Lucknow Division.

(i) 1st February, 1945.

G. N. I. T. BUS FARES IN DELHI

204. Sardar Mangal Singh: Will the Honourable Member for War Transport please state the fares (i) between the Dufferin Bridge (Novelty Cinema) and Connaught Place (Odeon Cinema) Lady Harding College, Gole Market and Post Office (Havelock Square) charged by the Bus Services of the Gwalior and Northern India Transport Company, Limited, on the routes from Kashmiri Gate to New Delhi and from Fountain to the Delhi Cantonment together with the reasons for the difference in fares, if any?

The Honourable Sir Edward Benthall: The Honourable Member's attention is invited to the pocket guide published by the G.N.I.T. containing a statement of the fares laid on the table in connection with the answer to unstarred question No. 198. The Fountain-Delhi Cantonment Service is a through service and Dufferin Bridge, Lady Hardinge College, Gol Market and New Delhi Post Office are not termini of stages on the route but buses stop at these places for the convenience of passengers wishing to travel between them and the termini of the route. Fares are charged in accordance with the published stages.

G. N. I. T. BUS FARES IN DELHI

205. Sardar Mangal Singh: Will the Honourable Member for War Transport please state whether the fares charged by the Bus Services of the Gwalior and Northern India Transport Company, Limited, within the Delhi Province are approved by the Local Government or by the Standing Committee on Roads? If so, when?

The Honourable Sir Edward Benthall: Fares charged by the Gwalior and Northern India Transport Company in respect of old services have for the most part been approved by the local Administration but approval has not yet been given in respect of the fares charged in respect of the newer services. The whole question of these fares is being considered by the Delhi Administration.

CONTRACTS ON STATE-MANAGED RAILWAYS WITH BALLABHDAS ESHWARDAS

206. Sardar Mangal Singh: Will the Honourable the Railway Member please lay on the table of the House a list together with the description of contracts with Ballabhdas Eshwardas, individually or collectively, together with the dates of their termination and renewal, on the State-managed Railways?

The Honourable Sir Edward Benthall: A Statement of current contracts held by Messrs. Ballabhdas Eshwardas, individually or collectively, on the Government Railways is attached.

Name of contractor	Name of station or section	Nature of contract	Date of Commencement of the present Contract	Date of termination of the contract	Remarks
N. W. RAILWAY					
Messrs. Ballabhdas Eshwardas.	Delhi	Hindu Refreshment Room	1-7-45	(a) 31-3-46 or till the official termination of the Japanese War. (b) After termination of current contract per (a), to continue for another year there after.	
do.	Delhi	Vending of Tea, Sweetmeats and bread.	15-2-44	14-2-47	
EAST INDIAN RAILWAY					
<i>Howrah Division</i>					
Mr. Ballabh Das Agrawal.	Howrah Goods Shed	Sweetmeat, Tea, Cake, Biscuits, Betel, Biri, Cigarettes. Meal at Clerks' Hindu Hotel.	1-4-46	31-12-46	
do.	Howrah Station	Sweet, Curd, Gaja, Balushahi, Ladoo, Tea Bread, Cigarettes, etc. Hindu Refreshment Room.	1-4-46	31-12-46	
do.	Howrah Area Vending Contract				
		1. Refreshment at Hindu & Mohd. Refreshment Room at Burdwan. 2. Hindu & Mohd. Tea Stalls in the following area.— (a) Burdwan to Jamalpur both inclusive & including branches. (b) Bandel to Oyaria (both inclusive) on the Main Line. (c) Barharwa to Bandel on the B.A. K. Section including branches. 3. Indian Sweetmeats, Foodstuffs and fruits and Pan, Biri, Cigarettes over the same area as indicated in item (2) above. 4. Toilet requisites, stationery, small articles of general use at Howrah-Burdwan, Bhagalpur, Nawadwip, Dham, Tarakeswar, Sahibganj, Jamalpur.	1-3-46 2-3-46	31-12-46 30-4-46	
<i>Dinapore Division.</i>					
do.	Bhagalpur area including Main Line to Dildarnagar (inclusive) to Tarighat Branch Chord to Sasaram (inclusive).	Hindu Vending Contract for Sweets, Fruits, Tea, Coffee, Pan, etc. and Hindu Refreshment Room at Gaya.	1-4-46	31-12-46	
do.	Gaya Area Grand Chord Manpur to Dehri-on-Sone (inclusive) Daltonganj Branch.	Hindu Vending Contract for Sweets, Fruits, Tea, Coffee, Pan, etc.	1-4-46	31-12-46	

Name of contractor	Name of station or section	Nature of contract	Date of commencement of the present contract	Date of termination of the contract	Remarks
EAST INDIAN RAILWAY—contd					
<i>Dinapore division—contd</i>					
Mr. Ballabh Das Agrawal	Patna Jn. Area Main Line Mokameh (exclusive) to Dildarnagar exclusive	Sweetmeat, Tea, Coffee, Fruit, Pan, Cigarettes & Hindu Refreshment Room at Kiul, Mokameh & Patna Station	1-4-46	31-12-46	
Do.	Kiul Area Main line Jhajha to Barh (inclusive) loop & South Bihar Jamalpur (exclusive) to Gaya (inclusive)	Do.	"	"	
<i>Allahabad division</i>					
Eshwardas & Sons	Allahabad	Hindu Refreshment Room. Sweetmeat, Puries, Namkin, Pan, Biri, Cigarettes, Oilmade stuff, Paratha, Tea, Biscuits, Cake, Fresh fruits, Milk, Cream, Curd, Rabri	1-4-46	31-12-46	
Do.	Cawnpore Central	Hindu Refreshment Room	"	"	
	Do.	Tea, Biscuits, Cakes, Butter, Toast, Double Roti	"	"	
Do.	Cawnpore Central Goods Shed	Sweetmeats & Pan	"	"	
Do.	Tundla	Hindu Refreshment Room	"	"	
	Do.	Milk, Curd, Rabri	"	"	
Do.	Aohalda	Sweetmeat	"	"	
Do.	Aligarh	Dal, Namkin, Sweetmeats, Puries, Milk, Curd, Halwa, Rabri, Reori, Khurchan & Oilmade stuff	"	"	
Do.	Bindhachal	Sweetmeat, Puri & Namkin	"	"	
Do.	Bhaupur	Sweetmeats	"	"	
Do.	Barthana	Sweetmeats	"	"	
Do.	Etawah	Paratha, Halwa Sohan, Nankhatai	"	"	
Do.	Jhijnhak	Sweetmeats, Puries, Namkin	"	"	
Do.	Phaphund	Sweetmeats, Puries, Namkin, Milk, Curd & Tea	"	"	
Do.	Rura	Sweetmeats, & Puries	"	"	
Do.	Sirathu	Sweetmeats, Puries & Fruits	"	"	
<i>Lucknow division</i>					
Do.	Benares Cantt.	Hindu Refreshment Room	"	"	
Do.	Lucknow	Do.	"	"	
Do.	Benares Cantt.	Indian Food Cooked in Ghee and Sweetmeats	"	"	
Do.	Partabgarh	Indian Food cooked in Ghee and Kachaloo	"	"	
<i>Moradabad division</i>					
Do.	Moradabad	Sweets, Puries, Namkin, Milk, Khurchan, Reori, Dahibara, Pakori, Chat, Paratha, Papar, Chabena, Hindu Tea & Biscuits	1-4-46	31-12-46	
	Do.	Hindu Refreshment Room	"	"	
Do.	Bareilly	Do.	"	"	
Do.	Lhaksar	Do.	"	"	
Do.	Hardwar	Do.	"	"	
Mr. Ballabhdas Agrawal	Bandel Jn.	(1) Goods & S. Q. T. Handling Contracts	16-12-45	31-12-46	
Do.	Do.	(2) Parcel Handling Contract	"	14-12-48	

Statement of current contracts held by Messrs. Ballabhdas Eshwardas, individually or collectively, on the Government Railways

Name of contractor	Name of station or section	Nature of contract	Date of commencement of the present contract	Date of termination of the contract	Remarks
B. N. RAILWAY.					
Messrs. Ballabhdas Eshwardas.	Howrah (exclusive) to Khargpur (exclusive) Khurda Road, and Branches to Puri, Talband and Talchar and Hindu Tiffin Room at Garden Reach.	Indian (Hindu) catering including Platform Vending.	1-4-46	31-3-47	
Do.	Bilaspur-Jharsuguda (exclusive), Raipur (exclusive), and Katni Branch, Katni (exclusive).	do.	do.	do.	
Do.	Raipur-Gondia (exclusive), Titilagarh and Dhamtari Branch-Lanjigarh Road.	do.			
Do.	Gondia to Jabulpore-Nainpur to Itwari (exclusive) and Branches.	do.			
Do.	Itwari (inclusive) Chanda, Chanda-Gondia (exclusive) Gondia (exclusive)-Nagpur and Branches.	do.			
B. A. RAILWAY					
Mr. Ballabhdas Agrawal	Manihari Ghat Station.	Supply of labour for the handling of Goods, Parcels and luggage.	1-10-44	30-6-46 with the proviso that if not determined on the 30th June, 46, it shall continue in force subject to its termination at any time in any subsequent year or not less than six months notice in writing being given by either party.	No. notice under this clause has so far been given to Mr. Ballabhdas Agrawal.

G. I. P. RAILWAY					
Messrs. Ballabhdas Eshwardas.	Victoria Terminus	Two Hindu Tea, Coffee Fruit and Sweetmeat Stalls	Agreements in force indefinitely until terminated.	Agreements can be terminated on one month's notice from Railway or on two months' notice from the licensee.	
do.	Bhusaval	Sweetmeat & Fruit Stall.			
	do.	Fruit General Stall.			
do.	Khandwa	Tea and Coffee Stall.			
	do.	Sweetmeat & Food Stall.			
do.	Itarsi	Sweetmeat Stall.			
	do.	Fruit Stall.			
do.	Akola	Tea and Coffee Stall.			
	do.	Fruits and Sweetmeat Stall.			
do.	Badnera	Tea and Coffee Stall.			
	do.	Fruits and Sweetmeat Stall.			
do.	Wardha	Tea and Coffee Stall.			
do.	Nagpur	Food and Sweetmeat Stall.			
	do.	Fruit Stall.			
do.	Amla	Tea and Coffee Stall.			
	do.	Fruits and Sweetmeat Stall.			
do.	Bhusaval	Hindu Refreshment Room.	do.	Agreements can be terminated by 3 months' notice given by either of the parties.	
	Itarsi	do.			
do.	Between Delhi and Balharshah-G. T. Expr.	Buffet Cars			
do.	Between Bombay and Poona-Mail Express trains.	do.			

Name of contractor	Name of station or section	Nature of Contract	Date of commencement of the present contract	Date of termination of the contract	Remarks
Mr. Balabhadra Agrawal	Bardolai	(3) Licensed Coolie Contract	16-12-45	14-12-48	
Do.	Bardolai	(1) Goods & S. Q. T. Handling Contract	2-11-44	31-10-47	
Do.	Bhagalpur	(2) Parcel Handling Contract	"	"	
Do.	Jamalpur	(3) Licensed Coolie Contract	"	"	
Do.	Monghyr & stations on the H. B. Chord	(1) Goods Handling	2-2-46	31-10-47	
Do.	Sakrigali Ghat	(2) Parcels Handling	2-11-44	31-10-47	
Do.	Assam	(3) Licensed Coolie Contract	"	"	
Do.		Goods Handling Contract	2-8-45	31-7-46	
		S. E. RAILWAY			
		N			
		O. T. RAILWAY			
		N			
		B. E. & C. I. RAILWAY			
		N			
		M. & S. M. RAILWAY			
		Information awaited			

CREATION OF ASSAM POSTAL CIRCLES AND CERTAIN OFFICIALS POSTS

207. **Srijiit Dhirendra Kanta Lahiri Choudhary:** (a) Will the Secretary for Posts and Air please state if it is a fact that of late, posts of some Superintendents of Posts Offices and Railway Mail Service have been created by creation of posts of City Superintendents in Calcutta, Bombay and Madras and Railway Mail Service, 'N' Division?

(b) Is it also a fact that it is under contemplation to create some posts of Deputy Postmasters General?

(c) Is it also a fact that another Circle is going to be created at Assam to be called Assam Circle?

(d) Why are Government in so much hurry to create several posts of officers?

(e) Will Government be pleased to lay a statement on the table of the House showing the number of posts sanctioned for Superintendents and Gazetted Officers and the number of Selection Grade and Time Scale Supervisors in the year 1945-46 and 1946-47?

Sir Gurunath Bewoor: (a) Yes.

Five posts of City Superintendents were created on the 28th June, 1945 (2 in Calcutta, 2 in Bombay and one in Madras). The post of the Superintendent R.M.S. 'N' Division was created on 1st April, 1946.

The five posts of City Superintendents were created in replacement of an equal number of posts of Inspecting Postmasters.

(b) Not at present, but such posts will be created as and when required.

(c) Yes.

(d) No posts have been created in a hurry. Posts created only after detailed and thorough examination and in the interest of efficient working of the Department.

(e) Information has been called for and will be placed on the table of the House in due course.

CONVERSION OF TELEGRAPH BRANCH OF MYMENSINGH P. T. OFFICE INTO DEPARTMENTAL TELEGRAPH OFFICE

208. **Srijiit Dhirendra Kanta Lahiri Choudhary:** (a) Will the Secretary for Posts and Air be pleased to state whether it is under contemplation to convert the Telegraph Branch of the Mymensingh Posts and Telegraphs Office into a departmental Telegraph Office?

(b) If so, what is the reason for reconversion?

(c) Is it a fact that the office was converted into a combined office as a result of recommendation of the Ryan Committee?

(d) What was the total expenditure of the office when it was a departmental one and how many telegraphists were engaged at that time?

(e) What is the total expenditure now, and how many signallers are employed now, and how much staff is required according to the present volume of work?

Sir Gurunath Bewoor: (a) The question is under examination but no final decision has yet been arrived at.

(b) Does not arise.

(c) Yes.

(d) The total monthly expenditure of the office when it was a Departmental Telegraph Office was Rs. 2,602. The staff at that time included one Telegraph Master, one Traffic Supervisor and eleven Telegraphists.

(e) The expenditure at present is Rs. 2,321 per month, twelve postal signallers are employed at present. The staff justified according to the present volume of work is eleven signallers.

PLACING THE SORTING BRANCH OF CALCUTTA G. P. O. UNDER A SUPERINTENDENT

209. Srijiut Dharendra Kanta Lahiri Choudhury: (a) Will the Secretary for Posts and Air please state if it is a fact that the Sorting Branch of the Calcutta General Post Office is going to be separated and placed under a Superintendent?

(b) If so, what is the object of creating a post of Superintendent?

(c) Are Government aware that formerly the Calcutta Sorting Division was under a Superintendent but for the sake of economy and efficiency it was amalgamated with the Calcutta General Post Office and placed under the charge of the Presidency Postmaster, Calcutta?

(d) What is the object of separating it from the Calcutta General Post Office?

Sir Gurunath Bewoor: (a) There is such a proposal under consideration.

(b) To secure greater efficiency.

(c) Yes.

(d) The object is to secure greater efficiency. It has been found by experience that with increase in work efficiency has suffered under the present system.

SHORTAGE OF STAFF IN CERTAIN POST OFFICES IN BENGAL

210. Srijiut Dharendra Kanta Lahiri Choudhury: (a) Will the Secretary for Posts and Air please state if it is a fact that the staff of the Satkhira, Saidpur, Lalmonirhat, Rangpur, Barisal, Burdwan and Mymensingh Post Offices are undergoing much hardship owing to shortage of staff?

(b) If not, is it a fact that the matter was represented to the Head of the Circle?

(c) If so, what action has been taken by Government to sanction adequate staff for those offices?

Sir Gurunath Bewoor: (a), (b) and (c). Government have no information. The matter is within the competence of the Postmaster-General, Bengal and Assam Circle, Calcutta, to whom a copy of the question is being sent for necessary action.

SHORT NOTICE QUESTIONS AND ANSWERS

ATROCITIES AGAINST INDIAN MUSLIMS IN PENANG AND MALAYA BY JAPANESE SPONSORED AZAD HIND GOVERNMENT AND INDIAN INDEPENDENCE LEAGUE

Haji Abdus Sattar Haji Ishaq Seth: Will the Secretary for Commonwealth Relations be pleased to state:

(a) whether he has received representations from the Penang Indian Muslim League or from the Indian Muslims residing in Penang complaining against atrocities, committed against the Indian Muslims by the Japanese sponsored Azad Hind Government and Indian Independence League during the Japanese occupation of Penang and Malaya;

(b) if the answer to (a) is in the affirmative, what action has been taken in the matter; and

(c) whether he will send an impartial commission to enquire into these complaints with a view to finding the culprits and bringing them to trial?

Mr. R. N. Banerjee: (a) A telegram from the Penang Muslim League and a letter from a Muslim company containing such representations have been received.

(b) and (c). Inquiries have been made from the Government of India's Representative in Malaya. Atrocities of this kind are alleged to have been committed against Indians belonging to all communities both non-Muslim and Muslim. The British Military Administration, Malaya arrested a large number of persons connected with the Azad Hind Government and the Indian

Independence League and put many of them on trial. Many of these arrests and trials were the result of complaints by aggrieved individuals. Action has thus been taken against those against whom complaints were preferred. The Honourable Member will appreciate how anomalous it would be for the Government of India to seek to send an impartial commission to enquire into complaints of atrocities committed within the jurisdiction of the Government of another country. Government of India, therefore, regret that they are unable to take any action on this suggestion.

Haji Abdus Sattar Haji Ishaq Seth: With reference to part (a) of the question, did the Honourable Member call the attention of the Military Occupation Government in Siam to the specific complaint received here, and did they contact the Penang Muslim League?

Mr. R. N. Banerjee: We are concerned here with Military Administration of Malaya and the Penang Muslim League. We referred the matter to our representative, but I am unable to say whether he actually took this up with the authorities concerned, but the reply that I have given is based on the information supplied by him.

Haji Abdus Sattar Haji Ishaq Seth: With reference to his answer that some people were put up for trial, may I ask have those trials been finished and have those people been dealt with, and, if so, with what result?

Mr. R. N. Banerjee: That is a very old subject, but I would repeat that all those who were arrested for what is called collaboration only have, according to our present information, been released, and quite a limited number—I could not give the exact number—has been tried for specific offences, involving brutality. Some trials have been over, and some are pending.

Haji Abdus Sattar Haji Ishaq Seth: My question is not about collaboration at all. It is about atrocities and brutality against Indians, particularly Muslims.

Mr. R. N. Banerjee: As I have said, some have been tried and convicted and the trials of some are pending.

Haji Abdus Sattar Haji Ishaq Seth: The specific allegation in the question as well as the telegram which my Honourable friend received was that there was a set purpose of committing atrocities against Muslims. Has that caught his attention?

Mr. R. N. Banerjee: The information supplied by our representative is that although there are allegations of atrocities, these atrocities were not committed on any communal basis.

FILLING UP OF VACANT POST OF GENERAL MANAGER, O. T. RAILWAY BY AN INDIAN

Shri Mohan Lal Saksena: (a) Will the Honourable the Railway Member be pleased to state whether it is a fact that the post of General Manager, Oudh and Tirhut Railway has fallen vacant or is shortly likely to fall vacant? If so, what arrangements does he propose to make to fill up the vacancy?

(b) Will he consider the advisability of filling up the post by some suitable Indian?

The Honourable Sir Edward Benthall: (a) The General Manager is proceeding on leave in the very near future. For administrative convenience the Chief Engineer will officiate temporarily pending further arrangements.

(b) Government are considering appointing an officer with wide general administrative experience of Government Railways, with the object of bringing the practice on the Railway more into line with that of Government Railways. The desire of the House to see Indians appointed to such posts is always taken into consideration subject to the avoidance of any injustice to European officers who have rendered faithful and outstanding service to India.

Shri Mohan Lal Saksena: May I know who is the Chief Engineer?

The Honourable Sir Edward Benthall: His name is Mr. Sturt.

Shri Satya Narayan Sinha: Is the Honourable Member aware that there is a strong feeling in Bihar and the United Provinces that this post should go to an Indian? Has he received a number of telegrams from different people, M.L.A.s of the United Provinces and Bihar, and other public men?

The Honourable Sir Edward Benthall: Yes, Sir. In company with a large number of people in this House I have received a large number of telegrams indicating the appointment of a particular gentleman.

Prof. N. G. Ranga: Do they propose to dismiss all these telegrams and pursue their policy of appointing a European?

The Honourable Sir Edward Benthall: That is a most unwarranted suggestion.

Prof. N. G. Ranga: What is that they are doing now except appointing another European there?

(No reply was given)

Diwan Chaman Lal: Water on a duck's back!

Shri Mohan Lal Saksena: What has he got against the particular gentleman whose name has been suggested?

The Honourable Sir Edward Benthall: I do not know why the Honourable Member suggests that I have anything against him.

Shri Mohan Lal Saksena: Why does not he give this officiating chance to him? He is already working there?

The Honourable Sir Edward Benthall: I have not said that he was not considered.

Shri Satya Narayan Sinha: Will the Honourable Member consider the desirability of appointing any suitable Indian in the post? No Indian has so far been appointed as General Manager on this Railway.

The Honourable Sir Edward Benthall: I have fully answered that under part (b).

Prof. N. G. Ranga: That is in the negative.

Shri Mohan Lal Saksena: Why does he not consider the advisability of giving this officiating chance to an Indian?

The Honourable Sir Edward Benthall: For administrative convenience.

Diwan Chaman Lal: What does my Honourable friend mean by 'administrative convenience'?

The Honourable Sir Edward Benthall: We have chosen the best officer to administer the Railway during the temporary vacancy.

Diwan Chaman Lal: Is it therefore a fact that my Honourable friend, who himself represents European interests, has been able to choose only a European as the best man fitted for the job?

The Honourable Sir Edward Benthall: It is, Sir, and I would like to add that it is the oath of an Executive Councillor to do right by all manner of men, according to the laws and usages of India, without fear or favour, affection or ill-will. I do hope when my Honourable friend comes to these benches he will be able to say that he has fulfilled this duty with the same good conscience that I can.

Diwan Chaman Lal: Do I take it that my Honourable friend's conscience does not go as far as finding a suitable Indian for this post?

The Honourable Sir Edward Benthall: Yes, Sir. My Honourable friend wishes to carry the loyal co-operation of the service, he must fill these posts with fearless justice—non-communal and non-racial justice. That is the policy which this Government is trying to carry out.

Diwan Chaman Lal: Does my Honourable friend's "non-communal" and "non-racial" mean that only Europeans shall be appointed to these posts?

Mr. President: Order, order. Next question.

SIGNAL CORPS STRIKE IN JUBBULPORE

Seth Govind Das: (a) Will the War Secretary be pleased to state how many persons are going to be prosecuted with regard to Signal Corps Strike in Jubbulpore, and what their names and designations are?

(b) Will they be allowed to arrange for their defence?

(c) Will the Honourable Member assure that there will not be any vindictiveness?

Mr. P. Mason: (a) 20 persons are to be prosecuted before Courts Martial. Their names are given in the statement which I lay on the table.

(b) Yes, Sir, every facility has been given to them to engage the counsel they wish.

(c) It is a matter of opinion Sir, what constitutes vindictiveness, but I can assure the Honourable Member that it is the intention of the Commander-in-Chief that while punishment should be deterrent, it should contain no element of vindictiveness.

Statement

RANK	NAME	
Recruit	Juggat Singh	Being tried singly.
Signalman	Magan Lal	
Signalman	Gopal Singh	
Signalman	Mohd. Hussain	
Havildar Clerk	Gian Singh	Being tried together.
Havildar	Aseveerdam	
Signalman	K. P. Damodoran Marar	
Signalman	Gulam Hussain	
Havildar	Mohd. Rashid	Being tried together.
Signalman	Prem Narain Singh	
Signalman	Raj Narain Rai	
Signalman	Malhar Rao	
Signalman	Ari	Being tried singly.
Company Havildar Major	Krishnan	
Naik	Uttam Singh	
Naik	Abdulla Khan	
Havildar	D. V. Minu	Joint trial.
Havildar	Shaki Mohd.	
Havildar Clerk	Raman Nair	
Havildar Clerk	Mukundan Nair	

Seth Govind Das: With respect to vindictiveness, how can the Honourable Member say that there is no vindictiveness when he has decided to launch prosecutions against the leaders of the strike? Does he not think that the proper course for him would be to withdraw these cases and redress the real grievances?

Mr. P. Mason: I have already explained that the intention is that the punishment, if there is a punishment, should be deterrent and not vindictive.

Seth Govind Das: In view of the fact that there were real grievances of the persons who went on strike and these persons

Mr. President: Order, order. The Honourable Member is trying to argue. What information does he want?

Seth Govind Das: I am asking: Isn't it a fact that the people who went on strike gave notice to the Government about their intention to go on strike on certain grievances?

Mr. P. Mason: No, Sir.

Seth Govind Das: And isn't it proper to remedy those grievances?

Mr. President: That is a matter of argument.

Mr. P. Mason: They did not give any intention and they had of course, like all service personnel, an established channel through which they could have made their grievances known. But they chose not to do so and they did not.

Seth Govind Das: Isn't it a fact that these people did give notice?

Mr. P. Mason: No.

(Interruptions)

Mr. President: Order, order. He denies it. He has said that thrice. Next question.

EXPORT OF COTTON AND CHETTUR DELEGATION NEGOTIATIONS IN CHINA

Mr. Ahmed E. H. Jaffer: (a) Is it a fact that the Honourable the Commerce Member has put a ban on the export of Indian cotton above 11-16 staple?

If so, from what date, and what are the reasons behind this policy?

(b) For what kind of cotton did the Chettur Delegation make negotiation in China?

(c) What are the results of such negotiations, and when will the House have a full report of this Delegation?

The Honourable Dr. Sir M. Azizul Huque: (a) Government have decided to ban with immediate effect the export of Indian cottons of a staple length of 18/16 inch and above with a view to the conservation of stocks of these types of cotton which they have been advised are running low.

I would like to inform the House that within the Cotton order, Government decided to export roughly eight lakhs of bales which would be permitted up to that extent.

(b) The Trade Mission recently despatched to China was essentially a fact-finding body which was entrusted with the task of surveying the potentialities of China as a market for Indian cotton and tobacco and particularly for ascertaining the facts with regard to (1) the state of the Textile Industry in China, (2) the present raw cotton requirements of China, (3) the present production of raw cotton in China, (4) currency and exchange conditions, and generally for examining the possibility of the revival of (i) the export business, mainly in cotton and tobacco, from India to China, and (ii) trade between the two countries.

(c) A report is under preparation which will shortly be released for general information.

Mr. Ahmed E. H. Jaffer: May I ask the Honourable Member whether any pressure was brought by the millowners to bring this order into force?

The Honourable Dr. Sir M. Azizul Huque: I deny there was any pressure by the millowners or by anybody. But I regret to say that this is a suggestion which is most unwarranted because Government is in charge of conserving the stock in the interests of the country, and if there is any suggestion I completely repudiate it.

Mr. President: Order, order. The Leader of the House.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: May I point out that when a Member makes a serious allegation like this, he must have some justification, and in this particular case the suggestion is that the millowners, an organized body, brought such pressure to bear on the Honourable Member. I think it is only fair that the Honourable Member should be asked to state whether he has any justification for making that suggestion.

(Interruptions)

Mr. President: Order, order. I also do agree with the Honourable the Leader of the House; and suggestions and insinuations of any motives of this kind should not be lightly made unless there are strong grounds for it.

Mr. Ahmed E. H. Jaffer: May I point out that this is not a suggestion. I am asking for information whether it is a fact whether any pressure was brought to ban this export of cotton. I am asking for information. I am not making any allegation.

Mr. President: The suggestion is implicit in the question itself. Has the Honourable Member any kind of information which points to the fact that any pressure was applied?

Mr. Ahmed E. H. Jaffer: I will just point that out by my further supplementary question. And then you may

Mr. President: What is that question? Let us have that question?

Mr. Ahmed E. H. Jaffer: Is it not a fact that this ban will affect the cotton grower and that the price of cotton will go down?

(Interruptions)

Mr. President: Order, order.

Mr. Ahmed E. H. Jaffer: Is it not a fact that this ban will bring down the price of cotton, which has already come down by Rs. 25 and this will indirectly help the millowners?

Mr. President: The Honourable Member is arguing. The two have no necessary connection with each other. If he will look at it, he will find that lowering of prices may help the millowners, but that is different from saying that pressure has therefore been brought by the millowners. The two are entirely different things.

The Honourable Dr. Sir M. Azizul Huque: The Government has for the last few years fixed the maximum and minimum prices of cotton and the cotton has been working within these two levels. Government expects that there will be nothing in the nature of any serious deterioration in the price. The sole reason which Government has to consider is whether there is enough stock for the production of cloth in this country. If there is no production in this country I would like to know whether we should continue to export or allow the country to starve.

Mr. Manu Subedar: The Honourable Member mentioned currency difficulties in dealing with China. Will Government consider the method of negotiating by barter with China as well as other countries where currency difficulties exist, offering China what we have in surplus and taking from her what this country requires?

The Honourable Dr. Sir M. Azizul Huque: That question was put to me some time back. Until I see the report and find out the real nature of the currency difficulty, it is premature for me to answer any problematic question.

Mr. Manu Subedar: It is not so. Will the Honourable Member take it up with the Government of China at once: we know your requirement of cotton and we are willing to supply some of it, namely only 13/16 and what can you give us in return? Will they not take up these negotiations immediately?

The Honourable Dr. Sir M. Azizul Huque: That question is always looked into, namely the question of International trade. We have to find out what are the things which this country can give and what are the things which another country can supply and I have already answered that a maximum 800,000 bales is the quota which would be allowed for this cotton year. Subject to this my answer was given.

Mr. Manu Subedar: As Government have not previous acquaintance with barter contracts, may I not now suggest to the Government of India to seize the opportunity? Why do not they use it so far as China is concerned?

The Honourable Dr. Sir M. Azizul Huque: That has been done.

Prof. N. G. Ranga: What steps are Government of India taking or propose to take in order to protect the interests of the cotton growers in view of the ban on exports of that particular kind of cotton?

The Honourable Dr. Sir M. Azizul Huque: The whole policy of the Government of India in the matter of cotton is to keep to certain price levels. They have to do it in the interest of the country as a whole. It is from that point of view that this question has been decided. If there is any serious deterioration in the situation I am quite certain that the matter will be taken up by the Government of India.

Sir Cowasjee Jehangir: May I know whether his orders will not have the effect of hitting the middleman rather than the grower?

The Honourable Dr. Sir M. Azizul Huque: That is exactly our view of the matter.

Prof. N. G. Ranga: Why not fix the price of cotton?

The Honourable Dr. Sir M. Azizul Huque: It has been fixed. You cannot fix an absolutely rigid one price. The price of cotton has been fixed for the last few years within two levels, one a maximum and the other a minimum and so far Government have taken every step to see that these two levels are maintained.

Prof. N. G. Ranga: Sir, I wish to make one submission with due deference to what you have said. I do accept your ruling that we should not make any insinuations or unwarranted suggestions without sufficient facts. At the same time, I must submit that it will become impossible for us on this side of the House to put any supplementary questions at all if we are to be confronted with this threat from both the Honourable the Leader of the House and also from the Chair.

Mr. President: Order, order.

Prof. N. G. Ranga: Not this threat, Sir, I will say with this very uncomfortable suggestion from the Honourable the Leader of the House, that every time we make a suggestion we have got to be prepared to prove here and now that such and such is the basis for our suggestion.

The Honourable Sir Edward Benthall: Of course.

Prof. N. G. Ranga: We are trying to do our best, subject to various difficulties in this House including the acoustics and if we are asked to come here with bell, book and candle in support of every suggestion that we make, then I am afraid our task in the House would be made extremely difficult, if not impossible.

Mr. President: It is not for me to advise the Honourable Members about their task but there seems to be some kind of misapprehension on the part of the Honourable Member who has raised this question. There are of course many difficulties, first of acoustics and perhaps sometimes, inattention on the part of Honourable Members to the answers that are being given, and some-

times, members talking among themselves and then standing up to put supplementary questions. But apart from those difficulties, it is not stated by any one that each time a question or an insinuation is made, the member concerned should come forward with proof of it. The point is that supplementary questions are to be asked for the purpose of eliciting information. Before flinging any insinuation, the Honourable Member ought first to take out information from the Honourable Member replying and that information will itself disclose as to how far that suggestion is warranted. Therefore, it is not that the Honourable Member has to come with his proofs and then make the suggestion that he wants to insinuate, but he must look at the matter from a judicial point of view and not assume, what seems to him, to be a proper thing on account of his pre-inclinations in a particular direction. He has to base his suggestion on facts; and if facts establish it, the chair will certainly allow the question to be put. But the Chair is also bound to see that unwarranted allegations are not made which are implicit in the question concerned.

Mr. Ahmed E. H. Jaffer: What is our remedy, Sir, when most of the replies given by the Honourable Members on that side are unsatisfactory and they do not give much information. They are mostly evasive. I am not making any mention of the particular reply of the Honourable Member.

Mr. President: What I have felt is that I would be failing in my duty to the Chair and to the House if I do not say what I should. Supplementary questions that are being asked here are more argumentative than questions seeking information, which should be the primary object of supplementary questions. Therefore, if an Honourable Member puts a question seeking information and if information is not given or the information given is incorrect or unsatisfactory, then of course there is the remedy and recourse may be had to it. But we must improve the quality of supplementary questions and restrict them to eliciting information only and not make them argumentative.

Diwan Ohaman Lall: We are very grateful to you, Mr. President, for the light you have thrown on the subject and I am sure the entire House appreciates the light which you have thrown on it. May I also make the suggestion that in the matter of supplementary questions there will be less trouble if in the answers given to questions by my Honourable friend on the other side he is a little more frank and communicative.

The Honourable Dr. Sir M. Azizul Huque: In my reply answering my friend who put the question I have tried to give all the information I have.

Mr. President: The Honourable Member is trying to restrict himself to one particular question. I do not propose to speak with reference to this or that particular question. I have stated merely in general terms and each question and supplementary question thereon will have to be judged on its own facts.

I think we have sufficiently discussed this matter. We might now proceed to the adjournment motions.

MOTIONS FOR ADJOURNMENT

CLOSING DOWN OF SHOLAPUR TEXTILE MILLS FOR WANT OF COAL

Mr. President: I have received notices of as many as four adjournment motions. Two of them are substantially the same. I shall take them up in the order of precedence in which they were received. The first is from the Honourable Member, Mr. Gadgil, who wishes to discuss an urgent matter of public importance, namely:

"The closing down of Textile Mills at Sholapur for want of coal owing to the failure of the Government to supply transport for coal."

May I know from the Honourable Member how many mills there are in Sholapur. I think they are only two or three.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural). There are five textile mills in Sholapur engaging more than 26,000 mill workers. They have been closed since the 3rd of this month and the reasons given are

[Sjt. N. V. Gadgil]

that they did not get any supply of coal whatsoever. It has not happened for the first time. In the course of the last year it has happened half a dozen times entailing a loss of nearly 28 working days, thus resulting in loss of wages to the labourers and impending the rate of production of cloth so far as the public are concerned.

If you would permit me a little relevant digression I may bring to the notice of the House that a similar situation has arisen in Ahmedabad also. There is hardly enough coal in Ahmedabad which will last for more than one day. Instead of giving holiday next Sunday, the millowners have given today as holiday expecting that they would receive some coal by tomorrow. I submit that this is a matter of very great public importance in view of the fact that there have been complaints about the shortage of cloth and this has been caused by the inefficient working of the transport machinery of the country. It is not my desire to take the time of the House unnecessarily. If the Honourable Member concerned promises in his reply that he will do his best and see that the situation is improved in the near future, I shall then consider whether I should move the motion or not.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Yes, Sir. The facts of the case are these. The Controller of Coal Distribution on the 11th March programmed 5,000 tons of coal to go from Singareni Collieries in Hyderabad State against the Sholapur quota of coal in place of coal which was then being supplied for the tobacco flue curing. The Controller of Coal Distribution telegraphed to the railway authorities of the State at Secunderabad on the 15th March to suspend all despatches of coal on account of tobacco flue curing and to send the coal to Sholapur. The Controller of Coal Distribution wired to Secunderabad on the 25th March to see how this was getting on and received a reply on the 29th that no despatches had gone to Sholapur. In consequence, of course, Sholapur was discovered to be running out of coal. I do not blame the Hyderabad authorities who have been extremely good in co-operating with us about coal distribution and transport, but there seems to me to be a little lack of co-operation here resulting in the tobacco flue curing industry getting the coal instead of the Sholapur mills. When it was discovered, steps were immediately taken to despatch coal from the Bengal and Bihar coal fields and elsewhere. Five half rakes were immediately arranged. The first half rake left on the 29th March, the very day on which the Controller of Coal Distribution discovered from Secunderabad that the coal which he had imagined was leaving from the Hyderabad fields was not being despatched. And the loading of this special coal was finished on the 1st of April. Difficulties in the coal fields prevented more supplies, and, in particular, the Holi festival came in the way of sending more. But five extra wagons a day, for a week, were also sent from Ballarpur in the Chanda field in Central India in case the rakes already sent were held up on the way. And a thousand tons of Mohuda coal was also sent. This altogether means the equivalent to 14 days stock. I think the Honourable Member will see that as soon as the Controller of Coal Distribution discovered that the rakes were not being properly sent due to some mistake and the instructions were not being carried out by the authorities in the Hyderabad State, he took all possible steps to implement the obligations to the Sholapur mills. I hope with this assurance my Honourable friend will not press his adjournment motion.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association: Indian Commerce): I would like the Honourable Member to give some information about the Ahmedabad mills.

The Honourable Sir Edward Benthall: It is not strictly relevant. But the position is somewhat the same though there was no mistake there. As Honourable Members will know, there is a general shortage of coal throughout India. All industries, including the Railways, are extremely short of stock. The position in Ahmedabad deteriorated owing to railway restrictions between February

and March and owing to wagon shortage arising out of a number of reasons, including the Holi festival, and also due to diversion to South Indian Railway and to industries in Southern India. It is not possible to build up fresh stocks immediately, but steps have been taken, including steps to provide supplies from fields other than the Bengal and Bihar coal fields to Ahmedabad.

Sjt. N. V. Gadgil: I do not want to move this adjournment motion, but I hope that the Honourable Member will use his good offices with the Hyderabad Railway authorities and do the needful.

The Honourable Sir Edward Benthall: I have said so, but I should like to say that this is the first time when a slip of this nature has occurred in the co-operation between the British Indian authorities and the Hyderabad State.

Mr. President: There will be no further discussion on this. It is only on the question of the admissibility that I wanted to have information. So, the motion is not going to be moved.

DEATHS IN THE BARUNI MELA AT SAMASTIPUR RAILWAY STATION DUE TO CRIMINAL NEGLIGENCE OF THE O. T. RAILWAY

Mr. President: Then I come to the other motion by Shri Satya Narayan Sinha. He wishes to move for the adjournment of the business of the House to discuss a definite and urgent matter of public importance, namely:

"Criminal negligence of the O. T. Railway which resulted in several deaths in the last Baruni Mela at Samastipur Railway Station in Bihar."

When did this mela take place?

Shri Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): About a week ago. I got information of this two days ago. The information was published in the paper *Oudh Times* and you don't get it here. We got this information two days ago, and yesterday I also got a letter giving fuller details. Immediately, I put a short notice question two days ago to the Honourable Member, but unfortunately he did not agree to answer it and he sent me intimation that he is unwilling to answer it. Any way, the feeling is so strong against the O. T. Railway that people of all shades have condemned it. Dr. Rajendra Prasad and other people holding high position have condemned it times without number. What is happening there is, I think simply beyond description. A scandalous state of affairs exists there and I cannot adequately describe it.

Mr. President: I am afraid we cannot go into the general administration of the O. T. Railway. Let us confine ourselves to this particular mela and the deaths, and the particular circumstances about that unfortunate incident.

Shri Satya Narayan Sinha: My information goes to show that there has been terrible overcrowding in the trains. They did get the information about the mela but they made no arrangements for special trains. The result has been that many people fainted in the train, they had to be taken out of the compartments, cholera broke out on account of the insanitary conditions in the trains, no medical aid was given and many people died. All these things have happened. I do not know what is the situation prevailing there now. I think that the harshest punishment should be awarded to the authorities for this negligence.

The Honourable Sir Edward Benthall: It is correct that the Honourable Member put a short notice question to me two or three days ago. Simultaneously I was answering a question today on the administration of the railway, and I accepted also a short notice question on the question of senior appointments. As therefore the main part of that question would be covered by the other questions I was answering today, I did not accept the particular short notice question. But there was one part which was not covered; he asked: "Is he aware that in the recent Baruni Mela due to overcrowding and bad arrangements in trains, a large number of passengers suffered very terribly in many ways?" when I saw that I made a note to find out what particularly

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happened at the Baruni *Mela*. And enquiries have been made. Today I received the adjournment motion to discuss "the criminal negligence of the O. T. Railway which resulted in several deaths in the last Baruni *Mela*". I have seen nothing about these deaths in the paper, and I have not been able to secure any information as to precisely what happened; nor, if I may say so, has my Honourable friend given any precise information. He refers to overcrowding. Everybody knows that there is overcrowding on all railways, and particularly when a large number of people wish to go to *melas*.

Shri Satya Narayan Sinha: When you find such overcrowding which results in terrible misery, does not the Railway owe any responsibility to rectify it?

The Honourable Sir Edward Benthall: The Honourable Member knows that there is a shortage of rolling stock and it is very difficult to provide more rolling stock on the same scale as in peace time when we used to encourage people to travel.

Shri Satya Narayan Sinha: But why did you issue tickets? You ought to have stopped booking.

The Honourable Sir Edward Benthall: With regard to this particular case, there appears to be nothing new in it. Everybody knows that there is overcrowding. As regards cholera, I have no information that it broke out on the railway. It may have been the responsibility of the authorities who run the *mela*, but it is not, I think, the responsibility of the railway. I therefore suggest that there is nothing new in this and the Honourable Member has made no specific allegations, nor does he prove that there have been any deaths. I think, as you just ruled, Sir, it is his responsibility to prove the facts. However, Sir, I have already taken steps to secure information on this incident and as soon as I get it, I will be glad to give full details in my possession to my honourable friend, or if he puts a short notice question, I will answer that particular question.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural). This raises one important point and that is whether the railways have to make or do make any special arrangements for accommodating *mela* traffic. Will the Honourable Member be good enough to place this matter before the Central Railways Advisory Council which is going to meet in two or three days' time? Because this is an important matter; if they have no responsibility at all to run extra special trains and if they are not prepared to stop booking, then naturally there will be overcrowding and deaths and inconvenience to the people. We would like the Central Advisory Council for Railways to be consulted.

The Honourable Sir Edward Benthall: Yes, Sir; with regard to the running of special trains, it is the regular practice of railways to do all they possibly can to encourage *mela* traffic in ordinary times: but as the House knows, we are rather short of stock now and we cannot put on special trains as we used to do. As regards stopping booking, this has been done on occasions, but whenever a railway or provincial government does this, it is immediately accused of some form of malpractice by the Opposition and so we are in a cleft stick in this matter.

Mr. President: I think the matter may be discussed before the Committee and it need not be admitted here today.

RIGHTS OF INDIAN LABOURERS EMPLOYED ON KENVERSMERE ESTATE IN CEYLON

Then there is a motion by Seth Govind Das and an identical motion by Mr. Adityan, about the failure of the Government of India to protect the rights of Indian labourers employed on the Kenversmere Estate, Undregoda, in Ceylon. How are the Government of India concerned and what is the idea underlying this motion?

Seth Govind Das (Central Provinces Hindi Division: Non-Muhammadan): Sir, in this morning's *Hindustan Times* it has appeared that four hundred estate labourers employed in that estate have been served with one month's notice of termination of their services. It is learnt that many Indian labourers have been employed in this estate for over 30 years, and some of them have been resident in Ceylon for more than 42 years. Then it is said that it is calculated to whittle down the strength of the Indian labourers in this estate who may acquire citizenship rights. Now, the question of Indian labour in Ceylon has been engaging the attention of this House as well as outside, and complaints have been brought in this House also again and again; and we find that the condition of Indian labourers in Ceylon is deteriorating every day; and I particularly want to draw attention to this statement, that this is calculated to whittle down the strength of the Indian labourers in the island who might acquire citizenship rights. This is not a solitary incident; it is urgent because it has happened only recently, and it has appeared in the *Hindustan Times* of today. Therefore it is recent and urgent, and it is a matter of public importance because the question of Indian labourers in Ceylon is a very important one and we find that their condition is deteriorating every day; and as I have pointed out this is a particular incident which is going to deprive them of their citizenship rights.

Mr. President: Has the Government anything to say about this?

Mr. E. N. Banerjee (Secretary, Commonwealth Relations Department): I am afraid I cannot plead guilty to there having been any failure on the part of the Government of India to protect the rights of these Indian labourers. I do not have any information beyond what has appeared in the press reports; but so far as I can make out, this particular estate is apparently to be acquired for the purpose of extension of a village adjoining it. It is fair to presume that the Government of Ceylon will not disown their general responsibility for the re-employment and re-settlement of this labour, whose unemployment is about to be caused, from this press report, in a suitable manner. I therefore think that this is not the time to make this the subject matter of an adjournment motion. We shall be calling for information from our representative, and I can assure the Honourable Member and the House that there will be no lack of vigilance on the part of the Government of India in this matter. The Indian community in Ceylon is not so completely helpless as my honourable friend may think. They have even their national congress, and as the press report itself indicates their leaders are quite alive to the necessity of any action that may have to be taken. As soon as we have had some official information from our representative, I will pass it on to my Honourable friend unofficially or in reply to a short notice question, and I feel that that should be enough for dealing with this matter.

Mr. President: I am afraid the information before us is not as complete as one would wish. In any case, the more serious part seems to be the possibility of Indians being deprived of their citizenship rights in Ceylon; this possibility has been hinted at. The better course would be to have the information first, and then, if necessary to take such steps as the Honourable Member may think fit. For the present, I do not think this motion need come before the House.

We now proceed to legislative business.

MOTOR VEHICLES AMENDMENT BILL

The Honourable Sir Edward Benthall: (Member for Railways and War Transport): Sir, I move for leave to introduce a Bill further to amend the Motor Vehicles Act, 1939.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Motor Vehicles Act, 1939."

The motion was adopted.

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

MINIMUM WAGES BILL

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I move for leave to introduce a Bill to provide for fixing minimum wages in certain employments.

Mr. President: The question is:

"That leave be granted to introduce a Bill to provide for fixing minimum wages in certain employments."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

BANKING COMPANIES BILL

Mr. President: Further consideration of the following motion moved on the 9th April 1946 by the Honourable Sir Archibald Rowlands:

"That the Bill to consolidate and amend the law relating to banking companies be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, Sir Cowasjee Jehangir, Mr. B. C. A. Cook, Mr. Ram Nath, Mr. M. A. F. Hirtzel, Mr. G. W. Tyson, Sir Muhammad Yamin Khan, Haji Abdus Sattar Haji Ishaq Seth, Seth Yusuf Abdoola Haroon, Mr. Mohd. M. Killeddar, Mr. Manu Subedar, Mr. Mohan Lal Saksena, Mr. M. Ananthasayanam Ayyangar, Mr. P. B. Gole, Mr. Sasanka Sekhar Sanyal, Mr. T. A. Ramalingam Chettiar, Mr. Satya Narayan Sinha, Sardar Mangal Singh and the Mover, that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five, and that the Committee be authorised to meet at Simla."

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau : Indian Commerce): Sir, I was pointing out to this House how the Reserve Bank, being an apex bank in this country had, in the opinion of the general population of this country, failed to carry out its obligations to the public. We expected it to function as the pivot and fulcrum of the economic life of this country. We expected it to do various other things for us but it failed to do so. This Bill can be rightly called a Reserve Bank Amendment Bill, in so far as most of the sections give more power to the Reserve Bank and I am arguing, in view of the previous failures whether it would be altogether wise to give these powers without putting some corresponding obligation on the Reserve Bank also to do other things and in particular to carry out those obligations in which they have failed. I pointed out last time how they had failed in the matter of the creation of a second schedule to bring in the indigenous bankers under section 55(1), how they had failed to provide finance for agricultural purposes under the same section 55 and how they had failed to create a bill market in this country by establishing the practice of rediscounting. I pointed out that in view of section 19 of this Bill, which enforces a certain amount of liquidity, this rediscounting practice becomes of very great importance as otherwise either a bank has to forego good business which comes to it unless it can rediscount some of the bills which it has got in order to replenish itself to the extent of this 25 per cent. which is mentioned here. The money market of this country as a whole should function with that organic unity and efficiency which unfortunately does not exist now and the failure must be put at the door of the Reserve Bank. There is this besides. As the Honourable the Finance Member mentioned the sterling balances as having been brought in the discussion during the last session, it is a very relevant question. The directors of the Reserve Bank are supposed to be the advisers of this Government, when it suits Government. When it suits the Reserve Bank, they say it is not our subject and Government have not asked us. In other words, between the two of them, this legislature is not even given information as to what passes between these two organisations. In my opinion, it was the duty of the Reserve Bank Board to watch the operation of sections 40 and 41 of the Reserve Bank under the operation of which it is that the notes have been issued and the sterling balances have accumulated. The House will remember this morning the Chancellor of the Exchequer in the United Kingdom gave a reply which indicated that no less than 35 million pounds or 48 crores of rupees have accumulated from the 1st of February to the 29th March.

The Honourable Sir Archibald Rowlands (Finance Member): In respect of previous transactions.

Mr. Manu Subedar: I am not quite clear what my Honourable friend means.

The Honourable Sir Archibald Rowlands: It was money that was due in respect of the transactions that had taken place before that date.

Mr. Manu Subedar: While we have been worrying with regard to the control of these accumulating sterling balances, while we have been pressing serious appeals for some arrangement by which the whole of that may be repaid to us and at all events more may not be added to them, here is an addition of 48 crores of rupees in these two months and the Reserve Bank Board who were expected to look after the interests of this country are sitting there still. I have not yet heard that any of them are resigning. I am told that some of them protested but the Honourable Member has not told us anything about it. I would like to know why we are not given this information. I would like to know why the Reserve Bank during the last ten years has not come up to the expectation which we had entertained when it was started and therefore I say that we ought to go more gingerly in giving more powers without placing direct responsibility and without closely examining the constitution and functioning of this institution with a view to see that it can function better and in short that it can carry out its obligations.

I shall not repeat the suggestions which I had made last year for the appointment of a curator, one Central and one in every province and to set aside a certain amount for this purpose. I would like the Reserve Bank profits to be put aside in a fund for assistance in the progress of banking in this country, so that where a banking institution gets into trouble through no fault of its own and has got to be retrieved and re-established into activity and service of the people, that banking institution could be saved by means of a subsidy and assistance from such a fund.

The next point which I was making and which I will try to summarise is the multiplicity of classifications which are involved in this Bill in respect of sections 11, 18 and 45. Is it necessary to have too many categories in which the banks in India should function or is it not proper that we should have one general category, one general set of regulations which would apply equally to all types of banks in this country. As a matter of fact in section 20 we have a model by which one section applies to every banking company operating in this country. Similarly there are other sections which apply equally to banking concerns operating in this country. Why is this variety introduced here and I would suggest without taking further time as to whether these sections could not be amalgamated, whether a general licensing authority could not be set up with discretion to give licenses for different classes of business and with power to make conditions as it thinks fit and proper in the interests of the general public and in the interests of the depositors. (An Honourable Member: Has the licensing authority the power?) Certainly. My friend pretends that such power would be very arbitrary but may I point out that such power is exercised at present. Take the Controller of Capital. Is he not exercising powers for the control of capital. If he can refuse to give permission for the constitution of a banking company, is there any sense in forming two sets of controls. When you have a separate law and a separate Act involving the functioning of banks generally, it is my submission that we ought not to have a multiplicity of authorities or unnecessary classification and too many categories and that we ought to concentrate on one.

The next point which I wish to mention and which is a very important thing which should be done in the next year or two in order to improve the business health of this country and that is the question of multiple directorship. I am very glad that my Honourable friend has brought in sections 16(2) and 17, the provisions of which to some extent deal with these tendencies to work in groups, in caucuses and close corporations so far as directorship of joint stock companies is concerned. I am not quite certain whether there may not be found ways of

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going round these provisions by holding subsidiaries, so far as section 16(2) is concerned. I am not quite certain whether by *benami* and by other methods the provisions may not be evaded. I am glad that provision is made in section 22 and elsewhere against fictitious accounts being opened which are no other than those of the Director or the Chairman or the General Manager. Therefore I welcome this clause as far as it goes but may I make a suggestion to Government? When I say, Government, in this I mean the Government as a whole. They have requisitioned the services of a very competent authority in Bombay to go into the revision of the Indian Companies Act. I would like the Government to entrust this gentleman, Mr. Tricumdas Dwarkadas, one of the

most outstanding company lawyers in Bombay, with the specific point as to whether something may not be done in order to prevent a man being a director of more than six companies at all events for normal purposes. If there are any abnormal purposes coming along and shown, some other provision may be made in order to make an exception. With regard to loans to companies, I have already received representations that it would be very difficult if Banks are not permitted to give loans to those companies in which their directors are merely directors and not otherwise interested. I quite realise that there is no piece of law which you can set up at any time which will not have some effect on *bona fide* parties who are not doing anything against society. Yet it must be necessary in order to deprive members for the abuse of this freedom and privilege which may be taken advantage of by unscrupulous people who are merely after their own private interests and their own greed. I wish to say that sections 16 and 17 are in the right direction, but in my opinion they do not go right to the root of it. Take the issue of the Group companies. I do not want to give names, but we hear such and such a Group have got now an Insurance company, now a Textile company, now a Bank, now a vegetable oil, now a sugar, now a newspaper and so many other things. Now, Sir, it is the practice in this Group to have Directors who are all accommodating and friendly parties. It is the practice, and it is quite useful, I do not deny it. I do not say that in all cases it leads to evil, but the practice is bad. In order to improve the business health of the country, I trust that the Government will not fail to take such action going to the root of it by amending the Indian Companies Act so far as the number of directorship which an individual can usefully, properly and efficiently carry with himself.

Then, Sir, the third big question which I want to deal with is the discrimination which is sought to be made in favour in the first instance of British Banks in clause 11(2), clause 18(8) and (4)(c). This is inevitable in the present law as it exists and we trust that the assurances given by the Government in the House day before yesterday will fructify and that we shall be able to eliminate those provisions which we do not consider necessary with regard to English companies. May I point out that the English Banks may have rendered great service in old days and they may be rendering certain service even now. But I do not see why this legislature should be restricted from making such provisions as it thinks best to make for the better regulation of banking which is capable of applying exclusively to companies not registered in India. Companies registered in India have all sorts of restrictions placed on them under the Companies Act. They are watched in many ways. Shareholders are all here and there are various means by which Indian banks are coming under check. Similar checks cannot be applied to a company from U. K. because of the special privilege and protection which they enjoy under the law of this country under the 1935 Act, under what are called commercial safeguards section 111 to 121. In order to bring them in under any provision we have to, as my Honourable friend was compelled under clause 20, to bring them in, bring also Indian companies. In order to impose any responsibility, liability or any other requirement from them, it is necessary to put similar requirements and similar liabilities and similar responsibilities on every Indian company operating in this country. This is a humiliating position. It is not necessary. It often leads to confusion. I trust that before this Bill finally

becomes law, we may have some assurance from the British Delegation which has come to this country by which we will be informed that the operation of these sections has been suspended and that so far as this legislature is concerned, it is free to provide for these things in the best and in the highest interest of India.

Now, Sir, I spoke about discrimination in favour of British companies. The next point is about discrimination against Indian States. Is it realised by my Honourable friend that there are lot more branches of British Indian companies operating in Indian States than *vice versa*, and if that is so, have you thought what would happen in case the Indian States resent this discrimination. Either you treat them as sovereign authorities or not. If you treat them as sovereign States, have Government considered whether they may not come in with some kind of retaliation?

Sir Cowasjee Jehangir (Nominated Non-official): They do retaliate.

Mr. Manu Subedar: What I feel is this. I will make a suggestion to Government. In many cases, I know Indian States have got branches of their own Banks in British India. I think in many cases they will be able to accommodate themselves. All that is wanted is a two or three clauses Bill which my Honourable friend can draw up. We know that States like Mysore or Baroda and others who are concerned with it, they will permit the Reserve Bank of India to regulate Banks in the same manner in their territory as the Reserve Bank does with regard to British India. It would be different if for any reason a particular State refuses to come into line in this manner, and accept the Reserve Bank as the authority. If it has been accepted by the Government of Burma and the Government of Ceylon, I cannot imagine any constitutional ground under which an Indian State will not accept it. If any Indian State does not accept it, then by all means come forward and provide for discrimination of the kind which you have put.

Now, Sir, with regard to U. S. A., may I say that the discrimination which is sought to be put against them is altogether in the wrong place and it should be omitted. It is true that the Banking Committee did recommend this thing and therefore I dare say the Government have got an excuse that it is part of the recommendations. But is it not a fact that even English banks also cannot operate in U. S. A. today? And yet is it not a fact that U. S. A. Banks are free to operate in U. K. If a mighty and powerful country like U. K. has not thought it necessary to discriminate and to shut out American banks from that country, I do not think it is time that such a responsibility should be thrown on India. In any case, since my Honourable friend is speaking frequently of his successors, will he not leave this particular aspect, at all events, a settlement of our relations with U. S. A.,—will he not leave it to us, instead of making us appear to be giving offence to U. S. A. by the provision which he is making. Sir, my Honourable friend pleaded in another place for U.N.R.T.W.A. and he said if you do not come in with fresh contribution, U.S.A. might take offence! I say the offence involved in this discrimination is ten times more. I have already heard from high quarters with which I am familiar about this discrimination which is sought to be made. I am glad to welcome U. S. A. banks here. They are very efficient. Without fear of contradiction I can say that you can cash your cheque in the shortest possible time in the National City Bank of New York in Bombay than in any other Banks, British or Indian. We are very glad to welcome them. I do not want to do in this legislature anything by which we will specifically shut out U. S. A. banks. This National City Bank of New York is helping Indian banks. It is Exchange banks which are hampering us. The Exchange Bankers Association recently tried to prevent this Bank from helping Indian companies in the matter of foreign exchange business by splitting up commission as it was called, but this Bank is trying to help Indian Banks, and get them to become familiar with foreign exchange business service which the British banks are not doing. And in these circumstances I would urge that this particular discrimination should be omitted and our relations with the U. S. A. may be very properly left to the successor of the Honourable Member whenever he comes.

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Sir, I will take up Select Committee points in the Select Committee and I will thus save the time of the House. But before I close I should like to be permitted a personal digression. I was the most active member—if I may say in all humility—of the Central Banking Committee; and I did what will go down as the *magnum opus* and the principal work of my life in the discharge of a duty which I owed to the land and the people from whom I was produced in the preparation of the Minority Report of the Central Banking Committee which is a closely printed document of 494 pages. Sir, I want it to go down on record that I take this opportunity to pay my deep and humble tribute to the great teacher from whom I learn the elements of banking. After all banking in this particular form in which it is considered in this Bill is very largely a foreign importation. We have adapted ourselves to it, we may beat the Englishman at this game as we are beating him in cricket. (*The Honourable Sir Archibald Rowlands*, "Question!"). It is a foreign importation; and I want to take this opportunity to place on record my humble tribute to the great teacher, Professor Foxwell, at whose feet I learnt the elements of banking which enabled me to put in that active work in the Central Banking Committee as well as to prepare that minority report. Professor Foxwell dominated banking thought in the United Kingdom for thirty years. I was amongst the last batch of humble pupils he had; he had distinguished pupils connected with the finances of India, like Sir James Meston whose name will be immortalised as the author of the system which we have still adapted for the distribution to the provinces, and Lord Keynes also was a pupil of this same gentleman. I take this opportunity of paying my humble tribute to that man of great personality, great integrity and great knowledge. And may I mention for a moment that my British friends occasionally are angry with me when I want full rights and fair treatment to Indian interests. (*The Honourable Sir Archibald Rowlands*: "No. no.") But they do not realise what they are losing in spurning me, frustrating me or isolating me; because some of us are tied by the silken thread to the same British method of thinking and the traditions and institutions which are dear to them. We shall not let go lightly these ties which are binding us to those from whom we have learnt these things. And yet some of them do not like that we stand out for full rights. Therefore I am very happy that with your permission I have been able to pay this tribute, and I want it to go down on record that all that I have done and all that I am capable of doing, so far as banking is concerned, has been with the assistance and basic knowledge imported by this great man whose memory is very dear to me and to whom I pay my tribute. Sir, I support the Bill.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. President (*The Honourable Mr. G. V. Mavalankar*) in the Chair.

Mr. Geoffrey W. Tyson (Bengal: European): Mr. President. When the Honourable the Finance Member made his speech on the introduction of this debate on the new Banking Bill he appealed for a certain amount of brevity on the part of other speakers and I propose to accommodate him to that extent at least. Therefore, Sir, in signifying the approval of the European Group of this reference of the Bill to a Select Committee, what I have to say will be of a brief and somewhat formal character.

This is the latest of, I think, three Bills that have come forward on the subject of banking reform. I myself in the last Assembly was elected with one of my colleagues to a Select Committee, to consider the second banking bill, which never met. This third Bill, I am glad to note, in some important respects represents an improvement on its predecessors and to that extent will, I believe, command a correspondingly greater degree of public support. Nonetheless, I warn the Finance Member that he is not likely to get it through on to the Statute Book without a good deal of haggling over some of the individual clauses of this long and informative Bill.

We listened this morning to the second part of a lengthy speech by my Honourable friend, Mr. Manu Subedar, who is entitled to talk with great authority on a subject to which he has given a good deal of time and thought in the course of the last twenty years.

Mr. Manu Subedar: Thirty-three years.

Mr. Geoffrey W. Tyson: Sorry, thirty-three years. He was a Member of the old Banking Enquiry Committee and, I believe, wrote a minority report which, as to its length and content, completely engulfed the majority document. My Honourable friend made a gracious reference to Prof. Foxwell to whom he attributed much of his present knowledge of banking methods and science, and speaking as one who is desirous of seeing Indo-British co-operation in the field of culture and learning, I was very glad to hear the words which fell from his lips. I imagine, however, if he casts his mind back on Foxwell's teachings he will perhaps recall that this great Professor at some stage or another in one of his books, so far as I can recollect, points out that legislation is undoubtedly necessary to govern the operations of banking companies; but it does not by itself make good banking, which rests on traditions of probity, prudence, integrity, and so on. Now, Sir, there has been a very considerable growth of Indian banking during the war years. Incorporated in that growth are I think some new institutions which have come to stay, and to play an important part in the banking structure of the country. But when the growth of a particular type of institution has been as rapid and as widespread as the growth of Indian banks during the war, there is obviously a considerable mixture of both good and bad features. Many of the details of the banking situation which exist in this country today, and as it has developed in recent years, will come before the Select Committee and receive the scrutiny of its Members. I am not going to attempt to traverse all the arguments that might be put forward on individual clauses of the Bill. That I think I shall be better qualified to do after I have had the benefit of hearing the proceedings of the Select Committee.

My Honourable friend, Mr. Manu Subedar, devoted a considerable portion of his speech to the position of the Reserve Bank of India, and he was critical of the role which the Reserve Bank has played in the past, and he commented upon its several new directions in which it might initiate a fresh and more progressive policy. I am not now concerned either to endorse or to answer those criticisms. I will merely, on this occasion, point out that the Bill does give new and important powers to the Reserve Bank of India, particularly in the field of inspection. And that raises the question of whether the present inspectorate resources of the Bank are adequate to the new and extensive responsibilities and duties which will be placed upon them when this Bill reaches the Statute Book. I have no doubt it is a matter which the authorities of the Reserve Bank of India will bear in mind in the coming months, and I merely mention it now as a reflection which occurred to me when reading the Bill and later on when listening to my Honourable friend's speech. It would, I suppose, have been too much to expect that on an occasion of this kind, when the Banking Bill is before this House and my Honourable friend is speaking on it, to hope that he would eschew a reference to such matters as the sterling balances and the position of the British Exchange Banks. He referred to Sections 40 and 41 of the Reserve Bank Act. I presume that if and when the amendment of those Sections of the Reserve Bank Act are necessary, the Legislature will be given an opportunity of expressing its views. Mr. Manu Subedar also alluded to clauses 11 and 18 of the Bill which is now before us, which he thought seek to confer upon British banks operating in this country special benefits. He said, that these sections of the Bill have, in fact, discriminated in favour of British banks. Well, I do not propose in the remaining moments of my speech to attempt to answer a general criticism of that kind about which one might speak at very great length. All I will say is this—one has to consider it in the context of the information we received (I think it was yesterday morning) regarding the so-called safeguarding sections of the Government of India Act. So far as British banks in this country are concerned, they know that their future rests, as has their past success, upon the

[Mr. Geoffrey W. Tyson]

existence of good relations with their Indian clients, who in fact constitute the overwhelming majority of their customers. Mr. Subedar referred this morning to the encouragement which certain Indian Banks in his city were receiving from a certain American bank. I might be permitted to add that the British Exchange Banks in this country have laid down good tradition and have trained staff, and have, as I think my Honourable friend will admit, from the beginning imported into the economy of India a worthwhile banking tradition. I should be sorry to see anything appear in this Bill, when it emerges as an Act, that did not take a full recognition of the part which British Banks have played in this country for so many years past, and with that observation I will formally, on behalf of the European group, support the reference to Select Committee.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): It is a matter of regret to me that I was not in the House on the afternoon of the 9th and so I could not listen to the speech of my Honourable friend the Finance Member, when he introduced this Bill. From what I read in the papers, I gather that the speech was a lucid exposition of the Bill, its clauses, its objects, and its reasons; and unlike my friend, Mr. Gadgil, I do think that the loss is mine that I was not here at the time.

Two outstanding figures, Sir, of the last Assembly, when I first came to this House, were—and I mean no disrespect to anyone else—the late Sir Nripen Sarkar and the late Mr. Satyamurti. After Sir Nripen had successfully piloted the Insurance Bill through the Assembly, Mr. Satyamurti in congratulating him on the event, requested him to bring forward a consolidating Bill on Banking Law; but Sir Nripen Sarkar, despite his gigantic intellect, was nervous of the task Mr. Satyamurti put before him and said that he could not undertake it. It is therefore a matter of congratulation for the Finance Member that he has boldly undertaken the task and has successfully introduced a useful measure in this House.

Sir, the main objects of every piece of banking legislation in our land can be two, and only two, so far as I can make out. One is that we must try to encourage small banks; and the other is that while encouraging small banks, we should also protect the depositors' money and make sure at the same time that the indigenous banking system on which so much of our village economy depends, as recognised by a report of the Reserve Bank itself, is by no means destroyed. Banking, Sir, is a risky business; because one plays with another man's money; and no doubt Government have been anxious—and rightly anxious—that as far as possible the interests of the depositors should be protected. There was a bank in Benares—the Benares Bank—which got into difficulties—and was ultimately liquidated—in which I was myself greatly interested; and at the desire of those in charge of the bank, I had a long interview with Sir James Taylor, whom I knew and who was then the Governor of the Reserve Bank. A sentence of his in the course of his conversation greatly struck me. He said that "with a Reserve Bank, functioning in the country—I am quoting his exact words as far as I can remember them—"there is no chance for small banks". I was frightened. This particular Benares Bank unfortunately got no help from the Reserve Bank and it was ultimately destroyed. Whenever we ask any question about the Reserve Bank in this House we are told that it is almost an autonomous institution and that Government cannot exercise any control over it; but it does seem to exercise a great deal of control over the Government itself.

The Honourable Sir Archibald Rowlands: No, Sir.

Shri Sri Prakasa: Very often I feel that it is an all-powerful institution. It has, for instance, masses of money, under the law from Scheduled Banks, which the Reserve Bank pays no interest; and if the Scheduled Banks themselves get into temporary difficulties and want some portion of their own money that had been forcibly taken from them by the Reserve Bank, as a temporary advance, they have to pay a heavy penal interest. I think that this is a factor which the Finance Member can usefully take into consideration and see to

that some relief is afforded to Scheduled Banks who are compelled under the law to keep a certain portion of their money without interest in the Reserve Bank, and which they can only get with considerable difficulty on the payment of a heavy interest.

Sir, I have no desire to discuss at this stage the various clauses of the Bill in detail, but a few points that strike me, as I cursorily look through the clauses, may perhaps be mentioned here without any desire to raise a controversy, but with the sole desire that the Finance Member and his colleagues may think whether any relief is possible in those directions.

Clause 8 of this Bill, for instance, prohibits banks from carrying on various types of business. I believe a check of the sort is a healthy one. At the same time, as I know from the experience of the Benares Bank to which I referred, certain types of business are almost forced upon a bank, because the persons who have borrowed money from the Bank have nothing else to give to the bank in return when they themselves get into difficulties; and even the most farsighted of bankers cannot possibly know at the very start as to the nature of the difficulties that the borrower may get into in the long run. For instance, mills and ice factories and even collieries came in possession of this Bank, which the bank was compelled to work, but which, in the very nature of things it could not properly work, and which in the end resulted in its ruin. I think that such factors should be taken into consideration by the Finance Member and some provision made so that if certain types of business are forced by circumstances on particular banks without any fault of their own, then they should be permitted to carry on that business and not be deprived of the profits that they might be able to make from such business.

I think that clause 11 is rather cumbrous. It lays down the amount of money that a bank should have before it can have branches in various places. Perhaps it would be more equitable and more practical if we lay down lump sums of money that would be necessary before a bank could start business. It would indeed be a difficult process—calculating the amount that a bank should have, if it is permitted to have a branch in a Presidency town or a mofussil town or a village. I do not know how that will work but I do think many practical difficulties are in store if that clause is allowed to remain in the terms in which it is drafted today.

Then, Sir, there is section 17. My friend Mr. Manoj Subedar has rightly said that this clause makes salutary provisions. But I also remember Sir Nripendra Sircar saying when the matter came up in the course of the discussions on, I believe, the Companies Act, that very often the Directors themselves are the biggest customers of a bank and that a bank is able to make a lot of money by the accounts the Directors keep, on which they overdraw from time to time. There are very few persons who have accounts in the Bank and who do not occasionally overdraw. It is not always that we look into our pass books before we sign a check; and the Directors, being only human, can be no exception to the rule. I think, Sir, to prohibit a Director, simply because he is a director, from overdrawing even a small sum which as things stand he can easily be expected to repay and will surely repay. If such a provision stands, I think a bank is likely to lose and not gain.

The Honourable Sir Archibald Rowlands: If he has security, it is all right.

Shri Sri Prakasa: Then there are the provisions.....

Sir Cowasjee Jahangir: Does my Honourable friend mean that a Director should borrow from the bank of which he is a director without security?

The Honourable Sir Archibald Rowlands: Only from the Benares Bank!

Shri Sri Prakasa: A large number of persons who have ordinary current accounts in a bank can and do overdraw; but directors, as the clause stands,

[Shri Sri Prakasa.]

would not be treated as such ordinary customers. If I read this clause aright, a Director will not be able to overdraw even by a mistake a rupee over the amount that happens to be in his name in the bank, while an ordinary customer would be always accommodated by a bank. I have an account in a bank, I send a cheque and it is paid. But if I happen to be the Director of a bank that cheque will not be paid if it is for Rs. 25, while I have only Rs. 24 in the bank. I think some provision must be made so that a thing like that may not happen.

The Honourable Sir Archibald Rowlands: "Ha, ha!"

Shri Sri Prakasa: From the "Ha, ha" of the Honourable the Finance Member I gather that I have made a stupid statement.

The Honourable Sir Archibald Rowlands: You can draw ten rupees! (Interruption by Mr. Manu Subedar)

Shri Sri Prakasa: I do not pretend to be very rich and I cannot afford to look at Rs. 25 like my friend Mr. Manu Subedar or the Honourable the Finance Member. If a bank refused to keep the account of a person who has only an occasional credit of Rs. 25 and insists on every man having a credit of Rs. 25,000, not many banks can prosper; and if that is the principle on which we are acting, there is no hope for any small bank in the country; and I personally have no desire that small banks should be swept off and only big business should prosper. We cannot forget that owing to the special economic conditions of the immediate past, a large number of small banks have come into existence and they have got to be protected.

Sir, I come to the clause that deals with the winding up of banking companies and I congratulate my friend the Finance Member on making the provision that the Reserve Bank shall be the liquidator of banks in the future. Many persons have had the sad experience of High Courts unnecessarily interfering in winding up proceedings. High courts are at best human and very often.....

The Honourable Sir Archibald Rowlands: At best?

Shri Sri Prakasa: Yes, at best only human and even they have their own partialities and their patronage; and I make bold to say that High Courts in order to patronise some briefless lawyers create regular official liquidation offices and in order to feed such an office they forcibly send companies into liquidation. I am glad that a thing like that will not happen in the future so far as banks are concerned and that the Reserve Bank itself shall be the liquidator of banking companies and that the Reserve Bank can be expected to see to it that small sister banking companies—if I may call them so—do not come to grief. Care should however be taken that the provisions of the existing law regarding schemes of compromise between banking companies in difficulties and their creditors, are not eliminated. They are necessary and equitable provisions. I welcome clause 33 of this Bill and I only wish that the provision of the clause could be made retrospective. I know at least one bank that would have been saved if a law like that had been in existence sometime back; and many perhaps could be saved even today if the clause could have retrospective effect.

These are the only points with which I wish to trouble the House this afternoon; and when the Bill emerges from the Select Committee no doubt all sections of the House will have ample opportunity to amend the provisions of the law as it stands; and make the Bill a full, complete and helpful measure.

I once more congratulate the Honourable the Finance Member on the boldness of his venture and wish him all success.

Sreejut Rohini Kumar Chaudhuri (Assam Valley: Non-Muhammadan): Mr. President, Sir, I rise to say a few words on this motion. I would lay stress on the effect that this Bill will have on small banks, particularly with reference to a small Province like Assam where banking business is still in an undeveloped condition. I am afraid that my Honourable friend, the Finance Member, has

conceived the idea of presenting this Bill at this juncture in his usual mood of cutting practical jokes and in his usual mood of making mischief. He has literally put us in a quandary and has, so to speak, entrapped not only the small fries but the bigger guns of this House. Well, we have to welcome this piece of legislation as having asked for it and having cried hoarse for a comprehensive legislation on banking measures. But this certainly is not a piece of legislation which at this moment we, or any Indian, would welcome. It has been said that this Bill was circulated for eliciting public opinion and that it has received a certain amount of support. But it is one thing to get public opinion in its favour in the year 1944 or, for the matter of that, in the year 1945, when the millstone of repression was round our neck and it is quite another thing to get the opinion of the people of India in the year 1946 when we entertain some hopes of freedom or of seeing better days. At this juncture, is this the sort of legislation which we, people who consider ourselves to be on the threshold of independence, could welcome? In this piece of legislation there is not a word or suggestion about nationalisation of banks. All that is seen in this piece of legislation is only the policing of indigenous banks and also the stifling of business enterprise of small men who had been able to do some business during the war through the support of indigenous banks. If I was left to myself, instead of congratulating the Honourable the Finance Member who, by the way, does not care a bit for congratulations of people like us, I would have advised him that he should withdraw this Bill and come forward with a more comprehensive Bill.

The Honourable Sir Archibald Rowlands: You are left to yourself. Who is preventing you?

Sreejut Rohini Kumar Chaudhuri: I am not listening to you. There is no use interrupting me. I will not be able to reply to the Honourable Member properly within the small space of time at my disposal and there is no use interrupting me at all. Instead of thinking too much of himself by being congratulated here and there by my friends in the House, I think it will do him well to take my advice to drop this Bill and come forward with a more comprehensive one, so that even after he has left this country, when Indians will have freedom to work new ideas and in a new order of things, they may have a good word to say in his favour.

Credit has been given to the author of this Bill for introducing here a sort of policing method on the banks. I know what police in India means. The police in India are a terror not only to the wicked but also the honest people—and it must be admitted that they are greater source of terror to the more honest people. We have seen how unwilling aggrieved persons are to go to the police stations for lodging complaints. In this matter of policing which has been suggested in this Bill I am afraid it will only introduce a false sense of security amongst depositors. Depositors will think that on account of the precautionary measures which have been taken in this Bill they have nothing else to do and that their money is safe. This will slacken the care of the shareholders and depositors which will have otherwise been more vigilant in their own interests. Now I would like only to apprise the Honourable the Finance Member of the opinions which have been received from the Province of Assam on this matter. I would also request the Honourable Members of the Select Committee also to take the trouble of at least going through these opinions.

First of all, I read the opinion of the Government of Assam on the subject. "I am desired to emphasise the peculiar position of Assam which has not only not reached the stage of development in banking attained by other Provinces but is peculiarly dependent on Bengal, and Calcutta in particular, in banking matters. For this reason it might be advantageous to re-word the provisions of clause 11 so as to impose the desired restriction not according to provincial limits but in respect of economic zones or Regions according to which Assam would be included with Bengal. The inconsistency of this clause with rule 94A of the Defence of India Rules has been pointed out in several of the opinions received as well as in the debate on the introduction of the Bill in the Central Assembly, and this Government advocate the removal of this inconsistency."

[Sreejut Rohini Kumar Chaudhury]

Lastly, this Government would request that due weight should be given to the objections, particularly to clauses 11 and 18, advanced by the smaller Banks—and all Banks in this Province are small—and that if possible restrictions on the limits of paid-up capital and reserves should be modified, consistently with the interests of depositors, in such a way as to enable the small indigenous banks to carry on without being swamped by competition from larger banks from other provinces; banking is only in its infancy in Assam and this Government would urge the desirability of protecting an infant industry until it is capable of standing on its own legs."

This is the opinion of the Government of Assam. I will now read the opinion of the Registrar of Joint Stock Companies. He says:

"Almost all the smaller banks have either converted themselves to loan Companies or have amalgamated with other banks. The few companies which are now left as banking companies have been put on a hard competition with other banks. At the same time it appears impossible for them on account of the restrictions imposed by rule 94A of the Defence of India Rules to raise their capital. Clause 11(i) of the Bill may be recast in such a way that the limit of paid up capital and reserve is reduced to a great extent so that the banks of smaller provinces like Assam may not disappear. As pointed out by the banks, Calcutta is the centre of all trades for Assam, and if this limit of paid up capital and reserve is not reduced to a great extent if not altogether omitted, all the banks of this Province which have a place of business in Calcutta or elsewhere outside the province of Assam may have to close their branches which will affect the trades in this province."

Then again, sub clause (a) of clause 11 (i) (ii) makes a discrimination. For opening a place of business in Calcutta for example, a Bank registered in Bengal will have less capital than a Bank registered in another province."

I hope the Honourable Finance Member is hearing.

The Honourable Sir Archibald Rowlands: Oh yes; I am.

Sreejut Rohini Kumar Chaudhury: That is the way of listening more correctly I suppose; but sometimes he makes a complaint that he does not hear. The registrar says further:

"This discrimination may be removed altogether so that the same provisions may apply to all banks irrespective of their province of origin. As a safeguard of the interests of smaller banks so far as this clause is concerned Reserve Bank regions may be treated as economic units irrespective of provincial boundaries, so that the disparity that now exists in sub-clauses (1) (i) and (1) (ii) (a) may be removed."

With a view to give greater facilities to the banks to which the provisions of this Bill are applicable in the matter of raising their paid up capital, it seems that rule 94A of the Defence of India Rules may be relaxed or so amended as asked for by the banks of this province, so that the banking companies may make an attempt to raise their capital in the meantime.

Lastly, if the provisions of clause 11 are not considerably amended in the light of the above facts, the small banks of this poor and undeveloped Province of Assam are likely to be seriously affected by competition from outside."

Sir, just a word of explanation. When we clamour for a High Court for our province of Assam, we are referred to the Calcutta High Court and we are told to take our justice from the Calcutta High Court. If we ask for a University in Assam, the Calcutta University is considered to be quite sufficient for us. But when we want the same privilege as the banks of Bengal have so far as location of branches in Calcutta is concerned, we are not given the same privileges. There is discrimination exercised against us. For instance, any bank in Bengal which has a capital of five lakhs can have their branch in Calcutta. But if a bank in Assam is to have their office in Calcutta, their capital must be raised to Rs. 20 lakhs. I do not see how this discrimination can be justified at all. On the other hand, our position is this. We have taken to banking business comparatively recently. I remember the Gauhati Bank which is the first Bank started their was established in 1927 only. We are not now getting an opportunity of raising our capital; permission is not given to the indigenous banks in Assam to raise their capital. At the same time this restrictive clause has been introduced, so that we cannot have any office in Calcutta, because we cannot raise the capital. Now there are some banks which have already got their branches in Calcutta, and they will have to close those branches because

they cannot increase their capital to the extent of Rs. 20 lakhs. As I have said there are branches of Assam Banks in Calcutta, viz., Gauhati Bank, Shillong Banking Corporation, Bank of Assam and others; all these banks have a small capital and they will have to close their branches in Calcutta on account of this law. This is how our banks in Assam will be affected by this legislation, and if after this my Honourable friend the Finance Member expects me to follow and accept his Bill, I can only say that I cannot oblige him to that extent.

Then, as regards the stupendous powers which have been given to the Reserve Bank, the Reserve Bank have been practically put in the position of the Central Government in certain matters. The Reserve Bank can suspend—the Governor or Deputy Governor of the Reserve Bank can suspend—the operation of this legislation in favour of any banking concern which they would like to oblige; and we know very well what sort of banking concern the Reserve Bank will like to oblige. They are not going to pay any heed to these smaller banks and the indigenous banks, but with the bigger banks they will be quite friendly. Are we prepared to give all these powers to the Reserve Bank when we know that there is hardly any possibility of the Reserve Bank being nationalised in the near future, notwithstanding all that the Honourable Finance Member may have said in reply to criticism of his Finance Bill?

Now, Sir, the main objections to this Bill are against clauses 11, 18, 28 and 30. So far as the smaller banks are concerned, I think these clauses should be substantially modified before they can be at all helpful to the indigenous banks. The question before the House is this: whether it is desired that all further banking enterprises from the indigenous people, all further banking enterprises from small business, should be stopped altogether, or whether it is the policy to allow those rich concerns grow richer, and put a stop to these ugly-looking, clumsy, poor banks—stop them altogether, but go on enriching those people who have already enriched themselves. If that is the policy which the Government is going to follow, then this Bill may be accepted in its entirety; otherwise, this Bill must be thrown out sooner or later. It may not be thrown out at this stage; but it must be eventually thrown out if substantial modifications are not made in the clauses to which I have referred. The people who are going to take the place of my Honourable friends opposite, or the people who may be coming to take our places on this side will never tolerate this piece of legislation as it stands, unless it is substantially modified in the light of the criticism which I have made in regard to these clauses.

Now, Sir, as regards clause 18 I will just draw attention to the opinion expressed on page 54.....

The Honourable Sir Archibald Rowlands: Of what?

Sreejut Rohini Kumar Chaudhury: Of the opinions.

Sir Cowasjee Jehangir: This document has been circulated.

Sreejut Rohini Kumar Chaudhury:

"This clause does not include cash at other banks which should have been included in determining the percentage of the liquid assets as provided in the clause. If all bank balances are not taken into consideration, cash kept in scheduled banks at least should be treated as cash for the purpose of this clause. Cash kept by a scheduled bank to the Reserve Bank is deemed to be cash but the Reserve Bank has no branches of its own everywhere. These non-schedule banks functioning in the remotest corners of the country must have some sort of facility in this respect so that they may be relieved of maintaining very heavy cash balances in the vault which is a very risky affair in mofussil towns. It will also be very difficult for some small banks to maintain 25 per cent. of the liabilities in cash or gold or in unencumbered securities. It would be advisable to fix different quotas for different places of business, ranging from 15 per cent. to 25 per cent. as the demand is not likely to equal in all places. In mofussil towns banks work more with cash liabilities than with demand liabilities."

I will not take up the time of the House by repeating this further. I hope the Honourable Secretary will give him a note on this subject, so far as Assam conditions are concerned.

[Sreejuti Rohini Kumar Chaudhury]

As regards clause 30 which corresponds to clause 28 of the original Bill, this is what has been said:

"This clause should be deleted as in our opinion unlimited power has been given to the Reserve Bank in regard to inspection."

Sir Cowasjee Jehangir: I rise to a point of order. I do not want to interrupt my Honourable friend. He has been reading from the opinions that have been circulated. Up to now, opinions have not been allowed to be read in *extenso*. My friend has been reading from the opinions for the last 20 minutes. I do not mind it on the present occasion but I want a ruling that in future no Honourable Member will be allowed to read opinions that have been circulated for any length of time.

Mr. President: The Chair cannot undertake to give a ruling about something which may arise in future. As regards the present point of order, I do not think the Honourable Member is reading in *extenso*. He has two or three points to make and he is giving the relevant quotations.

Sir Cowasjee Jehangir: He has been reading for the last 20 minutes.

Mr. President: Not twenty minutes. The Honourable Member is perfectly in order in referring to the opinions in support of the points he is making. He should not read long passages in *extenso* but should restrict himself only to relevant passages, as he has been doing.

Sreejuti Rohini Kumar Chaudhury: If the Honourable Member will give me an assurance that he will take these points into consideration, I will not read these opinions. Instead of mentioning my own arguments, these opinions will be my argument.

I was referring to clause 28. The opinion given on this is as follows:

"This clause should be deleted as in our opinion unlimited power has been given to the Reserve Bank in regard to inspection and report. There is possibility of misusing such powers by the inspecting staff. Further by this clause the inherent right of the shareholders and creditors, who are virtually the owners, initiators and risk takers, have been overridden. There is no such justification in introducing such a clause which will not only drive out henceforth any more share money or deposit to come in as there will remain in the minds of the contributors that over their head some other authority is working to decide the game. From all sense of propriety and law of equity, the risk takers should not be denied their inherent right of deciding their fate."

One other point that I want to make is about the inspections by the Reserve Bank initiated at the instance of the Central Government, without any previous intimation to the banks concerned and without asking them for any explanation. A particular bank in the course of its office hours may one fine morning find itself confronted with an inspector who has come to inspect that bank. What would be the position of that particular bank which has been kept in darkness about the whole thing. The bank will suddenly find itself being inspected and the idea going round would be that there has been something fishy in its proceedings. Now, they have had no opportunity to offer any explanation at all but the fact that one particular bank has been singled out for this purpose may give it a bad name in the market. There may be nothing fishy found in the bank's operation after all. Still the reputation of that bank will receive a shock. The very fact that an inspector had been selected particularly to inspect that bank, although everything may be found to be in perfect order, will give a bad name to the bank and that name will cling to it and ultimately it will damage the interests of the bank. Instead of having this provision, it will be better in normal times to have a sort of annual inspection by the Reserve Bank at particular times and unless a very clear and convincing case is made out for it, no bank should be inspected in this surreptitious manner which clause 30 empowers the Central Government to do.

I shall give you one instance of how the Reserve Bank treats the smaller banks. I will not name the bank. A certain bank in Assam had applied for increase of its capital. That application was refused some months ago and it was asked to make a further application. Again an application was made for grant of a larger capital issue but again the application of that indigenous bank has been refused on the recommendation of the Reserve Bank received on the

previous occasion, because according to the Reserve Bank, banks from outside the province which are functioning in the province are quite adequate to meet the demands of the public. If that is the plea which can be successfully put forward in cases of application for enhancement of capital made by the indigenous banks, there is very little chance of their raising their capital. In my opinion the whole thing has been wrongly approached on account of the arbitrary, dictatorial power given to the Reserve Bank. I ask what is this Reserve Bank? Are they the representatives of the people? Why should we allow our future to be entirely mortgaged to the whims of the Reserve Bank? That is a question to which I should like to have an answer.

Sir, I know there are many other provinces similarly situated as Assam such as Orissa and the North-West Frontier Province and as the representatives from these provinces may wish to express their views, I shall not take up the time of the House any more.

Dr. Sir Zia Uddin Ahmad (United Provinces: Southern Divisions: Muhammadan Rural): Sir, the country will remain grateful to the Honourable the Finance Member for the action he has taken in improving the banking conditions in the country. But my complaint is that he has not gone far enough. He has made no attempt to touch another class of banking, which is a great nuisance in this country and which I can call as parasites to the economic stability of the country. These are private banks which I will describe later on. My Honourable friend Mr. Manu Subedar described his experiences of early education in banking, and when I was listening to him, I was reminded of Ramsay Muir, a well known personality who once said that all business education is a farce, and it is useless, because a successful businessman will never impart the secrets of his success to his pupils and we do not want to learn from persons who are failures in business. In most cases, it is not so much the education, it is really the personal experience which a man acquires by his failures and successes, by his ability that really goes a long way in making a man a successful businessman and a successful banker. We in India are suffering from what I would call want of a banking mind. This failure in this country is due to the fact that banking has been started by private individuals, not with the object of spreading banking knowledge among the people not with the object of really improving trade and commerce, but purely for personal ends. I was once sitting at the house of the late Sir Fazli-Husain in his house at Inverarm, Simla, when Lala Harkishen Lal was also sitting at the same table. We were taking tea, and Lala Harkishen Lal was telling me if he could find one thousand fools in this world who would be able to contribute to his scheme of banking coupled with insurance companies and various other schemes which he had in mind. He would be able to make fortune. I said to him, you really want a good canvaser who could go forward into the country portraying a glorious picture of the whole thing, then fools certainly there will be forthcoming to invest their money. I subsequently found that whatever scheme he outlined to me that day, he put it into practice and worked it out. But after all you cannot fool all people for all the time. Things did not work well as expected and he came to grief, because honesty finally prevails. I say the banking system will grow if only the people become banking minded. That will also solve the problem of inflation. Instead of carrying notes of high denominations in pocket, which one requires for business, small cheque book will be sufficient and the whole question of inflation will be solved. If you want to encourage banking habit in the minds of people, the first reform that you should do is to minimise the discount on cheques, if you cannot altogether abolish the discount. This is the point for consideration of the Select Committee. Banks should not charge discounts for cashing cheques drawn in favour of its own branch somewhere else. If I draw a cheque in favour of the Imperial Bank at Aligarh, then I ought to be able to cash it at par at the Imperial Bank, Delhi. This should be the beginning of the reform so that people may become banking-minded. I believe the conditions in England are the same as they were in my days. Cheque in those days could be cashed at par at any bank whatsoever. This system ought to be introduced here in India. The bank charges ought at least to be reduced in the first instance, at least in

[Dr. Sir Zia Uddin Ahmad]

the case of branches of the same bank or in the case of the scheduled banks which are supposed to be grouped together, and this facility ought to be gradually extended to all the banks which have been recognised under this Act. The discount which they are required to pay is four annas per cent., and this may also be reduced by 50 per cent. If these two improvements are made, the banks will become popular and people will use cheques more and more instead of currency notes and by this method alone you will be able to reduce the currency note circulation substantially. As my Honourable friend knows, it is only currency notes that are responsible for inflation of prices and for the flourishing of black market business, and for corruption among officials and so on. All these evils will disappear, because business transactions will mostly be done by cheques.

The next point to which I wish to refer is the power given to the Reserve Bank, the power of inspection about which my Honourable friend from Assam was complaining. I say that every bank should be inspected automatically at least once in three years. There should be regular inspection of banks, just as we have inspection of Universities by Grants committees. A certificate from the Reserve Bank will certainly raise the status of a bank and people will begin to have greater confidence. With such enlarged powers of the Reserve Bank, I think it is very necessary that it should be nationalised, and that it should be a Government Bank. When the Reserve Bank Bill was under discussion in this House, I fought tooth and nail against its being a shareholder bank and I urged that it should be a State Bank. My Honourable friend Sir Cowasjee Jehangir will remember that I described the Reserve Bank as *neembu nichore* Bank. This merely means that the shareholders bring in five crores in order to take advantage of over 500 crores of Government balances with the Bank. A person by simply squeezing a lemon and contributing a few drops may take part in a full dinner sitting with rich men. That is how I describe this whole affair. The few people who contribute five crores as sharemoney are enabled to derive full advantage of the whole assets of the Bank and they become virtually the Dictators of the Reserve Bank and shape its policy. This is not at all justified. They were not satisfied with the five crores share money, but they shared the benefits of all the assets of the Bank and this I called then as fees for grinding teeth as some people in Muttra demand. When the Reserve Bank Bill was under discussion in 1926 everyone was in favour of a State Bank and not of a shareholders Bank. Sir Purshotamdas Thakurdas was a very powerful advocate of a State Bank. I then said on that occasion, that overnight he changed his opinion, and advocated a private capital bank. On a previous occasion Sir Purshotamdas Thakurdas said that the idea of a private shareholders' bank was only to be mentioned in order to be rejected. That was the opinion of Sir Purshotamdas Thakurdas when the Bill was introduced in the Assembly, but in one night he changed his mind and became really in favour of a shareholders bank. Then I quoted the example of other leaders and I will not take the time of the House now by giving the opinions of prominent leaders who took part in that Reserve Bank Bill debate. But the experience of 13 years has proved that the position taken up by the opposition at that time was correct and Government are gradually taking the view that it should be a State bank and they are gradually changing it into a State bank though on paper it is a shareholders bank. The directors of the Central Bank or the provincial directors do not use their position to the advantage of the people but to the advantage of themselves or their own business group. That is a thing which people very much resent and the sooner the Reserve Bank is changed into a State bank the better, specially when we are going to invest them with large powers.

The next point was one which the Honourable Member merely touched upon but did not go into in detail, because he feared an atomic bomb, was about banks in the Indian States. In the matter of industries there are three problems, and the greater the delay in dealing with them the more complicated the problems become. It was pointed out by some Honourable friends that there are several banks in Indian States and a number of British Indians have

invested money there. These State banks have got branches in British India; so there is no hard and fast division as in the case of foreign banks. Such is the case about custom duties and the Companies Act. The position of the Indian States with reference to custom duties, Companies Act, and banking should be defined sooner or later. My Honourable friend carefully avoided the issue of Indian States and did not tackle this problem. But sooner or later some kind of compromise should have to be arrived at, either by treaties or by negotiations or by legislation. Sometimes Indian States are called foreign countries while at other times they become part and parcel of British India. They cannot have it both ways, and the question will have to be settled.

My next point is about rural credit banks. It is exceedingly important for the development of India. In some provinces, specially in the U. P., they are thinking of abolishing the landlord system. But the real parasite in the case of the villagers is not so much the landlord as the *sahukar*. In connection with the Reserve Bank Bill in 1933 we pointed out that rural credit banks should be established and encouraged by Government with the object of saving these poor villagers from the parasites who take away their entire produce. Even today with all these controls we find that the village *bania* or *sahukar* has greater control over the movements of foodstuffs than Government with all their orders or Defence of India Rules. These rural credit banks should be introduced and this surely was a good occasion for doing it.

The other thing that should be clearly mentioned is the exploitation by these banks. My Honourable friend must have read the history of the failure of a number of banks. The Alliance Bank of Simla, for instance, broke down because of speculation in roubles. A similar thing happened with other banks also. There should be a definite provision that no bank should be allowed to have any transaction in bullion and foreign currency. That should be explicitly forbidden; otherwise a number of banks may be ruined and this is when we can save them.

Then I come to the differential treatment meted out by these banks to their customers. This is something in which we are very much interested, specially those who are weak in commerce and industry. There are customers who are put in 'A' class and to whom money can be advanced while there are others in a different class to whom money cannot be advanced. They investigate the credit of each individual, and in fixing the value of each individual in the matter of advancing money a good deal of *golmal* is created, and I think there should be some method by which the Reserve Bank should be able to correct this malpractice.

Next I come to unclaimed deposits. That is a question which also has been agitating the minds of some Members of the House, specially those who are in the Muslim League, as to what happens to unclaimed interest and unclaimed deposits.

[At this stage Mr. President vacated the Chair, which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)]

There should be some provision in the Bill prescribing the manner in which unclaimed deposits and interest should be disposed of. I am not in a position to make any suggestion just now, but I hope the Select Committee will deal with this question and make the proper suggestions.

The Honourable Sir Archibald Rowlands: They should go to the State, or to Aligarh University.—I don't mind!

Dr. Sir Zia Uddin Ahmad: If it is the latter I am with you.

The Honourable Sir Archibald Rowlands: That is the law in England anyhow.

Dr. Sir Zia Uddin Ahmad: Then something should be done about private banks. I think no one should be allowed to have any private banking arrangements without license. I hope this point the Select Committee will look into. It should not be open to any one to lend money to others and charge whatever

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interest he likes. You may call it the *mahajani* system, but it should be regulated by law. This is the time and place to regulate this private banking and I hope the Select Committee will look into this matter and insert some clauses providing for some kind of licensing system in order to regulate these unregistered banks.

Then I come to the rate of interest, specially interest on deposits. Here also the Reserve Bank may lay down the limits. No bank should be permitted to have any rate of interest it likes, because banks may offer even eight or ten per cent. for fixed deposits. In that case that bank will come to grief and all the depositors will lose their money. In such a case the Reserve Bank ought to help and guide and be useful to the depositors, otherwise people will not become bank-minded. The Reserve Bank should prescribe the limits within which alone the interest on fixed deposits may be given and within which money may be advanced to individual banks. Both these things are important.

Another point which was made by my Honourable friend, Mr. Manu Subedar, is that these Banks should be mere banks and they should not combine other business, insurance and things like that. I entirely agree with him.

The Honourable Sir Archibald Rowlands: That is in the Bill.

Dr. Sir Zia Uddin Ahmad: If they do other business and speculation in order to rob the people of their money, they cease to be banks. One thing which the Honourable the Finance Member should always keep in mind is that the object of this Bill is to make the people of India more bank-minded. Therefore, all facilities should be provided to the people so that they will have more and more recourse to the banks, and they should have confidence in the banks. At present they have no confidence; I myself do not have any confidence. When I hear about any programme of rich people, the more doubtful I become about the security of money in their charge. I know I can face a smaller man, but I cannot face the ingenuity of a very rich and successful businessman. In this case the law ought to protect the investors.

Sri M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): How much has the Honourable Member lost on account of the ingenuity of successful businessmen?

Dr. Sir Zia Uddin Ahmad: I lost about Rs. 8,000.

The Honourable Sir Archibald Rowlands: In a ten-thousand rupee note?

Dr. Sir Zia Uddin Ahmad: I need not say how; I have repeated it three times on the floor of the House. The Honourable Member had better read my speeches.

It is the duty of the Government to protect the investors and this can only be done if banking is done on the right lines. There should be no profiteering, no attempt to rob the investors in various forms and the banks should be mere banks and nothing else.

Time does not permit me to deal with the Bill clause by clause, but I am sure that the Members of the Select Committee will look into the matter and make substantial improvement in the present Bill when they discuss it in Simla.

Sri M. Ananthasayanam Ayyangar: I do not know why the Honourable the Finance Member has not tried to rope in the entire monetary system in the country in his Bill. This Bill is very narrow in its outlook; this Bill deals only with banks which are registered as companies under the Indian Companies Act, or which could be wound up only under the Company Law. But there are persons who are dealing in banking in various ways; individuals are carrying on banking business in this country. They are strewn all over the country; in almost every village or groups of villages you will find moneylenders. They receive deposits and lend at unconscionable rates. Moneylending is a provincial subject, but banking is a Central subject. This Bill is welcome, but I

thought the Honourable Member would enlarge the scope of the Bill so as to include provisions controlling the entire monetary system in this country. It is unfortunate that the village moneylender is not touched; the village banker is not touched at all; he does not come under the safety and security provisions of this Bill. Partnership associations carrying on moneylending and banking business in various parts of this country are not touched. It is the Partnership Act under which partnership can be wound up because they do not come under the Indian Companies Act, and they do not come within the purview of this Bill. That is one big class which has not been roped in, and to which the whole-some provisions of this Bill do not apply.

Then I come to the companies which come under the Indian Companies Act and could be wound up under the Indian Companies Act. In the Indian Companies Act there is Chapter 10 (A) which refers to banking companies and which is much wider in its operations. This Bill restricts the definition of 'banking'. Under this Bill a banking company is that which 'accepts current deposits and repays on demand'. In addition they may take fixed deposits or time liabilities but when once a company does not take time liabilities or does not put itself under an obligation to pay on current account, then it ceases to be a bank. It is this way: If a bank undertakes to pay on a draft, it ceases to be a bank for the purposes of this Bill. If money is payable, it must be on demand, and then alone it becomes a bank. Very many banks may circumvent this provision and say we shall pay on alternative days or five days in a week, and then they cease to be banks under this definition. I do not know why the Honourable Member has restricted the scope of this Bill when in the previous Act of 1918

The Honourable Sir Archibald Rowlands: Questions have been raised.

Sri M. Ananthasayanam Ayyangar: A number of questions that have been raised have not stood in the way, but on the other hand my Honourable friend has copied other countries absolutely without adjusting the banking business to the needs of this country. He is following the model of other countries without adapting other institutions to the needs of this country. There is absolutely no reason why the scope of this Bill should have been contracted as to limit this only to cases where demand liabilities form the essence of the banking business.

You will read Chapter 10 (a) where a banking company is one which transacts business, not only current deposits but fixed deposits of various kinds, which not only pays out moneys on cheques but also on drafts and other orders. This part of 10 (a) of the Indian Companies Act, as it exists, is very wide in its scope. I will give only one illustration. There are a number of companies—textile mills, for instance, which can take fixed deposits and agree to pay them after six months, one year or two years. This banking Bill has nothing to do with them, and though a number of persons may deposit moneys there, the Reserve Bank will have nothing to do with it—it has no right to appoint auditors, inspect, or get the balance sheet or the profit or loss account. The Indian Companies Act will alone apply, and the cash reserve or provision of assets in this country—all these wholesome provisions will not apply and therefore a large volume of real banking business which is being carried on in this country will be left out of the operation of this Bill. But I would not reject this Bill merely on that ground. To the extent it goes, it makes very wholesome provisions for checking speculation in banking.

The origin of this Bill was this: A bank was started in the State of Travancore, and it had a number of branches all over the country. They had assets but ultimately it was wound up. I need not go into the reasons of the failure of that bank. After it was wound up, depositors in the State received sixteen annas in the rupees because the assets of the bank were in the State. So far as British India is concerned, we got only 12 to 13 annas in the rupee; we were not able to get the balance. Therefore to safeguard the interests of persons who make current deposits, this Bill has been brought forward. They have not only brought this Bill but repealed by it part 10 (a) of the Indian Companies Act.

I am afraid the Honourable the Finance Member has not noted with the care that it requires the implications of the repeal of part 10 (a). I am afraid he has copied the Bill as introduced by his predecessors with modifications that are necessary from the opinions that have been gathered during the course of circulation. You will please, Sir, note what are the consequences of removing part 10 (a) of the Companies Act, all those banks which are existing banks and which agree to take money on fixed deposits and agree to pay twice

The Honourable Sir Archibald Rowlands: It is not a banking company by definition.

Sri M. Ananthasayanam Ayyangar: By definition we have been restricted to take only demand liabilities. What is to happen to those companies which have till now been banking companies and which do not engage in demand liabilities and only take fixed deposits.

The Honourable Sir Archibald Rowlands: They will not be called banks of course.

Sri M. Ananthasayanam Ayyangar: A large number are there. They are regulated under the Company law. The Company law is defective. Therefore a separate bank law was insisted on. You have left that alone. It is not got by the present Bill. It has taken away from the provisions of the previous Act.

The Honourable Sir Archibald Rowlands: It will not be a bank. It will come under the Company Law.

Sri M. Ananthasayanam Ayyangar: That is exactly what I am complaining against. My Honourable friend wants to remove from the category of banks a large number of institutions which were doing banking business and he has now regulated them to the ordinary Company Law as joint stock companies. That is what I am

Sir Cowasjee Jehangir: Is the Honourable Member meaning shroffs and chettiairs.

Sri M. Ananthasayanam Ayyangar: I am referring to banks which have only savings bank accounts. There may be a joint stock company with shareholders doing bank business, not in taking demand liabilities but in savings bank accounts. They may receive fixed deposits. They may pay in two days instead of agreeing to pay every day and every minute. Naturally a bank which undertakes to pay on demand takes its own time. It needs only to get out of the scope of this Bill to say that it will not pay as presented on demand. Twenty-four hours must elapse before I pay. Then easily all the efforts we are spending upon this Bill will be wasted, if by a trick, it says that next day the liability will be paid. It then ceases to be a demand liability.

The Honourable Sir Archibald Rowlands: Put it right in the Select Committee.

Sri M. Ananthasayanam Ayyangar: I am glad that the Finance Member is giving an assurance that it will be rectified in the Select Committee. In other parts of India we have what are called Chit Funds. In my part they are called *nidhis* where a person becomes a shareholder by paying one rupee a month. He pays this for seven years, totalling Rs. 84 and at the end of that he is given Rs. 100. Now there is no provision at all. It is registered under the Companies Act. There is no provision that so much percentage of profits must be set apart for Reserve. For fixed deposits 1½ per cent. ought to be kept always in reserve so that the company or *Nidhi* may be able to meet the demands when they arise. There is no provision for this in this Bill.

The Honourable Sir Archibald Rowlands: This is a Banking Bill.

Sri M. Ananthasayanam Ayyangar: That is also banking. He says that this law does not apply to *Nidhis*. Why has he restricted the course of this law and relegated the rest to the ordinary company law?

The Honourable Sir Archibald Rowlands: Let us have another one.

Sri M. Ananthasayanam Ayyangar: It took so many years before this came into existence. Now, Sir, I agree with my Honourable friend, that now being a representative not of the old Tory Government but of the Labour Government he ought to have made bold, when the Bank of England was nationalised to have nationalised the Reserve Bank of India.

The Honourable Sir Archibald Rowlands: I am not under the dictation of Whitehall.

Sri M. Ananthasayanam Ayyangar: Nor are you under my dictation.

the Honorable Sir Archibald Rowlands: You are not all there.

Sri M. Ananthasayanam Ayyangar: I hope so, Sir. I assure my Honourable friend that I do not want any person to carry on money lending in this country. Private money lending shall be abolished. Every single pie shall be driven into a bank and it shall be only a bank that lends to individuals, or corporations for trade. It requires courage to prevent money lending in any form I know, Sir, and it is common knowledge that roundabout the Secretariat which is in charge of my Honourable friend, there are *multanis* and others. I am not casting aspersions on anyone. They lend to people who get Rs. 200 a way of salary and they get a complete hold on their property and the money they come out with their salaries nearly 75 per cent. of their money is taken away by the *multani*. He has a small stick. He is tall and huge and these people quake in their shoes before him. That man if he takes privy from the borrowers and pledge them in the Imperial Bank of India, any amount of money is given. But if directly, these borrowers go to the Imperial Bank for loan their documents are not valid. The Reserve Bank of India is absolutely capitalistic. Instead of encouraging directly, the Agricultural Banks are trying to lend to them. They have prepared a brochure where they have said the middle man cannot be got rid of. It is only to the moneylender we must lend. This is the system they have evolved. I do want every moneylender to disappear. Every village must be served by a co-operative bank. Any man who has money to save must deposit it in a bank and through the Bank, industries must flourish and agriculture also. It has taken four years to draft out all these sections. I were allowed to draft I would do it in two clauses. I would draft that where the middlemen have no iron-safes and want to get a surplus, a huge loan safe made and the key is in the Reserve Bank of India. The middleman is anxious to safeguard money. For letting out there is no provision. What is all this banking for? Is it not for the purpose of drawing out the surpluses so that they may be driven into the corners of this country and agriculture and industry may be developed? At the fountain source the water appears and sinks for want of a channel for the water. The Honourable Member must have courage and have an agricultural fund. Every bank must contribute something to that. We are not sure of the seasons here. If a crop should fail and if the bank should lend to the agriculturist from the fixed deposit, it must be made good by the various Central Banks. There are five big banks in this country. They do not know where to lend or invest. Fifty-five per cent. of their assets have been invested in Government securities. They do not lend to any other industries. Directly they cannot engage themselves in industries. It is a wholesome provision but they are too chary. They are anxious to keep their money at home without even earning interest. They would not lend the money to the poor man for the purpose of agricultural industry. This is only for the purpose of the middleman or the richman, who has tons of money and who does not know how to keep it under lock and key, and Imperial Bank does not give them a pie by way of interest on current accounts. It is only to such a small section of the population that my Honourable friend has brought the legislation. What about the rest of the population. Banking business is not merely to keep the money safe. I

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the business of the Government of India, as of any other Government, to collect the money and see that it is distributed over the whole country for the purpose of increasing the wealth of the country. Unfortunately that aspect of it has not been touched at all. I hope that it will be taken up at some future time.

Now I will come to the clauses of the Bill.

This Bill consists of four parts—first, formation, secondly working, thirdly inspection and supervision and fourthly winding up. Now for formation. Till now so far as banks are concerned the minimum capital that a bank should have was Rs. 50,000. Now the minimum capital with which a bank should start is one lakh of rupees. That means as some of my Honourable friends have said that there is no place for small banks. A bank started in a small district headquarters mainly for the purpose of the agricultural population need not start with a huge capital of a lakh of rupees. A small bank has a restricted scope of operation and its field is restricted to the district. It will not have the ambition to go beyond the borders of the district. There is a provision for licensing. Whenever a new branch is opened it must be with the permission of the Reserve Bank. It is a wholesome provision, for this reason lest there should be unwholesome competition. When there is a provision for restricting the activities of banks, it is not necessary to change the minimum capital from Rs. 50,000 to one lakh. I would urge upon the Finance Member to agree to reduce the one lakh capital to Rs. 50,000 with respect to small banks. After all my Honourable friend certainly knows that it is not the capital that is invested in a bank on which the entire superstructure of the bank is built. As my Honourable friend Sir Zia Uddin Ahmad said in proprietary concerns, whether banks or insurance companies, they start with a small capital. What is contributed is large amounts of deposits which run into crores and astronomical figures. In the banks the amount of deposits does not depend on the capital that is invested. What matters is the management. That is so in insurance companies also. Let there not be too much of an insistence upon one lakh as the minimum capital.

With respect to bigger business companies every Presidency town must have a big bank and every Presidency town bank must have five lakhs by way of capital. A bank cannot be called a Scheduled Bank unless it has a capital of five lakhs and with a less capital it is not entitled to be in the Schedule. There is a provision that those banks which carry on business in Bombay and Calcutta alone need have a capital of five lakhs. Why do you leave alone the other Presidency banks? Wherever in a Presidency town a bank is started it shall have a capital of five lakhs. I would like that the minimum should be raised from one lakh to five lakhs.

The Honourable Sir Archibald Rowlands: We shall put it up to five lakhs in Madras.

Sri M. Ananthasayanam Ayyangar: I have no objection. Do not think that you can threaten me. I am willing.

Sir Cowasjee Jehangir: I would suggest your consulting the Honourable Member from Assam.

Sri M. Ananthasayanam Ayyangar: I have already answered his question. So far as Assam is concerned it shall be reduced to Rs. 50,000 but not in a Presidency town. My Honourable friend with his "ready money" does not want a bank but there are people who have to wait for years to get a copper pie. My friend from Assam confines himself to a rural population. In a district it is unnecessary to insist upon a capital of five lakhs. At the district headquarters let the capital be Rs. 50,000 for a branch let it be Rs. 10,000. In the Presidency town let it be five lakhs. It is unreasonable to say that a bank as soon as it crosses the borders of one Presidency, say from Madras to Bombay, immediately you should insist upon 20 lakhs as capital. It is too much to expect. If Madras is split up into four provinces on a linguistic basis, the operations of a bank would extend from one small province to another. Why do you insist upon 20 lakhs as capital. I would urge upon my Honourable friend to divide

this country into four regions—North, East, West and Southern regions and each region may consist of three or four provinces. All banks conducting their operations in three or four provinces should have a capital of five lakhs, for each branch one lakh and nothing more. By insisting upon too much of capital banking enterprise in the country would be cut down. I want to give this warning to my friend in the hope that wholesome provisions will be made.

I would like certain restrictions to be imposed on dividends. Is there any restriction on the dividend that a shareholder can draw? My friend the Commerce Member has brought forward an Insurance Bill where in he has tried to tackle some of these problems. There is the question of overhead charges. I am aware that there is a provision in this Bill that 20 per cent. at least should be set apart, so that in a few years time a reserve may be built up equal to the outlay. That is a wholesome provision. Where a number of shareholders want to control the entire business of the bank, or where the bank business is carried on not by the share capital that is invested but by the large amount of deposits that is invested, this bill does not make any provision for the safety or the convenience of those depositors. My friend Sir Zia Uddin Ahmad said while you need not pay too much to these depositors, when people borrow why are moneys lent at enormous rates of interest?

Dr. Sir Zia Uddin Ahmad: I want to limit that also. I said so clearly.

Sri M. Ananthasayanam Ayyangar: The bank discount rate is only three per cent., whereas outside you cannot get money from banks for less than seven or eight per cent. There should be a maximum rate, not more than two or three per cent. based on the discount rate prevailing. The discount rate prevailing shall be the rate of interest at which money shall be lent by any bank. So far as dividends are concerned six per cent. or at the most not more than nine per cent. shall be paid as dividends in any banking company. (Interruption) nine per cent. is too much. I am prepared to agree to six. I am glad to see the amendment suggested by my Honourable friend. I say not more than six per cent. shall be paid by way of dividend to any shareholder in any shape or form and this should not be circumvented. The amount that is payable on the share capital invested shall not exceed six per cent. and the loan rate shall not be more than two or three per cent. over the discount rate prevailing in the country.

As regards expense ratio large sums of money can be saved. The expense ratio also must be limited. They say managing agents are not appointed but somebody called a Director will be and they pay him thousands of rupees. I would say that the expense ratio should also be limited.

Dr. Sir Zia Uddin Ahmad: How much will it be?

Sri M. Ananthasayanam Ayyangar: As regards voting rights I would request the Honourable Member to consider this. The voting rights are to the shareholders in the proportion of the amounts subscribed by them to the entire amount subscribed or the paid up share capital. Thus if a businessman purchases 99 per cent. of the shares he holds 99 per cent. of the voting rights. If I am not right my Honourable friend will correct me. I want that whatever might be a person's interest in the share capital his voting rights should be limited to five shares; whereas any other man will have one vote. Let us take the profit and loss account of all these companies and whether the amount of capital is small or large the deposits and the current interest charges alone carry on the business of the company. Certainly at the expense of others money is being made. Why should the shareholders take all the profits. It is a loot and we are trying to help them in the name of law and order. We are making a law allowing these rich persons to grow richer at the expense of the poor. I would therefore say that the voting right ought not to be more than a maximum. Five shall be the maximum, whatever and howsoever much are the shares.

Sri Sri Prakasa: Will the Honourable Member kindly let me know what he would like to do with the Reserve Bank itself? It has a capital of five crores only. It makes eighteen crores in profits. It cannot pay more than four per cent. to the shareholders. No shareholder can have more than ten votes. If they are

[Shri Sri Prakasa.]

not given their equitable share of profits the Government loots the whole. Would the Honourable Member think that that is the proper procedure.

Sri M. Ananthasayanam Ayyangar: I agree that so long as there is a foreign government it may do anything with the profits as it likes. But you and I are entitled to distribute them to the poor and towards nation building services. Why should they take away the rest? It has started well, and let us not throw cold water on it. But what are the qualifications of the Directors? There is inspection, there is the Governor and some others may be there. But the Directors are not chosen on account of their public spirit or on account of their sacrifice to the country. A man who has got Rs. 100 can purchase a share. If he has five shares he is entitled to be on the rolls and he becomes a Director. Who elect them? Except that their fathers left them some money or they earned some money and were able to invest it, they cannot be called representatives either of the country or anybody in the country. They represent only themselves. The Reserve Bank as it is constituted is competent to control the other banks. It is a close preserve. For instance, Members of the Assembly are not competent to sit on the Reserve Bank. That is about the voting capacity.

Now, let me come to the Managing Agencies. Whereas in the previous Act, managing agents were not allowed to run banking companies, I have a doubt whether in an indirect manner managing agencies are allowed to do so under the Bill. I invite your attention to Section 277H of the Indian Companies Act, which says:

"No banking company shall after the expiry of two years from the commencement of the Indian Companies (Amendment) Act, 1936 (XXII of 1936), employ or be managed by a managing agent other than a banking company for the management of the company."

That is the existing law. Managing agents are not allowed to run the banking business of any company. Let me come to the provision in this Bill. I am afraid this allows managing agents to be there for terms of five years. Clause 10 of the Bill says:

"No banking company . . . shall employ, or be managed by, . . . or any person having a contract with the company for its management for a period exceeding five years at any one time."

Why is this inroad made? We are opposed to managing agencies in any company whatever. Under the Company Law managing agents shall not hold terms for more than twenty years. Managing agencies were sought to be abolished in the case of Insurance. Under the Indian Companies Act no banking company shall employ a managing agent. Why should this Bill make this provision? The employment of managing agents in banking companies is an inroad into the previous law.

Mr. Ram Nath (Government of India: Nominated Official): The prohibition on managing agents is mentioned in the earlier portion of the clause cited by the Honourable Member. The clause says:

"No banking company, whether incorporated in or outside British India, which carries on business in British India, shall employ, or be managed by, a managing agent" etc. . . .

Later on it is explained that the person should not have a contract with the company for more than five years at any one time.

Sri M. Ananthasayanam Ayyangar: But who is that 'person'?

Mr. Ram Nath: The object of this restriction is this. We found cases where persons had secured contracts from the bank for a long period which gave them a privileged position in the management of the bank, so that they become in effect the managing agents of the bank. This prohibition is directed against any person occupying a privileged position in the management of a bank. It is not the intention to provide a loophole for managing agents to secure the managing agency of a banking company.

Sri M. Ananthasayanam Ayyangar: With very great respect to my Honourable friend who may be very well versed in the technique of banking I am

afraid he is not a good lawyer. However, I am obliged to him for his statement and I appreciate his intentions. I would have a quarrel with him only if he wants to introduce the managing agents. He says the intention is not to allow a managing agent. Then he has placed himself entirely in my hands. His intention is one thing. But unfortunately the draft is a different thing. And I am here to correct the draft.

Then, in the earlier portion it is said: there shall be no managing agent, but a person who has entered into a contract shall be there for five years. But my Honourable friend did not read out the latter portion which says:

"Provided further that any contract with the company for its management may be renewed or extended for a further period not exceeding five years at a time if and so often as the directors think fit."

Till eternity the man may continue, and after him his son and grandson may continue if the Directors think fit to continue.

Mr. Ram Nath: May I explain further? The term 'managing agent' is defined in clause 5, which says:

"'managing agent' means a person, firm or company entitled to the management of the whole affairs of a company by virtue of an agreement with the company, and under the control and direction of the directors except to the extent, if any, otherwise provided for in the agreement, and includes any person, firm or company occupying such position by whatever name called."

Sri M. Ananthasayanam Ayyangar: Who is this man?

Mr. Ram Nath: I think that effectively precludes any one from acquiring the managing agency of a bank.

Sri M. Ananthasayanam Ayyangar: Who is this 'managing agent'? He calls himself 'Managing Director.' The Director used to be elected once in three or five years. Instead of calling himself a 'Managing Agent' he calls himself a 'Managing Director'. He is there for five years and goes on getting extensions. You are allowing him virtually to become a Director.

The Honourable Sir Archibald Rowlands: I am sorry to interrupt the further eloquence of my friend, but he is really raising points of secondary importance. I quite agree that there is no doubt about the intention and, as such, these points should really be hammered out in the Select Committee, and not at this reading.

Mr. Deputy President: I think, though the Honourable Member is entitled to say these things for the benefit of the Committee, he should place them so briefly that they may be useful and not extensively.

Sri M. Ananthasayanam Ayyangar: They have made it exhaustive because they intervened. I think I would convert my Honourable friend, but I will choose another occasion. But I have been seeing observations made on a motion for Select Committee and this is a deviation from the previous practice. Persons in the Select Committee will have to express their views. I may have a very narrow view of things. Other persons who are not in the Select Committee may have different views. I gather all these views. So this is the exact occasion when we must discuss these, so that we can go there with particular kinds of suggestions, put them in proper shape and then come back.

Mr. Deputy President: Will the Honourable Member proceed now with the Bill?

Sri M. Ananthasayanam Ayyangar: I do want to submit instead of being pulled up from time to time. But I wish to say that this is the proper time when we should make these points.

The Honourable Sir Archibald Rowlands: Everyone of these points has been made last year.

Sri M. Ananthasayanam Ayyangar: Last year my friend was not there.

The Honourable Sir Archibald Rowlands: But I have read the debates.

Sri M. Ananthasayanam Ayyangar: In spite of all these, my friend turns a deaf ear and therefore there is greater reason why I should emphasise them once again. I shall not tire my friend, if he really feels tired.

[Sri M. Ananthasayanam Ayyangar.]

Now, let me come to a very important matter—loans to directors. This is a very dangerous practice. No doubt an improvement has been made in this Bill: it says loans shall not be granted to Directors except on security. Who is to decide whether the securities are proper or not proper? These particular directors themselves. Therefore in all cases where loans are made to Directors, some agency must be there to watch if the security is real and sufficiently valuable: I know of a case of a very distinguished gentleman who started a banking company at Simla and who on absolutely worthless securities got loans: he technically satisfied similar provisions in the old Banking Act.

There is a provision in the previous Act that the reserve fund ought to be deposited in some other place. I would like that a banking company shall out of the deferred profits and before declaring any dividend, transfer a sum equivalent to and not less than 20 per cent. of the profit, to the reserve fund, until the amount in that fund is equal to the paid up capital. As regards the manner in which the reserve fund should be invested there was a provision in the previous Act. I do not know why such a provision is not made in this Bill. I would like that the reserve fund not ordinarily used by the bank should be invested in the Reserve Bank or elsewhere, so that in case difficulty arises or there is a run on the bank, the reserve fund may be available and can be used to tide over and avert liquidation and other proceedings.

Lastly, I would submit that as far as auditors are concerned with respect to foreign companies, it says some foreign auditor may look into the bank's assets and declare "We have been satisfied with it". I would like that the auditors in this country must be appointed by the Reserve Bank. It is not very difficult to get a certificate. I can get a doctor's certificate easily. Even in insurance directors themselves. Therefore in all cases where loans are made to Directors, companies a doctor's certificate is not difficult to get. I do not blame any doctors for this. Likewise, in every provision for auditors these must be Government auditors, or at any rate auditors approved by the Reserve Bank, and they must be deputed for this purpose. There must be a panel and if they want any particular auditor, they can choose out of this panel. Therefore I say the auditors must be under the control of the Reserve Bank and under their direction they must go out: only they can properly investigate the affairs of a banking company. So far as inspection is concerned the auditor may go. There is provision that inspection cannot be undertaken except with the previous permission of the Government of India; and the Government takes care to see that all parties are heard before inspection is ordered. If a banking company is so touchy that at the moment the inspection takes place it falls to the ground and collapses, I would say it is not worth living; and therefore I would agree with my friend Dr. Sir Zia Uddin Ahmad that once in three or five years every banking company must automatically be inspected by the Reserve Bank which must hold a key position. I would suggest that these points may be taken notice of and I am sure my Honourable friend will allow proper amendments in the Select Committee.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Mr. Deputy President, I thought the debate would continue in the hands of my predecessor till perhaps five o'clock, but I am glad I have got an opportunity of just disturbing the peace of mind of the Honourable Finance Member for a few minutes only.

Indian banking has suffered at the hands of those who claim to have brought banking into this country. Our greatest handicap in this country is that we are tied to the apron-strings of London bankers, and the Government of India is no more and no less than an agent of the city of London in this country; and that is why our banking has suffered considerably. One of the most intelligent nations in the world, a nation that used to take part in world commerce and trade, has been kept back. I shall not go into details—I could give instances. Also, Sir, the big British banks in India have made discrimination among their clients, and the Indian bank in the view of our rulers, has always been at fault. The new Bill may not be perfect but I would welcome it if it takes us out of the rut. Whenever I used to see the board of the Bank of La Plata or the

Indian Bank in Lombard Street, my blood used to boil, because the big London banks would not allow an Indian bank to be established in that great city. The Central Bank of India, as you know, opened a branch there. It had to close down because the Exchange banks in London would not accept its cheques. We, one of the largest importers of British goods in this country, are debarred from any banking arrangements there. What I would suggest to the Honourable the Finance Member is—and I hope the Select Committee Members will also see to it—that any country that does not permit Indian banks to work on a basis of equality in its territories shall not be allowed to open its banking houses in this country, directly or indirectly. London banks with their branches here mostly have the word 'national' in them. That is why they are suspect in my eyes. There is the National Bank of Egypt, which is 10,000 per cent. British. There is the National Bank of India but Indians have nothing to do with it. So, the "tradition", which the spokesman on behalf of the European members in the House, suggested we were in need of and that they taught us banking, is nothing more and nothing less than a most selfish arrangement by which Indian banks and bankers have been pushed to the wall. The big English banks discriminate, as I said, even in the matter of extending the usual assistance and facilities to other Indian business houses. Speaking as one connected with an insurance company, may I point out, that all "native" companies have to put large amounts in deposits, while non-Indian companies—and under the most favourable nation clause, even Japanese and other insurance companies—could get limited credits, because they were allowed to English insurance companies. It is these discriminations that have stood in our way of our national expansion in every direction. I hope the Honourable the Finance Member, who broke new ground in his budget this year, will also see to it now that London does not have a pull over Bombay or Calcutta. We are prepared to enter into the field on a basis of equality and fair play, not only with British banks, but with French banks, American banks or any other banks. And in the "consolidating law", as it is called here, we should not look only to the internal situation, but India, which I hope in our own time, will get its proper place in the world, will not be handicapped by—I can use no other word except—the petty-mindedness of the agents of the city of London in this country, and that we shall have fair and equal treatment as in the case of other countries. If that point is taken into consideration, Sir, I feel certain that Indian banks about which we used to hear a good deal of adverse criticism in the past will be able to establish a system which will be second to none, not even to that of the leading banking nation in the world today, American.

Sardar Mangal Singh (East Punjab: Sikh): I welcome this Bill. As a matter of fact, it is long overdue. It was in 1931 that the Banking Inquiry Committee was appointed and they recommended that a Banking Bill be passed but the Government of India took a long time to put such a Bill on the statute book. This is the third attempt that the Government of India has made and I hope and pray that the Honourable the Finance Member will at least succeed this time. My complaint is that the Honourable the Finance Member did not make a sufficiently long speech and that is why the spokesmen from the Government benches had to interrupt members to make certain points clear. For instance, the Finance Member should have explained the definition of banking, what the definition covers. This Bill excludes so many things. I am glad that the co-operative societies banks are excluded. Does it also exclude the Imperial Bank? I would like to know from the Honourable the Finance Member whether this Banking Bill governs the Imperial Bank and if it excludes it, why? (An Honourable Member: "It cannot be wound up under the Company law"). Therefore that bank is excluded from the operation of this Bill. There is a certain other Act governing that bank. When the Reserve Bank Act was passed, it was given out that Government will take steps very early to improve the rural credit. The Reserve Bank was charged with this duty and after some time they made some sort of a report but the Government of India is still sleeping on it. We were hoping that when they bring forward a Banking Bill, something will be done in that direction. I am sorry that nothing has been

[Sardar Mangal Singh.]

done to improve the conditions of rural credit. It deals only with the joint stock banks operating mostly in the big towns. I confess this Bill is an improvement on the previous Bill, particularly in one respect, that it discriminates against the banks of those countries which discriminate against our banking concerns. My Honourable friend, Mr. Manu Subedar, if I understood him correctly said that no restriction should be put upon the American banking and the reasons which he gave were equally unconvincing. He said that there is a certain bank in Bombay which cashes cheques within five minutes. Now, Sir, if that is the criterion, if on account of their efficiency, foreign banks are to be allowed into this country, particularly from those countries

Mr. Manu Subedar: May I explain? My Honourable friend got me entirely wrong. What I said was that as the clause stood the only bank against whom this particular provision would operate would be the U. S. A. and we ought not to do anything at this time which will single out the U. S. A. for this treatment.

Sardar Mangal Singh: This clause as I understand it applies to all countries except U. K. and my Honourable friend who has been leading a relentless war against commercial safeguards should not have given this loophole to any foreign country. What is the position of Indian commercial concerns in the U.S.A.? They would not allow any Indian to engage in commercial activities. My complaint against this clause 18 is that we should not give a license to a bank registered in any other country which places any sort of restrictions on our commercial activities. In this clause it is laid down that the license will be refused only to banks in those countries which discriminate against our banks. My point is there may not be a bank but there may be other commercial concerns. For instance, I hope that the House will agree that we should not allow any bank from South Africa to operate in this country. I hope that the Honourable the Finance Member whose integrity and ability is admitted even by his critics would act in this matter as the responsible minister of a National Government and will put upon the statute book a sound Banking Law which will help building up a sound financial structure of the country, because future planning, industrialisation and everything else depends upon the sound banking system of the country. He will do a great service to this country if he helps this House to pass a good Banking Bill as if he is acting as a responsible Minister in a National Government.

I do not want to deal with the details of the clauses. I wish however to point out that the banks are required to maintain 25 per cent. of their assets. I think this will act very harshly against the small banks. I hope he will consider this point and reduce the proportion to 15 per cent. and in this connection I also submit he may make a distinction between time liabilities and demand liabilities and the proportion should be split up. A certain proportion of time liabilities and the demand liability should be separated.

Then again there is clause 21 which requires that returns should be submitted to the Reserve Bank of all those accounts which have not been operated upon during the last ten years. I fail to understand the necessity of this clause. The Finance Member should have explained why he wants this clause, whether the object is to ultimately ask all those banks to transfer those unclaimed funds to the Reserve Bank.

The Honourable Sir Archibald Rowlands: To Government.

Sardar Mangal Singh: If that is the object, I think this clause should be dropped altogether. Then the most objectionable clause is the famous clause 30, which was clause 28 in the original Bill. By that clause enormous powers have been given to the Reserve Bank over all other Banks. The language of this clause reads like the language of the Defence of India Rules. The Reserve Bank is only asked to do the policing. There is no corresponding liability placed by this Bill on the Reserve Bank to come to the help of these Banks in difficulties. I hope, Sir, that when the Reserve Bank is given so much powers, we should also place certain responsibilities on that Bank. It should not only beat the

baby, but it should also nurse the small baby, so that the Banks may grow and so that the credit of the country may be placed on a sound footing.

Sir, it is only ten minutes more before the House has to rise for the day. I had intended to speak for a long time. But I understand that the Honourable the Finance Member wants this debate to be finished today.

An Honourable Member: You can go on with your speech, this debate can be carried forward tomorrow.

Sardar Mangal Singh: It was only on the understanding that I would not take up much time of the House that I was called by the Chair to speak. So, I will not take up any more time. With these remarks, I support the motion for referring the Bill to the Select Committee.

The Honourable Sir Archibald Rowlands: Sir, this debate, although it has been to some extent combative, particularly, as compared with last year's debate, which, in spite of my Honourable friend Mr. Ananthasayanam Ayyangar's insinuation, I had sat up and read, I recognise that a good deal of the arguments that have been poured forth have been very helpful

Sri M. Ananthasayanam Ayyangar: What is the insinuation which the Honourable Member is referring to?

The Honourable Sir Archibald Rowlands: The insinuation was that I did not read last year's debates and that I knew nothing about the remarks made then. As a matter of fact, I read most of them. I must say that the present debate has been a helpful one, in particular, I should like to acknowledge the value of the contribution made by my Honourable friend, Mr. Manu Subedar, who is an acknowledged authority on banking and the speech he made today has covered many of the defects in my own speech in support of this Bill. Perhaps, as we are getting towards the end of the Session, I might be allowed to say a word or two about my Honourable friend Mr. Manu Subedar. He acknowledged that he had learned a good deal from a great English authority on banking, and, indeed, I have and I am glad he paid that tribute because we have indeed—I am talking now as a Britisher,—I have carefully avoided the word 'European' or an 'Englishman', because I am a 'Welshman'—we have also taught India a good deal, and I think so long as we go on repeating this in a friendly way, we shall get on in the future as extremely good friends, to the mutual benefit of both your country and my native country. I must say that my Honourable friend Mr. Manu Subedar was represented to me, before I came to this House, as a person likely to give us trouble. Now, what I really find in him is that in most of his assumptions, I think he is unduly suspicious of British actions and motives, but anybody who has worked with him and observed him closely, as I have done, will no doubt see that all his actions and his attitude are inspired by a very deep love for his country, to whose services, he no doubt devotes his undoubted talents. I wanted to make that point because in the past, I understand that Finance Members were rather rigid; but, so far as I am concerned I myself am finding in him though not an easy, yet an extremely helpful and co-operative attitude and I hope that, in the remaining few weeks we have together, we shall also get on in the same way.

The main criticisms against the Banking Bill, other than those which are particularly and legitimately Select Committee points, were raised by my Honourable friends Mr. Manu Subedar and Mr. Ananthasayanam Ayyangar. They can all be summed up into a single criticism, that the Bill is not comprehensive enough; that the Reserve Bank ought to do this, that and the other; it ought to look after rural credit; it ought to look after small banks; it ought to impose liabilities on itself; it ought to see that banks in difficulties can tide over those difficulties, and so on. In relation to the last point, there is provision in clause 45, to the extent that the Reserve Bank will give time to a bank, which, having been inspected, appears to be in a bad way or not conducting itself properly, to get itself righted. I do not think you can impose a definite liability on any Bank that it shall save a Bank from legitimate liquidation, if the conditions of that Bank are in such a state as to warrant that liquidation is

LEGISLATIVE ASSEMBLY

Friday, 12th April, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar), in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

EXPORT AND IMPORT TRADE WITH UNION OF SOUTH AFRICA

1739. *Mr. Ahmed E. H. Jaffer: Will the Honourable the Commerce Member be pleased to place on the table of the House figures showing (i) imports for the last ten years from the Union of South Africa to India, and (ii) exports from India to the Union of South Africa for the same period?

The Honourable Dr. Sir M. Azizul Huque: A statement is laid on the table.

Statement showing the trade of British India in private merchandise with the Union of South Africa from 1935-36

(In thousands of rupees)

	Imports	Exports	Re-exports
1935-36*	28,65	1,31,99	1,90
1936-37*	31,15	1,37,78	1,54
1937-38 .	48,17	1,51,38	2,47
1938-39 .	34,75	1,49,22	3,68
1939-40 .	60,50	3,03,79	5,30
1940-41 .	77,65	3,02,81	6,60
1941-42 .	1,24,04	5,88,49	15,83
1942-43 .	2,24,46	10,51,21	10,55
1943-44 .	2,59,00	10,01,14	6,50
1944-45 .	2,98,13	11,87,81	1,23
April to November } 1944-45 .	1,91,31	9,82,71	1,01
} 1945-46 .	1,81,38	5,56,71	9,89

* Adjusted to exclude Burma.

DEPOSITS OF THORIUM

1740. *Mr. Ahmed E. H. Jaffer: Will the Honourable the Labour Member be pleased to state if deposits of thorium which is used for the manufacture of atomic energy have been discovered in many parts of India?

The Honourable Dr. B. R. Ambedkar: The Honourable Member's attention is invited to the reply given in this House to starred question No. 1276, on 26th March, 1946.

opies of the Debates of the Legislative Assembly and of the Council of State
re obtainable on sale from the Manager of Publications, Civil Lines, Delhi

[Sir Archibald Rowlands.]

the only possible solution. I think it must be left to the Reserve Bank to exercise its judgment. There have been several criticisms about the Reserve Bank. I should like to say that I have seen a great deal of the Reserve Bank during the year I have been Finance Member, and it is my firm conviction that it is an institution presided over by a Governor of whom India has every reason to be proud, and, if India stays in the International Monetary arrangements,—which without prejudging the future, I hope she will,—I think the reputation of India will grow through its great Central Banking Institution. I do not pretend to know much about it, I do not think that the Reserve Bank itself will claim that it has developed as it ought to have developed, but it is my honest conviction, having seen a great deal of it, that it is an institution of which, for its age, India has every reason to be proud and, as regards its present Governor, I do not think you can have his better anywhere in India, and I say this because I feel it very strongly myself.

As I was saying, most of the points that were made were Select Committee points, which I shall always be prepared to consider if I am here to consider them. The main point was the question of discrimination against foreign banks. I must say I was rather surprised at Mr. Manu Subedar's remarks on that, which were rather against the general line taken by him and his friends in this House, namely, whether we should widen it to exclude American Banks operating in India, not because there are American States that have similar discriminatory laws, but because they may discriminate against India in another way. That is a matter which I do not think I can answer on the floor of the House, as was suggested by my Honourable friend Sardar Mangal Singh.

My Honourable friend, Shri Sri Prakasa, has amplified the criticisms which he made last year and I now find him connected with banking and understand that he is raising the point about small banks. Well, I agree with him that something ought to be done, that we should not kill small banks, since they all fill a special purpose and I do not think they play an important part in India's economy, but the purpose of this Bill is limited. We may have to introduce additional banking legislation, either in the Provinces or at the Centre. The purpose of this Bill is quite a limited one and, in spite of the rather ambitious title, which, I agree, may be open to criticism, namely 'to consolidate and amend the law relating to banking companies', its intention is merely to see that those banks that have established themselves already—other than the very small ones which perform their own limited purposes,—shall be conducted in such a way as to contribute to the health and wealth of India's economy and shall conduct themselves in a way that will lead to an expansion of the best banking practices. As I said, that is the kind of criticism brought against this Bill, namely, that it does not cover enough ground. But it was not intended to; it was intended for a limited purpose and, within that purpose, I think the Bill is a good Bill, although there have been raised today several very useful Select Committee points, which will all be examined by the Select Committee. There are eighteen of us on the Select Committee and, between us, we shall probably recommend the Bill in such a form that the usual statement that we have not altered it to such an extent as to justify republication, will mean as much as most statements to a similar effect from other Select Committees usually do. Sir, I do not think I need say anything more and I commend the Motion for referring the Bill to the Select Committee.

Mr. Deputy President: The question is:

That the Bill to consolidate and amend the law relating to Banking Companies be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, Sir Cowasjee Jehangir, Mr. B. C. A. Cook, Mr. Ram Nath, Mr. M. A. F. Hirtzel, Mr. G. W. Tyson, Sir Mohammad Yamin Khan, Haji Abdus Sattar, Haji Ishaq Seth, Seth Yusuf Abdoola Haroon, Mr. Mohd. M. Killedar, Mr. Manu Subedar, Mr. Mohan Lal Saksena, Mr. M. Ananthasayanam Ayyangar, Mr. P. B. Gole, Mr. Sasanka Sekhar Sanyal, Mr. T. A. Ramalingam Chettiar, Mr. Satya Narayan Sinha, Sardar Mangal Singh and the Member that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five, and that the Committee be authorised to meet at Simla.

The motion was adopted.

MICA MINES LABOUR WELFARE FUND BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I beg to present the report of the Select Committee on the Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry.

The Assembly adjourned till Eleven of the Clock on Friday, the 12th April, 1946.

Mr. Ahmed E. H. Jaffer: Is it a fact that considerable deposits of thorium have been found in the Travancore State, and, if so, have Government taken any steps to control this in the matter of disposal?

The Honourable Dr. B. R. Ambedkar: It is in an Indian State and the Government of India have no right to interfere in that.

MUSLIMS HOLDING CLASS I POSTS IN ARCHAEOLOGICAL DEPARTMENT

1741. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Education Secretary kindly state how many Class I posts have been newly created and how many have fallen vacant due to retirement of officers in the Archaeological Department since the present Director General has taken over charge?

(b) How many of each category have gone to Muslims and how many to Hindus?

Sir John Sargent: (a) and (b). Between the appointment of the present Director General of Archaeology in India on the 24th April, 1944, and the 1st April, 1946, fifteen Class I posts have been created and two Class I posts have fallen vacant due to retirement in the Archaeological Department. As regards the former, one is purely temporary and has been filled up by the promotion of a Hindu Officer. Seven posts have been filled up permanently, viz., four by Muslims and three by Hindus. Three posts, which are reserved for war service candidates, have been temporarily filled up by Hindus. The other four posts have still to be filled. As regards the latter one post, has been filled up by the promotion of the senior most officer who is a Hindu. The second fell vacant in 1943 before the appointment of the present Director General of Archaeology but the then incumbent of the post a Muslim was re-employed. On the expiry of the period of his re-employment in 1945, a Hindu Officer who was working as Officer on Special Duty under him was appointed to the post.

MUSLIM OFFICERS IN ARCHAEOLOGICAL DEPARTMENT.

1742. ***Mr. Ahmed E. H. Jaffer:** Will the Education Secretary kindly state the community to which the incumbents of the following Class I key posts in the Archaeological Department belong with pay, overseas pay, war allowance and special pay in each case: (i) Director General, (ii) Joint Director General, (iii) Deputy Director General, (iv) Archaeological Chemist, (v) Assistant Archaeological Chemist, and (vi) Curator, Central Asiatic Museum?

Sir John Sargent: (i) Director General—European—Pay Rs. 2,250 plus £160 per annum overseas allowance, and Rs. 13 war allowance.

(ii) Joint Director General—Hindu—Pay Rs. 1,750 plus Rs. 263 war allowance.

(iii) Deputy Director General—Hindu—Pay Rs. 1,000 plus Rs. 250 Special pay and Rs. 219 war allowance.

(iv) Archaeological Chemist—Hindu—Pay Rs. 500 plus Rs. 88 war allowance

(v) Assistant Archaeological Chemist—Hindu—Pay Rs. 300 plus Rs. 58 war allowance.

(vi) The post of Curator of the Central Asian Antiquities Museum has been abolished. The Assistant Superintendent in charge of the Museums Branch of the Archaeological Survey is located at the Central Asian Antiquities Museum. He is a Hindu—Salary Rs. 500 plus Rs. 88 war allowance.

Mr. Ahmed E. H. Jaffer: May I ask the Honourable Member why there is a scarcity of Muslims in all these appointments?

Sir John Sargent: I pointed out in reply to the previous question that so far as the senior posts in the Archaeological Survey are concerned, the Muslims have at least their fair proportion. With regard to the first three posts mentioned in the question, these are promotion posts. With regard to the Archaeological Chemist, we hoped to get a Muslim for this post and it was

advertised no less than four times, but unfortunately no Muslim with the necessary qualifications was available.

Dr. Sir Zia Uddin Ahmad: May I take it that Muslims are available for higher posts, but not for junior posts?

Sir John Sargent: No, Sir. That is not quite correct. There are Muslims in the senior posts, particularly as Superintendents of Circles, which are most important posts but actually for these two posts of Archaeological Chemists a Muslim with necessary chemical qualifications was not available.

Dr. Sir Zia Uddin Ahmad: My Honourable friend has said that men with necessary qualifications are not available. If he wants to have one hundred Muslims with chemical qualifications, I can give him tomorrow.

Mr. Ahmed E. H. Jaffer: May I remind the Honourable Member that there is a very good Muslim chemist with brilliant qualifications who did apply to the department and who was in the department but was conveniently removed?

Mr. President: The Honourable Member is making an allegation. What is his question?

Mr. Ahmed E. H. Jaffer: The Honourable Member has replied to part (iv) of the question that he has not been able to find a suitable Muslim for the post of Archaeological Chemist. I want to ask him is it not a fact that there is a Muslim available with very good qualifications for this post, and may I ask the reasons why he is not appointing him?

Sir John Sargent: I am afraid I did not say that I could not find one. The post was advertised by the Federal Public Service Commission and they were apparently unable to find one.

Mr. Ahmed E. H. Jaffer: Is this post still vacant and, if so, suppose we supply a suitable Muslim, will the Honourable Member consider his case?

Mr. President: Has he not stated that it is for the Federal Public Service Commission to select?

Mr. Ahmed E. H. Jaffer: I did not hear that. I want to know whether this post is vacant?

Sir John Sargent: It is for the Public Service Commission to select a suitable man.

Mr. Sasanka Sekhar Sanyal: May I know why no Indian has been appointed in the post of Director-General?

Sir John Sargent: This post was filled two years ago and I understand it was a recommendation of the Woolley Report that an adviser in that post from outside should be secured in view of the necessity for reorganizing the whole of the Archaeological Survey, and the present Director-General is on contract for that purpose.

Mr. Sasanka Sekhar Sanyal: May I know when this post of the Director-General will be available for an Indian?

Sir John Sargent: The present Director-General's contract expires in 1948 and then I imagine the question of his successor will receive very careful consideration.

Mr. President: Question No. 1753 (in the name of Mr. Masani).

Sardar Mangal Singh: On a point of order. If there is time for further questions (second round for questions left over), opportunity is given in order of precedence. The questions should begin from the start.

Mr. President: No request was made and I therefore passed over the Honourable Member's name.

Question No. 1748—Sardar Mangal Singh.

+These questions and answers have, however, been printed serially in these Debates.—
Ed. of D.

1743. *Sardar Mangal Singh: Will the Honourable the Labour Member please state:

(a) the number of refrigerators purchased by Government for installations at the residential buildings at Delhi and New Delhi;

(b) the terms and conditions on which they are let on hire to the tenants of those buildings;

(c) the particulars of officials of the Estate Office and Public Works Department, who are provided with them temporarily and permanently;

(d) whether they are not available for the use of the Honourable Members of the Central Legislature during their occupation of those buildings on official duty in connection with Sessions and Committees;

(e) if it is a fact that most of the staff of the office and department not in occupation of those buildings are provided with them; and

(f) if Government propose to make them available for use of the Honourable Members of the Central Legislature by withdrawing them from the staff of that office and of that department; if not, why not?

The Honourable Dr. B. R. Ambedkar: (a) 834.

(b) The terms and conditions of hire are laid down in the Rules for the allotment of Refrigerators in Delhi and New Delhi, a copy of which is placed on the table of the House.

(c) Only one officer, viz., Additional Chief Engineer, Central Public Works Department, has been allotted a Refrigerator for the Summer Season 1946.

(d) No.

(e) No.

(f) The question does not arise.

Rules for the allotment of refrigerators in Delhi and New Delhi to officers whose emoluments are Rs. 600 or more per mensem

1. Refrigerators are intended for the use of officers of the Central Government who are required to be on duty in New Delhi and Delhi.

2. Allotment will be made for each summer and winter season by the Estate Officer, New Delhi.

3. Not more than one refrigerator will be allowed in a residence. Officers living in Government residences will have priority over those living in private residences.

Note.—For the purposes of these rules, the term "Residence" means the unit of allotment of residences, i.e., in the case of a leased house which has been divided into flats for more than one family, the application of the resident of each flat will be considered separately for allotment of refrigerators.

4. Applications.—Application in form "REF" must be submitted seasonally to the Estate Officer, New Delhi, so as to reach his office not later than the 31st July in respect of the following winter season and 1st February in respect of the following summer season.

Application may also be submitted by officers who expect to have houses even if they have not already been allotted by the applicable date. They will be allotted refrigerators in their turn when residents have been allotted to them.

Applications received after the applicable date will be treated as late applications and will be considered after all applications received on due date.

5. Allotment.—Allotment will be made to officers who have applied not later than the applicable date, according to the following principles:—

(a) *First Priority*.—Those to whom refrigerators were allotted for the season previous to the season to which the application relates.

Note.—Those to whom refrigerators were allotted for the season previous to the season to which the application relates and who fail to submit their applications on due date shall lose their lien thereon and be required to return the machines.

(b) *Second Priority*.—In the case of allotments for the winter season—to those who were allotted refrigerators in the previous winter and have again applied by the due date.

(c) *Third Priority*.—The number of refrigerators available for allotment to Third Priority will be divided among the various classes of applicants in the proportion of applications in each class. The allotment in the various classes will be by arrival priority in the following order:—

(i) Those who applied on due date for the season previous to the season to which the application relates and to whom no refrigerators were then allotted.

(ii) Other applicants who have applied on due date for the season to which the application relates.

Note (i).—For purposes of this rule, applicants will be divided into 4 classes—

Class 'A' Officers drawing Rs. 3,000 and over.

Class 'B' Officers drawing Rs. 1,750 and over but under Rs. 3,000.

Class 'C' Officers drawing Rs. 1,000 and over but under Rs. 1,750.

Class 'D' Officers drawing Rs. 600 and over but under Rs. 1,000.

Note (ii).—After making allotments under (a) above, the Estate Officer shall allocate refrigerators available for allotment under (b) and (c) above between Civil and Military applicants so that the total number of machines allotted under First Priority shall, as far as possible, be in proportion to the number of Civil and Military applicants who applied by the due date.

6. *Rent*.—Allotment under the above categories will be made for the season and rent will be recovered from the date of issue of the machine to the end of tenancy of the residence. In the case of an officer to whom a machine was allotted for the previous season and to whom a machine is also allotted for the season to which the application relates, rent will be charged for whole of the season and for the intervening period between the season to which the application relates and the previous season.

Rent will be charged for the period of allotment whether the machine is used or not, and no rebate will be allowed if the machine is returned for a part of the season. If, however, an allottee is required to be on duty in Simla for a part of the summer season, rent will be charged only for the period of his stay in New Delhi provided one week's prior notice of the disconnection of the machine is given to the Electrical Engineer, Central Public Works Department, New Delhi.

7. Winter season means the period from the 16th October to the 15th April and the summer season means the period from the 1st May to the 15th September. Provided that—

(a) The Machine will be retained for the intervening period by those requiring allotments under first priority.

(b) The Estate Officer will be authorised to remove a refrigerator after conclusion of the season if required for allotment to another officer for the following season.

8. The cost of all breakages and damages caused to the machine due to carelessness, negligence or wilful action will be recovered from the tenant.

9. The refrigerator is issued for the particular house occupied by the tenant at the time of issue and must in no circumstances be removed from one residence to another, as in order to avoid damage to the delicate equipment, it is very necessary that precautions are taken in regard to disconnecting, transporting and reconnecting. All these operations have to be carried out by skilled staff, otherwise serious damage is likely to result.

If it is desired to disconnect the machine for any lengthy period, intimation must invariably be given to the Electrical Engineer, Central Public Works Department, New Delhi, as certain precautions have to be taken when a machine is to be stopped and then started up again.

10. (a) In case it is desired to return the machine at the end of the season for which the allotment has been made, a written notice should be given to the Electrical Engineer, Central Public Works Department, New Delhi, to this effect in time to enable him to remove the machine, failing which rent will be charged up to the date on which the machine is actually handed over to the Central Public Works Department.

(b) The machines should be handed over to the Electrical Engineer, Central Public Works Department New Delhi, (telephone No. 2263), at the time of vacation of the residence. A separate written notice should be given to the said Electrical Engineer for this purpose. If an officer leaves the house without handing over the refrigerator to the Electrical Engineer, rent for the period beginning on the date of vacation of the house and ending on the date on which the machine is actually taken over by the Electrical Engineer will be recovered from him at twice the normal rent for the machine. The officer concerned will also be responsible for any damage done to the machine.

Diwan Chaman Lall: With reference to the answer to (d), may I ask whether they are not available to Members of the Assembly?

The Honourable Dr. B. R. Ambedkar: Under the rules, they are not available.

Mr. Manu Subedar: May I know what has happened to the refrigerators which were requisitioned by the Government during the war from private individuals?

The Honourable Dr. B. R. Ambedkar: I want notice.

DISMISSALS IN IMPORT CONTROL DEPARTMENT DUE TO LEAKAGE OF OFFICIAL SECRETS

1744. *Seth Sukhdev: (a) Will the Honourable the Commerce Member be pleased to state how many posts of Executive Officers in the Import Control Department have fallen vacant during the last three months?

(b) How many of these have been given to Mohamedans and how many to others?

(c) Are Government aware that the Chief Controller of Imports has reported that two Executive Officers in the Import Control Department were giving office secrets to the public and that both of them should be dismissed from service?

(d) Is it a fact that only one of them has been dismissed?

(e) What is the reason that one of them has been retained in service?

The Honourable Dr. Sir M. Azizul Huque: (a) There was one vacancy during the months of January-March 1946.

(b) This post has been filled by a Muslim candidate.

(c) The Chief Controller of Imports made recommendations to Government suggesting that disciplinary action should be taken against two Executive Officers in his office.

(d) and (e). After full consideration of the facts, Government decided that one of the officers should relinquish charge of his duties after due notice. In the other case it was decided that no action beyond a warning was called for.

RETIRED GAZETTED OFFICERS TAKEN IN FOOD DEPARTMENT

1745. *Seth Sukhdev: (a) Will the Food Secretary be pleased to state how many retired gazetted officers have been taken in the Food Department since the creation of the Department?

(b) Is it proposed to dispense with their services in view of the unemployment among the educated classes?

Mr. B. R. Sen: (a) 28.

(b) The services of 15 officers have already been terminated. The remaining 13 officers are occupying posts of a technical nature or key posts which require men of experience and cannot therefore be immediately replaced.

REPRESENTATIONS FROM INDIAN EXPORTS ASSOCIATION, BOMBAY, re-LIFTING OF CONTROL ON EXPORTS OF WASTE COTTON

1746. *Mr. Vadilal Lallubhai: (a) In view of the accumulated stocks of cotton waste in this country, will the Honourable the Commerce Member please state if Government propose to lift the control on these exports which is leading to a great hardship and loss to the country?

(b) Is it a fact that the present controlled price of exports of hard waste is Rs. 28 per cwt., while America is buying the same from Brazil at Rs. 37 per cwt. although Brazil hard waste is inferior in quality?

(c) Why are not Government allowing the whole quantity remaining after earmarking for local requirements to be exported and why have they fixed the quota at a much lower limit?

(d) Is it a fact that there is a great demand for cotton waste and that India will get much higher price and additional foreign exchange if free export is allowed?

(e) Have Government received any representations from the Indian Exporters' Association, Bombay in this respect? If so, what step, if any, have they taken?

The Honourable Dr. Sir M. Azizul Huque: (a) and (c). Soft Waste is freely exportable. As regards Hard Waste, export is allowed on a quota basis of the surplus output over internal requirements. Government are not aware of any accumulation of stocks.

(b) The prices for Hard Waste, coloured and white, in pressed bales are Rs. 28-8-0 and Rs. 28 respect per cwt. The prices in bales other than pressed bales are Rs. 24 and Rs. 23-8-0 respectively per cwt. Government have no information about prices and quality of Brazilian Waste.

(d) It is true that there is a keen demand for Indian Hard Waste abroad, but the first claim on our output is that of the internal consumer. Considerations of price and foreign exchange are not the proper or only criteria in fixing the exportable surplus.

(e) Yes. The suggestions made by the Association will be given due consideration when the time arrives for a review of the existing orders.

Mr. Vadilal Lallubhai: Will the Honourable Member enquire from the Textile Mills whether heavy stocks have accumulated?

The Honourable Dr. Sir M. Azizul Huque: I am sure if there was any accumulation, the textile mills, or their representatives, or those who want these to go abroad, would have themselves taken steps and would have made our lives miserable.

Mr. Manu Subedar: If America requires this hard waste, would not Government consider the advisability of permitting exports in order to get more dollars which are very urgently needed for many purposes?

The Honourable Dr. Sir M. Azizul Huque: I cannot permit exports on the ground that dollars may become available, but if there is any surplus quantity I am quite prepared to allow exports.

Mr. Vadilal Lallubhai: Is it a fact that production is round about 1,000,000 cwts. while the export allowed is 340,000 cwts. and Indian requirements are only 150,000 cwts., and thus the export is too small?

The Honourable Dr. Sir M. Azizul Huque: My Honourable friend does not want the information. He has got it.

Mr. Vadilal Lallubhai: I could not follow.

Mr. President: He says that the Honourable Member has the information with himself.

Mr. Vadilal Lallubhai: The third point of my question was that India's annual consumption is 150,000 and the export they have allowed is too small, looking at these figures?

The Honourable Dr. Sir M. Azizul Huque: If there was any extra quantity available, then we would have been approached for allowing export.

CONTROL ON IMPORT OF PERUVIAN COTTON

1747. *Mr. Vadilal Lallubhai: (a) Will the Honourable the Commerce Member please state if it is a fact that for Peruvian cotton of good quality, although available at reasonable prices, import licences are issued in restricted quantities?

(b) Is it a fact that some licences have been issued and that further licences are not being issued? If so, why?

(c) To whom and for what quantities have these licences been issued?

(d) What is the basis on which these licences are issued?

(e) Do Government propose to see that control on foreign cotton is removed at an early date?

The Honourable Dr. Sir M. Azizul Huque: (a) Yes.

(b) and (d). Licences are issued on the advice of the Cotton Import Advisory Committee in Bombay against actual sales to mills and provided payment is made in sterling. In issuing licences imports by firms in the past in these ranges of cotton are generally taken into account.

(c) A statement containing the desired information is placed on the table of the House.

(e) It has been decided with immediate effect to license freely the import of foreign cotton stapling $\frac{1}{4}$ " and above provided the cotton is sold to mills and its value is payable in sterling.

Statement showing the licences recently issued by the Deputy Chief Controller of Imports, Bombay, for import of Peruvian Tanguis cotton

Name of importer	Number of bales (500 lbs.) for which licences have been granted
Messrs. Volkart Brothers	4,820
„ Ramnarain Sons Limited	3,160
„ Patel Cotton Company, Limited	3,640
„ Rodocanachi and Company	4,560
„ Narandas Rajaram and Company, Limited	3,220
„ Thackersey Moolji	2,280
„ Ralli Brothers Limited	1,720
Total	23,400

Mr. Vadilal Lallubhai: Is it a fact that Government had an undue accumulation of Egyptian cotton and sold it at high prices to the textile mills and at prices higher than those ruling in Egypt?

The Honourable Dr. Sir M. Azizul Huque: The whole question as to how the cotton is distributed has been going on for the last two or three years. At one time there was much more and at other times much less.

ALLOWING FREE TRANSMISSION OF SAMPLES BY POST FROM AND TO INDIA

1748. ***Mr. Vadilal Lallubhai:** (a) Will the Honourable the Commerce Member please state if it is a fact that the Government of India do not allow free transmission of samples of no commercial value by post from and to India, thus retarding the development of trade in the immediate post-war period?

(b) Do Government propose to assure the easy and unrestricted transport of all sample articles by post to foreign countries from India and *vice versa*?

The Honourable Dr. Sir M. Azizul Huque: (a) Instructions have been issued to Export Trade Controllers to permit freely exports of *bona fide* trade samples of all controlled item to all destinations to which there is a post parcel service, irrespective of whether the samples are paid for or not and whether export is

allowed on a commercial basis or not. All postal parcels addressed to any place outside India, with the exception of countries within the sterling area, must however, in accordance with the existing exchange control regulations, be accompanied by a certificate from the Reserve Bank of India or from an authorised dealer in foreign exchanges, to the effect that contents of the parcel are such that no transaction in foreign exchange is involved.

As regards inward traffic, general permission has been given for the importation from any country of *bona fide* samples or advertising matter, supplied free of charge, not exceeding Rs. 100 in c.i.f. value in one consignment.

(b) Government are satisfied that the existing regulations do not in any way impede easy transport of samples by parcel post to foreign countries from India and *vice versa*.

Mr. Vadilal Lallubhai: Will the Honourable Member see that the Exchange control for *bona fide* samples are removed?

The Honourable Dr. Sir M. Azizul Huque: That is a matter, Sir, which requires very careful consideration.

Mr. Vadilal Lallubhai: This matter of exchange control just for only samples is coming in the way of our export trade. Will the Honourable Member see that this is removed immediately?

The Honourable Dr. Sir M. Azizul Huque: If my friend wants action taken, then the proper thing is not to ask supplementary questions but to send a memorandum to the Department or to the Member in charge and it will be gone into. But if action is wanted to be taken by way of supplementary questions, then it is difficult to give an answer.

Mr. Vadilal Lallubhai: What does my Honourable friend mean by "*bona fide*"?

The Honourable Dr. Sir M. Azizul Huque: It is just what the dictionary means!

CONSIDERATION BY GOVERNMENT OF REQUEST BY M.R. GANDHI FOR FUNDS FOR SPECIAL NATURE CURE CLINICS

1749. ***Mr. Ahmed E. H. Jaffer:** Will the Health Secretary be pleased to state whether it is a fact that Government are considering a request from Mr. Gandhi for funds or grants for Special Nature Cure Clinics proposed to be established in many parts of India in the near future? If so, what is the amount?

Mr. S. H. Y. Oulsnam: No such request has been received by the Government of India.

Mr. Ahmed E. H. Jaffer: If such a request is received, will Government be willing to consider?

Mr. S. H. Y. Oulsnam: Yes, Sir.

Sreejot Rohini Kumar Chaudhuri: May I put my question (No. 1750), Sir?

Mr. President: The Honourable Member was absent when the question was called; we will see it if there is time†.

ALLOTMENT OF QUOTA OF HAJ PILGRIMS FOR EACH PROVINCE

†1750. ***Sreejot Rohini Kumar Chaudhuri:** (a) Will the Secretary for Commonwealth Relations be pleased to state the number of Haj pilgrims, who went to Mecca during the Haj session of 1945?

(b) Have Government fixed any quota for Haj Pilgrims, Province by Province, and also district by district, of each Province?

†This question was postponed to be taken up at the end, the questioner being absent; but as it could not be reached during the question hour, the reply was laid on the table.

(c) What was the number of Haj Pilgrims during 1945, from the Province of Assam?

(d) What was the number of Haj Pilgrims from Assam, district by district?

(e) Is it a fact that most of the pilgrims from the district of Kamrup and other districts of the Assam Valley, did not obtain seats in the Pilgrim Ships during 1945, although they sent their money in advance as soon as they saw the advertisement in papers and that their advance money had to be returned by the Haj Booking Office?

(f) If the answer to part (e), is in the affirmative, do Government propose to allot quota of Assam's share of Haj pilgrims, district by district, for 1946, and advertise the same in local Assam newspapers at least three months before the date of sailing of steamers for Haj pilgrimage?

Mr. R. N. Banerjee: (a) 9,215.

(b) The quotas were fixed for Haj pilgrims for each province only.

(c) 339.

(d) Sylhet—276; Cachar—44; Lakhimpur—3; Sibsagar—2; Miscellaneous (Assam States, etc.)—14; Total—339.

(e) Yes; but their applications were received after the quota allotted to Assam had been exhausted.

(f) It is not possible to allot quotas district by district. Every effort will, however, be made to advertise as early as possible the quotas for the province of Assam, dates for submission of applications and dates of sailings.

GRIEVANCES AGAINST ADMINISTRATION OF NEW DELHI MUNICIPALITY

†1751. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Health Secretary please state if it is a fact that the inhabitants of New Delhi are unrepresented in the Municipal Committee of New Delhi?

(b) Are Government aware that the inhabitants of certain villages within the Municipal limits of New Delhi are very poor and that they are required to pay double the house-tax imposed on the wealthier sections of the community?

(c) Are Government aware that the Municipal Committee of New Delhi does not co-operate with the inhabitants of Dargah Hazrat Khwaja Nizamuddin Aulia and of Jangpura in keeping the areas clean and that, consequently, both these areas remain full of dirt and filth?

(d) Are Government aware that the officials of the Municipal Committee of New Delhi are a source of tyranny and oppression to the poor inhabitants of both the areas above referred to and that corruption is rampant?

(e) Is it a fact that the entire population of Jangpura was involved in a disturbance which is a subject of a judicial inquiry?

(f) Are Government aware that the public of New Delhi is deadly against the Secretary of the New Delhi Municipal Committee? If so, do Government propose to hold an inquiry into the causes of this dissatisfaction?

Mr. S. H. Y. Oulman: (a) No. The inhabitants of New Delhi are represented through nominated members.

†This question was postponed to be taken up at the end, the questioner being absent; but as it could not be reached during the question hour, the reply was laid on the table.

(b) A uniform rate of house tax, which is 6½ percent of the rental value of residential and non-residential buildings, has been fixed for the entire area within the New Delhi Municipality. The rental value of buildings in villages in this area is determined on the basis of rents recovered from the tenants residing in the buildings and is below the rental value fixed for similar houses elsewhere within the limits of New Delhi.

(c) No. Sanitation Sub-Committee selected from the leading residents of these villages have been formed and their recommendations are generally carried out by the New Delhi Municipal Committee.

(d) No.

(e) The Honourable Member is probably referring to the incident which occurred about five months ago, when some stray cattle, tethered in a public street, were rounded up by the municipal Watch and Ward staff for impounding in the Nizamuddin cattle pound. The cattle were forcibly rescued by the inhabitants of Jangpura and the case was reported to the police authorities for investigation. The case is still pending in court.

(f) The answer to the first part is in the negative. The second part does not arise.

INSTRUCTIONS TO GOVERNORS FROM DELHI re-FORMATION OF COUNCIL OF MINISTERS IN PROVINCES

1752. ***Sardar Mangal Singh:** Will the Honourable the Leader of the House please state whether any instructions were sent to the Governors from Delhi for their guidance in the formation of their Council of Ministers in the Provinces?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The attention of the Honourable Member is drawn to paragraph VII of His Majesty's Instrument of Instructions to the Governors.

Sardar Mangal Singh: Are there certain provinces in which minorities are not represented on the Ministries?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is a matter of public knowledge.

Sardar Mangal Singh: May I know whether the Government of India sent any instructions, private or public, to the Governors?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The Government of India have never and have no power to send any instructions to any Governor, public or private, on any matter.

Sardar Mangal Singh: May I know whether any Governor of a province gave an assurance to any Premier that he would not interfere in the day to day administration, as was given in 1937 when the Ministries were formed?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is a question to be addressed to the Premiers of Provinces.

WATER SCARCITY IN CERTAIN CENTRAL INDIA DISTRICTS

†1753. ***Mr. M. R. Masani:** (a) Will the Food Secretary please state whether Government are aware:

(i) that acute shortage of drinking water is causing considerable distress in the Districts of Poona, Satara, Ahmednagar, Bijapur, Dharwar and Belgaum, which have already been declared to be scarcity tracts;

(ii) that in East Belgaum there are villages whose inhabitants have to walk six to ten miles to the nearest nulla for their water supply and that whole families can be seen scouring the countryside for water; and

(iii) that considerable loss of livestock is apprehended as a result of this shortage of water?

†This question was postponed to be taken up at the end, the questioner being absent; but as it could not be reached during the question hour, the reply was laid on the table.

(b) Are Government taking any steps to mobilise a fleet of motor drawn water wagons, including those available with the military authorities, which could carry water to the places where it is most acutely needed?

(c) What other steps are they taking to meet this contingency and to avert distress and deaths from thirst till the monsoon breaks?

Mr. B. R. Sen: (a) (i) Yes.

(ii) Information received from Bombay Government shows that people of some villages in Belgaum district have to go three to five miles for water, but arrangements have now been made for supplying water to the villages by bullock carts and water tankers at Government expense. Report about families scouring the country-side for water is incorrect.

(iii) It is a serious possibility.

(b) Yes. The Bombay Government asked for and have been given 34 water lorries of 2230 gallons capacity each from the Vehicles Depot at Dehu.

(c) (i) Subsidies have been sanctioned for repairing and deepening existing wells including private wells and sinking new kacha wells in beds of tanks, nallas, etc.

(ii) The Collectors in charge of scarcity areas have been authorised to appoint cartmen for carting water to villages for public use if the source of supply is within 2-3 miles.

(iii) The Provincial Government have been offered 30,000 four-gallon water carriers which have been released by Government of India for their requirements. In addition urgent action has been taken in consultation with War Department to release 10,802 jerricans lying at Sewri to Bombay Government.

TENT ACCOMMODATION TO THE NORTH OF NORTH BLOCK FOR OFFICES

1754. *Shrimati Ammu Swaminadhan: Will the Honourable the Labour Member please state:

(a) whether it is a fact that the staff working in tents to the north of North Block of the Secretariat buildings are suffering because of the intense heat in the tents during the day;

(b) how many tents are put up there, and how many of the staff are working there;

(c) if it is a fact that only clerks and Assistants and some Superintendents are made to work in tents and that the rest of the superior officers are able to work in the Secretariat building or some such buildings;

(d) if it is a fact that until the Assembly session is over the staff now working in tents will have to remain in tents in the intense heat of the day;

(e) if he will consider the advisability of getting into touch with other Departments with a view to shifting military personnel from the hutments opposite the Gurdwara in Queen Mary's Avenue and in other places to the Delhi Cantonment before the 1st of April, so that the subordinate officers working in tents may be moved into proper buildings where their health will not be affected;

(f) if the answer to (e) is in the negative, the reasons therefor; and

(g) if it is a fact that the numerous hutments provided to the North and South of the Secretariat buildings will be available for civil office accommodation; if so, when?

The Honourable Dr. B. R. Ambedkar: (a) There are hardly any staff now working in the tents to the North of the North Block of the Secretariat buildings.

(b) 80 tents were put up. Alternative accommodation to staff working here was offered a few days ago and as far as this Department are aware no staff are working there now.

(c) In view of the answer to (a) this question does not arise.

(d) No. As already stated, roofed accommodation has been allotted to them.

(e) and (f) In view of the answers to (a) and (b) these questions do not arise.

(g) The hutments are already occupied by Civil Offices.

Mr. Manu Subedar: May I know what disposition has been made of the extensive accommodation vacated by the Americans who have mostly gone and who are in the process of going?

The Honourable Dr. B. R. Ambedkar: I must have notice of that question.

Mr. Manu Subedar: May I know whether Government has considered the possibility of using some of the accommodation for the class of people referred to here, as well as for the hard-pressed Government servants who are in difficulties about accommodation?

The Honourable Dr. B. R. Ambedkar: If the necessity arises, undoubtedly Government will consider the matter.

UTILISATION OF MOLASSES

1755. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) the facilities provided for Sugar Factories to make full industrial and other use of molasses;

(b) whether there is a possibility of utilising molasses in raw or manufactured condition for manurial purposes; and

(c) why Government have not taken any steps to gain a controlling interest or other share in the new Sugar Factories for which licences are being given, in accordance with the Government's resolution on planning and development of industries?

Mr. B. R. Sen: (a) and (b). The Honourable Member's attention is invited to answers to parts (a), (b) and (d) of Starred Question No. 1401, asked by Mr. B. S. Hiray, on the 29th March, 1946. It will be seen therefrom that a large quantity of molasses is being utilised for industrial and other useful purposes.

(c) If the Honourable Member is referring to the Statement of the Government's Industrial Policy, it has been laid down in para. 7(i) of the Statement that basic industries of national importance may be nationalised provided adequate private capital is not forthcoming, and it is regarded as essential in the national interest to promote such industries. For the purpose of Government's policy, the Sugar industry has not been defined as a basic industry, nor is it an industry for which private capital is not forthcoming. In terms, therefore, of the Statement of Policy, the question of Government gaining a controlling interest or other share in the sugar factories does not arise.

Prof. N. G. Ranga: Is it not a fact that even in regard to the other industries including sugar the Government of India's policy lays down clearly that it is the duty of the Government to satisfy themselves that proper conditions of working and wages for labour are satisfied and that a maximum limit is placed for the dividends to be distributed and so on?

Mr. President: That question does not seem to arise.

Prof. N. G. Ranga: It arises in this way. The Government of India have made it perfectly clear that, apart from those industries which have to be nationalised or which may be nationalised, in regard to all other industries the Government of India have got to satisfy themselves in regard to the conditions of employment and also the maximum rates of dividends to be distributed or profits to be made.

Mr. President: I regret that that question does not arise out of this.

APPLICATION OF NATIONAL LABOUR TRIBUNAL ORDINANCE TO OFFICERS OF MERCHANT NAVY

1757. *Miss Maniben Kara: Will the Honourable the Labour Member be pleased to state:

(a) whether the National Labour Tribunal Ordinance made applicable to certified officers on ships of Indian Registry in December, 1944, was an emergency measure;

(b) whether Government consider that the same emergency still continues to exist; if so, for what reasons; and

(c) whether in view of the restriction on the liberties of seamen that the Ordinance imposes, Government propose to revoke it at an early date, at least as far as the officers of the Merchant Navy are concerned?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) No.

(c) The provisions of the National Service (Technical Personnel) Ordinance 1940, have been generally relaxed since February 1946, and they are not being used to take technical personnel into the national service. Control over the movement of technical personnel has also been relaxed except in the case of key technical staff engaged on work of national importance. In the case of ships' pilots, the provisions of the Ordinance may be invoked to the extent necessary to keep them at their posts of duty until the end of April 1946, by which date it is hoped to withdraw control over their movements unless it is found that the control is still necessary in the interests of the quick handling of imported food-grains at ports. It is proposed to withdraw all control over the movements of other technical personnel by the end of April 1946.

Miss Maniben Kara: Is the Honourable Member aware that the Ordinance is being used against the Indian Merchant Naval Officers particularly by Indian companies, that under the threat of this Ordinance, the Merchant Navy Officers are harassed? I am not talking of the pilots of the Indian Merchant Navy.

The Honourable Dr. B. R. Ambedkar: I am not aware of it, but if particular instances are brought to my notice I will look into the matter.

Miss Maniben Kara: Is it not a fact that some appeal was made by the Maritime Union of India against the use of this Ordinance by Seindia Company (India)?

The Honourable Dr. B. R. Ambedkar: I am afraid I must have notice of that.

Mr. President: He wants to have notice.

Prof. N. G. Ranga: I have been authorised to ask this question (No. 1758) for today.

Mr. President: It will be taken up at the end†.

Mr. President: Prof. Ranga for Sir Vijaya Ananda.

Shri Sri Prakasa: Will you permit me, Sir, to put question No. 1758† of Mr. Masani? I have not got his authority.

Mr. President: Then I cannot allow him to put it; anyway, we will see if time permits.

†This question and answer have, however, been printed serially in those Debates.—
Ed. of D.

Shri Sri Prakasa: Can the Honourable Member give us an idea about the quota that he has assigned to the various provinces with regard to the new sugar factories that may be established in the near future?

Mr. B. R. Sen: I said in reply to another question the other day that the report is just to hand and I have not had an opportunity of studying it. I cannot give the information just now.

Prof. N. G. Ranga: Is it not a fact that the other day the Honourable Member said that at present the industrial resources available in India are able to make use of only 55 or 56 per cent. of the molasses produced in this country and the rest has to be used otherwise?

Mr. B. R. Sen: I said that out of a total production of 400,000 tons of molasses about 150,000 tons are utilised for the manufacture of spirit alcohol. Some quantity is also used for fuel in boilers, tobacco curring, manufacture of yeast, and so on.

Prof. N. G. Ranga: Then it is much less than what I said, namely, 55 per cent.

Mr. President: What is the Honourable Member's question?

Prof. N. G. Ranga: My question is—what is it that the Government of India are doing actively in order to see that more than 50 per cent. of the molasses, that today are not being utilised in an industrial manner will be utilised for industrial purposes.

Mr. B. R. Sen: The Government of India are now awaiting the final report of the Sugar Panel set up by the Planning and Development Department.

Shri Sri Prakasa: Is it a fact that no new factories can be established in U. P. and Bihar?

Mr. B. R. Sen: I am not in a position to say.

Prof. N. G. Ranga: Is it not a fact that in U. P. and Bihar there are too many sugar factories and therefore there was a report of some concerned committee that more factories should be allowed in those two provinces and they should be given licenses?

Mr. President: That does not arise.

REQUISITIONING OF HOUSE NO. 42-B, HANUMAN LANE, NEW DELHI

1756. *Mr. P. B. Gole: (a) Will the Honourable the Labour Member be pleased to state whether house No. 42-B, Hanuman Lane, New Delhi, requisitioned by Government is lying vacant for a long time? If so, since when? Are Government paying the rent of the house lying vacant?

(b) Is it a fact that the house was occupied by Mr. Manoharlal Tuli before it was requisitioned by Government?

(c) Is it a fact that when the house was vacated by Mr. Manoharlal, it was in a damaged condition and, consequently, no allottee was prepared to occupy the same?

(d) Is it a fact that Government now propose to release the house? Why was not the house released earlier when nobody was prepared to occupy it?

(e) What is the approximate date when Government would release the house?

The Honourable Dr. B. R. Ambedkar: (a) The house was allotted to an officer on 15th September, 1945, but as he did not occupy it, it has been lying vacant ever since that date. Government are paying rent for the period the house has been lying vacant.

(b) Yes.

(c) No.

(d) Yes. The latter part of the question does not arise in view of the answer given to part (c) of the question.

(e) About the 15th April, 1946.

RAISING OF SOUTH AFRICAN INDIAN QUESTION BEFORE SECURITY COUNCIL
OF U. N. O.

1758. *Prof. N. G. Ranga (on behalf of Maharajkumar Dr. Sir Vijaya Ananda): (a) Will the Secretary for Commonwealth Relations be pleased to state whether the Government of India have decided to raise the South African Indian question before the Security Council of the U.N.O. in terms of the assurance given in the House on the 26th March, in answer to the Adjournment Motion?

(b) If they have not as yet, will the Honourable Member assure the House that they will take a decision before the conclusion of the current session of the Security Council?

Mr. R. N. Banerjee: (a) and (b). I would invite the Honourable Member's attention to the statements made by the Leader of the House and me in the House on the 2nd April, 1946, in connection with the discussion on the adjournment motion on the subject, notice of which was given by Sri S. T. Adityan.

Prof. N. G. Ranga: Is it not in the interest of India in regard to this particular question to keep the U.N.O. office constantly in touch with the latest developments, progress or deterioration, in the situation that subsists between India and South Africa?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I hope to make very early next week a statement on this question and I would beg of Honourable Members to await that statement.

UNIVERSITY GRANTS COMMITTEE

*1759. *Mr. Tamizuddin Khan: (a) Will the Education Secretary be pleased to state when the University Grants Committee was constituted, and who are the members of the Committee?

(b) Was the Legislative Assembly consulted about the constitution of the Committee?

(c) What have been the activities of the Committee during the current financial year?

(d) What, if any, are the Universities that the Committee visited during the current financial year, and what grants they have given or recommended to be given to particular Universities during the current year?

Sir John Sargent: (a) The University Grants Committee was constituted in June, 1945. The Committee consists of:

- (1) Sir Mirza Ismail, K.C.I.E., O.B.E., (Chairman);
- (2) Sir V. N. Chandavarkar, M.A., Bar-at-Law (Member);
- (3) Dr. W. A. Jenkins, D.Sc., C.I.E., I.E.S. (Retired) (Member);
- (4) Mrs. Repuka Ray, B.Sc. (Lond.) (Member).

(b) No, Sir.

(c) The Committee held its first meeting on the 16th February, 1946, and considered the requirements of the three Central Universities, viz., Delhi, Aligarh and Benares. They also considered applications from certain other Universities which were referred to them through the respective Provincial Governments.

(d) The Committee visited the University of Delhi after its first meeting, and propose to visit Aligarh and Benares Universities when they have received the further information they have asked for in regard to certain proposed developments. The recommendations of the Committee are now under the consideration of the Government of India.

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

TENANCY RIGHTS OF VILLAGES OF TUGHLAQABAD, POST OFFICE MEHRAULI,
DELHI PROVINCE

1760. *Sjt. Seth Damodar Swroop: Will the Agriculture Secretary please state:

(a) if it is a fact that before the last world war the tenants of the village Tughlaqabad, Post Office Mehrauli, Delhi Province, were considered hereditary tenants whereas they are now considered as mere *pattadar*;

(b) if it is a fact that they had been paying a permanently fixed revenue on their cultivable land whereas the same is now being enhanced every year;

(c) if it is a fact that they were considered the sole owners of the trees planted by them, whereas they are now not allowed even to use the dry or green leaves thereof, that the grass of the village which was formerly left free for cattle food is now auctioned before the rainy season and that the Government take away one-fourth of the price of the village people's trees when sold or auctioned;

(d) if it is a fact that the use of the ruined buildings of the fort for cattle shelter and other purpose has now been forbidden; and

(e) whether the abovementioned changes and restrictions were introduced as war measures; if so, whether Government are now considering the desirability of returning to pre-war conditions and restoring to the tenants the rights and privileges which they had been enjoying for a long time; if not, why not?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) The tenants of village Tughlakabad were not hereditary tenants before the war. The land within the walls of Tughlakabad Fort which comprises the village, is owned by Government. It was cultivated by some villagers as tenants at will. They paid malkhana to Government in addition to the usual land revenue.

(b) No. In fact there has been no unjustified increase in the revenue. In 1942 all Government lands under cultivation were brought under proper control and were leased out for a period of three years from Kharif 1942 to Rabi 1945. The area of Tughlakabad was leased out for Rs. 280 per annum to the persons already in possession of the land.

(c) No. The trees are on Government land and are Government property. Government is consequently entitled to sell them. It is reported that some trees were auctioned about 2½ years ago and the sale proceeds credited to Government.

(d) Yes. The Archaeological Department has taken possession of the area for preserving and maintaining it.

(e) No changes or restrictions were introduced as a war measure, and the question of withdrawing them does not arise. The agricultural land in Tughlakabad will continue to be leased out for cultivation to local inhabitants only.

Prof. N. G. Ranga: With reference to part (c) of the question, may I know why is it that even dry and green leaves are not allowed to those people? They are not allowed to use even dried or green leaves. After all dry leaves are useful for fuel purposes and green leaves for manurial purposes.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: It depends upon whether the leaves are on the ground or on the trees.

Prof. N. G. Ranga: Apart from the humour of it, green leaves are useful for manurial purposes and dry leaves for fuel.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I did not intend to be humorous consciously. I know that green leaves are very much appreciated for manurial purposes and if the leaves are on the trees it is difficult to distinguish between a person who plucks the dry leaves and one who plucks the green ones and in the process of plucking the leaves it is likely that the branches of the trees would be lopped off. Therefore a prohibition has to be imposed.

DETENTION OF MANILAL DOSHI, EDITOR, BURMA TIMES BY GOVERNMENT.

1761. *Mr. Sasanka Sekhar Sanyal: Will the Secretary for Commonwealth Relations be pleased to state:

- (a) whether Manilal Doshi, Editor, *Burma Times*, is a detenu of the Burma Government;
- (b) since when he is in detention and where he has been kept;
- (c) the grounds of his detention; and
- (d) whether the Government of India have taken up with the Government of Burma the question of release or repatriation or both in respect of the said Manilal?

Mr. R. N. Banerjee: (a) Yes.

(b) The exact date of his detention is not known but is understood to be about October 26, 1945. He was detained in Rangoon Central Jail.

(c) Mr. Doshi had been under detention under Rule 26, Defence of Burma Rules, pending repatriation to India. It is now understood that he is being prosecuted before the Second Additional Magistrate of District Pyapon on charges under sections 395, 342 and 384 I. P. C. that is, dacoity, wrongful confinement and extortion.

(d) As he is being prosecuted for serious specific offences, Government are not sure if they can take such action. What assistance, if any, can be given to him is, however, being actively explored by Government in consultation with their Representative in Burma.

Mr. Manu Subedar: What steps are Government taking in order to see that this particular person is not being victimised by the Government of Burma for his supposed share in earlier activities for which he was detained and that this prosecution is really genuine and that there is a *prima facie* case?

Mr. R. N. Banerjee: Sir, Mr. Doshi is an Indian who was resident in Burma. Beyond using the good offices of our representative in Burma I do not see how this Government can interfere in a case which purports to be a prosecution under the ordinary law of that country.

Mr. Manu Subedar: Will Government get some more information?

Mr. President: Order, order Mr. Sanyal.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member please state whether this Government asked for information of the factual position of the case at least after getting notice of this question?

Mr. R. N. Banerjee: We have already asked for that information. That Mr. Doshi has been prosecuted under these sections came to our notice only very recently, and as soon as we came to know of it we sent a telegram to our representative for obtaining the facts of the case.

Mr. Manu Subedar: If Government have an Indian representative to safeguard the interests of *bona fide* Indians in Burma, why have not Government taken the trouble to get fuller details in order to see whether there is a *prima facie* case against this man at all, and if they discovered that the facts on which he is being prosecuted are unsatisfactory, will not this Government make a representation to the Burma Government to that effect?

Mr. R. N. Banerjee: As I said, the prosecution started very recently and as soon as our representative came to know of it he tried to obtain further information. As to any further action I can only repeat that it would be anomalous for our Government to seek to interfere in what is after all a prosecution under the law of the land in another country.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member help Indian friends and relations of Mr. Doshi to get copies of the investigation reports of the case?

Mr. R. N. Banerjee: Mr. Doshi is very much in a position to defend himself. I may state for the information of the House that his brothers have already approached us and they have engaged lawyers. We have approached the Government of Burma for allowing those lawyers to proceed there. We are obtaining passage facilities for them and we are also trying to obtain an adjournment of the case in order to enable Mr. Doshi's lawyers to have more time for purposes of the defence.

NON-PAYMENT OF LAND RENT BY LESSEES TO DELHI IMPROVEMENT TRUST

†1762. *Chaudhri Sri Chand: (a) Is the Health Secretary aware that plots of land are sold by the Delhi Improvement Trust in Delhi for residential purposes, etc., on ninety years' lease?

(b) Is it a fact that, according to the terms of the ninety years' lease deed from the date of that lease, the purchaser of the land (lessee) is bound to pay the clear half-yearly rent of the land payable on the first day of April and first day of October, respectively, each year on account of the half-year ending with the 31st day of March and 30th day of September, respectively, and subsequent years to the Delhi Improvement Trust (lessor)?

(c) Are Government aware that in most of the cases the lessees have proved defaulters in the payment of their arrears of half-year rent of the land for months after the due dates despite the issue of notices for payment by the Delhi Improvement Trust?

(d) Do Government propose to issue orders to the lessees that their lands will be confiscated by Government if they fail to pay the half-year rent of the land by due dates? If not, why not?

Mr. S. H. Y. Oulsnam: (a) Since 1941 plots of Nazul land have been sold by the Trust on perpetual lease and not on a 90 years' lease.

(b) Yes.

(c) The statement that most of the lessees have defaulted in paying ground rent is not correct. Ground rent is recovered by the Delhi Improvement Trust in time, and in the few cases where lessees fail to pay in time, action is taken under the Punjab Land Revenue Act or the United Provinces Land Revenue Act, as the case may be, for the recovery of the outstanding amounts. When such action proves unsuccessful, the lease is terminated.

(d) Does not arise.

SUPPLY OF IDENTITY CARDS TO MEMBERS OF CIRCLE ADVISORY COMMITTEES, RATIONING, DELHI

†1763. *Chaudhri Sri Chand: (a) Is the Food Secretary aware that the Members of Circle Advisory Committees for Rationing in Delhi have not been supplied with Identity Cards?

(b) Are Government aware that the Identity Cards, if supplied to the Members of the Circle Advisory Committees, will serve the useful purpose of placing the difficulties experienced by the public and the A.R.Ds. in the matter of rationing before their respective Circle Advisory Committee meetings?

(c) Do Government now propose to supply the Members of the Circle Advisory Committees for Rationing in Delhi with Identity Cards? If not, why not?

Mr. B. E. Sen: (a) Yes, Sir.

(b) and (c). Members of the Circle Advisory Committees in Delhi are well known in their circles. No Identity Cards are necessary for them.

FORMATION OF CIRCLE ADVISORY COMMITTEES IN DELHI TO ASSIST IN RATIONING MATTERS

†1764. *Chaudhri Sri Chand: (a) Is the Food Secretary aware that Circle Advisory Committees in Delhi were formed in March, 1944, to assist and advise the Circle Rationing Officers, and through them the Controller of Rationing, in matters relating to the introduction and working of the rationing scheme in each Circle in Delhi?

(b) Has the Controller of Rationing received co-operation of the Members of the Circle Advisory Committees in all matters connected with rationing in Delhi?

(c) If so, what steps have Government taken or propose to take to recognise the services of the Members of Circle Advisory Committees in Delhi? If none, why?

Mr. B. R. Sen: (a) Yes, Sir.

(b) Generally speaking, the work of the Advisory Committees has been useful to the Administration.

(c) There is no reason to suppose that the Delhi Administration will not take notice of the good services rendered by individual members of Circle and other Advisory Committees in the same way as other kinds of public service.

APPOINTMENT OF PERMANENT ENGLISH OFFICIAL IN LONDON TO REPRESENT INDIA ON INTER-ALLIED REPARATIONS AGENCY, BRUSSELS

1765. *Prof. N. G. Ranga (on behalf of Maharajkumar Dr. Sir Vijaya Ananda): (a) Will the Honourable the Commerce Member be pleased to state if it is a fact that a permanent English official in London has been appointed to represent India on the Inter-Allied Reparations Agency at Brussels?

(b) If so, what are the reasons for not appointing an Indian official?

(c) Do Government propose to reconsider the matter so as to appoint an Indian?

The Honourable Dr. Sir M. Azizul Huque: (a) No. Mr. P. C. Chaudhuri, Director, India Supply Commission in the United Kingdom has been appointed as India's delegate to the Inter-Allied Reparations Agency in Brussels. Mr. Maybury Lewis, an official of the Supply Commission, has been appointed as an alternate delegate purely on a temporary basis. The appointment of a suitable Indian as an alternate is now under the consideration of Government.

(b) and (c). Do not arise.

DIFFERENCE IN PRICES OF CAPITAL GOODS IN UNITED KINGDOM AND IN OTHER COUNTRIES

1766. *Mr. B. P. Jhunjhunwala: Will the Honourable the Commerce Member be pleased to state:

(a) if the prices of all kinds of capital goods are higher in United Kingdom than what they are in the United States of America and other countries?

(b) Is it a fact that the prices of some capital goods in the United Kingdom, quality per quality, are more than double of what they are in the United States of America and other countries?

(c) What is the average difference in prices of capital goods in the United Kingdom when compared with those prevailing in other countries?

The Honourable Dr. Sir M. Azizul Huque: (a), (b) and (c). Government are not in possession any authentic and detailed information regarding the prices of capital goods ruling in the United Kingdom or U. S. A. or other countries. Although the prices quoted for some classes of goods by manufacturers in the

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

U. K. are known to be higher than those quoted by manufacturers in some other countries, the Honourable Member will appreciate that, in view of the very wide range in prices and qualities of capital goods, it will not be safe to make broad generalisations on the basis of such information as is available.

Mr. Manu Subedar: Have Government received representations from associations or from individuals pointing out that in some cases they could get their goods cheaper and quicker from places other than the United Kingdom and, if so, what steps are Government contemplating to take in order to meet the situation?

The Honourable Dr. Sir M. Azizul Huque: I have not myself received any representations but if they have been received in the Department, they must have been noted upon and action taken. We have in quite a number of cases, after considering representations, permitted things to come from non-sterling areas also. But there are certain things on which it is very difficult to come to any absolute and precise conclusion.

Mr. Manu Subedar: In view of the fact that the Honourable the Finance Member has told this House that the allotment of dollars to India had not been fully used, has my Honourable friend considered the bitter complaints made by the Chairman of the Federation of Indian Industries, Mr. Birla and other people, who are in a position to speak from experience, that there is a bottle-neck somewhere? Have Government considered it and will my Honourable friend instead of leaving it to the Department personally go into this question in order to see whether and to what extent dollars are available and whether something can be done?

The Honourable Dr. Sir M. Azizul Huque: It will be impossible for any Commerce Member to enter into a question of bottle-neck unless the interests affected by the bottle-neck come with an actual statement of facts. I have seen bitter complaints but I have not got the facts from any of those complaining.

Prof. N. G. Ranga: Will Government collect and keep with them the comparative figures for specific capital goods, the prices that have to be paid for their purchase in England and the United States of America so that our businessmen may be benefited thereby?

The Honourable Dr. Sir M. Azizul Huque: It is very difficult to do that, because the quality of the article differs so widely and we are not yet certain as to the nature of the basic materials which are being used and the strength the machinery will be able to withstand in order to come to a firm conclusion on the matter.

Mr. Manu Subedar: Does the Honourable Member wish to convey the impression that there have been bitter complaints from responsible leaders of business in this country if there had not been good reason and if when representations had been made to this effect, the representations had not been rejected?

The Honourable Dr. Sir M. Azizul Huque: No. I do not mean that at all. All I mean is that we have been accustomed to receiving very general complaints and that unfortunately when we try to get into the facts there have not been more than one or two instances which have been gone into, if there has been a representation.

Prof. N. G. Ranga: Is the Honourable Member in a position to advise our businessmen, if they approach him for any such assistance as to the comparative prices in these countries with reference to the qualities?

The Honourable Dr. Sir M. Azizul Huque: The whole of the India Supply Mission is there in London and in New York and we have our Trade Commissioners also. If on a matter of representation it is found that in the long run it will be cheaper to get a machinery from continental countries or that the machinery is immediately available in continental countries or in America, we have granted quite a lot of permits. The impression seems to be as if we are only thinking of getting things from the sterling area countries. It is far from that. We have allowed quite a large number of articles to come from other places.

Mr. Manu Subedar: Does the Honourable Member imply that many applications for importing machinery from other quarters than sterling area have not been rejected?

The Honourable Dr. Sir M. Azizul Huque: Many have been accepted.

Mr. Manu Subedar: May I request my Honourable friend to consider this request, namely, to have a calculation made of the number of applications for importing machinery from areas other than the sterling area which have been rejected? Will he give this information?

The Honourable Dr. Sir M. Azizul Huque: It will be more fruitful to the interests of the industry if, instead of calculating on a statistical basis as to how many applications have been rejected and how many have been accepted, any representations by any individual or Chamber are made; and I am quite prepared to go into the whole question having regard to the dollar position.

Mr. Manu Subedar: Will the Honourable Member at least count up the two or three hundred cases in 1945?

The Honourable Dr. Sir M. Azizul Huque: My friend is accustomed to counting of more than hundreds and thousands, I am not.

Babu Ram Narayan Singh: May I know whether Government will have a catalogue of prices of capital goods to be imported into this country, prepared?

The Honourable Dr. Sir M. Azizul Huque: I think the time is fast coming when we will prepare the articles and also pay for them.

PRODUCTION AND NUTRITION VALUE OF "YEAST"

1767. ***Mr. B. P. Jhunjhunwala:** (a) Will the Food Secretary be pleased to state if Government are aware that 'yeast' has great nutrition value? If so, have Government taken any step for the production of the same? If so, what?

(b) How much 'yeast' was produced during the years 1942, 1943, 1944, and 1945?

(c) What experiments have been made to find the food value of 'Yeast', and what are the results of the experiments obtained in India, England and other countries?

(d) What progress has been made in the production of 'yeast' in India, England and other foreign countries?

Mr. B. R. Sen: (a) Yes. Government have assisted the Belsund Sugar Factory to set up a plant for producing Yeast Extract and are considering the report of an expert chemical engineer appointed to examine the question of establishing a factory for producing 3,000 tons of food yeast.

(b) The information is not available.

(c) Government have obtained supplies of food yeast for experimental feeding of school children in Delhi. Similar experiments on school children in England showed improvement in their health and weight.

(d) The position about India has been stated in reply to para. (a) of the question. In England no food yeast has been produced on a factory scale, but the Colonial Office have assisted the setting up of a factory in Jamaica.

Prof. N. G. Ranga: May I know whether this Belsund Factory is an Indian-owned or English-owned factory?

Mr. B. R. Sen: I think it is run by Begg Dunlop and Company, Calcutta.

Prof. N. G. Ranga: Is the new factory that Government think of establishing in India for the production of food yeast, to be Government-owned or private-owned?

Mr. B. R. Sen: The proposal was that it should be a Government factory.

ESTABLISHMENT OF FACTORIES FOR PRODUCTION OF YEAST

1768. ***Mr. B. P. Jhunjhunwala:** (a) What steps if any, does the Food Secretary propose to take in helping the establishment of factories for the production of 'yeast' on a mass scale?

(b) Was any special attempt made during the war to produce 'yeast' in India? If so, with what result?

Mr. B. R. Sen: (a) The question of manufacture of food yeast has been before Government since 1941 and has been examined by two technical committees. According to the recommendations of the second committee, a Chemical Engineer was placed on special duty in October 1944 to prepare a report for setting up a factory to produce 3,000 tons of food yeast a year. His report was received in March 1945 after which it has been examined and approved by the Planning and Development Department. With the end of the War the demand expected from the Army has practically disappeared which has made it necessary to consider the report with reference to the civilian requirements. This is now being done in consultation with the Provincial Governments and it is expected that Government will be able very soon to decide whether it is expedient to set up a factory to produce food yeast or not.

(b) Government assisted the Belsund Sugar Factory to set up a plant for producing Yeast Extract. They commenced production in September 1944 and have a capacity of 2,500 lbs. per week.

Prof. N. G. Ranga: Before they come to any conclusion whether there should be a special factory for the production of food yeast or not, will Government keep in mind such considerations as the need of the poor civilian population and the Government's responsibility also to supply this food yeast to those people either at cost price or below cost price?

Mr. B. R. Sen: Certainly. Government will take all these factors into consideration.

Prof. N. G. Ranga: May I know why this experiment should have been made only in respect of the Belsund Factory?

Mr. B. R. Sen: That factory came forward with a proposal that they would manufacture food yeast, and Government gave them the necessary assistance. This was done because the company asked for assistance. But now the proposal is that Government themselves should consider the question of establishing a factory.

Prof. N. G. Ranga: In view of the strategic importance of the production of food yeast, will Government consider the advisability of establishing its factory and continuing to produce the minimum quantity of food yeast even if they may not need as much for civilian purposes?

Mr. B. R. Sen: I do not follow the Honourable Member's question.

Prof. N. G. Ranga: In view of the strategic importance of food yeast in case there is another war, will Government consider the advisability of proceeding with their plans and proposals for the establishment of this food yeast factory even if civilian demands will not come up to the minimum production that is absolutely necessary?

Mr. B. R. Sen: As I said, this project was taken up with a view to supplying the demand of the army. With the termination of the war Government are considering the establishment of a factory for meeting civilian requirements. Before they can actually establish a factory they have to investigate certain questions, as for instance, in what form the food yeast is to be consumed and the value of food yeast in the food structure of the different peoples in India. These matters have got to be investigated. Before these investigations are complete it would be premature to establish a factory for food yeast production.

PRODUCTION OF YEAST FROM MOLASSES

1769. ***Mr. B. P. Jhunjhunwala:** (a) Will the Food Secretary be pleased to state if Government are aware that 'yeast' can be produced out of molasses which is a by-product of sugar factories? If so, how much 'yeast' was produced during the year 1945 out of molasses?

(b) Are Government aware that most of the molasses is thrown away? If so, why and why was 'yeast' not produced out of it?

Mr. B. R. Sen: (a) Yes, Sir. Approximately 1,800 tons of distillers' yeast was produced during 1945. In addition, two factories have been producing yeast extract and also a small quantity of food yeast.

(b) Yes, Sir. Government are considering the establishment of a factory to produce 3,000 tons of food yeast from molasses.

Prof. N. G. Ranga: Are Government investigating the possibility of producing anything else from the molasses which can be made use of in this country?

Mr. B. R. Sen: Yes, Sir. There was a question the other day and in reply to that I gave the information. There was a Committee set up by the Planning and Development Department which went into the whole question. The Report, I believe, has just been received. That Committee has found use for the entire production of molasses.

Babu Ram Narayan Singh: Is the Honourable Member aware that molasses which are not used, in course of time get rotten and give out a very bad smell polluting the area all round?

Mr. President: I do not think the question arises out of that.

Babu Ram Narayan Singh: It relates to molasses.

Mr. President: There is reference to molasses, but the question does not arise.

BAN ON PANDIT NEHRU'S ENTRY INTO BURMA

1770. ***Prof. N. G. Ranga** (on behalf of **Maharajkumar Dr. Sir Vijaya Ananda**): Will the Secretary for Commonwealth Relations be pleased to state whether the Government of India propose to convey to the Government of Burma the strong indignation in this country for putting a ban on Pandit Nehru's entry into Burma?

Mr. R. N. Banerjee: I would draw the Honourable Member's attention to the reply I gave on the 22nd March, 1946, to a short notice question, by Mr. Satya Narayan Sinha. No ban was placed by the Government of Burma on Pandit Nehru's entry into Burma. Pandit Nehru's visit to Burma was not favoured by the Government of Burma in January last in view of the unsettled conditions in that country.

Shri Sri Prakasa: What is the attitude of the Government of Burma today?

Mr. R. N. Banerjee: That will be known only if there is any occasion for us to make a fresh approach.

Diwan Chaman Lall: May I ask whether the main reason why the Government of Burma did not favour Pandit Nehru's visit to Burma was that they did not want him to meet Aung San and that Pandit Nehru has already met Aung San at the air port of Rangoon?

Mr. R. N. Banerjee: I have seen a press report that Pandit Nehru met Aung San but as regards the first part of the question, no such statement was made to us.

Diwan Chaman Lall: Is the Government of India aware that that is the main reason for the Government of Burma not favouring the visit of Pandit Nehru to Burma?

Mr. R. N. Banerjee: No, Sir.

Prof. N. G. Ranga: What is the constitutional difference between 'not favouring' and 'putting a ban'? Does that mean that Pandit Nehru would have been free to go to Burma, though the Burma Government would not have welcomed him?

Mr. President: That is a question of interpretation.

RATES OF SUPPLY OF ELECTRICITY IN DELHI, NEW DELHI, BOMBAY AND CALCUTTA

1771. ***Pundit Thakur Das Bhargava:** Will the Honourable the Labour Member kindly state:

(a) the rates of supply of electricity in Delhi and New Delhi compared with those in Calcutta and Bombay;

(b) the reasons why the rates in Delhi and New Delhi cannot be brought into line with those in Calcutta or Bombay; and

(c) whether any lowering of rates can be expected in Delhi in the near future?

The Honourable Dr. B. R. Ambedkar: (a) A statement is laid on the table.

(b) The rates for lighting and fans in Delhi and New Delhi are already uniform. The question of removal of the slight difference in the rates for power is under consideration.

The reason for the difference between New Delhi and Delhi rates on the one hand and Calcutta or Bombay rates on the other is that the Supply undertakings at Bombay and Calcutta, having considerably larger loads both domestic and industrial, are able to maintain a very much better load factor than smaller undertakings at Delhi and New Delhi. Apart from this, conditions vary from place to place and much depends upon the types of generating plant used and other facilities connected with such plant.

(c) It is not possible to make any statement on this subject at present, but the Honourable Member can rest assured that the matter is constantly under attention.

	Delhi	New Delhi		Bombay	Calcutta
(1) Bulk power at 6600 volts 3 phase.	3/5 annas per unit	3/5 annas per unit	(1) Industrial—Large	Ra. 4 per k. w. per month plus charge on a sliding scale varying from 0.5 to 0.4 of an anna for annual consumption of 5 lakhs units and above.	0.85 to 0.22 of an anna on a sliding scale depending on load factor, for maximum demand exceeding 50 K. W.
(2) Power—					
Domestic	1 1/4 annas per unit less 10% rebate.	1 anna per unit less 10% rebate.			0.9 to 0.43 of an anna on a sliding scale depending upon load factor for maximum demand below 50 K. W.
Restricted Industrial	1 1/4 annas per unit less 10% rebate.	1 1/4 annas per unit or sliding scale—	(2) Industrial—Small	Ra. 7 per k. w. per month for the first 25 K. W. and Ra. 4 per K. W. per month for additional K. W. plus unit charge on a sliding scale from 0.667 to 0.45 of an anna.	9 pies per unit. 2 annas per unit.
Un-restricted Industrial	1 1/4 annas plus Rs. 5—per H. P. per month less 10% rebate.	2 annas per first 2,000 units. 1 1/4 annas for next 5,000 units. 1 anna for all over 7,000 units. 1 anna for first 50 units. 1/2 anna for all over 50 units.	Power Domestic (3) Lights and fans		
Domestic Boilers					
(3) Lights and fans	3 1/4 annas per unit less 10% rebate.	3 1/4 annas per unit less 10% rebate.			

CONSTITUTION OF THE DELHI CENTRAL ELECTRIC POWER AUTHORITY

1772. *Pundit Thakur Das Bhargava: Will the Honourable the Labour Member kindly state:

(a) the constitution of the Delhi Central Electric Power Authority Company, Limited;

(b) if it is a fact that all the members of the Board are Europeans with the exception of one Indian;

(c) if it is a fact that the Delhi Municipality is represented on the Board;

(d) if it is a fact that the Delhi Municipality insist on having two representatives instead of one;

(e) if Government propose to take over the Delhi Electric and Traction Company, Limited, and if the said Company had a representative on the Board of the Delhi Central Electric Power Authority Company, Limited; and

(f) what objections, if any, Government have got to give more representation to the Delhi Municipality by giving it the representation enjoyed by the Delhi Electric and Traction Company, Limited, when it is taken over in addition to the representation already given to it?

The Honourable Dr. B. R. Ambedkar: (a) Presumably the Honourable Member refers to the Delhi Central Electric Power Authority. Its membership is as follows:

- (1) Governor General in Council;
- (2) Delhi Factories Owners Federation;
- (3) Commander, Delhi Independent Brigade Area;
- (4) The Punjab Chamber of Commerce;
- (5) The Delhi Electric Supply and Traction Company, Limited;
- (6) New Delhi Municipal Committee.

(b) Yes.

(c) No.

(d) This was the position of the Delhi Municipal Committee in 1938 when the Delhi Central Electric Power Authority was established. The question has not been raised since.

(e) Yes.

(f) As the Delhi Municipal Committee is not a member of the Delhi Central Electric Power Authority Limited, the question of giving it additional representation does not arise.

DR. KRISHNAN'S SUGGESTIONS re MINERAL RESOURCES OF INDIA.

1773. *Prof. N. G. Ranga: Will the Honourable the Labour Member be pleased to state:

(a) if his attention has been drawn to the report of a lecture delivered by Dr. M. S. Krishnan to the Geology Association of the Presidency College, Madras, on the 14th of March, as reported in the *Hindu* of the 14th March;

(b) What steps are being taken to obtain adequate quantities and build up reserves of copper, silver, nickel, platinum, tin, mercury, graphite and potash;

(c) what steps are also being taken to develop and exploit hydraulic (electrical) power resources in all those Provinces which do not have coal mines within easy reach, so as to develop local industries;

(d) whether any steps are being taken to draw power from wind through wind mills and to popularise the use of wind mills; and

(d) whether Government will render assistance to the Andhra area in this direction by themselves starting a museum at Bezwada; and

(e) if the answer to (d) is in the negative what assistance Government propose to render to Provincial or Municipal authority in expanding the existing Municipal museum at Bezwada?

Sir John Sargent: (a) It is a fact that there is no adequate museum between Calcutta and Madras except a collection of sculptures in the University buildings at Cuttack and the small museum at Bezwada.

(b) Except at some excavated sites which have produced a notable quantity of material, it has not been the practice of the Central Government to establish local museums. I have no information as to whether the Government of Madras have ever considered the establishment of a provincial museum in the area in question.

(c) Yes, the establishment of such a museum would undoubtedly serve educational needs.

(d) and (e). In accordance with established policy, the establishment of such a museum is a matter, for the province or the Municipality concerned, but the Archaeological Department will be prepared to render every possible assistance. Ways in which it could help include the chemical conservation of antiquities, advice in labelling and the loan of such suitable antiquities as may be available.

Prof. N. G. Ranga: Will the Honourable Member communicate this question and his answer to the Madras Government, with the suggestion that the Madras Government may undertake the establishment of museums there?

Sir John Sargent: I am proposing to consult the Director General of Archaeology with a view to taking some such action.

Shri D. P. Karmarkar: With reference to part (d), will the Honourable Member make it clear that help includes also financial help where it is necessary?

Sir John Sargent: That is obviously a matter which will arise in this connection.

Prof. N. G. Ranga: Is there any particular difficulty except that of more funds in the Central Government offering any sort of subsidy or grant-in-aid to Provincial Governments or municipal authorities, if they choose to establish local museums?

Sir John Sargent: As far as I am aware there is no technical obstacle to that being done, and I think it is the policy now to afford help in connection with all desirable developments on the educational side.

Prof. N. G. Ranga: In view of the great educational importance of establishing as many of these central museums as possible for various parts of the country, will the Government of India consider the advisability of offering such grants to such educational authorities, private or public, which will be willing to establish museums?

Sir John Sargent: I have said that we will certainly consider that.

UNSTARRED QUESTIONS AND ANSWERS.

LOSS OF FOODSTUFFS IN STORAGE

211. Dr. Sir Zia Uddin Ahmad: (a) Will the Food Secretary please state if it is a fact that we lose 8½ million tons of foodstuffs every year in storage?

(b) What is the quantity of different foodstuff we lose every year?

(c) Did the Department make an enquiry about the causes of this loss?

(d) What is the value of the loss of 8½ million tons of foodstuff every year?

Mr. B. R. Sen: (a) and (b). Grain is stored in villages by producers and village merchants and in markets of various kinds and sizes. No accurate assessment of the amount of loss in storage is available but a rough guess is that the loss is of the order mentioned. Figures of loss for separate grains are not available.

(c) Yes. The losses are caused by insects, rodents and dampness.

(d) I cannot estimate the value of the grain lost in storage but if the suggestion is that the loss occurs in grain stored under the control of the Food Department, I should like to make it clear that the loss in such stores is very small. The defects are in the storing by traders and producers, whose number runs into millions. The Food Department are trying to improve storage by themselves constructing storage of approved design and by encouraging and helping Provincial Governments to construct such storage.

MEMBERS OF CIRCLE ADVISORY COMMITTEE NO. 13 FOR RATIONING, DELHI

212. Chaudhri Sri Chand: Will the Food Secretary please lay on the table a list of the Members of the Circle Advisory Committee No. 13 for Rationing which was set up with the introduction of rationing in Delhi in April, 1944?

Mr. B. R. Sen: A list is laid on the table of the House.

A list showing the names of members of the Circle Advisory Committee, Circle No. 13, Delhi Rationing, in April, 1944.

- (1) Chaudhri Abdul Karim, Municipal Commissioner.
- (2) Prof. Ram Singh, Municipal Commissioner.
- (3) Dr. K. L. Dhir, near Karol Bagh Police post.
- (4) S. Amar Singh Barmi, Gurdwara Road.
- (5) Haji Allahdiya Toori, Toori Lodge, Rohtak Road.
- (6) Mr. Oliver M. Martin, Violet Cottage, Christian Colony.
- (7) Mr. Mulk Raj Bhalla, Nai-Ka-Mahal, Karol Bagh.
- (8) Mr. Mohammad Mahmud Khan, Rasul Ganj.
- (9) Rai Sahib Deep Chand, 8, Park View, Karol Bagh.

ORDER FOR CANADIAN FISHING BOATS AND ICE-REFRIGERATOR PLANTS

213. Sri M. K. Jinachandran: (a) Will the Agriculture Secretary be pleased to state whether it is a fact that the Government of India representative in Canada, Mr. D. N. Kande, has placed or is about to place orders for fishing boats and ice-refrigerator plants on behalf of the Government of India with Canadian manufacturers of ships and refrigerator plants? If so, for what amount? And when were the orders given?

(b) Are not similar fishing boats and refrigerator plants capable of being manufactured in India? If not, what is the difficulty?

(c) Have Government considered the question of the adaptability of these Canadian boats and plants for Indian waters and Indian conditions?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) Mr. Khandke is not a Government of India representative but the Managing Director of a private firm. He has applied for a licence to import fishing boats and nets as well as fish meal and refrigerator plants from the United States of America at a cost of about 186,000 dollars on behalf of his firm and not on behalf of the Government of India. No orders have yet been placed as the question of a license is still under consideration.

(b) Boats and plants are not immediately available in India nor can they be manufactured at present, because of lack of facilities. The feasibility of manufacturing them in future will be looked into after the types best suited for Indian conditions have been ascertained.

(e) whether Dr. Krishnan's suggestion of establishing "well-equipped laboratories" to "assess the quality and quantity of the various minerals" and also his suggestion that locally available minerals shall be utilised in preference to imports will be fully studied?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) During the war Government had a proposal under consideration to build up in India a strategic stock of certain important minerals and related substances; but it did not materialise. Government are considering a revision of its mineral policy and due attention will in that connection be paid to these minerals which are in short supply in India.

(c) Generally speaking steps are being taken by Provincial and State Governments to develop and exploit Hydro-Electric Power Resources to the maximum extent of technical manpower at present available for such investigations. Central Technical Power Board is already assisting in certain cases subject to limit of its present strength in man-power and will do more when adequate technical staff is procured. Government of India are fully aware of the necessity for far greater measure of Hydro-Electric System development throughout the country than is at present being undertaken, particularly in areas which are remote from major coal deposits, but they consider that this cannot be achieved without a far greater body of experienced technical personnel than at present exists and to this end are doing their utmost to recruit Specialists Technical personnel on contract.

(d) No special steps are being taken by Government of India to draw power from wind or to popularise use of Wind Mills at present. Government is advised that such installations, while useful in selected areas depending on Meteorological conditions, are individually productive of only extremely small amounts of power and that too intermittently.

(e) The Geological Survey of India has been lately re-organised and its laboratory facilities considerably expanded. Further expansion in the direction of providing free advice and information on mineral and mining matters is being taken up. The recently planned National Metallurgical and National Chemical Laboratories will be fully equipped to assess the quality of Indian minerals and in other ways prove of great assistance in the development of mineral industries. Domestic treatment and utilisation of India's minerals and ores, in preference to their export in the raw condition, is being considered by Government. A number of industrial Panels, instituted since 1944, have collected valuable information and data under this head which are being studied for the framing of a new Mineral Policy.

Prof. N. G. Ranga: As regards part (c), the Honourable Member says they need many more specialists in order to develop these hydro-electric power resources. What steps are Government taking to get Indians of requisite abilities and qualifications to specialise in these directions so that their services may be made use of?

The Honourable Dr. B. R. Ambedkar: A number of Indians have been sent abroad for training in these specialised occupations.

Prof. N. G. Ranga: As part of this new scheme of sending scholars?

The Honourable Dr. B. R. Ambedkar: In addition to them, there are also other people who have been sent.

Prof. N. G. Ranga: With reference to part (d), my Honourable friend threw cold water on the suggestion to utilise wind power by saying that it could only give intermittent power and nothing more. In view of the fact that thousands of peasants are interested in these wind-mills, will Government try and look into this matter a little more carefully and devise ways by which they can possibly assist our peasants and others to draw as much power as is possible from wind and thus help them?

The Honourable Dr. B. R. Ambedkar: As I said it depends upon how much wind there is in any particular area.

Prof. N. G. Ranga: There are meteorological experts and it ought to be possible for them to work out some plans and see how much power can be derived by utilising wind in different parts of the country?

The Honourable Dr. B. R. Ambedkar: Yes; we have considered that.

POSTPONED STARRED QUESTIONS AND ANSWERS

Postponed from 3rd April, 1946

REMUNERATIVE PRICES OF PADDY AND RICE TO PEASANTS

1510. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) if Government are aware that the District Collectors of Kurnool and Cuddapah of the Madras Presidency have reported to the Madras Government that the present prices of paddy (rice in husk) are not at all remunerative to peasants and that if peasants are not to be ruined and are to be encouraged, to grow more foodgrains, more remunerative prices have to be actually paid to peasants;

(b) if Government have not got that information, whether they propose to ascertain the facts; and

(c) whether and if so, when Government propose to have a conference with the Madras Ministry to study this vexed question of prices of paddy and rice and assure a more remunerative price for producers, whether by eliminating all middlemen's profits or by raising the prices of paddy and rice?

Mr. B. R. Sen: (a) and (b). Suggestions were received by the Madras Government that prices should be raised in Kurnool, Cuddapah and other districts. Prices in Kurnool and Cuddapah were fixed with reference to normal parity with rice prices in the surplus districts and are considered remunerative.

(c) Does not arise.

Prof. N. G. Ranga: Do I understand the Honourable Member to say that the change in the prices of food grains in Kurnool and Cuddapah were suggested by the Madras Government?

Mr. B. R. Sen: I said that prices in Kurnool and Cuddapah were fixed with reference to normal parity with rice prices in the surplus districts and are considered remunerative.

Prof. N. G. Ranga: Is it not a fact that these collectors have actually made suggestions in regard to foodgrains produced in those districts which today are suffering from famine?

Mr. B. R. Sen: My reply covers the question: certain suggestions were received, but the Madras Government did not think that the suggestions should be accepted.

EXPANSION OF MUNICIPAL MUSEUMS AT BEZWADA

1529. *Prof. N. G. Ranga: Will the Education Secretary be pleased to state:

(a) if it is a fact there is no museum (archaeological, etc.), anywhere between Calcutta and Madras except a small Municipal museum at Bezwada;

(b) if it is a fact that a proposal to start a Central Andhra Museum at Bezwada, the centrally situated place for all the Telugu speaking area, was ever considered by the Central or Provincial Governments;

(c) whether Government are aware that a first class museum at Bezwada will serve a long felt educational need of the Andhra area?

(c) The imported boats will be tried out under Indian conditions and modified where necessary, after which the question of manufacturing boats of the modified types suitable will be considered.

DEMobilISED MILITARY OFFICERS IN CIVIL EMPLOY

214. Seth Sukhdev: Will the Honourable the Labour Member be pleased to state how many demobilised military officers have been taken in civil employment under the Central Government in various Department during the last six months?

The Honourable Dr. B. R. Ambedkar: The information asked for is being collected and will be communicated to the Honourable Member when ready.

SHORT NOTICE QUESTION AND ANSWER.

REPORTED CALLOUSNESS OF GOVERNMENT TOWARDS I. N. A. MEN RETURNING FROM RANGOON.

Shri Satya Narayan Sinha: Has the attention of the Secretary for Commonwealth Relations been drawn to an A. P. I. message which has appeared in the *Hindustan Times* of the 3rd April under the heading "Government's callousness towards I.N.A. men" in which Mr. Amiya Nath Bose, Secretary of the I.N.A. Relief Committee, Bengal, in a statement to the Press brings to the notice of the public what he describes as an instance of extreme callousness and cruelty on the part of the Government of India or its agents or servants towards I.N.A. men who are arriving from Rangoon? If so, what steps does the Secretary for Commonwealth Relations propose to take immediately to remedy the situation?

Mr. R. N. Banerjee: Government have seen the press message. The complaint is based on a misunderstanding of the responsibilities assumed by the Government of India in this matter. It is perhaps not generally realised that these I.N.A. persons are Indian civilians who had been already resident in Burma even before the outbreak of the war and who came to be associated with the I.N.A. It is not that they went for the first time to Burma during the course of the war. They had established careers of their own and many of them had been there for many years. They are not under arrest. No need has therefore been felt so far for the Government of India undertaking any special responsibility for their repatriation. However, at the request of the authorities of the Azad Hind Workers' Relief Fund, Rangoon, the Representative of the Government of India in Burma has been assisting the inmates of the I.N.A. hospital, Rangoon, in securing passages to India by air in all hospital cases and by sea in other cases. The cost of air passages has been borne by the Government of India in cases in which the persons lacked means and the cost of several sea passages in similar cases was paid by the Government of Burma at the instance of the Representative. By the end of March 1946 every person in receipt of any financial assistance from the Azad Hind Workers' Relief Fund and all inmates of the I.N.A. hospital were expatriated to India. Regarding air passages it had been arranged that some one deputed by the Azad Hind Workers' Relief Fund should attend to the formalities for obtaining the air passage recommended by the Representative and see the passenger off at the air booking centre in Rangoon. As no previous complaints of this nature have been received it appears that the Azad Hind Workers were keeping the Relief Committee in Calcutta informed of all arrivals for proper reception of persons requiring medical assistance. The Representative has now been asked to ensure that in future local workers of the Azad Hind Committee in Rangoon invariably keep the I.N.A. Relief Committee in Calcutta informed of such arrivals and also send intimation to officials concerned in Calcutta.

MOTIONS FOR ADJOURNMENT

UNSATISFACTORY NATURE OF REPLIES TO CERTAIN QUESTION, re APPOINTMENT OF MR. ROWLERSON, MEMBER, RAILWAY BOARD, AND CONTINUATION OF POLICY OF EUROPEANISATION.

Mr. President: I have received notice of an Adjournment Motion from the Honourable Member, Diwan Chaman Lall, which is:

"to discuss a matter of urgent public importance arising out of the unsatisfactory answer given by the Government in respect of Starred question No. 1704, namely, the contemplated appointment of Mr. Rowlerson as Member, Railway Board, in preference to a suitable Indian thereby continuing the policy of Europeanisation of the Railway Board in spite of the recently expressed wishes of the House".

Now, I may just state to the Honourable Member my reaction to this, so that he might urge whatever he has to, in respect thereof. The important point seems to be to discuss the policy of Indianisation and the continuance of in action towards realising that policy. That seems to be the point of the Adjournment Motion. So far as the policy of Indianisation is concerned, I am afraid this Motion will not be admissible for discussing that policy. It will not be admissible because there has already been a full debate on this question, with special reference to the Railway Board and the employment of Indians in railway services. I find from the report of the proceedings of 22nd February 1946, that there was a Cut Motion tabled by Mr. Neogy in which he said:

"I have sought to indicate the points that I propose to raise in moving this cut motion and they are as follows:

'Enquiry into the present system of management of Railways in its principal aspects, such as control of the legislature, Indianisation of the Railway Board and Railway services, Railway finances'

That policy was discussed on that Cut. So, if it is the intention of the Honourable Member to discuss the policy of Indianisation, I am afraid the Motion is barred under Rule 12(iii), which is Para. 48 of the Manual of Business and Procedure. "The motion must not revive discussion on a matter which has been discussed in the same Session".

In this view, I do not think I need go into the other questions as to how far any unsatisfactory reply entitles a Member to raise a discussion thereon, as to what really is the implication of the expression 'unsatisfactory reply' and all that. It may be perhaps the point in his mind that, notwithstanding the discussion on 22nd February 1946 and the expression of opinion of this House, the Government have failed to appoint an Indian, even though there is now an opportunity. If the object is to censure the Government for that purpose only, then of course, the matter will stand differently. But it does not appear in clear terms from the wording of the Adjournment Motion. I should like to hear first what the Honourable Member has to say, and then I should like to hear what the Government Member has to say.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I am grateful to you for placing the matter regarding this adjournment motion in a proper constitutional light. There are two questions that have been raised of very great importance by the Honourable the President in reference to this Adjournment Motion. First that I would be out of court if I sought to discuss the question of Indianisation as a matter of policy in view of the debate that took place on the floor of the House on 22nd February 1946. If I sought to discuss that, then, I would be really barred. The second question raised is in reference to the unsatisfactory nature of the reply, and whether I would be entitled to raise a motion for the adjournment of the House arising out of the unsatisfactory reply given. The third question that has been raised is in regard to a specific matter which arose yesterday and which has resulted in my giving this notice of an adjournment motion.

I have no intention, Sir, of discussing the general question of Indianisation which has been discussed already. But in view of the decision given by your predecessor or predecessors in regard to these matters, I would really be out of court if I discussed an individual matter which did not raise a question of

[Diwan Chaman Lall]

principle. And it has been laid down in the rulings that if any matter of an individual nature as this with reference to a certain individual whose appointment is being questioned by us, does not raise a matter of principle, an adjournment motion would not be valid. I submit that this matter of the appointment of this individual does raise a matter of principle, but only in so far as this appointment is concerned.

Mr. President: I am not basing my argument on that ground. Therefore I put the first ground first, namely, the question of the policy of Indianisation. And if by taking up this individual case, the Honourable Member wishes to raise the policy of Indianisation, even then it will be barred because that policy has been discussed.

Diwan Chaman Lall: The reason why this Indianisation Principle has been mentioned is that it is a matter of principle affecting an individual. My motion arises out of the fact that an appointment has been made since that discussion. A new issue arises in respect of this appointment which is contrary to the policy laid down by this House. And since that appointment being made is a matter which affects this House vitally, I submit that it is a matter of urgent public importance of recent origin which arose only yesterday. It is only with reference to this appointment that I want to discuss this adjournment motion and the issues that this appointment raises, but not the general aspect of Indianisation which clearly is not connected with this particular issue.

The general principles regarding this have been already laid down. It was laid down on the 12th March, 1923, that the ordinary business of the House can be interrupted only by way of a sudden emergency. I submit that the announcement made by my Honourable friend and certain statements made by him in respect of that announcement raise a matter of sudden emergency. Also the question whether it is a matter of urgent importance arises out of the fact of the serious view taken by this House of the incident that took place yesterday. That has been laid down again in the same ruling given on page 3 of the Decisions, given on the 12th March, 1923. As to recent occurrence, I submit that on the 14th September, 1922, another ruling was given that as soon as the matter is brought to the notice of the Member he can raise it. Therefore as far as the recent nature of the issue is concerned that particular portion of this issue is satisfied. It was brought to my notice yesterday and immediately I proceeded to give notice of it. Then the question comes regarding the unsatisfactory reply. I submit that even that is covered by a previous decision. On page 14 of the Decisions you will find that on the 4th September, 1933, a decision was given that an adjournment motion can arise out of the unsatisfactory nature of a reply given by an Honourable Member, and the adjournment motion was admitted. As to who is to decide this it is clear from Campion and Redlich that the member giving notice is the one to state whether the reply is unsatisfactory.

Now, I will refer you to page 15 of the Decisions,—a matter which arose on the 6th October, 1937. A very similar question arose, namely, the appointment of an officer from England as Chief Commissioner of Income-tax, and the motion was allowed on exactly the same grounds when that was challenged. Again on the 7th October, 1937, the question was raised of the appointment of a non-Indian as Economic Adviser; it was challenged on the floor of this House on exactly the same grounds on which I am challenging this and it was accepted by the Honourable President on that occasion. That is on page 15 of the Decisions. Now the only way in which it may be inadmissible is, as you have stated, if I choose to raise a discussion on the general principle of Indianisation. I am not going to do anything of the kind. I am going to confine myself strictly within the four corners of the decision already given by your predecessor on the 6th and 7th October, 1937, in respect of exactly similar issues that were raised, namely, the appointment of a non-Indian. And I submit, therefore, that I would be within my rights.

An objection may be raised that this is not a specific matter. I have deliberately mentioned the specific matter and that is why I am not discussing the

general issue but mentioning a specific matter, and I shall confine myself entirely to this one specific matter and not go over the entire range of general policy regarding Indianisation. I may also refer you to Redlich, Vol. I, page 117, and Vol. II, page 244, where it is stated that a similar procedure has been adopted in the House of Commons and that an adjournment motion arises out of the unsatisfactory nature of the replies given by Government. I submit, therefore, that confining myself purely to this new issue that arose only yesterday in respect of this particular appointment which raises a matter of principle, but not dealing with the general policy of Indianisation, the motion that I have tabled is within the four corners of the rules governing motions of adjournment.

Mr. President: With reference to the rulings to which the Honourable Member has referred, it seems that all that the rulings discuss is that where a question of a particular individual appointment is raised, the motion is not to be ruled out merely as an individual case, because there is a question of some principle underlying it. That is a proposition which I do not dispute. The difficulty which I feel, as I said in the beginning, is not that the Honourable Member is raising a question of one individual appointment or contemplated appointment; but in order to bring his motion within the previous rulings that question must be based upon some principle, and the principle would be nothing else but Indianisation. That principle having been discussed in this House on a cut motion, it cannot be discussed again. And obviously if the Honourable Member wants to cut out the question of principle from the question of an individual appointment, *ex hypothesi*, he cannot raise any individual question.

Mr. Manu Subedar (Indian Merchant's Chamber and Bureau; Indian Commerce): Sir, I submit that the question of this appointment has arisen after discussion in this House on the issue of general policy. And if Government have taken a specific step and the attitude taken by them, the policy which they explained, the reasons given by them were found unsatisfactory by the opposition, on that ground I submit that you might allow this motion.

Sri M. Ananthasayanam Ayyangar (Madras Ceded districts and Chittoor: Non-Muhammadan Rural): Sir, I find a difference while accepting the principle that you have enunciated. Individual cases where no principle is involved are cases of this kind. There are two persons and it is open to Government to weigh their respective merits and according to the opinion of the Honourable Member in charge he may prefer X to Y, in which case we have no jurisdiction. If on the other hand there is a principle behind it that there ought to be Indianisation and they act contrary to that I submit it is not an individual case. Wherever there is a flagrant breach, we pass a resolution. A particular thing has to be done, and the Government violates it. It is not an individual case, nor a *qua-individual* case. It is an individual *plus* a principle, and where a principle is violated it stands on a different footing. Therefore it ought to be permitted.

Mr. President: Perhaps I ought to repeat myself again. An individual case cannot be discussed unless there is a principle behind it. That principle is the principle of Indianization, confining ourselves to the merits of this case. Is it sought to discuss the principle of Indianization?

Some Honourable Members: No.

Mr. President: Then, what is sought to be discussed?

Sri M. Ananthasayanam Ayyangar: Violation!

Mr. President: Violation of the expressed wishes of the House with regard to Indianization as evidenced.....(Interruptions.) Order, order..... as evidenced by the vote of the House on the cut motion.

Sri M. Ananthasayanam Ayyangar: Exactly.

Mr. President: Then the motion must be not only differently worded but the substance of it must be entirely different. It is not for me to say how it should have been worded. If it had been sought to censure the Government for contemplating the appointment of 'Mr. So and So', notwithstanding the expressed wishes of the House, expressed on a vote on such and such cut motion, matters

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would have stood differently. The adjournment motion speaks of "unsatisfactory answers given by the Government in respect of starred question 'No. so and so'—the contemplated appointment of Mr. Rowferson as Member of the Railway Board in preference to an Indian, thereby continuing the policy of Europeanisation of the Railway Board in spite of the expressed wishes of the House." I do not find in this adjournment motion even the word censure, though obviously in giving notices, the word "censure" is being used even in cases where it need not have been used. So the plain meaning of the motion seems to me—unless the language is to be strained—to discuss the policy of continuance of Europeanisation, which is the same thing as not following the policy of Indianisation.

Sri M. Ananthasayanam Ayyangar: You are as good as our Privy Council. I am not prepared to accept a higher one. The Privy Council has said that you are a practising lawyer and that the substance of the resolution ought to be looked into and not the form. The substance is 'unsatisfactory answers'. Then the one thing is that in spite of the vote of the Assembly, continuing the policy of Europeanisation means flouting the Indianization policy enunciated by this Government and the instance of taking Rowferson in a place where an Indian could have been possible. Though we are legislators, ultimately the combined wisdom of ours brings out a general law. It is open to each individual Member to put it in his way but you are the guardian of us all.

Diwan Chaman Lall: The question you have raised may be put like this: Are you seeking once again to discuss the question of Indianization by virtue of the wording of your adjournment motion or are you not? I submit that my adjournment motion can be cut up into four different parts and on each different part I have justification under the rules and regulations to move this motion. I am not seeking to discuss, in spite of the language there—and I will give an explanation for that language there—the policy of Indianization as such, divorced from this one particular case. It is there because the rules prevent me from raising the question of an individual appointment, unless that particular appointment is connected with some matter of policy. That is the direction given in respect to this particular individual case, which I cannot discuss on the floor of this House by way of an adjournment motion unless it is connected with some principle. Therefore, I connect it with that principle. Secondly, even on the mere question of the unsatisfactory nature of the reply, I submit that my adjournment motion would be valid. I draw your attention, Mr. President, to the reply given by my Honourable friend. They have been clever enough to see to it that not one word regarding that appears in the press.

Mr. President: The Honourable Member should not attribute such a motive.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): I should have been very glad indeed to have seen the whole discussion in the press. But if the press did not consider it worth publishing I cannot help it.

Diwan Chaman Lall: It is a most remarkable thing that what does not suit my Honourable friend, does not appear in the press.

Mr. President: That is stretching the issue.

Diwan Chaman Lall: A most unsatisfactory reply has been given to the question that has been raised—a reply which I consider, was not only unsatisfactory but incorrect, and on that basis alone, Mr. President, I would submit—(leaving the wide question, which I am not going to discuss on this adjournment motion but merely give an indication of it, because I would be barred from discussing an individual case without mentioning the policy behind it)—that I would be within my rights in asking you and requesting you to admit this adjournment motion.

There is another point that has been raised—that I have not censured the Government. When an adjournment motion is not a censure motion, movers of adjournment motions generally get up and inform the House that they are

not in the nature of a censure motion. I submit that this adjournment motion is not of that nature which has compelled me or any member of my party to get up and say it is not in the nature of a censure motion. It is in the nature of a censure motion. It is only when it is not that a member will get up and say, 'Mr. President, I do not wish to censure the Government'.

The other question is regarding the disregard of the vote of the House which must be looked at from a new point of view. With reference to that the new issue arises. The House has given certain instructions to my Honourable friend. Only yesterday he has disregarded those instructions. It is a matter of urgent public importance and of recent origin. The mere disregard of it is so, and I would beg of you not to consider the wording of this motion in any other light which is only for the purpose of directing your mind towards this issue, namely, that it is not one of those cases of individual concern which has no policy behind it, because if it were so, you would be right to rule it out of order, and therefore I directed your attention by putting in those particular words, namely, "and thereby continuing the policy of Indianization of the Railway Board in spite of the recently expressed wishes of the House."

It was not meant to discuss policy of Indianization as such, but in order to direct your attention to the fact that this individual case is of such grave importance that it has some policy behind it and for that reason those words were put in. If those words are objectionable, I am quite prepared to withdraw them and leave it as "the unsatisfactory nature of the reply given".

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): All I can say is this: that the Honourable Member has been saying that the House has given instructions to the Government regarding the policy of Indianization. Without admitting that instructions can be given to the Government by Honourable Members, the Government are willing as far as is possible to follow them, but they cannot be put into the position under the present constitution that instructions can be given by any Honourable Member to the Government. I am merely stating the constitutional position without casting any aspersion on the resolution adopted by the House. The second point is this, that in the matter of this appointment, the Honourable Member referred to the answers given by my Honourable colleague, the Railway Member. But my Honourable colleague also said that in the matter of this appointment no question of the principle of Indianization was contemplated and we do not accept that a violation of that principle has taken place. What was clearly stated was that in the matter of appointment, where a question of promotion is under consideration, the question of Indianization does not arise and that injustice cannot be done to senior and well qualified members of any service, whether they are Europeans or they belong to any other community and that Indianization must be subject to that overriding consideration. I am only stating the position as explained by my honourable colleague. This is one of those appointments.

It was further pointed out that a question of promotion was concerned, and therefore the question of Indianization as such would not arise. I might also refer you to the specific ruling that my Honourable friend and colleague referred to and in that case you will find that Sir Abdur Rahim, your predecessor, pointed out that this was a case of getting an outsider, an Englishman from outside, to this country—the Economic Adviser—and that a principle was involved there of getting one who had no claim to the post, who need not have been thought of, and that an Indian should have been thought of, and it was on that ground, I suggest, that the adjournment motion was allowed. These considerations do not apply to this case. It has been made perfectly clear that this is a matter of promotion, and, in fact, I do not see what other reply than what has already been given by my Honourable colleague could be given on the adjournment motion, and I venture to suggest that this adjournment motion is not in order.

Mr. President: I gave this matter my anxious consideration when notice was received and I went through carefully the question, answers, supplementaries, and the relevant parts of the debate on the 22nd February. As I stated before,

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looking to the form of the motion, I am afraid, this motion cannot be construed on the wording of it to raise questions which the Honourable Member, Mr. Chaman Lall, now wishes to raise. The motion cannot be discussed even as an individual case, assuming that it is permissible, without resort to the principle underlying. The motion cannot be discussed without referring to, or bringing in, necessarily the question of Indianization, and while I am prepared to allow amendments and not go by mere technicalities of wording, I am afraid I cannot permit an amendment of a motion which substantially changes its character. On the face of it, the motion is for the purpose of discussing, even assuming that it is a censure motion, the continuance of the policy of Europeanisation in spite of the recently expressed wishes of the House. But the substance is 'policy of Indianization' and the flouting of that policy is a subsidiary matter, as it appears from the proper interpretation of the motion.

As regards the unsatisfactory character of answers, it is very difficult to say as to what that word 'unsatisfactory' means. Is the manner of answering unsatisfactory? Is the tone of it unsatisfactory? Is the supply of information not being given properly so as to make the reply unsatisfactory? Again, on merits two sides of the House may differ as to whether the reply is unsatisfactory. I do not wish to express any opinion on merits but it appears to me that "unsatisfactory" means an answer which, on the merits, does not satisfy the opinions held by a certain section of the House. But I doubt whether such "unsatisfactory" answers can give Honourable Members a right to move an adjournment motion. If that were the interpretation of the word 'unsatisfactory', perhaps on every question or even a supplementary question, there would be an occasion of an adjournment motion because the reply is unsatisfactory from the point of view of a particular Member. Taking all this into consideration and even looking to the replies given, I am unable to agree that the replies are unsatisfactory in the sense that they keep back any information or because of their manner or tone. It does not appear on the records that anything has been kept back. The policy was stated in reply to supplementary questions, and it is virtually the same as it was stated in the debate. I have marked all the relevant portions.

Diwan Chaman Lall: We asked for the names of Indians who were considered. They kept the names back.

Mr. President: That again will be a different issue—whether he should not have the liberty to disclose or not to disclose—but I do not want to defend him on that question; it will be for the Honourable Member to defend himself. Considering all aspects, I don't think I could accept this motion as it is.

IGNORING CLAIMS OF INDIAN OFFICERS OF DEPARTMENT AND APPOINTMENT OF BRITISH I. C. S. OFFICER AS SECRETARY, FINANCE DEPARTMENT

Mr. President: Then there is another motion by Mr. R. Venkatasubba Reddiar who wishes to discuss a definite matter of urgent public importance, viz., the appointment of a retired British I.C.S. Officer as Secretary, Finance Department of Government of India ignoring the claims of officers of the Department competent to be promoted.

What are the facts?

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput; Non-Muhammadan Rural): Sir, in the *Hindustan Times*—Evening News it was stated:

"Here in Delhi also, a Press communique has just announced the appointment of a retired Madras Adviser as officiating Principal Finance Secretary when Sir Cyril Jones proceeds on leave for six months. Next in rank to Sir Cyril is an Indian—a senior and distinguished officer who has considerable experience of finance work in the Government of India. Is it the Government's view that an Indian cannot be trusted with the Finance Secretaryship, even for the brief period of six months? No question of competency can arise, for if the superseded Indian is held for the Finance Secretaryship which he is now holding, he should be equally fit for Sir Cyril's place. The gentleman chosen has been doing many things, but he has never been in the Government of India. Even the rule that for officiating appointments the person next in rank should be given the chance."

Mr. President: Order, order. The Honourable Member need only give the facts and not read out from the paper.

Sri R. Venkatasubba Reddiar: I understand, Sir, that one Sir Hugh Hood, who was formerly one of the Advisers to the Governor of Madras, has been appointed in a leave vacancy caused by Sir Cyril Jones proceeding on six months leave. I understand that there is a competent Indian in the Finance Department, more competent than the officer who has now gone on leave, and who is considered fit by all Members of the Government, including the Viceroy. In filling this leave vacancy that man has been superseded by an Englishman, a retired I.C.S. officer who has not been connected with the Finance Department. The motion is intended to censure the Government on this action.

The Honourable Sir Archibald Rowlands (Finance Member): I don't dispute the facts. I merely dispute the expression of opinion of my Honourable friend. The facts are as stated. There is no question of the principle of racial discrimination involved here at all. If any evidence that I am not given to that policy is needed, I was the first Finance Member who appointed an Indian to be Secretary of the Finance Department. The Financial Commissioner Railways has gone on leave and in the officiating arrangement an Indian has been appointed. The plain fact is that the Finance Department is going to face a very difficult period in the next few months. And although I am not, to begin with, going to be the Finance Member when it is going to be Indianised I was anxious that the strength of the Department should be maintained and I count myself extremely fortunate to have persuaded the Government of Bengal to release for five months, in an officiating arrangement, the officer in question to officiate for Sir Cyril Jones, who has gone on leave.

Sri M. Ananthasayanam Ayyangar: Sir, this involves two questions of principle. An Indian has been found competent and if any assistance is necessary it should not be done by the superimposition over him of a superannuated officer, who has had nothing to do with the Department. There are two principles. We had a cut motion that superannuated men ought not to be continued in service. This gentleman had left Madras and took some service in Bengal. That man is placed over the head of Mr. Narahari Rao. If I took the place of my Honourable friend I would somehow bring in one thousand reasons covering up the appointment. However good the Honourable the Finance Member might be he has since unfortunately joined hands with those who are trying to suppress Indians in this country.

The Honourable Sir Archibald Rowlands: Nonsense.

Sri M. Ananthasayanam Ayyangar: I would repeat that word. It is unfortunate that when my Honourable friend is going away, he wants to keep in this country a host of persons belonging to the same colour as my Honourable friends. It is a glaring violation of the principles

The Honourable Sir Archibald Rowlands: Five months.

Sri M. Ananthasayanam Ayyangar: Five months or 5,000 years make no difference. We know every time a statement is made here, my Honourable friend has been saying three months. They have been tying up their baggage for so long. Five months. Incredible. Even for five days I will not salute the other man. I am equally competent to hold the other place

The Honourable Sir Archibald Rowlands: Question.

Sri M. Ananthasayanam Ayyangar: My Honourable friend can go on questioning eternally. He is sitting on the top and he is kicking us at the bottom

The Honourable Sir Archibald Rowlands: Where am I kicking you?

An Honourable Member: At the bottom.

Sri M. Ananthasayanam Ayyangar: Sir, this involves a principle. I am discussing a principle which has been accepted. Here is a violation. However much my Honourable friend might laugh, he tries to cover up his impropriety by his laughter.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Sir, I know Mr. Hood. I like him also. He was an expert in Co-operation. He was never an expert on finance

The Honourable Sir Archibald Rowlands: He was. Sir, on a question of fact, he was Secretary of the Finance Department of the Government of Madras. He was Finance Adviser to the Governor of Madras during the operation of section 98.

Prof. N. G. Ranga: He was adviser for his efficiency in any other Department not because of his efficiency in Finance. He was not in the Finance Department as permanent Finance Secretary

The Honourable Sir Archibald Rowlands: I deny that.

Prof. N. G. Ranga: If he was the permanent Secretary of the Finance Department in Madras Presidency, then I have no objection so far as his qualifications are concerned. But then my other objection is he is an Englishman. My Honourable friend has already said all that has to be said on this particular question. Here is another point. He is a superannuated officer. He is considered to be an expert and therefore he is being brought here as an expert. If he is brought as an expert, let us have an assurance here and now that this gentleman is not going to be kicked into some other job again in this Finance Department with the result that he will be made a permanent officer in the manner in which several other officers the Honourable Member's predecessor had been bringing here to this country and making them permanent. I can give you only one instance, which was mentioned this morning in the course of the discussions. Dr. Gregory was brought here as Economic Adviser for five years. The Honourable Member's predecessor made him a permanent man and now he has been here for nine years. He is being kicked into various jobs and he has established himself as a sort of super-man over the Finance Department.

The Honourable Sir Archibald Rowlands: It is not true. I do not know whether we are going to discuss the question of all appointments. Sir Theodore Gregory has held exactly the same appointment that he held originally and he is quitting India next month.

An Honourable Member: Very good.

Mr. President: Order, order. It being Friday the House has to adjourn at 12-45. We will take up the question when we re-assemble.

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

The Assembly re-assembled after Lunch at Quarter Past Two of the Clock. Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): I wish to add a word regarding the urgency and the importance of the motion under consideration. Subject to correction I wish to point out that the usual practice, if not the principle, is to fill officiating vacancies by appointing the seniormost officer in the particular cadre. It is necessary to see whether the continuance of the policy of a Department has been borne in mind. In this particular case a gentleman who, according to the Finance Member, has some experience of finance in the Madras Government is being brought over to the Government of India, whose financial system is bound to be different from that of the Madras Government. There are new problems and as the Honourable the Finance Member says it is only a question of five months. But it does affect a point of practice which is almost a matter of principle.

The second objection is on grounds which may not be embarrassing to the particular officers concerned. But it looks as if this is casting a slur on the administration of the Secretariat which the Honourable the Finance Member has the privilege of leading.

Thirdly, the urgency of the problem arises this way. This is a very psychological moment. The Honourable the Leader of the House the other day proposed to administer a rebuke on hasty conclusions regarding policy. But I will not say this has been deliberately done or calculated, but it sounds very ugly.

just at the present moment when a very important Mission is in India, to do something, even a little, which may remotely suggest that there is not in the range of the machinery of the Government of India an Indian who can fill temporarily for five months the post of Principal Secretary. The seniormost officer in the Department is the Secretary himself, and the Indian officer himself is the Secretary. What is proposed to be filled is the post of Principal Secretary. Under the circumstances, at the present moment, to imply even unconsciously that in the Indian cadre of services there is not a single Indian to fill the post, is bad.

Fourthly, it is incumbent on us and this Assembly certainly to censure the Government because it should be understood that we who have come to know of this fact do not agree—not with the Honourable the Finance Member—but the Government of India which has made this appointment. We cannot be one with them and agree and associate ourselves with the idea that there is not any Indian competent for the post, just at this moment.

I therefore beg to submit that the motion is perfectly in order. Though it looks a small matter it is of a very vital, urgent and important nature.

Mr. President: I was not able to follow the Honourable the Finance Member quite clearly. Do I understand that this is a temporary appointment for five months only?

The Honourable Sir Archibald Rowlands: Yes, Sir.

Mr. President: And that the officer concerned will not be in service after five months?

The Honourable Sir Archibald Rowlands: I cannot commit myself on that. There cannot be any such public commitment, that it is for five months and five months only. There is no present intention of employing the officer after that, but I do not think that I can, on behalf of Government, make a categorical public commitment that he will not be employed further.

Mr. President: Is he a retired officer?

The Honourable Sir Archibald Rowlands: Yes, Sir.

Mr. President: I also understood that the immediately next officer in rank, the Indian officer, was not available. Was that so?

The Honourable Sir Archibald Rowlands: He is. But there is no question of going by seniority. Even if that had been the case, he has only recently been appointed Secretary to the Department and is in charge of the reorganization of the Department which is extremely important. To withdraw him at this stage would have been damaging to the efficiency of the Department. I want to submit that these are matters in which the Member in charge—or the Member who remains in charge is entitled to be expected to exercise his own judgment. There is no question of principle involved, no racial discrimination or anything of that sort. As far as I am concerned I have said that I am certainly not racially minded. The Secretary of the Department is an Indian. And I have only three days ago agreed to the appointment of an Indian in the place of the Financial Commissioner of Railways. He is on leave and his job will be filled by an Indian. There is no question of any principle involved in this. The Member in charge is entitled to exercise his judgment. Otherwise any responsible Government will be thrown out.

Mr. President: In view of the Honourable the Finance Member's remarks I do not think this should be the subject matter of an adjournment motion.

MESSAGE FROM THE COUNCIL OF STATE

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

"The Council of State at its meeting held on the 11th April, 1946, agreed without any amendment to the following Bills which were passed by the Legislative Assembly at its meetings held on the 3rd, 4th and 5th April, 1946, namely:—

- (1) A Bill further to amend the Indian Income-tax Act, 1922;
- (2) A Bill to provide for the creation of a fund to be expended by a Committee specially constituted for the improvement and development of the cultivation and marketing of oil-seeds and of the production, manufacture and marketing of oilseeds products;

[Secretary of the Assembly]

- (3) A Bill further to amend the Factories Act, 1934;
- (4) A Bill further to amend the Provident Funds Act, 1925;
- (5) A Bill to amend the Trade Marks Act, 1940;
- (6) A Bill further to amend the Indian Companies Act, 1913;
- (7) A Bill to provide for the substitution of the Governor General in Council for certain Railway Companies in certain civil proceedings;
- (8) A Bill further to amend the Indian Coconut Committee Act, 1914; and
- (9) A Bill to extend the date up to which duties characterised as protective in the First Schedule to the Indian Tariff Act, 1934, shall have effect, and further to amend the Sugar Industry (Protection) Act, 1932."

INDUSTRIAL EMPLOYMENT (STANDING ORDERS) BILL

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

"That the Bill to require employers in industrial establishments formally to define conditions of employment under them be taken into consideration."

Sir, this is a very simple measure and, so far as I can see, is a non-controversial measure. The object of the Bill is to have the terms and conditions of employment reduced to writing, that the text of the terms and conditions should be certified by a competent officer appointed for that purpose, and that it should form a sort of register of what the terms and conditions of employment are in any particular establishment. The Bill seeks to make a difference between mere registration of the terms and conditions of employment and adjudication upon the fairness and reasonableness of those terms and conditions of employment. This Bill does not touch the question of adjudication of the fairness and reasonableness of the terms of employment. Every employer is free under this Bill to fix whatever terms and conditions of employment he may like to fix. All that the Bill requires is this, that he should, after framing the terms and conditions of employment applicable to workmen employed in his establishment, submit them to an officer employed by the Government and that the officer will take a note of those terms and conditions, enter them in his register, and this register will be the basis of determining what actually the terms and conditions were. In other words, if I may put it differently, the Bill is merely enacting what might be called a rule of evidence, so that if this Bill passes, if there is any dispute as to what the terms and conditions were with regard to any particular establishment as between the employer and the workman, the evidence that the law will admit will be the documentary evidence, a certified copy furnished to the employer by the certifying officer, and that oral evidence will not be permitted. If the House will refer to clause 12 of this Bill they will see this point made abundantly clear. It says:

"No oral evidence having the effect of adding to or otherwise varying or contradicting standing orders as finally certified under this Act shall be admitted in any Court."

That is really the purport of this Bill. As I said, there is no new principle involved in it. Such an Act exists in the province of Bombay already and all that the Bill proposes to do is to extend the provisions of that Act to other provinces in India.

The Bill has several clauses which are mere matters of procedure, defining how the certifying officer shall proceed in the matter when he receives the text of the terms and conditions from the employer. He is required to give notice to the workman employed in that establishment and to hear them before giving any certificate. The employer, if he finds that the terms and conditions he has proposed are perfectly in accord with the provisions of this Act and the certifying officer does not issue to him a certificate, he has the right also to go to an appellate court and get the decision of the certifying officer reversed.

I do not think it necessary for me to take the time of the House, especially when we are so short of it, to dilate upon the different clauses in this Bill. But I think it necessary for me to state why the Government thinks that this Bill

is not only necessary but is also very urgent. This Bill is very integrally related to another measure which Government has in contemplation and that relates to the Health Insurance, which the Government proposes to bring forth at the next Session. The Health Bill gives an employee certain rights with regard to benefits; it levies certain obligations upon them to make contributions to the health insurance fund. These rights and obligations are very integrally related to, for instance, the wages which the employee would be drawing in different establishments. Now, disputes may arise as to the contribution that an employee is bound to pay to the fund. Disputes may arise as to what benefit an employee is entitled to draw under the insurance fund. In order that such disputes may be settled finally, Government thinks it necessary that the terms and conditions of employees should be certified and laid down in a document, so that when the dispute arises we will have before us unimpeachable evidence as to the wages and other conditions by which the employee is bound. In fact it is felt that it would be very difficult to work the health insurance fund unless and until we have placed beyond cavil, beyond doubt and beyond dispute certain questions relating to the employment of the workers in the industrial establishments.

With these observations I move that this Bill be taken into consideration.

Mr. President: The question is:

"That the Bill to require employers in industrial establishments formally to define conditions of employment under them be taken into consideration."

The motion was adopted.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, I move:

"That in sub-clause (a) of clause 2 of the Bill, after the word 'means' and before the words 'an authority', the words 'an industrial court wherever it exists, or in its absence' be inserted."

Mr. President: Amendment moved:

"That in sub-clause (a) of clause 2 of the Bill, after the word 'means' and before the words 'an authority', the words 'an industrial courts wherever it exists, or in its absence' be inserted."

The Honourable Dr. B. R. Ambedkar: I accept the amendment.

Mr. A. C. Inskip (United Provinces: European): Sir, I have an amendment to that amendment, if I may suggest it; and that is instead of the one put forward by Mr. Gadgil—"appellate authority" means, where industrial courts have been set up, an industrial court, or until such court or courts have been set up, an authority etc., etc." as in the rest of the sub-clause.

Mr. President: Will the Honourable Member give me a copy of the amendment?

Mr. A. C. Inskip: Yes, Sir.

Mr. President: Has the Honourable Member for Government anything to say on this?

The Honourable Dr. B. R. Ambedkar: I have not seen it, Sir; but I cannot have much objection if it is the same thing.

Mr. President: It appears to me to be the same as the one that has been already moved by Mr. Gadgil. The Honourable Member may see this. It comes to the same thing.

The Honourable Dr. B. R. Ambedkar: Yes, I accept that.

Mr. A. C. Inskip: The only point is that it is more explicit and I think one of my colleagues has discussed it with Mr. Gadgil and he accepts it.

Diwan Chaman Lall: (West Punjab: Non-Muhammadan): Mr. Gadgil's amendment is perfectly clear. It seeks exactly to do the same thing as my friend Mr. Inskip's amendment, in less words than Mr. Inskip's amendment does. This amendment means that the appellate authority will be the Industrial Court, but where there is no Industrial Court it will mean what is said in clause 2(a). That is all. The difference is only of language.

Mr. President: Then I do not put it to the House.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association: Indian Commerce): Will Mr. Gadgil's amendment not shut out the appointment of Industrial Courts where they do not exist?

Mr. President: No; I do not think that follows. I will now put the amendment.

The question is:

"That in sub-clause (a) of clause 2 of the Bill, after the word 'means' and before the words 'an authority', the words 'an industrial court wherever it exists, or in its absence' be inserted."

The motion was adopted.

Sjt. N. V. Gadgil: Sir, I move:

"That in sub-clause (c) of Clause 2 of the Bill, after the word 'means' and before the words 'an officer', the words 'the Labour Commissioner wherever he exists or in his absence' be inserted."

Mr. President: Amendment moved:

"That in sub-clause (c) of Clause 2 of the Bill, after the word 'means' and before the words 'an officer', the words 'the Labour Commissioner wherever he exists or in his absence' be inserted."

The Honourable Dr. B. R. Ambedkar: I accept the amendment.

Mr. President: The question is:

"That in sub-clause (c) of Clause 2 of the Bill, after the word 'means' and before the words 'an officer', the words 'the Labour Commissioner wherever he exists or in his absence' be inserted."

The motion was adopted.

Mr. President: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Mr. President: Clause 3.

Mr. A. C. Inskip: In clause 3, the words 'workmen employed in an industrial establishment' includes clerical labour also. I would point out to the Honourable Member that clerical labour is not covered in the Factory Act. I was just wondering as to the reason why the Honourable Member included it here. It might cause a certain amount of misunderstanding in industrial establishments if it is included and I suggest that the wording be amended in so far as clerical labour is concerned.

Mr. S. C. Joshi (Government of India: Nominated Official): That appears in clause 2 which has gone through.

Mr. S. Guruswami (Nominated Non-Official): Sir, I move:

"That in sub-clause (3) of clause 3 of the Bill, the words 'or the majority of them' be omitted."

Mr. President: This amendment has been tabled very late and it is not even circulated to Members.

Mr. S. Guruswami: The point is that in most of the industrial establishments the majority of the workers are not members of a union. I therefore consider that an unintentional drafting mistake has crept in in this sub-clause and if my amendment is accepted, the real object of the clause, namely, to include the lists of the unions representing the workers, when submitting the draft standing orders will be achieved.

Diwan Chaman Lal: I think what my Honourable friend means is this, that this is applicable to trade unions which are covered by the Trade Union Act. In many places there are no trade unions. The intention of my Honourable friend, I take it, is that where there are no trade unions, to send the document to those people who seek to represent the majority of the workers. It will mean that there would be a conflict between those who represent the majority and

those who represent the minority. It will seek then to create conflict between trade union and trade union. Taking those words out would mean that my Honourable friend will be in a position to send these draft rules and standing orders to the trade unions which exist, irrespective of the fact whether they represent the majority of the workers or not. That I take it is the point of view which my Honourable friend is raising.

Mr. President: I am placing my difficulty—not on the merits. This amendment comes in at the last moment. Unless it is substantially agreed to by all sections of the House, I would not like to waive notice.

The Honourable Dr. B. R. Ambedkar: I accept the amendment.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): May I raise a point of order. Such amendments should not be allowed under the rules of the House. We know nothing about them. I do not know what our colleagues want.

Mr. President: The Honourable Member is entitled to know what his colleagues want. Therefore I said, I shall not waive notice unless the amendments are substantially agreed to by all sections of the House. The Honourable Labour Member says he is prepared to accept the amendment. I believe Mr. Chaman Lal also accepts the amendment. At present I am considering the question of waiving the notice and if the chances are that the Bill may be improved by amendments which are substantially agreed to, then I do not see why they should not be allowed. I say 'substantially agreed to', because there might be some difference of opinion on the part of some members.

Amendment moved:

"That in sub-clause (3) of clause 3 of the Bill, the words 'or the majority of them' be omitted."

Mr. Vadilal Lallubhai: This sub-clause refers to a trade union or the majority of them belonging to a trade union. If you remove these words, suppose there are two trade unions in the same establishment, what would happen?

Mr. President: There may be five or ten unions. Trade union means trade unions. That does not make much difference.

Mr. A. C. Inskip: There is one other point I want to raise about sub-clause (4) of clause 3, on a matter of information. The words 'similar industrial establishments' are used. In certain industrial centres they have forestalled the Honourable the Labour Member by a matter of three or four years in that Standing Orders are already in existence. I quote as a specific instance, Calcutta, where Standing Orders are already in existence and cover cotton, wool, leather, jute and all manner of other industries. I take it that when the Honourable Member talks of 'similar', he does not have in mind just one industry.

The Honourable Dr. B. R. Ambedkar: No.

Mr. A. C. Inskip: That will be covered.

Mr. President: The question is:

"That in sub-clause (3) of clause 3 of the Bill, the words 'or the majority of them' be omitted."

The motion was adopted.

Mr. President: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Pandit Balkrishna Sharma (Cities of the United Provinces: Non-Muhammadan Urban): What happens to the suggestion that 'trade union' should be changed into 'trade unions'?

Mr. President: Under the General Clauses Act, singular includes plural and vice versa.

Clause 4.

Pundit Thakurdas Bhargava (Ambala Division: Non-Muhammadan): Sir, I move:

"That after sub-clause (b) of clause 4 of the Bill, the following sub-clause be added, namely:

'and (c) they do not violate the conditions required to be observed under any rule, or order of any competent authority, or contravene the provisions of any enactment'."

Mr. President: Amendment moved:

"That after sub-clause (b) of clause 4 of the Bill, the following sub-clause be added, namely:

'and (c) they do not violate the conditions required to be observed under any rule, or order of any competent authority, or contravene the provisions of any enactment'."

Diwan Chaman Lall: What is 'competent authority'?

Mr. President: That will be a matter for exposition by the Honourable Member.

Diwan Chaman Lall: I would like my Honourable friend to explain the purport of this amendment, especially the meaning of the expression 'competent authority'.

Pundit Thakurdas Bhargava: I want to insert this provision with a view to see that there is no overlapping. There are certain Acts, for instance, the Factories Act, the coming Minimum Wages Act, etc., which contain provisions, which may overlap with the provisions mentioned in the Schedule. I want that when there is any such enactment, the provisions of that enactment should be regarded as sacrosanct and their salutary effect may not be marred by any agreement between the parties, or by any convention or practice, etc. When there are such provisions, or even if the Factory Inspector makes certain orders which are effective and legal under the Factory Act, the parties to an agreement cannot contract themselves out if this provision exists. It is for that contingency that I want that these Standing Orders may not be able to violate the provision of any enactment or may not be able to circumvent any orders passed by any competent authority, for instance, Welfare Inspectors or Factory Inspectors, etc. In the same manner there are other provisions which are in course of being enacted now and other by recent labour legislation and all these existing provisions which have the force of law, or rules made under these laws and there are certain authorities which are competent to give certain orders—these should be respected and the Standing orders should not be such as to take away the force of these provisions of law and orders.

The Honourable Dr. B. R. Ambedkar: My own view is that it is quite unnecessary. However, if my Honourable friend and his other friends want this amendment, I am not going to raise any objection. But I see no necessity for this.

Diwan Chaman Lall: I take it that the main object of my Honourable friend in this matter is that there should be no violation of existing laws by means of any agreement arrived at between employers and employees, that is that they may not contract out on any legal provisions to which they are subject. I do not see that there is any possibility of their being able to contract out because obviously any conditions of certification are subject to scrutiny and they would not be certified if there were any provisions of law being broken by virtue of these Standing Orders being agreed to between the employers and workers. Now, let us take the question of the Payment of Wages Act. Do I take it that these provisions which are being made for the working classes, that the working classes themselves through their responsible trade unions are likely to nullify the provisions of the Payment of Wages Act? Take the Schedule as it is because this applies to the Schedule. We have this provision, "manner of intimating to workmen periods and hours of work, holidays, pay-days and wage rates".

Mr. President: May I just put in one point which strikes me. I believe the certification is intended to afford proof as to what the agreement between the parties is. The question of legality or otherwise of the agreement is an independent matter and that legality is not affected even by the order being certified as

having been agreed to between the two parties. That is perhaps the point, I think.

Diwan Chaman Lall: I do not personally see that there is any necessity for this particular provision because I do not see what the fear is. The fear seems to be that there may be some dereliction on the part of the employers or on the part of the workers acting in conspiracy to avoid the provisions of the law. Nobody can imagine any state of affairs of that nature, it is not possible to imagine that state of affairs. As a matter of fact, the workers through their trade unions, are all the time desirous that the provisions of the law, such as they are, should be adhered to by employers and by everybody, whether it is the Welfare officer or whether it is the Conciliation Officer, whether it is the Local Government or the Central Government. Therefore, I do not see that by widening the scope of this provision we are going to gain any advantage by inserting this particular amendment. If my Honourable friend has any fear in respect of this, if he can give us any examples of that fear, then we can look into them. I see that according to the Schedule, there is nothing in this Schedule, there is nothing in these 11 points mentioned where any question arises of breaking any instructions or orders, or the avoidance of any instructions or orders given by any authority or any breach of provisions of any legislation. Let us for instance take 'attendance and late coming'. These are matters of internal management between workers and employers. There is no law to the effect that workers and employers may not come to an agreement in respect of this matter. Suppose the welfare officer says something else and if we accept this amendment, the workers and employers are bound by what the Welfare Officer says. They are not free to come to any arrangement amongst themselves. The object of the Standing Orders is to help the workers and employers in any legitimate action of theirs in coming to an agreement. The notice of the termination of employment shall have to be given by employers to workmen. There is nothing in this law that can be broken by their coming to an agreement—the method of termination of their service.

I am only taking these two examples out of 11. I do not want to waste the time of the House by taking other points. On all other points the same question arises. I do not want the liberty of the employers and the workers hampered in any way by any Welfare officer or by any other authority in regard to these matters because I want them to come to a voluntary agreement regarding their own business as evidenced by the Schedule. Therefore I submit this amendment is unnecessary.

Mr. President: So long as the certificate does not clothe those orders with legality, but is merely a mode of having the best proof, this clause would not help.

Pundit Thakurdas Bhargava: So far as the question of the powers of the Officer under this Act is concerned, he possesses only certifying powers. The officer will not go into the question of reasonableness or fairness of the agreement or terms of employment. If this amendment is not accepted, it may mean that a dishonest employer may entangle a worker into his meshes unawares and make him agree to certain matters which may have to be certified under clause 10. But under clause 10 there is no bar to any officer not to certify things which are matters of agreement. This agreement may cover certain things which come under the Schedule and in the provisions of other Acts which overlap each other and it is likely that the provisions of certain Acts may be circumvented in this way.

Therefore my submission is that such a principle is as a matter of fact implicit in every agreement that parties to an agreement cannot get out of the law or make any terms which contravenes the provisions of any Statute. Although from such a stand point this amendment may seem unnecessary, there should be a provision under which the employers and the workmen should not

[Pundit Thakurdas Bhargava]

be able to get out and defraud any provision of law. Thus this amendment will safeguard the interests of the workers.

Mr. President: The question is:

"That after sub-clause (b) of clause 4 of the Bill, the following sub-clause be added, namely:

'and (c) they do not violate the conditions required to be observed under any rule, or order of any competent authority, or contravene the provisions of any enactment'."

The motion was negatived.

Mr. President: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 to 14 were added to the Bill.

Sjt. N. V. Gadgil: Sir, I beg to move:

"That to sub-clause (2) of clause 15 of the Bill the following proviso be added, namely:

'Provided that before any rules are made under clause (a) representatives of both employers and workmen shall be consulted by the appropriate Government'."

Mr. President: Amendment moved:

"That to sub-clause (2) of clause 15 of the Bill the following proviso be added, namely:

'Provided that before any rules are made under clause (a) representatives of both employers and workmen shall be consulted by the appropriate Government'."

The Honourable Dr. B. R. Ambedkar: Sir, I accept the amendment.

Mr. President: The question is:

"That to sub-clause (2) of clause 15 of the Bill the following proviso be added, namely:

'Provided that before any rules are made under clause (a) representatives of both employers and workmen shall be consulted by the appropriate Government'."

The motion was adopted.

Mr. President: The question is:

"That clause 15, as amended, stand part of the Bill."

The motion was adopted.

Clause 15, as amended, was added to the Bill.

Mr. Vadilal Lallubhai: Sir, I move:

"That in item 9 of the Schedule, after the words 'and acts', the words 'or omissions' be inserted."

Mr. President: Amendment moved:

"That in item 9 of the Schedule, after the words 'and acts', the words 'or omissions' be inserted."

Prof. N. G. Ranga (Gunturcum Nellore: Non-Muhammadian Rural): Sir, I am afraid this is likely to injure the cause of the workers. Take for instance the Workmen's Compensation Act. While in England the worker is entitled to compensation, whether the accident is due to his own neglect or otherwise, here in India compensation is offered to the worker only if it is proved that he has not disobeyed any definite rules or instructions given by the employer.

Similarly here rules are to be made to restrict the power of the employers to dismiss or suspend workers, in cases of misconduct or acts which constitute misconduct. If this amendment is accepted, suspension or dismissal of a worker may follow if it can be proved that the worker has forgotten or actually omitted to take note of any instructions given by the employer. Our workers are not so well educated, and I do not want them to be penalised merely because they fail to keep note of the instructions given by the employers. That is why I do not want them to be brought under this particular disability, and I do not want this power to be given to the employers either to suspend them or to dismiss them merely because of the workers' ignorance of lack of knowledge. We know only too well that our workers generally are under-paid, under-nourished and generally they are not in a good mood to carry on the work; they

are obliged to work and therefore they are there. It is but natural for them to omit to take note of many of the instructions that may be given to them either orally or in writing. We certainly do not want our workers to be penalised for this. It will be a constitutional disability imposed on them because of their continued and growing poverty. So I am not able to support this amendment.

Sjt. N. V. Gadgil: Sir, the amendment is unnecessary because under the General Clauses Act "act" includes omissions.

Mr. Vadilal Lallubhai: Sir, in clause 1 of this Bill it is provided that "nothing in this Act shall apply to any industry to which, before the commencement of this Act, the provisions of Chapter V of the Bombay Industrial Disputes Act, 1938 (Bombay Act XXV of 1938) have been applied." Now, Sir, in the Schedule of Chapter V of the Bombay Industrial Disputes Act, in clause 9 the words are, "suspension or dismissal for misconduct and acts or omission which constitute misconduct." I do not understand why my Honourable friend Prof. Ranga wants to differentiate between labour in the Presidency of Bombay and in other provinces. The word "omission" should be there; this word had been greatly discussed when this Act was drafted in Bombay. Omission would cover the case of a labourer who comes to a factory and refuses to do any work, or there may be stay-in strikes and various other acts. On account of these reasons the word "omission" was put in the Bombay Industrial Disputes Act. There is nothing sinister behind the word "omission" that I want to put in. It is already there in Bombay and the Honourable Labour Member has also given exemption to Bombay province in regard to this clause. So I hope it will be taken in the right spirit and accepted.

The Honourable Dr. B. R. Ambedkar: Sir, I accept this amendment.

Diwan Chaman Lall: There seems to be a general desire to accept this amendment. But I should like to draw attention to the fact that it is a provision declaring definitely what are the matters which would constitute misconduct in the eyes of the law. And while you define misconduct, the more precise you make the definition the better it is for the worker. If you merely say "an act of misconduct" there may be lots of things which would not constitute misconduct but which the employer may say constitute misconduct. Therefore the definition of misconduct—whether by act or omission—is all to the benefit of the worker; and the more precise it is the better it is for him. Therefore there is general agreement to accept the amendment, although it has been moved by an employer.

Mr. President: The question is:

"That in item 9 of the Schedule, after the words 'and acts', the words 'or omissions' be inserted."

The motion was adopted.

Sjt. N. V. Gadgil: I am not moving amendment No. 8 on the Consolidated list.

Mr. President: The question is:

"That the Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Schedule, as amended, was added to the Bill.

Mr. President: Clause 1

Mr. A. C. Inskip (United Provinces: European): In clause 1, part (8) there would appear to be a lacuna when it is compared with clause 2, part (d) (i). Clause 2 part (d) (i) reads:

"(i) in a factory, any person named under clause (3) of sub-section (1) of section 9 of the Factories Act, 1934 (XXV of 1934), as manager of the factory."

Clause 2 section (j) of the Factories Act reads:

"(j) 'factory' means any premises including the precincts thereof whereon twenty or more workers are working. . . ."

[Mr. A. C. Inskip.]

whereas in this clause, which we are now going to pass, it applies to every industrial establishment wherein one hundred or more workmen are employed. It is a question whether that should be made more clear.

Diwan Chaman Lal: We have not been able to follow the Honourable Member's point.

Mr. President: The Honourable Member's point is that in clause 2 (d) (i) the definition of a "manager" in respect of a factory is "any person named under clause (3) of sub-section (i) of Section 9 of the Factories Act"; and under the Factories Act, employment of 20 persons or more is enough to make it a factory. Under clause 1, part (3), the Bill applies to every industrial establishment wherein one hundred or more workmen are employed. According to the Honourable Member this needs clarification.

The Honourable Dr. B. R. Ambedkar: I don't see any contradiction at all.

Mr. A. C. Inskip: You refer to sub-clause (j) of clause 2 of the Factories Act which applies to a factory with 20 or more persons. Does that come under the Bill or does it not?

The Honourable Dr. B. R. Ambedkar: Unless 100 workmen are employed, this Bill does not apply. There is no contradiction at all.

Mr. President: While every establishment to which this Bill is intended to apply will be a factory, every factory will not be an industrial establishment to which this Bill will be applicable. That is how the position stands.

The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. B. R. Ambedkar: Sir, I move:

"That the Bill, as amended, be passed."

Mr. President: Motion moved:

"That the Bill, as amended, be passed."

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): At the fag end of the Session we are passing bills as quickly as our mint is printing currency notes. As they have no hesitation in printing notes of any value—Rs. 5, or Rs. 10, Rs. 100—so are we passing legislation of very great importance in such a great hurry. I think it is very desirable that we ought to look into these very carefully. I am not satisfied about this Bill. I did not know until this morning that this Bill will be taken into consideration in the afternoon. It is exceedingly difficult for us to give justice to such measures of far reaching importance without properly studying them. I have repeatedly told the Honourable the Labour Member that he should stop bringing forward Bills after Bills in such quick succession. It does no good either to the labour or to the employers or to factory-owners. Not only is he wasting the time, but the mother institution—the International Labour Office at Geneva or Washington—is also in the same boat, they are simply wasting their time in this way. Take the problems as they arise and handle them, and in that case we will end legislation. But even if we must pass piecemeal legislation, let us give some time to think over, and not pass them in very great hurry. The Council of State can boast that they pass four Bills in one day. Perhaps the Honourable Member also wants to boast in that way. But we do not want to count the number of Bills; we would like to count the amount of justice that we have done by passing these Bills. I thought that this Bill would be coming up next week as today was reserved for Insurance Bill. Most of the Members were under the same impression and that is why very few people took interest in the discussion. I am really blindfolded in this particular matter as I was not expecting this Bill to come forward today. The best thing is to take up a few Bills and do them

thoroughly. We considered the Banking Bill yesterday, today we have passed this Bill and after this we are taking up the Estate Duty Bill and a number of other Bills have been put down for four days. Out of these four days, half the time is taken in questions, motions for adjournment, and short notice questions. So actually the time left for the discussion of these very important Bills is very very small and it can be calculated in minutes, not hours. Therefore I request the Government not to hurry up in this way. Their life is not short; they will have plenty of time to bring in more Bills in the next Session. But if they continue bringing forward and pass Bills in this way, you will find at the end that we have taken not even one minute to pass one Clause. Therefore, Sir, I beseech my Honourable Member not to hurry up in this way. If they must pass these Bills in this Session, let them extend the Session to the end of this month. Otherwise hold a Session in July.

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): You assure them that their life is long.

Dr. Sir Zia Uddin Ahmad: About life God alone can give guarantee; no human being can give such a guarantee.

Sir, I don't like to oppose this Bill, but at the same time if I vote for it I will not be doing so conscientiously because I have not been able to give any time to study this question and take diligent interest in this matter.

Mr. A. C. Inskip: Sir, I was not fortunate in being able to catch your eye before the Bill was discussed clause by clause, but I did want to bring out the points which my Honourable friend, Sir Zia Uddin has now mentioned. I would like now to register an emphatic protest at the speed the Honourable the Labour Member is adopting in getting all this labour legislation through. Apart from the merits or demerits of a Bill,—this Bill happens to be a good one and we will support it,—we do feel that we should have more time to study it. This Bill was introduced into the House on the 8th. Today is the 12th and we are asked to consider it and pass it. The Labour Member may turn round and say that the contents of the Bill were put before the Seventh Tripartite Conference in November. That I accept. But the draft put before that Conference is not the Bill we have before us now. It has been added to and altered considerably and I do submit that we should have time to consult our constituents on matters of this nature before they are rushed through.

Prof. N. G. Ranga: I endorse the views expressed by Dr. Zia Uddin in regard to the procedure that is being adopted about these Bills. If I may, I would like to suggest one little alteration in the legislative programme that the Government is having. If they can say two days ahead about any one particular Bill that they are likely to take up actively, it will help us to study it and give it our serious consideration. Coming to this particular Bill, my Honourable friend is not quite correct when he says that the Bill as presented here is substantially different from what it was when it was placed before the Conference.

Mr. A. C. Inskip: Different in wording and phrasing.

Prof. N. G. Ranga: Here and there there may be a small change in the wording, but on the whole it is the same Bill that was presented to the Tripartite Conference, which is now called the Indian Labour Conference. On that occasion there was no strong objection taken by any of the parties present.

I am glad that this Bill is now agreed to by the House. But I am only sorry that it does not go far enough. It is not a dried thing that I say today. But it is made applicable to those industrial establishments where on any day 100 people or more are employed or have been found being employed. Naturally this restricts its scope to the application of the industrial establishments in our country. I would very much like to see that this Bill when it becomes an Act is made applicable to all factories in this country. It is true that the Government of India has taken the power to extend this Act later on to other concerns also. But I do not know whether they can extend it to factories where less than 100 people are employed. If I mistake not, it cannot be extended to factories where less than 100 people are employed. Therefore I shall be surprised if this

[Prof. N. G. Ranga.]

Bill when it becomes an Act can come to be applied to more than ten or fifteen per cent. of the industrial establishments in our country. For how long will it be necessary for all the 80 or 90 per cent. of the employees to whom at present this Bill cannot be made applicable to wait to be benefited by the terms of this Bill? It would take a long time. The Government will have to come forward again with another Bill in order to make it applicable to all the factories that are to be found in our country.

Government found it necessary to bring forward this particular Bill because of the absence of what are known as working councils or Whitley Councils which we find in England, and secondly because our trade unionism is very weak. What is more, those who are employed in small industrial establishments are in a much more helpless condition than those employed in bigger industrial establishments and most of these bigger establishments are situated in towns where it is possible for trade unionism to be developed and organized whereas in the rural areas where you find smaller establishments, trade unionism is particularly weak. It is there that the protection of this Bill is much more needed than in towns and I find my Honourable friend, coming here with this Bill, but leaving out completely all the rural areas where there are small industrial establishments and also small places where there are small establishments. Therefore I trust that my Honourable friend will take the earliest possible opportunity so that it can be made applicable to all industries and factories in this country.

There is only one other point I wish to make. I wish to know when the Labour Department proposes to bring forward a Bill to make it incumbent on industrial establishments to have work councils, as per the recommendations of the Whitley Report here in this country and as per the precedents established in England by way of Whitley Councils. I am not prepared to find fault with the Labour Member as well as the Labour Department for having brought forward so many pieces of legislation before this Session. On the other hand, I am glad that they have brought forward these Bills and I do not want either the Law Department or the Governor General in Council to stand in the way of the Labour Bills being brought in this House, taking advantage of the remarks made by the representative of the European Group or some other Members who may be interested in employers and the employed class. More than in England and America, there is a greater need in this country for more and more legislation in view of the particular weakness of our workers. Therefore, Sir, I do welcome the readiness with which the Honourable the Labour Member is willing to take this House into his confidence and ask for its co-operation in regard to these Bills.

Mr. Abdur Rahman Siddiqi: After having passed even the Preamble, the remarks that have fallen from the Honourable Member who preceded me are rather out of place and beside the point. He need not go to the Honourable the Labour Member for extending the scope of this Act. The Honourable Member had it within his power to turn the factory employing 100 workers into one employing 10. If we wish well to our country, we have got to think of labour problems carefully. The Honourable Member who spoke from these benches lodged a protest. Sir, our labour has been neglected all these years, and I am inclined to thank the Honourable the Labour Member for rushing these Bills through. If we find him faulty later on, then if there is going to be a real change in the Government of this country, we shall be able to get things done still more quickly. To protest about the speed with which these small measures are being accepted is again not quite sincere, for this reason that we could have continued the debate for seven days on this if necessary, unless you or the Leader of the House forced a guillotine. I doubt if that could be done. Therefore, now there need be no protests.

I am one of those unfortunate human beings that may not be looked upon with favour by the Honourable Member from Madras, because to me division of our Indian society on an economic basis is not welcome. We, as people who feel

for our countrymen, must protect the employer as well as the employee and my argument gains strength when the Honourable Member himself has said that the intellectual calibre of the labourer has not yet risen to a standard where he could defend his own rights. Defence may not be the more important point but he even went so far as to suggest that the labourer does not know what is to his benefit. I do not agree with him there and as the Persian saying goes:

"Diwana ham bakar khrish hoshiar bashad"

(Even the mad man understands his own benefit and advantage and our labourers are not idiots or fools.)

They understand their own interests. They may not be able to talk glibly as members of trade unions and labour organisations. My experience has been that these worthy gentlemen who claim to speak on behalf of labour have just read things in books but know very little about the actual conditions prevailing in factories. Let us have trade unionism by all means but do not allow our labourers to become a dishonest body. If the employer becomes dishonest let us break him but let us also do justice to him where he deserves it.

This rushing through of the Bills may be due to the change that is likely to come over. I am still waiting for a ray of hope from some quarter or from somewhere but having waited all these years let us now go ahead and commit mistakes but let us help the poorer sections of our people who have been denied justice by ourselves as well as by the Government. I remember that in regard to conditions of railway employees about which I was glad that that dead organisation the League of Nations had passed certain rules the Government of India for reasons unknown to me did not do anything in accordance with the international scheme set out in Geneva. Anything that goes to help the poorer sections of our people is welcome to me and I hope even before the 18th of this month the Honourable the Labour Member will bring about a dozen more Bills to help the poor workers of this country.

Mr. Leslie Gwilt (Bombay: European): Sir, I would like to support one of the remarks made by my Honourable friend Prof. Ranga in so far as he suggested that this Bill should apply to factories employing substantially less than 100 workmen. I do not know what the proportion of factories in India is to the whole that employ less than 100 persons but I should put it at a high figure, though a larger proportion of workmen are employed in the larger factories, the mill industry, for instance in Bombay, must be employing 150 to 200 thousand work people. But, on the other hand, I imagine there are more factories employing 100 work people than less, and as my friend Prof. Ranga put it, the larger industry the more the work people are able to look after themselves. I have no doubt that this point will be dealt with by my Honourable friend Dr. Ambedkar when he answers this debate, and I hope that he will specifically deal with the reasons why he has not made the Bill applicable to industrial establishments employing less than 100 work people. I can appreciate the difficulty in enforcing the provisions of the Bill in areas other than urban. But there are factory inspectors going round the cities and why should they not devote attention to smaller factories as well as to the larger?

Mr. Vadilal Lalubhai: Sir, I had no intention of entering the debate today but I feel that Prof. Ranga who has been all along advocating help to small scale industries is arguing against the interests of small scale industries. These small scale industries are run in small villages, in small towns and also in big towns. The position would be that if these small scale industries are asked to frame rules and come under these rules and regulations (many of these factories are owned by ignorant people) they will have to find secretarial staff just to see that they do not break any kind of regulation even unintentionally and I feel that that would increase the cost to these small people who are employing 10, 20 or 30 people. At times they have to employ more people, up to 100 people, when there are some special orders to be completed within a day or two or five days. Even nowadays cottage industries also employ 20, 30, 40 or 50 people. Is it going to be helpful to these cottage or small scale industries and is it going to be helpful for the Government also to employ such a huge staff for so many

[Mr. Vadilal Lallubhai.]

small factories to be brought under the provisions of this Bill? Therefore I think the limit of 100 is a fair limit. Probably it ought to have been a 50 more. But as it has been put at 100 we may say that the limit is quite right and that will help cottage and small scale industries and not put them into difficulties.

The Honourable Dr. B. R. Ambedkar: Mr. President, I did not think that my motion that the Bill be passed would invoke the sort of debate that we have heard just now. I cannot help saying that I was particularly amazed at the speech of my Honourable friend Dr. Sir Zia Uddin Ahmad and I have a sort of fear that his speech was due to the fact that he probably had eaten something which was indigestible for his lunch, because as we know Dr. Zia Uddin Ahmad has been a most persistent advocate of labour legislation and more than once he has on the floor of the House urged upon me the necessity of bringing in labour legislation of far greater magnitude and without any delay. Today he has made a speech of just the opposite tenor. But I am glad to see that his observations on that point have been so completely answered by my friend Mr. Siddiqi that I think I would not be justified in taking the House over that matter again.

There is only one point which he made to which I would like to give a reply. He said that he had not sufficient notice about this Bill. The position with regard to that matter stands as follows. The agenda on which this Bill was placed was circulated to the Honourable Members on Friday, the 6th instant. On that agenda this Bill was placed as the first item of Legislative Business and not only it was placed as part of the Legislative Business but there was added a footnote in which it was definitely stated that this item would be taken on Friday, the 12th April, 1946, as the first item of Legislative Business. I do not know whether six days notice can be regarded as insufficient.

So far as the Bill itself is concerned I had hoped that I should be able to get it through within 15 minutes but we have now practically spent nearly one hour and five minutes in dealing with this Bill and I cannot therefore see how anybody could say that I am trying to rush this measure through the House.

With regard to the point made by my friend, Mr. Inskip, that in this matter they had not had sufficient notice to consult their clients, I cannot help saying that he has entirely misunderstood the previous history, or forgotten the previous history of this Bill. This Bill was placed before the Standing Labour Committee in the year 1944. The Committee was completely unanimous and the Committee suggested that the Bill was so necessary and that it was so non-contentious that Government might as well pass the Bill in the form of an ordinance, which we did not do. Thereafter, the matter was again discussed in the Indian Labour Conference.

Another point which he made was that the Bill, as it is now presented to the House, was not in the same form in which it was placed before the Labour Conference. I would like to tell him that it is entirely a mistaken view. Government has made no changes whatsoever in the form of the Bill as it was placed before the Tripartite Conference.

My friend, Professor Ranga, raised a question regarding the applicability of this Bill to smaller factories. My friend, Mr. Gwilt, also emphasized it and said that I should give an explanation. Anyone who read sub-clause (3) of clause 1 would not certainly be labouring under any such misapprehension that the Bill is intended only to industrial establishments wherein one hundred or more workmen are employed, because that clause itself states that Government will have the power and the authority to extend this "to such class or classes of other industrial establishments as the appropriate Government may from time to time, by notification in the Official Gazette, specify in this behalf." Government, therefore, has retained the power in its own hands to make it applicable to industrial establishments which may have less than hundred people. Therefore, any fear which is entertained on the ground that this is intended primarily to apply to industrial establishments wherein one hundred or more persons are employed and that consequently other establishments employing lesser

number of people would be excluded, is a fear which I submit is completely unfounded.

Diwan Chaman Lall: May I intervene for a minute? On page 2, in clause 2 (e) (ii), under definition of 'industrial establishment' it is stated that it means "a factory as defined in clause (j) of section 2 of the Factories Act". I take it that factory as defined there is covered by the Factories Act. But a factory of twenty people will not be covered by the definition of "industrial establishment" given here.

The Honourable Dr. B. R. Ambedkar: But Government may apply it even to a factory having twenty persons.

Diwan Chaman Lall: It may; but it does not mean that it should.

The Honourable Dr. B. R. Ambedkar: We are starting with those having one hundred.

Mr. Leslie Gwilt: Why not start with less?

The Honourable Dr. B. R. Ambedkar: There is nothing to prevent Government from starting with even a lesser number.

Diwan Chaman Lall: If the Indian Factories Act can apply to an establishment where there are only twenty people employed, why should not this also apply similarly to an industrial establishment under this Bill?

The Honourable Dr. B. R. Ambedkar: As it is, there is nothing under the Act which will not enable Government to impose the obligation upon even factories employing twenty persons. We thought fit to make a beginning. Further, the administrative machinery may probably have to be very vast if it were to apply to every factory. The number of certifying officers and appellate authorities may be too many and no Provincial Government may be in a position to provide that administrative machinery. It is necessary to make a beginning on a modest scale, reserving to ourselves the power to extend it to all those where such extension may be necessary.

I do not think there is any other point which was made in the course of the speeches on this motion which calls for explanation.

Sir, I move:

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

MERCHANT SEAMEN (LITIGATION) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): I move:

"That the Bill to provide for the special protection in respect of civil and revenue litigation of serving merchant seamen, as reported by the Select Committee, be taken into consideration."

The Select Committee has made its Report and we have tried to adjust our differences. I am glad to say that we all came to a unanimous decision. I agreed, as much as I can, to every point that was raised there. I am grateful to the Members of the Select Committee for some very valuable suggestions which have been incorporated in the Bill and for its consequent improvement.

Mr. President: The question is:

"That the Bill to provide for the special protection in respect of civil and revenue litigation of serving merchant seamen, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President: We may now take the Bill clause by clause.

The question is:

"That clauses 2 to 10 stand part of the Bill."

The motion was adopted.

Clauses 2 to 10 were added to the Bill.

[Mr. President.]

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. Sir M. Azizul Huque: I move:

"That the Bill, as amended, be passed."

Mr. President: Motion moved:

"That the Bill, as amended, be passed."

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, I want to submit just a few words. It is true that we have come to a unanimous decision in the Select Committee. It is also true that the Select Committee improved upon the Bill as it was when it came up for the first time. We were convinced that in spite of certain lacunae in the Bill, its passage should not be held up because the fates of a large number of people were in the balance and we should immediately do something to bring it into force. But at the same time I must repeat my misgiving about the proviso in clause 5 which gives the courts discretionary power to apply the provisions of this Bill in the matter of pre-emption proceedings. Although the discretion need not necessarily be used against the pre-emption proceedings, still, as we know that expedition is the watchword of all courts and legal proceedings, when a discretion is given to courts, the courts generally will have a tendency not to postpone proceedings in which pre-emption cases are involved. Therefore, Sir, I would request my Honourable friend, the Commerce Member, to issue instructions to the Provincial Governments, and through the Provincial Governments to District Collectors, to keep watch upon the number of proceedings in pre-emption in which seamen are parties either as applicants or as respondents; because at the end of six months the Government will be in a position to consider as to whether it has been wise or not to give that discretion which might exclude pre-emption proceedings from the purview of this enactment. If at that time my Honourable friend and his Government—or some other Government—are satisfied that the misgivings which I am giving expression to were unfounded—I shall be glad if they are unfounded—then, he will stand vindicated. Otherwise it will be time to make suitable modifications to bring within the intended ambit of this law the real relief which is otherwise needed.

With these observations I support the Bill.

The Honourable Dr. Sir M. Azizul Huque: Sir, I have only to say this much, that as I gave that assurance to my Honourable friend in the Select Committee and which I do now, we propose to address the Government of Bengal as also the Government of Assam and such Governments as may be interested on this point having regard to the number of seamen, to find out the exact number of pre-emption cases and to what extent seamen come in there and the manner in which these cases are treated. I think we will be able to do anything necessary at that stage. I am grateful to the Honourable Member.

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

INSURANCE (SECOND AMENDMENT) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I move:

"That the Bill further to amend the Insurance Act, 1938 (Second Amendment) be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, Pandit Govind Malaviya, Mr. T. V. Satakopachari, Mr. R. K. Choudhry, Mr. B. B. Verma, Mr. R. V. Reddiar, Mr. P. K. Salve, Shri Sri Prakasa, Mr. Manu Subedar, Haji Abdus Sattar, Haji Ishaq Seth, Mr. A. R. Siddiqi, Mr. Ahmed E. H. Jaffer, Nawab Siddique Ali Khan, Chaudhri Abid Hussain, Mr. M. A. F. Hirtzel, Mr. C. P. Lawson, Sir Cowasjee Jehangir, Rai Bahadur D. M. Bhattacharya and the Mover, that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five, and that the Committee be authorised to meet at Simla."

It was on the 14th November, 1944, when the Insurance second amendment Bill was under discussion for reference to select committee, that my attention was drawn to various objectionable and deplorable features in the insurance business of this country. In my reply to the debate I made it quite clear that we meant to be particularly watchful in view of the transactions that were taking place at the time, so that India of the future might not be handed over, atleast so far as insurance matters are concerned, to a few monopolists or unscrupulous persons. I specially emphasised that it would be an evil day for India with her great future if she develops any tendency to be dominated by a few, either in the field of politics or in the domain of economics. But even when I was thus expressing myself in this House, markets were full of rumours with the coming in of some persons trying to capture some of the insurance concerns with obvious intention of playing with the money of the insurance business. As I stated then, it would be my duty to keep a careful watch over this unscrupulous feature in the insurance business and I therefore stated that should we at any stage find that the tendency was growing up, justifying our intervention in the matter in the interest of the country, we will come up before this House with our proposals for necessary legislation.

In spite of this warning, given by me, I regret to say that reports of such undesirable features continued to come in with some persistency early in 1945. On the 21st April, 1945, I therefore appointed a committee to inquire into these undesirable trends and features in the management of insurance companies in India and to recommend measures that should be taken to check these evils.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

This Committee was presided over by our distinguished colleague, Sir Cowasjee Jehangir. The committee went thoroughly into the working of some of the insurance companies and after a most careful investigation the committee submitted its report to us in July last.

The report and the recommendations of the committee have been circulated to the Honourable Members of the House, though for obvious reasons we were not able to circulate certain statements of a confidential character which the committee forwarded to us. The report by itself brings to light many of the major evils which may threaten the very existence of insurance business in this country. I wish to take this opportunity to place on record our appreciation and gratitude for the invaluable services which Sir Cowasjee Jehangir, the Chairman, and the members of the committee have rendered by their very thorough investigation into this question; and once again I also take this opportunity of thanking Mr. Vaidyanathan who took considerable pains to explore the details, including a mass of necessary materials that were placed before this committee.

Sir, a perusal of this report will make it quite clear that it is essential that steps should be taken to bring about better order in the insurance business. If these unscrupulous persons in violation of every canon of business principle and scruple are not to play havoc with the insurance management, and in particular with the insurance fund belonging to the policyholders. Unfortunately, there was no Session of the Assembly after we received the report of the committee, and I have therefore taken the earliest available opportunity to bring this Bill before this House.

This Bill has been generally drafted on the basis of the recommendations of the Cowasjee Jehangir Committee. But there were a few clauses of the Insurance Bill as reported by the Select Committee in February 1945, which I deemed it advisable to keep out of the Insurance Bill which has just been passed into law, and they have also been incorporated into this Bill. This has made it possible for the other Bill being passed into law without any controversy or any protracted discussion, and incidentally will give an opportunity to this House, newly constituted as it is, to scrutinize the clause further.

[Dr. Sir M. Azizul Huque]

Subject to this, most of the clauses of the Bill refer only to insurance companies transacting life insurance business or to the life business only of composite companies; our intentions are that any restrictions that may be proposed should have the primary object of safeguarding the interests of life policyholders whose contracts with the insurers are necessarily of a long-standing nature and from which the insurers cannot resile and cannot in any event jeopardise without causing serious financial loss to the policyholders.

Sir, as I have circulated the report of the Select Committee, the Honourable Members will be able to see for themselves the abuses prevalent, justifying the measures that have been proposed to cure some of these abuses. I should not therefore take the time of the House to explain in great detail the necessary provisions of this Bill. But I think it is still necessary to draw the special attention of the Honourable Members to some of the main features of this Bill.

As the law stands at present, there is no restriction of the voting rights of the various classes of shareholders or on the form in which the capital of an insurer can be issued. A recent amendment of the Indian Companies Act provides that banks can now issue only one class of shares and that the voting rights must be proportionate to the paid-up amount. This was designed primarily to eliminate the nefarious practice of any bank management issuing shares of small denominations with disproportionately large voting rights. If such a provision has been found to be necessary for banks, it is just as much necessary in the case of the insurance companies. Life funds of insurance companies run into crores in several cases, even with only a small share capital, and this just provides a special inducement for designing financiers to acquire control over insurance concerns and to indulge in reckless speculative manipulation of large life funds under the guise of adopting an "active investment policy". They pay exorbitant prices for the purchase of shares with a view to acquire control over the concern. With plenty of money at their hands gained in war time by every means fair or foul—and one can easily infer that black market and illegal transactions or disproportionate prices charged from the public or from the State form a large part of some of them—they would rush to buy shares at fantastic prices to gain control of insurance concerns and thus to manipulate and play with large life funds belonging to the innocent policyholders. Extortionate moneylenders who had so long played havoc with the economy of our rural life and built up their fortunes with the blood of our toiling millions found war as a great opportunity to accumulate their lakhs and crores at the cost of human miseries and sufferings by resorting to criminal hoarding, unscrupulous profiteering, blackest black-marketing and large scale corruption.

Having got their millions, they have now no scruple to spend a few lakhs if they can thus control the large funds of honest, hard working citizens as accumulated in their life funds.

But apart from resorting to reckless speculation with life funds in their control, they in addition secure the employment for their proteges at top positions at very high salaries irrespective of their qualifications or ability. Thus they strengthen themselves in their nefarious acts and substantially make up for the loss of their money in the purchase of shares. All these happen without the least knowledge of either the policyholders of the company or of the Government. Quite a lot become possible without even the knowledge of the shareholders. Sir, this should in no circumstances be permitted to go on unchecked.

The Bill proposes to meet this menace firstly by placing a limit on the proportion of shares an individual can have and secondly by restricting the capital structure of insurance companies to be confined to only one class of shares, namely, ordinary shares; with a view to prevent any disproportionate congregation of voting rights, it has been provided that the voting rights of shareholders should be made proportionate to the amount paid up on the shares; it has been further provided that any change in the directorate of an insurance company should be amply publicized.

The Bill also deals with another category of evils; the ingenuity of their devilish designs, they have in some cases acquired control of insurance institutions not with their own money even but with the fund of banks over which they first acquired control. Thus, obtaining control over depositors' money in the bank, the unscrupulous financier has proceeded to his next step, namely, to acquire similar control over the funds of the policyholders in the insurance companies. One may ask as to why it is necessary for an unscrupulous person to acquire control over the policyholders' funds when he could easily do the same thing with money from banks. It is well known that the liability of a bank may have to be at times quickly met. But the life fund of policyholders may not be required till some years after. By adopting such means it is possible to give both to the bank and the insurance company a fictitious big size as a result of interlocking. Such unwholesome alliances must be prevented in view of the nature of the business carried on by each of these institutions. Certain restrictions have therefore, been proposed regarding investments by banking companies in the shares of life insurance companies and *vice versa*; the proposal prohibiting common managing directors and officers between insurance companies on the one hand and banking and investment companies on the other is thus a logical sequel to the objective aimed at.

The motive for acquiring control over the life funds of an insurance company obviously being to use the funds provided by the premiums of the policyholders for indulging in speculative investments, it is proposed to place some restrictions on the investment of life funds of insurers representing 45 per cent. of the adjusted life funds which is outside the purview of section 27 of the Insurance Act. This clause is practically on the same lines as a similar provision in the Canadian Act. They may on first sight appear to militate against the earning by the insurer of as large an interest yield as possible. But what has happened of late in the business makes it essential that some safeguard should be taken to assure the payment of the insured amount under the policy. It will be noticed that against those restrictions, there is an escape clause by which the restrictions on the investment of the 45 per cent. referred to above are practically removed with the unanimous consent of all the directors. The basic idea is that no individual director can escape responsibility for any investment outside what is provided in terms of our proposals.

One more proposal designed to safeguard the interests of policyholders is that insurance companies of more than a certain size should have whole time officers so that the policyholders' interests might receive undivided attention which they deservedly require.

I have only mentioned the most important proposals in the Bill arising out of the recommendations of the Cowasjee Jahangir Enquiry Committee. There are two more proposals which should place the business of insurance in this country on sound lines.

In my speech when I moved for the consideration of the First Amendment Bill, I referred to the proposal to prohibit the commission method of remunerating employees in an insurance company and the one relating to the limitation of overall expenses of insurers. Both these clauses were in the Bill that was

4 P.M. before the House in February, 1945, but were not included in the Bill passed by the House just a few weeks ago. The Select Committee specially recommended that the figures proposed by the Bill should be further scrutinized. Mr. L. S. Vaidyanathan therefore had considerable discussions with various insurance interests and the present clause is the result of a most careful examination of the question.

It is needless for me to dwell at length on the clause relating to prohibition of commission method of remuneration to the insurance executives. The premium incomes, surpluses or profits of an insurer are generally very large and it is thus most unfair to the policyholders to base salaries or other remuneration even as a small percentage of incomes, surpluses or profits. If therefore under the head of expense, more than a reasonable quota is spent the natural result

[The Honourable Dr. Sir M. Azizul Huque:]

tions and answers. I propose to reply to all the points at a later stage so that I can cover all the points.

Mr. Sasanka Sekhar Sanyal: Sir, since my Honourable friend does not care to enlighten me at this stage, I will have to proceed with my own light and that may not be very illuminating. But, Sir, I have to proceed in my own way. In the first place, I will deal with the narrow question of the proposal for cutting down agents' remuneration, whether it is just or not, whether it is called for or not, is a different matter. I will come to that hereafter. The first thing that I want to place before the House is this. You know, Sir, that a booklet has been circulated containing a report of the Jehangir Committee. There is a small flag attached to it with a note which is typed saying 'circulated to Members in connection with the Insurance (Second Amendment) Bill, which is based on this report. I hope, Sir, that this did not escape the very vigilant eyes of the Honourable the Commerce Member. May I be permitted to say that with regard to this typed note, it is not correct to say that this Bill is based on Jehangir Report. This report does not contain a single word regarding the desirability or otherwise of touching the agents or their commission. I read it several times and found nothing about the agents. Then instead of trusting my own eyes I read it over and over again with the help of some of my friends but in this carefully printed report of seven and a half pages I did not find a single syllable in which there is a proposal or advice for touching the agents and their remuneration. Therefore it would not be quite true to say that the Bill is based upon this report. If it were based on this report the proposal for the agent's remuneration being cut down or touched would not and should not have come at all.

Then coming to public opinion, it is not the Honourable Member's case that he has invited any public opinion on this question. He can only say that an almost similar Bill was referred to the Select Committee through this House in 1945, that Select Committee went into it rather carefully, the report of that Select Committee was before Government, and therefore Government were advised by the wisdom of that report. Again I must say that with regard to the agents and their remuneration an unfortunate performance has been made and the matter has been dealt with by Government without any expert or proper advice. If we refer to the report of the Select Committee on that previous Bill we find that when the Bill was originally before the House there was no such proposal for cutting down the agents' remuneration. May I ask the Honourable Commerce Member whether in the original Bill of 1945 there was any provision about reduction of the agents' remuneration?

The Honourable Dr. Sir M. Azizul Huque: Sir, I have made my speech and the Honourable Member did not listen to it. Now he is speaking and I may have some rest.

Mr. Deputy President: The Honourable Member may proceed with his speech and not ask questions.

Mr. Sasanka Sekhar Sanyal: I want to make my case on the basis of certain facts and I want that my facts should be accurate. Sir, in this report of the Select Committee on the 1945 Bill, opinion was divided as regards the agents' remuneration. For instance, Mr. Chunder who took an active interest in the Bill, said in his note of dissent:

"The reduced rates of agency commission that are proposed are also, I think, much too low, and insurance companies would not be able to attract good men to take up agency work at such rates of remuneration to the detriment of the healthy growth of insurance in India."

Although for the time being some others agreed to the proposal they reserved the right to bring before the House such amendments as they might consider desirable. Then the Bill was dropped and it has come in the present form. My contention is that since the fate and livelihood of large numbers of my countrymen are involved, the least that Government should have done before bringing it up in such beautiful language as my Honourable friend has done was

[Mr. Sasanka Sekhar Sanyal.]

to get public opinion elicited, at least the opinion of those men who are vitally affected.

Today my Honourable friend is talking in the strain of 1946 and would not trust the future. But is he unmindful of the fact that in every sphere of industrial activity labour is considered to be the first charge, and the remuneration of labour today is being thought of in terms of increment? How is it that he has thought of reducing the remuneration of insurance labour without even caring to consult them? Whatever views the Honourable Member may have obtained, I have the authority to submit to the House that he or his Government did not care to consult the large numbers of field-workers, insurance agents, whose livelihood—and incidentally the future growth of insurance activities—is involved. After all what is the position? Today I understand about 1 lakh and 20 thousand field-workers are doing their job through insurance companies. Of these of course my sympathies are not with all because there are certain idlers who do not do much work for themselves and who incidentally injure the prospects of their colleagues in the trade. But that is a different matter; and I shall show how Government have very much failed in dealing with the real aspect of the question. But in the meantime I would ask the House to consider whether it is fair and proper that before these people are touched an inquiry and investigation should not have been made. In this connection I will invite the attention of the House to a booklet published by Mr. S. L. Roy, an insurance expert, who deals with the status and prospects of insurance workers, and says:

"While the Government of the country is making large promises about the future condition of labourers in a post-war world, it is strange that a body of men who claim to be representative of public interest, have ignored the theoretical and practical basis of the insurance business and, without any attempt at fact-finding, have come to *a priori* conclusions regarding the income aspect of the labourers of the life insurance industry."

In January 1944 the Government of India set up a Labour Investigation Committee 'to collect necessary data so as to enable the Planning Committee to be constituted to draw up a programme of social security for labour in India'. Besides giving data relating to wages and earnings, employment, housing and social conditions of labour, its report was expected to deal with such matters as the risks which brought about insecurity.

The Labour Investigation Committee is expected to submit its recommendations in July this year. One would expect that in making their recommendations the Select Committee would naturally leave the question of the insurance labourers to the Labour Investigation Committee, if they themselves had no time to go into the question of the earnings of the insurance agents."

Therefore, Sir, I take my stand first on general grounds, and I quote my Honourable friend that it is 1946 and 1946 is very different

The Honourable Dr. Sir M. Azizul Huque: I said that once; the Honourable Member has repeated that twenty times.

Mr. Sasanka Sekhar Sanyal: For giving wisdom to our friends opposite we will repeat it a few hundred times. And though repetition is not pleasant still sometimes there are brains which require hammering and hammering may do some good sometimes.

Today when labourers are going to be considered in terms of future prospects, why is it that the Government propose to interfere with the prospects of these large number of labourers who are employed in a public and social utility service when they have no courage to interfere—in spite of what they may say—with the capitalists and their own prospects? My second question is what is the basis upon which the Government lays this claim to reduce the remuneration of agents? Is it their case that the agents have been getting too much remuneration in the past? We fully agree when the Government say that overall expenses should be reduced, but that does not mean that the reduction should start at the base. Everybody knows that big officials are getting high salaries, everybody knows that shareholders are getting monstrously high dividends, everybody knows that these managing agents are giving fat salaries to their brothers-in-law, fathers-in-law, and others-in-law, and we are all unanimous that that should be checked, but why start with the poor field worker. Is it the

[Dr. Sir M. Azizul Huque]

will be that the amount added to the funds would be much less than what would be required to meet the future liabilities. Herein comes the chief weakness of the business of life insurance which dealing as it does mostly with deferred liabilities puts a premium on expenses being given an unbridled rein—in the hope that the future will take care of itself, and that as and when the company is called upon to meet its future claims under current policies, the money necessary to meet such claims would somehow be forthcoming. In other words, by spending much more than a proper and reasonable proportion under the head of expenses of management, a company might be providing inadequately for its future liabilities and as the assets of the company are compared with the liabilities on actuarial methods, only once in five years, it is possible for the company to go headlong in regard to its expenses without even being conscious that it is running into a state of insolvency and then realise its insolvency only when it is rather difficult to mend matters.

Unfair competition between insurers has been the main motive force which has forced up the expenses of management of insurers in the past. To enable insurers to build up adequate reserves and also to eliminate the disastrous effects of competition, the present proposal is to place a limit on the amount insurers can spend annually as expenses of management including commission. The limitation clause will place insurance in this country on firm ground. The State Insurance Law of New York contains a provision limiting overall expenses of life insurance business which has been more or less copied by the other States. That provision is much more complicated than what is embodied in the Bill before the House and yet it is within the knowledge of all that the existence of such a provision far from causing any injury has enabled the business of insurance to forge ahead both in quality and quantity since the law was placed on the Statute Book.

Sir, these are the more important provisions in this Bill. I do not wish to prolong my speech by dwelling on other clauses in the Bill which are either ancillary or consequential to the above major provisions. I need only mention that it was my intention to have Mr. Vaidyanathan as a Member of the Select Committee. Unfortunately, it has not been possible to get him from Bombay just now. I am hoping that he would be able to come here about the 16th or the 17th of this month and as I expect take his seat as a Nominated Non-official Member of this House. In such case, I hope, Sir, the House will permit me to have him as a Member of the Select Committee.

Sir, let me conclude by giving a few words of warning to those who are out to make ill-gotten money at the cost of the public, in violation of all canons of honesty and morality. India, in 1946, is not what India was even in 1945. But India of the future will be quite different from India of today. The days of all anti-social acts like the money lender charging extortionate rates of interests at compound rates are gone; the days of the industrialists attempting fraud on the public must soon be an incidental phase of the past; capitalists piling their profits amidst ill paid, ill housed and ill clad workers cannot exist in a modern world; trader utilising every opportunity to victimise the consuming public, whether in famine or pestilence have today no place in the economy of the country. India has seen much and learnt many bitter lessons. The past has sometimes been so kind to these classes that they cannot believe that the future may be harsh. It will be much more hard and harsh than what they can even contemplate today.

Many forces in the social and economic life of the country have existed in the past, but they cannot exist in future. Personal and private interests have created mean trends and tendencies, but social and economic laws have begun to intervene and will do so more and more in the interest of all. Anything that paralyzes the growth of society or brings about practices which are not only illegal, but immoral, irrational and anti-social cannot survive in the adjustment of nature, however much one may succeed in putting off the day of reckoning. No one in the economic life of a country can live

in isolation today, or live only for himself or his own selfish ends, leaving it to others to pay the penalty. Every man today is in the care of another, and humanism is the dominant keynote of all our social and economic objectives. That has been the test of history in private enterprise against nationalisation. In all humility, I, therefore, give this warning that much more drastic remedies may have to be found if the evils are not rooted out as contemplated by the present Bill.

Sir, it may take a few months to have this Bill passed through this Legislature in all the stages. If there is any one who may think that he can continue his activities between today and the day the Bill is passed into law, I have no doubt that this House in its judgment and wisdom will make that impossible by considering at the appropriate stage what should be done to deal effectively with such transactions in the meantime. I have also no doubt that this House as the symbol of all legislative authority in the country will give its only verdict and that in no uncertain terms.

Sir, I move.

Mr. Deputy President: Motion moved:

"That the Bill further to amend the Insurance Act, 1938 (Second Amendment) be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, Pandit Govind Malaviya, Mr. T. V. Satakopachari, Mr. R. K. Choudhury, Mr. B. B. Verma, Mr. R. V. Reddiar, Mr. P. K. Salve, Shri Sri Prakasa, Mr. Manu Subedar, Haji Abdus Sattar, Haji Ishaq Seth, Mr. A. R. Siddiqi, Mr. Ahmed E. H. Jaffer, Nawab Siddique Ali Khan, Chaudhri Abid Hussain, Mr. M. A. F. Hirtzel, Mr. C. P. Lawson, Sir Cowasjee Jehangir, Rai Bahadur D. M. Bhattacharya and the Mover, that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five, and that the Committee be authorised to meet at Simla."

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, my Honourable friend the Commerce Member has just delivered a very illuminating speech, punctuated with noble passions and couched in very ennobling words. Sir, while I am in full agreement with him in the sentiments that he has expressed, well, I am sorry that the Bill that he has brought before the House has a very poor approach to the very noble ideal he set before him. Sir, the words that he used and the sentiments that he has expressed would find a much better setting in a Bill which even if it did not aim at immediate nationalisation of insurance would at least make a pointer to that direction. Sir, when he was saying that 1946 is different from 1945, I was expecting that he would at least make a reference in his speech

The Honourable Dr. Sir M. Azizul Huque: I did.

Mr. Sasanka Sekhar Sanyal: to 1947-48. If only as a proposition of amendment, he could lay his finger upon any part of the Bill to show that it was a pointer or a step in advance towards the achievement of that desired end which is the unanimous wish so far as this House is concerned and which is also the desire of the people outside, namely nationalisation of this extremely useful public service. Sir, this is a matter over which all sections of political and even non-political opinion in this country have become almost agreed. My Honourable friend said that one individual is the care of another, that is true. The day is far gone by when anything can be contemplated or conceived in terms of individual. Whatever we do, whatever we think, whatever we lay down in schemes must have only one flavour, namely the greatest good of the greatest number and as part of the great commune.

Now, Sir, my Honourable friend has referred to the Select Committee Report of 1945. He also referred to the report of the Jehangir Committee. Before I deal with the general questions, may I invite my Honourable friend's attention to one aspect of the matter which puzzles me, namely so far as the question of reduction of agents' commission and remuneration is concerned. Which is the Committee that advised by friend, which is the public opinion that has been elicited on this point? Will my Honourable friend kindly enlighten me on this point before I proceed further?

The Honourable Dr. Sir M. Azizul Huque: I think that would be laying down a sort of precedent which I want to avoid. There would be endless ques-

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Government's case that these insurance agents have been earning high remunerations? In this connection, I will refer you to another observation in the same booklet:

"If only five years ago it was thought that a company can profitably work by paying 40 to 55 per cent. of the first year's premium income and 5 per cent. of the renewal income to the agents, one can demand to be told what special conditions have come to operate that make a further reduction in the remuneration of agents necessary."

In case my Honourable friend does not give much importance to this booklet—our Indian authority—I might invite his attention to the *Review of London*. My Honourable friend has referred to Canada-New York Scheme. Here is the observation of somebody whose authority is not less than the authority of my Honourable friend over there. The *Review of London* says:

"The agency organisation in India is not as ours is in Britain but is more like that of America. Some offices work on a branch office system and some on a system of chief agencies, corresponding to the general agencies in the State, the actual salesmen in both cases being largely whole-time licensed agents. Comparison between commission payments in Britain and in India is therefore meaningless. To arrive at anything like a proper basis of comparison we should have to add to British commission payments all salaries and commission paid to inspectors and probably also a good part of branch office expenditure: and on that basis commission payments made in India might look very moderate."

Then this is important:

"If Indian agents have been making such large incomes that they can face without violent reaction such a drastic reduction as from 44 per cent. to 32 per cent. of first year's premiums and 5 per cent. to 2½ per cent. on renewals, why were such large percentages allowed when this matter was discussed only seven years ago. On the other hand if the agents have not been making grossly excessive incomes how are they going to react to such wholesale destruction of their means of livelihood? At this distance we cannot see very clearly what conditions in Indian life insurance are likely to be in the next decade, but if the experience of the Indian offices is to be any easier than the experience of offices in Britain we shall be much surprised. And if conditions are not going to be easy one would think that it was advisable to avoid doing anything that might discourage agents, particularly if the discouragement was so severe that the agents found it paid them to desert life insurance for selling in some other line that paid them better."

In this connection, I would raise a very simple point. In 1938 the agents' remuneration was fixed on a certain percentage basis. War followed immediately and what has happened to the insurance agent? He has been very much affected by the conditions of war because of higher cost of living. Do you know, Sir, that these insurance companies have given very fat dearness allowance to their employees; the fatter the salary has been, the fatter has been the dearness allowance. These field workers, who have been more affected by the war conditions, did not receive the benefit of dearness allowance at all because law has prevented giving them any remuneration. Therefore, even from that narrow point of view, at a time when these field workers ought to be given some concessions on temporary basis if not on permanent basis, their resources are being axed. This is very funny.

Then I would invite your attention to an article of Mr. S. C. Roy who certainly can claim to speak with authority. He has stated:

"Reduction of agency commission is another reactionary proposal which must be resisted. . . . more profitable lines and activities."

Then Sir, I would like to invite the attention of the House to some other matter. As I have said, we all appreciate the anxiety of the Government to reduce the over-all expenses, but we think that we should apply ourselves to other reduction which will be more profitable and more paying as a proposition of reduction. For example, the fat salaries. Why has not the Government proposed to touch the salaries? Either leave the matter entirely free to the economic world or if the Government must interfere, the interference ought to be all round and wholesale so that the desired results may be brought about without undue hardship upon one class and without giving undue facilities to another class. We know there are branch managers of big companies who get Rs. 2,000 per month and they also get big bonus at the end of the year and most of them do not do their office work for more than three or four months during the year. There are so many *let sahibs* sitting in office who do not even care to

discuss cases with their field workers, and these provisions do not touch even the fringe of the income of these high salaried officials.

Then, Sir, I come to dividends. Do you know, Sir, what is the volume of dividends which these big insurance companies give to the shareholders? After all the shareholders are entitled to some dividend. If there is any question of cutting down, it must come from the top and it must not come ordinarily to the bottom unless it is absolutely necessary and unless the Government have satisfied their conscience that they have done all that they could in regard to the other Branches and they are coming to the field workers last. They may then have some ethical justification. There is one insurance company which gave a dividend of Rs. 125 in respect of a share of Rs. 200 or rather in respect of a share of Rs. 100. A Rs. 100 share of a particular insurance company—that was the first call for the Rs. 200 share. In three or four years, out of the profits and dividends the unpaid capital balance of the share was absorbed by the dividends. So Rs. 100 is converted to Rs. 200 and this basic Rs. 100 is enjoying an annual dividend of Rs. 125 for that particular share. Is it not desirable and just that this should be touched first?

Sir Cowasjee Jehangir (Nominated Non-Official): May I ask the Honourable Member how many years of existence has that company had?

Mr. Sasanka Sekhar Sanyal: May I ask my Honourable friend whether he agrees or not that at least that company which can give this dividend should bear some reduction in respect of dividend?

Mr. Abdur Rehman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Now, do not ask questions. Go ahead!

Sir Cowasjee Jehangir: I am asking for how many years has that company been in existence and what is the value of the share?

Mr. Sasanka Sekhar Sanyal: It does not matter.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): But is any of its shareholder willing to part with his shares?

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Why not name it then?

Mr. Sasanka Sekhar Sanyal: I have no objection to name it. But I do not know . . .

Pandit Govind Malaviya: Everybody understands. What is the good?

Mr. Sasanka Sekhar Sanyal: Therefore, Sir, my submission is that these dividends must be touched first. In the first place there should be some contribution to the reserve fund of the insurance company. That will build up the capital and will give more depreciation reserve. It is criminal where the interest carried by a principal nowadays is not more than two per cent. per annum, a shareholder should draw and enjoy a dividend of Rs. 125 per cent. in respect of his share. Let him have something, but the balance must be for the company, for society and for public purposes.

Then, Sir, the question of investments. My friend has proposed in the Bill that there should not be any investment in housing and all that. From one point of view there is some reason in it. But from another point, it is excluding a very valuable avenue of investment, because in other countries I am informed that insurance companies have made profitable investments in houses, and building schemes which have given protection to persons with no houses of their own and which has brought an interest which is good and which has been considered to be on the basis of safe investment.

There ought to be also some contemplation of reducing the income-tax in respect of insurance companies. This can be done very easily if the process of nationalisation is quickened to some extent. Unless the nationalisation scheme is there, there will be recurring amendments and patch-work amendments. When you touch the head the tail will wag: and when you touch the tail the head will shake. If you have to bring within the ambit of legislation the working of these concerns, you must go the whole hog and not piece-meal and not in

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a halting manner. During the war expenses went up for obvious reasons. Stationery, paper, printing and all these things have cost more, and the Government have encouraged idle agents, because they are on the same footing and the company spent more for the idle agents than for the active agents. Some device should be introduced by which all these things can be removed and this will bring in a proportionate look-up in the revenue. In this connection I would invite the attention of the House to the observations of Mr. N. Datta, an insurance expert. He has in his well written article invited attention to the needs of statistics of the field work.

The Honourable Dr. Sir M. Azizul Huque: I think you read that.

Mr. Sasanka Sekhar Sanyal: That is the point on which the whole thing revolves.

Mr. M. A. F. Hirtzel (Bengal: European): The sun rises and sets every twenty-four hours.

Mr. Sasanka Sekhar Sanyal: Today, one sun is rising and the other sun is setting.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): The British sun is setting.

Mr. M. A. F. Hirtzel: It will rise again.

Mr. Sasanka Sekhar Sanyal: In the booklet which was written by Mr. Jones and Srinivasan—I hope according to my friends, neither Mr. Jones nor Srinivasan is a setting sun.

The Honourable Dr. Sir M. Azizul Huque: One of them has retired and left this country.

Mr. Sasanka Sekhar Sanyal: As an authority, is he considered to be a setting sun? These two writers say:

"It is well known that the average *per capita* insurance in India is very low and, though there has been a spurt in the volume of new business written during the last two years, it will take many more years with large new business flowing in, before the average *per capita* insurance can come anywhere near a satisfactory figure. There was a time when the profession of a life assurance Agent suffered from lack of dignity but fortunately of late the profession has been able to attract young men with good social status and education who have taken up full-time agencies in the firm belief that the reward for their efforts can be attractive."

The suggestion to reduce Agent's commission would therefore under these circumstances be unfair and unjustified. And they have set forth reasons and they are good ones too. Because, after all, today who is responsible for the large increase of insurance business and activity that is noticeable? Did the Government do anything for this expansion of insurance work? Did these capitalists also do very much? If anything has been done, which has brought insurance on a plane of being worth mentioning, it is entirely the field work of these insurance workers and agents. They are the steel frame. They have spread the whole thing on a basis of reality and solidity and the Government is now trying to interfere with their bread. That is very unkind. What will be the result? The result will be that, as has been said, good workers will be discouraged. Bad workers will be coming in. That will invariably mean a drop in insurance work.

It is no use comparing insurance work here with that of England and Canada because in the latter case the people are insurance-minded. In this country a man has to be contacted several times before he is persuaded to take up a policy. It may take weeks and months, and even then the policy may not be successful. And look at the condition of work of our agents. He will probably have to go into the interior, about ten miles from the station. It may mean a boat journey. It may mean a cart journey. There he will have to put up with inconvenience and then book his business and in this way business is brought in for the shareholders and proprietors of the company. These insurance agents earn every pie that they get. Before they get any remuneration, they have to hand in the business. That does not apply to the top dogs who sit in

their offices and draw their salaries even though they do not bring in cases. Therefore this is extremely unjust and unfair. These insurance workers who have brought by their activities insurance to such a stage of development not only do not deserve any cutting down of their remuneration but they ought to get

The Honourable Dr. Sir M. Azizul Huque: They ought to get more.

Mr. Sasanka Sekhar Sanyal: they ought to get a little more if possible. I am glad my Honourable friend has anticipated me. I would refer my friend to his very book. Has he any idea what the average insurance agent gets? I will make a present of page 27 of the Indian Insurance Book 1945. It is stated:

"The result of the enquiry was that as regards life insurance business, even assuming that insurers had paid the maximum first year's and renewal commission on the total new business transacted by them in 1943, and on the balance of business on their books as at 31st December, 1943, respectively, the average commission per annum accruing to each agent amounted to something less than Rs. 30."

Sir, the average annual income of an insurance worker in India is Rs. 30, which means that there must be some who get more and some less. It is further stated:

"as this reduced figure is only an average it will be evident that there should be a large number of agents drawing commission amounting to Rs. 10 per annum and perhaps even less."

My friend cannot deny these facts. That being so instead of their present emoluments being cut down they have a much stronger case for an increase, if any legislative interference is called for. This increase can be given to them not by enhancing the rate of the commission but by curtailing the insurance field workers' number. If my Honourable friend will kindly pay a little attention I will show

The Honourable Dr. Sir M. Azizul Huque: I have been doing that for the last 35 minutes.

Mr. Sasanka Sekhar Sanyal: how dishonest insurance agents flourish under the shadow of the Government. I will give an example of that. Of these 120,000 insurance agents at least 30,000 flourish under the dishonesty of the Government. Instead of touching the income of these insurance agents, the first duty of the Government should be to bring legislative measures by which Government employees can be prevented from carrying on insurance in the name of their relations. I will give a concrete example. In Delhi there are at least 3,000 insurance workers. Of these at least 1,500 are ladies and these 1,500 ladies are either the wives, sisters or daughters of Government servants in Delhi. They may be either clerks in the lower cadre or gazetted officers in the higher cadre. This has got two aspects. Government servants are not allowed to make extra money by other methods. They take insurance agencies in the name of their wives or daughters and thus get more income. As a proposition of public policy this should be stopped. One who is a government servant earning a salary should not be allowed to earn through insurance work.

Then there is another aspect of it. This insurance work in which Government servants from top to bottom are involved gives rise to the grossest forms of corruption and bribery. You go to the Civil Supplies Department. You will find an officer, big or small, will help a contractor in getting some contract. It may be the Food, Irrigation or Engineering Department. The officer will be willing to give the contract to a particular man, if that man is willing to give something. There are persons who will not take any cash. They will wash their conscience in the matter of cash and they will persuade that contractor to go in for some policy under the agency of his wife. Is this not a monstrous proposition?

The Honourable Dr. Sir M. Azizul Huque: Which? My Bill?

Mr. Sasanka Sekhar Sanyal: Government people know that this sort of corruption is going on. What has Government done about this? Honest, enterprising youngmen who have adopted insurance as a career and who are doing

[Mr. Sasanka Sekhar Sanyal]:

well by the insurance business, you are cutting their prospects and present emoluments and on the other hand you are doing nothing to stop this agency work by Government servants, who earn money by the backdoor, as they are prohibited by service rules. They are doing this as a proposition of the grossest bribery and corruption. I can give my Honourable friend at least 100 cases which I know personally, in which a contractor dances attendance at the door of the Big God. The Big God has the right to choose between one contractor and another. If he gives patronage to one contractor he gets in turn an insurance policy through the agency of his wife or the daughter or some other relation. In this connection I will use the words of the very book itself:

"If Government take steps for controlling the number and controlling the activities of these idle and dishonest persons, they may eliminate those cases in which we have for instance the wife becomes the agent for the husband's policy or the husband becomes the agent for the wife's policy."

This sort of thing must be put an end to. *Bona fide* agents who have taken to insurance as a career with prospects must be given some sort of encouragement and this sort of idle, unproductive and dishonest agencies must be put an end to. Before the Government can claim to have a right to touch the agents they must go in first for these things. Otherwise it is no use indulging in this talk which is tall tongue and has no substance.

The Honourable Dr. Sir M. Azizul Huque: You have given a taller tongue than that.

Mr. Sasanka Sekhar Sanyal: I have given tall facts, facts which my Honourable friend has not the courage to deny. I challenge any Member of the Government. I will show from Delhi statistics that there are agents who are either wives or near relations of Government servants. Is he prepared to accept that challenge?

The Honourable Dr. Sir M. Azizul Huque: I would have done so, if it has any material relevancy to my Bill. I consider it is wholly out of place, illogical and has no bearing on the present Bill.

Mr. Sasanka Sekhar Sanyal: My Honourable friend has more muscle on his left arm than butter in his brain. God helps those who help themselves. My Honourable friend is dealing with the reduction of the agent's remuneration. Relevancy is a thing which has got to be understood. Relevancy is not a thing which is repudiated by the wave of the hand. If you look at the remuneration question you will find that the Government is playing a trick with these agents. If you cut down the number of agents you will find that the existing agents who are *bona fide* agents will get more. You need not hesitate to cut down the number because if you analyse the figures you can find out who are relations of Government servants and they can be chucked out at once. You can find out that some agents have done work only for either a near relation or friend and then they have become idle. They get the first year's premium and they are satisfied, because they have other earnings. They get some renewal commission which ought to go to *bona fide* workers.

The entire insurance work is available for more than a lakh and twenty thousand persons. The commission is distributed between them. Some get just ten rupees. And the insurance companies have to spend on postage a large amount because they have to keep up correspondence with these dead, dull and idle agents. Is it not therefore a practical proposition? If my friend were carrying his own Bill he would have at once understood it, but since he is carrying somebody else's baby he cannot do so.

The Honourable Dr. Sir M. Azizul Huque: I have not been briefed by anybody.

Mr. Sasanka Sekhar Sanyal: And if I have been briefed, I have been briefed by labourers who are our kith and kin. If I am briefed I am briefed by persons who deserve better justice than they have received. But my friend belonging to a reactionary Government which has neither responsibility nor sense holds brief for insufferable causes.

Mr. Deputy President: The Honourable Member may proceed with his speech.

Mr. Sasanka Sekhar Sanyal: I am doing so. This is also part of the proceeding.

My submission is that whatever the Executive Councillors as part of this irresponsible Government might think in their light-hearted manner and in their levity, the matter is far more serious than they comprehend. We on this side of the House will not allow the hairs of these *bona fide* workers to be touched. Certainly I am not ashamed that I am holding their brief because I feel that these are the young men who have done good to the society. They have made people more insurance-minded. They have tried to elevate economic strata because if they succeed in getting one thousand rupee policy finally they are helping that family in becoming economically more stable at least after twenty years from now. These are social workers and upon their comfort, happiness and efficiency depends a lot. What have the Government done for insurance work in this country? It is very easy to say that in 1945 a Bill came, a Select Committee sat and then a Report came, and my friend Sir Azizul Huque has dabbled with that Report and produced conglomeration of sentences which mean something but which do not carry us any farther than where we are today. Things have to be done in the proper manner. Government has let down those workers who were responsible for bringing about insurance to the present condition. Is it a Government which deserves any consideration so far as this matter is concerned?

Therefore, I want to make it clear that, although we welcome the proposal about the reduction of overall costs, our position is clear, namely that that proposal must not include the field workers. They are the hewers of wood and the drawers of water. They are our kith and kin. They have done such stupendous work.

Mr. Deputy President: The Honourable Member has spoken for fifty minutes.

Mr. Sasanka Sekhar Sanyal: I am closing, Sir.

They must be protected from the onslaught of this Legislation. They must be protected from a Member in charge of the Bill who is so light-hearted and who has no idea of the good of society.

With these words, Sir, I shall resume my seat.

STATEMENT OF BUSINESS.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): Sir, the list of business for next week is being issued this evening. In the statement which I made on Friday last I mentioned the items which would be included therein, apart from items included in the current agenda and not disposed of. We have made much slower progress this week than had been anticipated and I hope that the House will so regulate the course of debate next week as to ensure the disposal of as much business as possible. I think there are about fourteen items on the agenda which will be issued this evening. May I trust that we shall have the co-operation of the House in getting through this work, most of which has been put at the instance of Honourable Members in various parts of the House? As far as possible I do not propose to ask for further sittings after Thursday next. Any suggestion that will help us to get through this work from Honourable Members opposite, I shall welcome.

Mr. Mann Subedar (Indian Merchants' Chamber and Bureau; Indian Commerce): Several Bills are being introduced by the Government some of which in our opinion are capable of being held up. While there will be every desire on all sides of the House to co-operate, may I point out that the order in which the business is put up is with the Government? The number of Bills which should be introduced and the number which could certainly be held over has to

[Mr. Manu Subedar.]

be decided. Government ought to decide that in consultation with Leaders of Parties. Lastly, I do not think my Honourable friend should ask this House to undertake a contract or to give a guarantee that all these Bills will be finished.

Mr. Deputy President: He does not say that.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): I take it that the Honourable the Leader of the House wants us to expedite the business of the House, and that any suggestions that there may be in regard to that will certainly be considered by him. I have no doubt that my Honourable friend will get into touch with the Leaders of the various parties and come to a decision with regard to the expedition of the business of the House. He wanted to know if there are any suggestions that we can put forward to help him. My Honourable friend can rest assured that we are willing to co-operate in this matter. But there are certain important bits of legislation which are on the agenda which I do not think should be postponed or which can conveniently be postponed at this stage. The Government has already undertaken, for instance, to discuss the I. L. O. business and allotted time for it,—I suppose the time has been allotted for it. I submit that if it is necessary to sit longer hours, that may be one of the suggestions. Or there may be other suggestions. But these are matters which the Honourable the Leader of the House can discuss with Leaders of Parties and come to a decision by Monday.

Shri Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): I had suggested to the Leader of the House to call a meeting with Leaders of Parties, and he wanted to call a meeting today. I do not know why he did not do so.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I understand that the Leader of the Opposition was not available.

The Assembly then adjourned till Eleven of the Clock on Monday, the 15th April, 1946.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. Deputy President (Sir Mohammad Amin Khan), in the Chair.

MEMBER SWORN

Mr. Krishnanath Ganesh Ambegaokar, I.C.S., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

RESTRICTION ON FREEDOM OF PRESS

+1774. ***Mr. Ahmed E. H. Jaffer:** (a) Has the Honourable the Home Member seen the report of an important speech delivered by Mr. T. K. Ghosh at Allahabad on the 16th February last at the All-India Newspaper Editors' Conference and published in the *Hindustan Times* of the 17th February, 1946?

(b) Is it a fact that during the Calcutta famine of 1943 newspapers in this country were prohibited by Government from publishing all the news of the disaster?

(c) Are Government aware that the newspapers in India are denied freedom of publishing news as is enjoyed by the Press in Britain?

(d) In what respects have the newspapers in India during the war time been subjected to restrictions on their freedom?

(e) What penalties were imposed upon the Indian newspapers during the war period?

(f) When will these penalties be removed?

(g) When do Government propose to remove all the restrictions imposed under the Defence of India Rules and the Indian Press Emergency Powers Act, now that the war is over?

(h) Is it a fact that 'inhuman atrocities were committed and are still being committed by Government agents on a mass scale at many places' as reported by Mr. Ghosh in his speech referred to in part (a) above?

The Honourable Sir John Thorne: (a) Yes.

(b) No such prohibitory order was issued by the Central Government or by the authorities in centrally administered areas.

(c), (d) and (g). The special war time restrictions on the Press in India were imposed under Defence of India Rules 36, 39, 40 and 41. Restrictions necessitated by the war have now been withdrawn. The question of bringing the Press laws in India into line with those in Great Britain and of withdrawing the emergency legislation affecting the Press has been raised in a resolution of the All-India Newspaper Editors' Conference and, as I stated in reply to starred question No. 802 on the 8th March, is now under consideration.

(e) and (f). I have not comprehensive information of the penalties awarded for contravention of the law or of directions thereunder and its collection would involve an expenditure of time and labour disproportionate to the results.

(h) No.

CERTAIN ORDER OF SIGNAL'S OFFICER OF AN R. A. F. STATION *re* TREATMENT TO INDIAN SUBORDINATES

†1775. *Sjt. B. S. Hiray: Will the War Secretary be pleased to state:

(a) whether his attention is drawn to the news item in the Evening News of the *Hindustan Times*, dated the 23rd March, 1945, under the Head "Blimp in India";

(b) whether it is a fact that as alleged in that news, a Station Signals' Officer of an R. A. F. Station in India has issued such order;

(c) whether it is a fact that that order contains the following statement "Be familiar with your (Indian) servants and you will need to kick their bottoms to make them obey you";

(d) whether it is a fact that the same order also contains the following "All the servants should be handled with firmness that has made the European a highly respected resident in India"; and

(e) whether Government are aware that the order is resented by the British Airmen and that they have demanded its withdrawal?

Mr. P. Mason: (a) Yes, Sir, I have seen the item, on which action has already been taken.

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

(e) I think it very probable that the order was resented, Sir, and I hope so. The order has been withdrawn.

RECRUITMENT OF WAR SERVICE MEN TO I. C. S.

1776. *Ahmed E. H. Jaffer: (a) Will the Honourable the Home Member please state the procedure in which Indian Officers from His Majesty's Forces are being selected for the Indian Civil Service (I. C. S.)?

(b) Are they called in groups according to their age or service in the Army or according to their academic and army records?

(c) Is it a fact that the vacancies accrued after the termination of the war are being reserved for the war service officers?

(d) What is the number of vacancies of the I. C. S. so far reserved for Indian officers during the war and after the termination of the war?

(e) How many of such vacancies have already been filled by Indian officers?

(f) Is any consideration or preference being given to candidates who were selected to appear in the competitive I. C. S. Examination in 1943 or before and who had also applied for Emergency Commission and were called in for Military training before they could sit for the I. C. S. Examination?

(g) If no consideration or preference is being given to such officers, why are their chances and prospects being ignored?

(h) How many such officers have applied for employment in the I. C. S.?

The Honourable Sir John Thorne: (a) All eligible candidates for the war-reserved vacancies in the Indian Civil Service are to be tested by a selection board. Selection will be made by the Federal Public Service Commission after interviewing those candidates whom it decides to summon on the basis of the selection board reports.

(b) No. Candidates are summoned as and when they are found by the Federal Public Service Commission to satisfy the recruitment regulations.

(c) No. Reservation terminated with vacancies accruing in 1945.

(d) 95 vacancies in the Indian Civil Service accruing up to the end of the year 1945 have been reserved for Indian candidates with war service.

(e) No vacancy has been filled so far.

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

(f) and (g). No. By virtue of the preliminary selection referred to by the Honourable Member such candidates were merely given the right to appear at the competitive examination. They now enjoy this right by virtue of their war service.

(h) The information asked for is not available.

PAYMENT OF TRAVELLING EXPENSES OF MEMBERS OF ALL-INDIA NEWSPAPERS EDITORS' CONFERENCE

1777. *Miss Maniben Kara: Will the Honourable Member for Information and Arts please state:

(a) whether Government are aware that travelling expenses of the members of the All-India Newspaper Editors' Conference on certain occasions are borne by Government;

(b) when such arrangement, came into existence, and what the rates and conditions are under which such allowances are paid;

(c) the total amount paid by Government on this account since such arrangement has come into existence; and

(d) whether, in view of the fact that a large number of newspapers, who were unable to agree with the policy of this organisation, have remained out of it, Government propose to revise its attitude towards this organisation and cease to pay travelling allowances to its members from public funds?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) and (d). The arrangements came into force in May 1941. The members of the Conference were paid a sum not exceeding single first class railway fare from their place of residence to the place of meeting and back, for a maximum number of four meetings in a year. It has now been decided in agreement with the All-India Newspaper Editors' Conference that travelling allowance should be paid to the members only when Government themselves wish a meeting to be called.

(c) Rs. 57,300 roundly.

Miss Maniben Kara: Is it not a fact that newspapers, which do not subscribe to the same views as some of the nationalist newspapers, like the Muslim League papers, the organs of the Scheduled Caste Federation, the Radical Democratic Party papers, are put at a disadvantage because of this grant being given by Government only to nationalist newspapers?

The Honourable Sir Akbar Hydari: As I have said, we do not propose to give these facilities unless the conference is called to Delhi or Simla as the case might be at the wish of the Government. When they meet of their own accord, we will not pay them any thing; also non-membership of the conference does not constitute any disability to avail of any facility granted by the Government of India to members in general. Government would be prepared to consider the legitimate claims of non-members on all occasions; for example, when Government call this conference for their own purposes and find that Editors of certain important papers or representing important interests are not on the conference, we would of course invite them and we might give them the same facilities.

Haji Abdus Sattar Haji Ishaq Seth: Will the Honourable Member repeat the answer to the last part?

The Honourable Sir Akbar Hydari: If Government find that they wish to call a conference again at any time for their own purposes and find that certain important interests are not represented they will of course invite them and they will give the same facilities as they do to other members of the conference.

Miss Maniben Kara: Is it not a fact that the Government gave recognition to this particular organisation in the past? Is it not a fact that even on the question of giving quotas to papers, this organisation was consulted and naturally newspapers representing the Scheduled castes Federation, the Radical Democratic party and the Muslim League Party were put to a great disadvantage?

The Honourable Sir Akbar Hydari: That is completely incorrect. The quotas were granted on quite different principles. The committee which advised the Government was not the A.I.N.E.C. but the Advisory Committee attached to the Department and we showed particular consideration to newspapers representing the views of depressed classes and the Muslim League.

Mr. Muhammad Nauman: As the Honourable Member said that non-membership is not a disability, will the Honourable Members say how many Editors were invited outside the membership of this organisation whenever it so happened?

The Honourable Sir Akbar Hydari: I want notice.

Mr. Muhammad Nauman: It arises out of this answer which the Honourable Member gave, that non-membership does not constitute a disability. Will the Honourable Member quote any instance where non-membership did not constitute a disability?

The Honourable Sir Akbar Hydari: I want notice.

Haji Abdus Sattar Haji Ishaq Seth: Arising out of the new arrangements will the Honourable Member tell me whether before this new arrangement, every time this conference was called by Editors did Government pay travelling allowance?

The Honourable Sir Akbar Hydari: I have already said, yes. But this arrangement has now stopped.

Haji Abdus Sattar Haji Ishaq Seth: In that case, how did my Honourable friend satisfy himself that those who did not belong to this conference, if they wanted to come before, were given facilities?

The Honourable Sir Akbar Hydari: I want notice. I am not aware of what happened in those years, from 1940 to November 1945, I cannot therefore answer this off hand. If the Honourable Member will put down a question. I shall answer it.

Haji Abdus Sattar Haji Ishaq Seth: Even when the old arrangements were in vogue, did the Government realise that a large number of editors were not getting these facilities?

The Honourable Sir Akbar Hydari: I cannot say what the Government thought then.

Shri Mohan Lal Saksena: Is it not a fact that the editors of the two papers referred to by my Honourable friend Miss Kara, namely, *Dawn* and *Vanguard* are residents of Delhi and no question of payment of travelling allowance arises in their case?

(No reply was given)

Miss Maniben Kara: I may inform my Honourable friend that there are other papers besides these two belonging to other parties which do not subscribe to the views of this organisation. In view of this will Government now consider the question of still continuing this concession?

The Honourable Sir Akbar Hydari: I have already said that this concession has ceased, and that in future these people will pay their own travelling expenses unless and until Government convene them for their own purposes.

Sri M. Ananthasayanam Ayyangar: May I know if the word "purposes" has been defined?

The Honourable Sir Akbar Hydari: The Honourable Member can look at a dictionary.

Mr. Ahmed E. H. Jaffer: Are they paid board and lodging expenses also in addition to travelling allowance?

The Honourable Sir Akbar Hydari: No, Sir.

MUSLIM OFFICERS IN CENTRAL EXCISE COLLECTORATE, CALCUTTA

1778. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Finance Member please state if it is a fact that in the Central Excise Collectorate, Calcutta, the ten first class gazetted posts of Collector, Deputy Collector and

Assistant Collectors are held by non-Muslims and that out of the forty-five second class gazetted appointments, there are only eight Muslims?

(b) Is it a fact that in the course of expansion of the Central Excise Department during the last four years, the Central Board of Revenue drafted from the Calcutta Custom House eleven officers for promotion to first and second class gazetted appointments in the Central Excise Department and that some of these eleven officers were selected from the Subordinate non-gazetted rank of the Custom House for promotion to the first class gazetted posts, but the cases of suitable Muslim officers were totally overlooked?

(c) if the answers to (a) and (b) be in the affirmative, do Government propose to redress the grievances of Muslims immediately?

Mr. K. G. Ambegaokar: (a) For a correct understanding of the position, I would invite the attention of the Honourable Member to the Statement which Mr. Cook laid on the table of the House in reply to Starred Question No. 323, by Mr. Abdur Rahman Siddiqi, on the 18th February, 1946, and also to his reply to part (b) (i) of Maulana Zafar Ali Khan's Starred Question No. 1073, on the 19th March, 1946. Two more posts of Superintendent in the Calcutta Collectorate have been filled since 1st January 1946: one of them by a Muslim. Recently, moreover, orders have been issued posting a Muslim Assistant Collector to this Collectorate as Headquarters Assistant. As Mr. Cook has previously explained, the Superintendents in the three Northern India Collectorates belong to a combined cadre, of which about 30 per cent are Muslims; of the 24 posts of Assistant Collector in these Collectorates three are held by Muslims.

(b) The facts are not as stated in the question. The position is that out of eight officers drafted into the Central Excise Department from the Calcutta Custom House, four were appointed as Superintendents; the other four were appointed to special posts in the Inspectorate and were subsequently appointed as Assistant Collectors. At least one Muslim Officer of the Calcutta Custom House was considered for these appointments. In any event, such small groups of transfers and promotions, considered in isolation, afford no guide to the communal representation in the service.

(c) Does not arise.

Sri M. Ananthasayanam Ayyangar: May I know what proportion has been fixed for the scheduled castes and if all these places have been filled by members of that community?

Mr. K. G. Ambegaokar: I am sorry I have not got the information here.

Sri M. Ananthasayanam Ayyangar: Can not the Honourable Member say what percentage is reserved for that community?

Mr. K. G. Ambegaokar: I shall require notice because it does not arise out of the original question.

MUSLIMS IN CALCUTTA CUSTOMS HOUSE

1779. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Finance Member please state if it is a fact that the Calcutta Customs House has nineteen first and second class gazetted appointments in which there are only four Muslims?

(b) Is it also a fact that at the Calcutta Customs House there are thirteen Inspectors and eight Superintendents, and that all of whom are non-Muslims?

(c) Is it also a fact that in the course of the last few months twelve officiating arrangements have been made in the Customs Appraisers service and that not a single Muslim has been given a chance?

(d) If the answers to (a), (b) and (c) be in the affirmative, do Government propose to take immediate steps to secure adequate representation of Muslims in the Customs Service?

Mr. K. G. Ambegaokar: (a) Yes, Sir. The establishment of the Calcutta Custom House includes seven Class I posts which are filled by members of the

Imperial Customs Service and twelve Class II gazetted posts. Recruitment to the former is effected through the Federal Public Service Commission and is made strictly in accordance with the orders regarding communal representation; appointments to the latter are made by promotion and are not, therefore, governed by those orders.

(b) Yes. Appointments to these posts also are made by promotion, and are not governed by the orders regarding communal representation.

(c) Appointments to the appraising staff, Calcutta Custom House, are made by the Collector of Customs. Since November 1945 seven officiating promotions to the rank of Appraiser have been made from the Examining Officers' cadre. These promotions were based on merit and seniority and included one Muslim. One Muslim Appraiser has recently been appointed by the Central Board of Revenue to officiate as a Principal Appraiser in this Custom House.

(d) Government have no reason to suppose that recruitment is not made on the prescribed communal basis.

Mr. Ahmed E. H. Jaffer: With regard to these promotion posts, is it a fact that the claims of Muslims have been overlooked?

Mr. K. G. Ambegaokar: Promotions must go strictly by merit.

Dr. Sir Zia Uddin Ahmad: Has not the principle been laid down in this House very often that if the claims of a senior Muslim officer are overlooked, the head of the department or office will personally look into it and see that the order was properly observed?

Mr. K. G. Ambegaokar: I have no doubt that that is being observed.

Dr. Sir Zia Uddin Ahmad: Was it observed in this case?

Mr. K. G. Ambegaokar: I have no doubt it was done. But I must ask for notice because I have not got that information with me now.

Dr. Sir Zia Uddin Ahmad: Will the Honourable Member under take to see that some senior officer looks into the files of individual cases which are being passed over?

Mr. K. G. Ambegaokar: Whatever pledges have been given on the floor of the House will be carried out.

Dr. Sir Zia Uddin Ahmad: And one pledge that was given was that when the claims of a senior Muslim officer are overlooked the head of the department will personally look into the file.

Mr. K. G. Ambegaokar: Yes, Sir.

Mr. Muhammad Nauman: As all these promotions have gone to non-Muslims who seem to have the monopoly of merit, will those officers be taken to task who appointed these Muslims who have not been able to come up to the mark?

Mr. K. G. Ambegaokar: No, Sir.

Mr. Muhammad Nauman: Why not?

Mr. K. G. Ambegaokar: Orders are passed strictly according to merit and there is no question of taking any one to task.

Mr. Muhammad Nauman: As merit is found to be a monopoly of non-Muslims will the Honourable Member enquire how that has happened?

(No reply was given)

TAX ON TOBACCO

†1780. ***Mr. Tamizuddin Khan:** Will the Honourable the Finance Member be pleased to state:

(a) the estimated yield of tax on tobacco during the current financial year from the different Provinces of British India;

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

(b) the estimated yield of tax from the different districts of Bengal during the current financial year; and

(c) whether the Honourable Member is aware that in practice the main burden of the tax is shifted by traders on to growers of tobacco; if so, how Government propose to safeguard the interests of the growers?

The Honourable Sir Archibald Rowlands: (a) and (b). The information is being collected and will be laid on the table of the House in due course.

(c) No, Sir. The attention of the Honourable Member is invited to the reply given to part (d) of question No. 1031, by Mr. Manu Subedar.

GOVERNMENTS' POLICY re POST-WAR INDUSTRIAL DEVELOPMENT

†1781. ***Prof. N. G. Ranga:** Will the Honourable Member for Planning and Development be pleased to state:

(a) what action is being taken to see that all the Departments of Government keep in mind the Governments statement on Industrial policy published on the 21st April, 1945, in preparing their plans for development, in approving of new schemes for enterprises and factories in order to properly safeguard the interests of the community as per the principles laid down in that statement; and

(b) why it is that this Department did not see to it that the Food Department did provide for an effective voice for Government either in share holding or in Directorate or profit distribution, etc., in giving permission to the nine sugar factories, after this statement was published and to the seven Vanaspati factories which were technically marked as not being of Post-War Schemes?

The Honourable Sir Akbar Hydari: (a) The plans for post-war development drawn up by other Departments are sent to the Planning Department for scrutiny, and its advice is taken before Government takes a decision.

(b) The Honourable Member is under a misapprehension. Paragraph 7(i) of the Government Statement of Industrial Policy states that basic industries of national importance may be nationalised, provided adequate private capital is not forthcoming, and it is regarded as essential in the national interest to promote such industries. For the purpose of Government's policy, neither the Sugar nor the Vegetable Ghee industry, has been defined as a basic industry nor are these industries for which private capital is not forthcoming. In terms therefore of the statement of Policy, the question of Government gaining a controlling interest or other share in the new Sugar or Vanaspati factories does not arise.

Prof. N. G. Ranga: In part (b) there is the question of profit distribution also. What do the Government of India propose to do in order to see that these Vanaspati factories that are being started now will not keep for themselves all the profits that they make but will retain only the prescribed maximum rate of profit and place the rest of it either at the disposal of the general revenues of the Government of India or distribute the money among their own workers or for the benefit of consumers?

The Honourable Sir Akbar Hydari: I have already answered that.

Prof. N. G. Ranga: There is no answer. Is it not a fact that the Government of India's policy in regard to the maximum rates of profit to be distributed, and so on, is considered to be applicable to all industries?

The Honourable Sir Akbar Hydari: Where have the Government of India laid down maximum rates of profit?

Prof. N. G. Ranga: In the statement of policy published by the Government of India it is stated that it is the responsibility of the State to see to the rate of profits, distribution of fair wages to be paid to the workers and fair prices to be charged to the consumers.

The Honourable Sir Akbar Hydari: That does not mean laying down a maximum in the case of the vegetable ghee and sugar industries.

Prof. N. G. Ranga: What do the Government of India propose to do in respect of new factories? Do they wish to leave it wholly to private enterprise, whatever profits they may make and whatever wages they may pay?

The Honourable Sir Akbar Hydari: I submit that question does not arise out of part (a). My Honourable friend asked whether the Planning Department was consulted in this matter and I replied in the affirmative.

Prof. N. G. Ranga: Are we to understand that the Government of India do not consider themselves responsible for any sort of plan to be made for the working of these various factories that are being started now with the help and encouragement of the Government of India?

The Honourable Sir Akbar Hydari: No, I never said that. We are responsible for that. We laid down the distribution and the location of these factories.

Sjt. N. V. Gadgil: May I know what sort of control is exercised on industries, to which encouragement is given by the Government?

The Honourable Sir Akbar Hydari: I have dealt with that in my speech, and in any case I do not think it arises out of this question.

Prof. N. G. Ranga: So far as I remember he mentioned nothing at all. The Honourable Member was so economical in his speech that he did not say anything.

Sri M. Ananthasayanam Ayyangar: This question arises out of the Honourable Member's reply to part (b) of the question: "Whether it is a fact that this Department did not see to it that the Food Department did provide for an effective voice for Government either in share holding or in Directorate or profit distribution," etc.?

The Honourable Sir Akbar Hydari: I have already answered that question.

Sri M. Ananthasayanam Ayyangar: My question arises out of the Honourable Member's reply to part (b). May I know if the Honourable Member has looked into the prospects, the managing agencies, etc., of some of these seven ghee factories in the Province of Madras in which nothing is left to the shareholders? Has he considered that before giving permission to these factories?

The Honourable Sir Akbar Hydari: No, Sir.

Sri M. Ananthasayanam Ayyangar: Why not? What is the kind of control which Government is exercising in this connection?

The Honourable Sir Akbar Hydari: All the reasons are given in answer to part (b) of the question.

Mr. Deputy President: Next question.

Sri M. Ananthasayanam Ayyangar: It is a very important question. The Honourable Member ought not to be allowed to sit without fully answering this question.

Mr. Deputy President: Next question.

SEPARATE PANEL FOR COTTAGE INDUSTRIES UNDER PLANNING AND DEVELOPMENT DEPARTMENT

1782. ***Prof. N. G. Ranga:** Will the Honourable Member for Planning and Development be pleased to state:

(a) if it is a fact that at the first meeting of the Standing Committee for this Department, a recommendation was made for the establishment of a separate panel for cottage industries and that this recommendation was reiterated by me at its second meeting in September, 1945;

(b) why Government have so far not appointed this panel;

(c) when they will appoint it; and

(d) what progress has been made in the proposed Industrial Investment Corporation and how far the recommendations of the Committee are accepted in constituting the Corporation?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) and (c). I invite the Honourable Member's attention to my reply to part (a) of his Starred Question No. 1292, for the 27th March, 1946.

(d) It is proposed to introduce legislation for the establishment of an Industrial Finance Corporation.

In drafting the Bill, due consideration is being given to the recommendations of the Committee.

Prof. N. G. Ranga: How long does Government propose to take to establish this panel for cottage industries?

The Honourable Sir Akbar Hydari: I cannot give you a date.

Prof. N. G. Ranga: Are they considering the possibility of establishing that panel at all? It is more than one year since the Government of India accepted the recommendation we made on the committee.

The Honourable Sir Akbar Hydari: I think, to the best of my recollection, in my answer on the 26th of March I informed the Honourable Member that it was found impracticable at that stage to constitute a panel for cottage industries because on enquiry we found that various Provincial Governments had instituted enquiries on their own; and cottage industries are industries which are peculiarly within the province of each Provincial Government as my Honourable friend will realise and appreciate if he consults the Ministries now being formed in the Provinces.

Prof. N. G. Ranga: Is there any expert in the Planning and Development Department who is competent to advise them in regard to cottage industries and how they are likely to be affected in regard to any plans that they make for the development of any one of the industries?

The Honourable Sir Akbar Hydari: My Honourable friend knows that the cottage industries are very numerous. If we began appointing experts for each of the cottage industries existing in the country, my Honourable friend would be the first to criticize our action, but that does not mean to say that where the question of a cottage industry comes up we have not got available advice from the provinces and various people who are interested in that particular cottage industry, and we duly take it.

Mr. Ahmed E. H. Jaffer: Is it not a fact that no meeting of the Standing Committee for the Planning Department has been convened during this Session? If so, why not?

The Honourable Sir Akbar Hydari: It is a fact that no meeting of the Committee attached to the Planning Department has taken place. I did not think it necessary to trouble the Honourable Members of this House with a meeting considering that there were so many questions on planning and development; but if it is the wish of the House to have a meeting during the hot weather I am prepared to convene it.

Mr. Ahmed E. H. Jaffer: May I ask the Honourable Member why did he trouble us in electing members from this House if no meetings are to be held?

Shri Mohan Lal Saksena: Is it not a fact that certain cottage industries which came into existence during war have closed down now and as a result of that a large number of workers have been thrown out of employment? Will not the Government consider the question of re-employing them?

The Honourable Sir Akbar Hydari: That is perfectly true and we are trying to find out what we can do to help some of these industries finding business and so on. But I cannot give a definite answer at this stage because the matter is under consideration. I can assure the Honourable Member that we are very much alive to this problem.

Prof. N. G. Ranga: Will the Government consider the advisability of calling for a conference of Provincial Ministers who will be in charge of cottage industries and take counsel with them as to how best the Government of India can assist the cottage industries?

The Honourable Sir Akbar Hydari: I will certainly consider that if I am here at the time

Sjt. N. V. Gadgil: The sooner you go, the better.

The Honourable Sir Akbar Hydari: but the point is, as I have informed the Honourable Member, that different Provincial Governments are now carrying on investigation into the cottage industries in the provinces. It is only when the results of these investigations are put before the Provincial and the Central Government that there would be some use in a conference. Simply gathering people together for a conference does not solve the problem.

APPOINTMENT OF MRS. KHIN ZAW IN CENTRAL NEWS ORGANIZATION, ALL-INDIA RADIO

1783. *Shri Mohan Lal Saksena: (a) Will the Honourable Member for Information and Arts please refer to reply to starred question No. 925 asked on the 13th March, 1946 and state the amount of pay on which Mrs. Khin Zaw was originally appointed?

(b) Will he please lay a statement on the table of the House to show how the qualifications, experience and seniority of other Indian officers in the News Organisation compare with those of Mrs. Khin Zaw?

(c) Has Mrs. Khin Zaw any journalistic qualifications and experience?

(d) Was the post of Reference Officer advertised in the Press?

(e) Why was not the selection of a candidate for the post of Reference Officer entrusted to the Federal Public Service Commission?

(f) Will he lay a statement on the table of the House showing the number of applications received and how the qualifications of the applicants compare with Mrs. Khin Zaw?

(g) Was Mrs. Khin Zaw removed by Lt. Col. Whitehouse when she was appointed News Editor in the English Political Warfare Section? If so, on what grounds?

(h) When Lt. Col. Whitehouse found Mrs. Khin Zaw incompetent for the job, what action, if any, was taken by the Department to demote her?

(i) What steps are now being taken to fill the vacancy of special Officer, Far East Broadcasts?

The Honourable Sir Akbar Hydari: (a) Rs. 400 in the scale of Rs. 400-20-600.

(b) A statement is laid on the table of the House.

(c) She has not worked on a newspaper but before appointment to All India Radio she had worked in the Counter Propaganda Directorate where her duties included the editing of news.

(d) Yes.

(e) During the war recruitment to temporary posts was not ordinarily entrusted to the Federal Public Service Commission.

(f) 168 applications were received. The time and labour involved in compiling the statement asked for will not be commensurate with the results achieved.

(g) *First part.*—No.

Second part.—Does not arise.

(h) Does not arise.

(i) The question of filling the post substantively along with the general question of External Services is under consideration.

Statement showing relative seniority, experience and qualifications of officers in the Central News Organisation, All India Radio, holding posts in the following grades, News Editor (Rs. 550-25-900) and Assistant News Editor (Rs. 400-20-600)

Name and present designation (in order of seniority)	Service record in AIR	Previous professional experience	Qualifications
1. Mr. G. L. Obhrai, Special Representative (Tenure post)	14-6-43—20-5-44 20-5-44—6-1-46 7-1-46—	Practised as a barrister	B. A. (Hons.), Oxford, Bar-at-Law
2. Mr. Abbas Ali Khan	2-6-44—	Worked 3½ years in an editorial capacity in the Hyderabad State Broadcasting Station (Rs. 300)	Matriculate
3. Mr. P. N. Chopra, News Editor	3-7-44—1-5-45 1-5-45—1-1-46	Worked 2½ years on Civil and Military Gazette, Lahore (Rs. 175)	M. A. Punjab
4. Mr. Mohammad Sarfraz, News Editor.	2-1-46— 12-1-42—3-1-43 3-1-43 2-6-44	...	M. A. (First Class) Punjab
5. *Mrs. G. Khin Zaw, News Editor.	2-6-44— 22-2-43—8-5-44 8-5-44—31-9-44 1-8-44—	Worked in Burma for 8 years in a permanent post of Lecturer in English in Rangoon University (Rs. 400). In India worked for 8 months in the Counter Propaganda Directorate, first as Monitor-Translator and later as Assistant Counter Propaganda Officer (Rs. 400)	B. A. (Hons. First Class) Rangoon

Mr. Muhammad Nauman: With reference to part (f), may I know if the applications were scrutinized at that time

Diwan Ohaman Lall: And by whom?

Mr. Muhammad Nauman: and if the Government have got a record of these, why don't they place it on the table of the House?

The Honourable Sir Akbar Hydari: Of course the applications were scrutinized, and to the best of my recollection about six or seven of them were selected for interview. If the House wants that the names of these 168 people with their qualifications should be placed in the Library of the House I would be willing to do so, but it is not worth while putting the information on the table of the House. It would be a waste of paper.

Mr. Muhammad Nauman: It will help us to judge whether the best person was selected or not, and how the selection has been made.

SHOOTING OF AN INDIAN SENTRY BY A BRITISH OFFICER AT GENERAL PURPOSES TRANSPORT COMPANY SINGAPORE

1784. ***Mr. Sasanka Sekhar Sanyal:** Will the War Secretary be pleased to state:

(a) whether at the General Purposes Transport Company, Singapore, one Indian sentry, while on duty was shot dead by one of the British officers in February, 1946;

(b) if the answer to (a) is substantially in the affirmative, the name of the sentry so killed and the circumstances of the incident;

(c) whether there was firing between the Indian personnel on the one hand and the British personnel on the other; and whether four British officers were killed;

(d) whether the incident has been followed by enquiry; if so, the nature of the said enquiry; and

(e) whether any one in this connection has been taken into custody and is awaiting trial or enquiry?

Mr. P. Mason: (a) to (e). No, Sir, the incidents described by my Honourable friend are entirely imaginary.

ADVANCE ALLOWANCES TO I. N. A. PERSONNEL OVERSEAS

1785. ***Mr. Sasanka Sekhar Sanyal:** Will the War Secretary be pleased to state:

(a) whether he is aware that, although it was said that advance allowances were being given to the I.N.A. personnel overseas, it is generally found that no such allowances are being given in a large number of cases and that even subsistence allowances are not being given in Malaya;

(b) what steps are being taken by Government to remedy the matter;

(c) the policy of Government; and

(d) whether in Malaya, Government are making any distinction between I.N.A. and what is called ex-I.N.A. men?

Mr. P. Mason: (a), (b) and (c). It must be remembered that the I.N.A. who surrendered to our forces in the field or were captured were regarded at the time by our troops as renegades. In spite of this, they were accorded treatment as enemy prisoners of war in respect of rations, clothing and amenities where possible. Where however our troops who were fighting for their lives were themselves short of rations, the amenities provided for captured enemy personnel would obviously not be up to the prescribed scales.

When the members of the I.N.A. were brought back to base camps however, orders were issued that they should be given monthly allowances equivalent to the following rates:

Officers	Rs. 30
V. C. Os.	Rs. 11-4-0
Other Ranks	Rs. 5-10-0

These orders were not however actually implemented, because, first, owing to extreme shortage the purchase of foodstuffs locally was forbidden to all troops, and secondly N.A.A.F.I. amenities were also in short supply and priority was naturally given to troops who had remained loyal.

After October last year members of the I.N.A. at Bidadari received full rations, including cigarettes. No clothing and personal effects were ever removed from members of the I.N.A. at Bidadari and issues of soap and replacements of unserviceable clothing were made as necessary. Hair cutting and shaving were done under normal arrangements.

(d) I regret I am quite unable to understand the Honourable Member's question.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state the date or dates on which his Department collected the materials which he has furnished in the answers?

Mr. P. Mason: Since the question was put—the last ten days.

†1786.*

INCONVENIENCE DUE TO INSTRUCTIONS TO GROWERS TO SELL TOBACCO BEFORE FEBRUARY

1787. ***Shri D. P. Karmarkar:** Will the Honourable the Finance Member be pleased to state:

(a) whether Government are aware that an announcement was made by village officials by Tom Tom in villages in the Gokak Taluka in the Belgaum District (Bombay Province) that tobacco growers must sell their tobacco before the end of February; if so, whether the announcement was authorised, and what its object was; whether the growers have been instructed to pay excise duty on tobacco in case they wanted to keep tobacco with them longer;

(b) whether Government are aware that the abovementioned instructions are likely to cause great inconvenience and loss to the grower; and

(c) what Government propose to do to alleviate the inconvenience caused by the above instructions?

Mr. K. G. Ambegaokar: (a), (b) and (c) I have called for a report and a reply will be laid on the table of the House in due course.

Shri D. P. Karmarkar: Does the Honourable Member agree that there is nothing to warrant an imposition of a restriction of that kind, so far as the growers are concerned because the tax is on the sales?

Mr. K. G. Ambegaokar: Until I have seen the report I am unable to make a statement.

Prof. N. G. Ranga: What is the answer given? Are they making enquiries?

The Honourable Sir Archibald Rowlands: Yes Sir.

Sri M. Ananthasayanam Ayyangar: Has the Honourable Member made any announcement to proclaim by beat of drums?

Mr. K. G. Ambegaokar: So far as I am aware, no instructions have been given.

†This question was postponed to be answered on the 18th April, 1946.

Name and present designation (in order of seniority)	Service record in AIR		Previous professional experience	Qualifications
6. *Mr. N. C. Chaudhuri, News Editor.	12-5-44—20-4-45 20-4-45—	Talks Officer . News Editor.	Worked for 5 years on Modern Review, Calcutta and for 4 years as Secretary to Mr. Sarat Chandra Bose (Salary not known); for 2 years as staff artist (Bengali Commentator) first in Delhi Station AIR and later in CNO, AIR (Rs. 475).	B.A. (Hons. First Class), Calcutta.
7. *Mr. K. Shungloo, News Editor	1-6-45—	News Editor.	Worked for 3 years as Officer-in-charge, Army Training Class, Punjab University and for 2 years as Lecturer in English in the University (Rs. 260).	B.A. (Hons), Oxford, Diploma in Economics and Politics, Oxford.
8. Mr. V. B. Prasad, News Editor	2-10-39—15-11-41 16-11-41—14-11-43 15-11-43—19-4-45	Assistant Sub-Editor. Sub-Editor. Assistant News Editor.	Worked for 2 years on Merry Magazine and My Magazine, Madras (Rs. 100 and for a year as a Senior Sub-Editor on the Indian Express, Madras (Rs. 70).	...
9. Mr. K. Kasipati, News Editor.	20-4-45— 25-6-39—28-2-42 1-3-42—10-3-44 11-3-44—30-4-45	News Editor . Telugu Translator-Announcer Sub-Editor. Assistant News Editor.	Worked for a short time as a Sub-Editor on Swarajya, Madras and later as a Reporter on the Mail, Madras (Rs. 150); also employed for a few months as a Script Writer in Sarathi Films and Prakjyothi Films, Madras.	B.A. Andhra, LL.B. Benares.
10. Mr. P. C. Chatterjee, Assistant News Editor.	1-5-45— 28-6-43—9-5-44 9-5-44—	News Editor. Sub-Editor Assistant News Editor.	...	M.A. Punjab.
11. Mr. Hitindar Singh Vahali, Assistant News Editor.	1-6-44—	Assistant News Editor.	Worked for 15 months as an Apprentice on the Statesman, Calcutta and Delhi (Rs. 200).	B.A. Punjab.
12. Mr. Ihsanul Haq, Assistant News Editor.	8-9-42—9-5-44	Sub-Editor	Worked for about 7 years on the Eastern Times, Lahore, first as an apprentice and finally as Joint Editor (Rs. 105).	M.A. Punjab, LL.B.
13. Mr. M. M. Sayeed, Assistant News Editor.	22-6-44—	Assistant News Editor.	Worked for 1½ years as an Assistant Editor on the Liberator, Madras.	B.A., Aligarh.
14. Mr. M. M. Chatterjee, Assistant News Editor.	19-7-43—9-5-44 10-5-44	Sub-Editor Assistant News Editor.	Worked for 11 months on Capital, Calcutta (Rs. 203) and for 15 months as a Journalist in the Counter Propaganda Directorate, Government of India (Rs. 210).	B.A. (Hons.), Calcutta.
15. Mr. Abdul Ghani Eirabie, Assistant News Editor.	1-11-43—9-5-44 10-5-44	Sub-Editor Assistant News Editor.	Worked for a few months in Home Department, Government of India (Rs. 140).	M.A., Punjab. Diploma in Journalism, Punjab.
16. Mr. Sayeedul Haq	2-6-44—	Assistant News Editor.	Worked for a short while as a Publicity Organiser, Bihar Government (Rs. 300).	M.A., Patna.
17. Mr. R. V. Aiyar, Assistant News Editor.	28-8-42—9-5-44 10-5-44—	Sub-Editor Assistant News Editor.	Worked for 6 years on the Times of Malaya, Ipoh (Rs. 250), for 3 years ran a paper called The Indian Malaya and for 3 years worked on the Straits Times, Singapore (Rs. 400).	Matriculate.
18. Mr. V. S. Mani, Assistant News Editor	27-9-39—28-2-42 1-3-42—20-7-44 21-7-44—	Assistant Sub-Editor. Sub-Editor Assistant News Editor.	Worked for 8 years in the API mainly as a Reporter (Rs. 175).	Do.
19. Mr. Syed Ghulam Rasool, Assistant News Editor.	12-6-44—	Assistant News Editor.	Worked for 7 months as an unpaid Sub-Editor on the daily Liberator, Madras.	B.A., B.L. Madras.
20. Mr. Samar Sen, Assistant News Editor.	20-6-44—	Assistant News Editor.	Worked for 4 years on the academic staff of the Commercial College, Delhi (Rs. 170).	M.A., Calcutta.
21. Mr. Hamid Jalal, Assistant News Editor.	10-7-44—	Assistant News Editor.		B.A., Punjab.

* The seniority of these officers was determined by the dates of their appointment the seniority of the others, as these others were all selected on the same date, was determined according to an order of merit fixed by the Selection Committee.

Mr. Ahmed E. H. Jaffer: Why was not the report obtained within ten days since notice of this question was given? The Government could have got the reports telegraphically?

Mr. K. G. Ambegaokar: An enquiry has been made from the Collector, Central Excise, Bombay and the reply has not been received yet.

Prof. N. G. Ranga: Will Government be good enough to inform Collectors and others concerned about the conclusions that were reached recently in a conference between the Central Board of Revenue and some of the representatives of the Tobacco growers?

Mr. K. G. Ambegaokar: Certainly.

PROMOTION OF COTTAGE INDUSTRIES AS PART OF POST-WAR PLANNING AND DEVELOPMENT

1788. *Shri D. P. Karmarkar: Will the Honourable Member for Planning and Development be pleased to state:

(a) whether it is a fact that promotion of cottage industries has been included in post-war planning and development;

(b) whether it is a fact that a preliminary survey has been made to ascertain the possibility of cottage industries; if not, whether Government propose to undertake such a survey;

(c) what steps have already been taken to make an organised attempt for the promotion of cottage industries as part of post-war planning and development; and

(d) whether Government propose to make an earmarked grant to Provinces for this purpose; if so how much for each Province?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) and (c). I refer the Honourable Member to my reply to Starred Question No. 1292, for the 27th March, 1946. I would like to mention that at the time I laid on the table a statement of all the schemes of Provincial Governments for the development of cottage industries.

(d) This will be considered on receipt of the recommendations from the Provincial Governments and the report of the Economic Adviser.

Prof. N. G. Ranga: Has any effort been made by the Government of India to contact the All India Village Industries and the head of it, that is Dr. J. C. Kumarappa in order to benefit from their experience as to how to promote the cottage industries?

The Honourable Sir Akbar Hydari: If my Honourable friend will look at the statement I have already placed on the table of the House under the heading 'Madras', he will find that the Madras Government has got something like twelve schemes of cottage industries, among which is the handloom industry in which he is greatly interested. I can only presume that in working out a scheme for the handloom industry, they have consulted the appropriate people.

Shri D. P. Karmarkar: In view of the shortage of cloth in the country, will the Government take steps to encourage hand spinning and hand weaving?

The Honourable Sir Akbar Hydari: We are already doing all that we can to encourage handloom weaving by making available yarn to the extent possible.

Prof. N. G. Ranga: Is it not a fact that the Government has not given any special encouragement to cottage industries after this Department has come into existence? For instance, is it not a fact that the five lakhs given to handloom weaving industry, another five lakhs to sericulture and another five lakhs to the woollen industry—they were given years ago before this Department was thought of? After this Department came into existence no help has been given by the Central Government to cottage industries.

The Honourable Sir Akbar Hydari: As regards the five lakhs grant to the handloom industry, if my Honourable friend had joined the Handloom Board,

which I invited him to join, he would have learnt that it was at the request of the Board that that grant was not distributed during the last financial year for the reason that the Board has certain schemes for the encouragement of the Handloom industry which may require considerably larger sums of money and the Board felt it was little use making grants in little bits for this and that which would not have the desired effect.

QUALIFICATION ETC., OF MEMBERS OF COMMERCE AND FINANCE POOL.

1789. *Mr. Mann Subedar: (a) Will the Honourable the Finance Member please state when the Commerce and Finance Pool was created?

(b) How many members are there now of this Pool?

(c) What are the qualifications, the position held and the present emoluments of each of them?

(d) Is any reorganization of the services proposed generally? If so, are the arrangements of the Pool being revised?

(e) To what conclusions have Government come with regard to the usefulness of the Pool in the past?

The Honourable Sir Archibald Rowlands: (a) On the 2nd February 1939.

(b) Fifty two of whom twelve officers are still under training and have not been confirmed in the Pool.

(c) The qualifications are (i) membership of one of the services enumerated in paragraph 4 of Finance Department Resolution No. F. 28(6)-Ex. II/38, dated the 2nd February, 1939, published in the *Gazette of India* of the 4th February, 1939, and (ii) selection from these services on the recommendation of the Establishment Committee. A statement of the positions held and the emoluments drawn by these officers is placed on the table.

(d) Not at present.

(e) The formation of the specialised cadre of officers has been a great success.

The names below have been arranged in the order of dates on which the officers started service in the Pool. When two or more officers started service on the same date, the names have been arranged in the order in which they entered service of origin

Name of officer	Position held	Deptt. of origin.	Emoluments
1. Mr. K. R. K. Menon	Director of Inspection Income-tax, C. B. R.	M. A. D.	Rs. 3,000
2. „ K. K. Chettur	Joint Secretary, Commerce Department	I. A. & A. S.	Rs. 3,000
3. „ R. K. Nehru	Joint Secretary, Commerce Department	I. C. S.	Rs. 3,000
4. „ F. M. Innes	Chief Controller of Imports and <i>ex-officio</i> Joint Secretary, Commerce Department (on leave)	Do.	Rs. 3,250
5. „ K. G. Ambegaokar	Joint Secretary, Finance Department	Do.	Rs. 3,000
6. „ H. M. Patel	Joint Secretary, Secretariat of the Executive Council	Do.	Rs. 3,000

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LEGISLATIVE ASSEMBLY

[15TH APRIL 1946]

Name of officer	Position held	Deptt. of origin	Emoluments
7. Mr. M. Ikramullah	Member, Indian Coal-fields Committee	I. C. S.	Rs. 3,000
8. " R. S. Symons	Joint Secretary, Finance Department (on leave at present)	Do.	Rs. 3,000 O. P. £ 12-6-8
9. " Mohammad Ali	Financial Adviser, War and Supply	I.A. & A.S.	Rs. 3,500
10. " C. N. Sharples	Deputy Director, Indian Supply Commission, London	I.C.S.	Rs. 1,800 S. P. Rs. 400 O. P. £ 30
11. " H. A. C. Gill	Collector of Central Excise, Delhi (on leave from 20-3-46)	Do.	Rs. 1,900 S. P. Rs. 400 O. P. £ 30
12. " B. C. A. Cook	Joint Secretary, Finance Department	Do.	Rs. 3,000 O. P. £ 13-6-8
13. " J. B. Shearer	Joint Secretary, Finance Department	Do.	Rs. 3,000 O. P. £ 13-6-8
14. " R. L. Gupta	Joint Financial Adviser, Food	Do.	Rs. 1,800 S. P. Rs. 400
15. " G. R. Kamat	Deputy Financial Adviser Supply Finance, Bombay	Do.	Rs. 1,700 S. P. Rs. 400
16. " P. C. Padhi	Commissioner of Income-tax, Madras	I.A. & A.S.	Rs. 1,500 S. P. Rs. 400
17. " A. K. Roy	Officer on Special Duty, Income-tax Department	Do.	Rs. 1,350 S. P. Rs. 400
18. " Abdul Qadir	Officer on Special Duty, Income-tax Department	Do.	Rs. 1,275 S. P. Rs. 400
19. " E. S. Krishnamoorthy	Deputy Secretary, Commerce Department	Imp. Cus. S.	Rs. 1,275 S. P. Rs. 400
20. " S. A. Hasnie	Joint Financial Adviser, Supply Finance	I.A. & A.S.	Rs. 1,250 S. P. Rs. 400
21. " N. Dandekar	Commissioner of Income-tax, Punjab, N.W.F.P. and Delhi	I.C.S.	Rs. 1,600 S. P. Rs. 400 Addl. P. Rs. 550
22. " V. G. Matthews	Collector of Customs	Do.	Rs. 2,450 O. P. £ 13-6-8
23. " L. R. Chambers	Deputy Financial Adviser Military Finance (on leave from 16-3-46)	Do.	Rs. 1,500 S. P. Rs. 400 O. P. £ 30
24. " M. S. Bhatnagar	Collector of Central Excise, Delhi	I.A. & A.S.	Rs. 1,200 S. P. Rs. 400
25. " Mumtaz Hasan	Deputy Financial Adviser, Military Finance	Do.	Rs. 12,00 S. P. Rs. 400
26. " K. R. P. Aiyangar	Deputy Secretary, Finance Department	Do.	Rs. 1,350 S. P. Rs. 400

Name of officer	Position held	Deptt. of origin	Emoluments
27. Mr. B. B. Ghosh	Deputy Financial Adviser in the office of the Joint Financial Adviser Munitions, Production Calcutta	I.A. & A.S.	Rs. 1,275 S. P. Rs. 400
28. " S. Ranganathan	First Secretary, Central Board of Revenue	I.C.S.	Rs. 1,800 S. P. Rs. 400
29. " B. K. Nehru	Deputy Secretary, Finance Department	I.C.S.	Rs. 1,425 S. P. Rs. 400
30. " R. J. Pringle	On deputation to the Government of Bengal	I.C.S.	Rs. 1,500 S. P. Rs. 400 O. P. £ 30
31. " R. Narayanaswami	Deputy Financial Adviser, Communications	M.A.D.	Rs. 1,275 S. P. Rs. 400
32. " G. Swaminathan	Deputy Secretary, Finance Department	I.A. & A.S.	Rs. 1,000 S. P. Rs. 400
33. " W. G. Alexander	Joint Financial Adviser Military Finance	I.C.S.	Rs. 1,800 S. P. Rs. 400 O. P. £ 30
34. " N. N. Wanchoo	Deputy Secretary, Food Department	I.C.S.	Rs. 1,425 S. P. Rs. 400
35. " A. A. Burney	Second Secretary, Central Board of Revenue	I.A. & A.S.	Rs. 1,200 S. P. Rs. 400
36. " A. S. Lall	Deputy Secretary, Finance Department	I.C.S.	Rs. 1,425 S. P. Rs. 400
37. " K. N. Kaul	Deputy Secretary, Finance Department	Income-tax Dept	Rs. 1,500 S. P. Rs. 400
38. " K. C. Roy	Under Secretary, Finance Department	I.C.S.	Rs. 1,275 S. P. Rs. 150. Personal Pay Rs. 250 O.P. £ 25.
39. " B. N. Banerjee	Deputy Secretary, Commerce Department	Imp. Cus. S.	Rs. 800 S. P. Rs. 400
40. " S. Jagannathan	Deputy Secretary, Finance Department	I.C.S.	Rs. 1,375 S. P. Rs. 400
<i>Officers on probation in the Pool</i>			
1. Mr. S. K. Banerji	Assistant Financial Adviser (Supply Finance), Bombay	I.A. & A.S.	Rs. 500 S. P. Rs. 300
2. " J. A. Walsley	Assistant Commissioner of Income-tax, Bengal	I.C.S.	Rs. 1,200 S. P. Rs. 150 O. P. £ 25
3. " Tarlok Singh	Under Secretary, Finance Department	Do.	Rs. 1,200 S. P. Rs. 150
4. " A. C. Bose	Assistant Financial Adviser, Communications	I.A. & A.S.	Rs. 450 S. P. Rs. 300
5. " V. Vedantachari	Assistant Commissioner of Income-tax, Bombay	Do.	Rs. 450 S. P. Rs. 150

Name of officer	Position held	Department of origin	Emoluments
6. Mr. L. K. Jha	Deputy Secretary, I and S. D. (Br. Sectt. M. P.) Calcutta.	I. C. S. . .	Rs. 1,150 S. P. Rs. 400
7. „ Zinkin	Assistant Financial Adviser, Communications	Do. . .	Rs. 1,150 S. P. Rs. 150 O. P. £ 25
8. „ Indarjit Singh	Under Secretary, Finance Department	I. A. & A. S. .	Rs. 450 S. P. Rs. 300
9. „ S. D. Nargolwala	Assistant Collector of Customs, Calcutta	I. C. S. . .	Rs. 750 S. P. Rs. 100
10. „ K. B. Lal	Under Secretary, Commerce Department	Do. . .	Rs. 1,150 S. P. Rs. 150
11. „ A. V. Venkateswaran.	Assistant Financial Adviser in the office of the Joint Financial Advisor (Munitions Production) Supply Finance Calcutta	Imp. Cus. S. .	Rs. 425 S. P. Rs. 300
12. „ J. F. Hosie	Assistant Financial Adviser, Military Finance	I. C. S. . .	Rs. 1,150 S. P. Rs. 150

NOTE—1. The emoluments given above are those (except in a few cases which are up to date) drawn by the officers on the 1st November 1945.
2. The fact that an officer is officiating or substantive has not been mentioned.

Mr. Manu Subedar: May I know whether Government have found the number adequate for their purposes, in view of the expansions which have taken place in Central Services?

The Honourable Sir Archibald Rowlands: No, Sir. They are most inadequate.

Mr. Manu Subedar: Is Government aware that there is a certain amount of dissatisfaction at the selections and it is alleged that certain people are selected who were not quite up to the mark and certain others who thought themselves smarter were left out?

The Honourable Sir Archibald Rowlands: Well, Sir, rejected candidates are never satisfied. I am absolutely satisfied that the Committee makes its selections according to the best judgment of the material available and their assessments of the candidates were good.

Prof. N. G. Ranga: Who recruits these bodies and what is the object? Is the Public Services Commission responsible or the Finance Member?

The Honourable Sir Archibald Rowlands: I have already answered that in my answer to the question.

Mr. Manu Subedar: Who are on the Establishment Committee?

The Honourable Sir Archibald Rowlands: I will give you the information. At the moment the Establishment Committee consists of the Chairman of the Public Services Commission who is the Chairman of the Committee, the Deputy Auditor General of India, the Principal Secretary of the Finance Department, the Commerce Secretary, a Member of the Central Board of Revenue and the Secretary to the Executive Council.

Mr. Manu Subedar: Is there any intention to recruit more into this pool from the people who are working in the Provinces?

The Honourable Sir Archibald Rowlands: Those who are there are all drawn from the Provinces. The difficulty has been that the Centre and the Provinces, owing to the expansion of their activities, want qualified officers to discharge these duties.

Mr. Ahmed E. H. Jaffer: May I ask the Finance Member why has this preferential treatment been given to Mr. Manu Subedar that he should himself reply to his question, when my question is being replied to by his Secretary?

The Honourable Sir Archibald Rowlands: I assure you, Sir, that there is no communal preference.

Mr. Manu Subedar: What steps are being taken by Government to raise this figure and recruit directly from the numerous people who may be available, people who may have worked in the Supply Department or who may have worked in business offices? What steps will Government take to recruit directly and expand the number in the Pool which the Honourable Member said has been found useful?

The Honourable Sir Archibald Rowlands: I think the Honourable Member's mind is working on the same lines as my own. All I can say is that the main reason why nothing has been done so far during my tenure of office is that I have only 24 hours in the day.

AUCTIONING OF THEIR STALLS BY CANTONMENT BOARD, KASALI

1790. *Pundit Thakur Das Bhargava: (a) Will the War Secretary kindly state if it is a fact that the Cantonment Board of Kasauli auction their stalls every year to merchants?

(b) Is it a fact that merchants applied to the Board that reasonable rents be fixed for the stalls and that the stalls be not auctioned off every year?

(c) what objection do Government have to lease out these stalls to merchants for a period of at least five years at once?

Mr. P. Mason: (a) and (b). Yes, Sir.

(c) The matter rests entirely with the Cantonment Board, in accordance with section 200 of the Cantonments Act, 1924.

FORFEITURE OF SECURITY DEPOSITS BY CANTONMENT BOARD, KASALI

1791. *Pundit Thakur Das Bhargava: (a) Will the War Secretary please state if it is a fact that the Cantonment Board of Kasauli takes security deposits in respect of rent of stalls from merchants to whom they are auctioned?

(b) Is it a fact that the Board has resolved to forfeit some of these deposits on the plea that some of the instalments were not regularly paid by the merchants, although the security deposited was more than ample to meet the defaults of payment of instalments?

(c) Are Government aware that security is taken to meet such contingencies of default and that the forfeiture of the securities constitutes a great hardship on the merchants? If so, do Government propose to order the refund of the securities so forfeited?

Mr. P. Mason: (a) Yes, Sir. The Board takes security deposits to safeguard itself against any infringement of the conditions of agreement by the lessee.

(b) Some security deposits were forfeited by the Board on account of infringement of certain conditions of the agreement by the stall-holders. This was done in accordance with the terms of the agreement.

(c) Under the conditions of the agreement it is for the Board to decide whether the whole or part of the security should be forfeited in the event of a breach of the conditions. The Government do not propose to interfere with the discretion of the Board.

FORFEITURE OF SECURITY DEPOSIT BY CANTONMENT BOARD, KASAU LI

1792. *Pundit Thakur Das Bhargava: (a) Will the War Secretary please state if it is a fact that security deposit of some stall-holders was also ordered by Cantonment Board of Kasauli to be forfeited on the plea that they closed their shops in winter when there is practically no business in Kasauli?

(b) Is it also a fact that this practice of closure of shops in Kasauli is of long standing?

(c) Are Government aware of the hardships and loss consequent upon such forfeiture and do Government propose to order refund of securities?

Mr. P. Mason: (a) Yes; this was done by the Board under clause 3 of the agreement with the stall-holders concerned.

(b) Yes, but it is contrary to the terms of the agreement accepted by the stall-holders.

(c) Attention of the Honourable Member is invited to the reply to part (c) of Starred Question No. 1791.

Prof. N. G. Ranga: Does this Cantonment Board work according to the Cantonment Board Act?

Mr. P. Mason: It works according to the Cantonment Board Act.

CONDITIONS IMPOSED UPON HOLDERS OF STALLS AUCTIONED BY CANTONMENT BOARD, KASAU LI

1793. *Pundit Thakur Das Bhargava: (a) Will the War Secretary kindly state if Government are aware that stalls in Kasauli have been auctioned for the present year for seven months only and that a condition of keeping the same open without the express permission of the authorities has been imposed upon the stall-holder?

(b) Are Government aware that a further condition of keeping the stalls open for forty hours a week has also been imposed?

(c) Do Government propose to direct the Cantonment Board, Kasauli to desist from imposing such conditions upon merchants?

Mr. P. Mason: (a) The Board originally proposed to auction the stalls for seven months, but on further consideration consequent on representations from stall-holders they have auctioned the stalls for twelve months as in the past. The condition to keep the stalls open is not a new condition but has always been included in the agreement.

(b) Yes—in modification of the previous condition that the stalls should be kept open throughout the year.

(c) Government have no reason to believe that the conditions imposed by the Board are either harsh or unnecessary. They are however making further enquiries in the matter.

Shri Mohan Lal Saksena: Are Government aware that during the war these shopkeepers and others are not allowed to be ejected under the law unless they make a default in payment of rent?

Mr. P. Mason: I do not quite see how it arises out of the present question.

Shri Mohan Lal Saksena: It arises in this way: At present every year a person has to bid for his shop in order to retain it. The suggestion is that instead of auctioning the shops every year, they may be leased out for a number of years, so that there will be a saving both to the customers and shopkeepers in cantonment areas, where the customers are mostly soldiers?

Mr. P. Mason: That would be a loss to cantonment revenues, which are badly needed.

Shri Mohan Lal Saksena: Why are not private owners of houses and shops permitted to eject shopkeepers or tenants? They also suffer loss in rent.

Mr. P. Mason: I do not understand the point.

Mr. Deputy President: Why not Government follow the same principle in regard to private owners?

Mr. P. Mason: Still I am unable to see the point.

GRANT OF MILITARY LAND TO PEASANTS FOR GROWING FOOD PRODUCTS

1794. *Prof. N. G. Ranga: Will the War Secretary be pleased to state, with reference to his answer to starred question No. 1431 asked on the 1st April 1946:

(a) under what conditions military lands are being granted to peasants who are anxious to grow thereon food products, i.e., in regard to rent, time and tenure;

(b) the approximate extent of the land that is being made available for such cultivation by peasants;

(c) whether any tractors belonging to the military authorities will be made available to the peasants who will take these lands for cultivation;

(d) why such of the military personnel as hail from the peasant classes are not encouraged to grow food crops on such lands; and

(e) if some of them are already doing so, how many of them are thus engaged and on what area of land, and with what results?

Mr. P. Mason: (a) and (b). Military lands outside cantonment areas, e.g., camping grounds, are being leased to peasant cultivators at a purely nominal rent and in some cases free.

The tenure is for one year, at the conclusion of which an extension may be granted to enable the cultivator to harvest any standing crops.

Such land is not required to be handed back in its original condition.

In cantonments, schemes are being worked out and implemented by military units, with a view to securing the maximum production from any available land which is suitable for growing crops.

(c) No tractors are at present available for cultivation of such lands. Tractors are in short supply and efforts are being made to get them from the U. K. on arrival army schemes will get first priority, but any surpluses will be given to local civil authorities for cultivation purposes.

(d) and (e). All military personnel are being encouraged to grow food. The number employed on such schemes and the area of the land under cultivation by them or by civilian peasants cannot be given without reference to all military commands in India which would involve much time and labour, but I can assure the Honourable Member that the results so far achieved are encouraging and it is hoped that the army will become self-supporting in the near future in respect of many more of their food requirements than at present.

Prof. N. G. Ranga: In order further to intensify this particular campaign of food production on military lands will Government consider the advisability of ascertaining for their own information the total extent of the land that is available for cultivation or fit for being cultivated and the extent of land that has actually been brought under cultivation?

Mr. P. Mason: Merely as a matter of statistics? I am not quite sure whether there will be any great value in it. It will take sometime. I will see whether it is worth doing.

Khan Abdul Ghani Khan: In view of the fact that there are extensive grass farms under military control which may not be needed now, will Government consider the advisability of leasing them to ordinary cultivators for food production?

Mr. P. Mason: They certainly are now being used for the cultivation of vegetables and other forms of food already and it will be a question whether they can produce anything surplus to military requirements. I think it is more economical to use them for producing food crops by military units and thus avoid drawing from the supplies of the civilian population.

Prof. N. G. Ranga: Government have granted large pieces of land in Sar-godha and other canal areas of the Punjab to people on condition that they

breed horses for military purposes. If so, will Government consider the advisability of minimising the total extent of this horse breeding for military purposes in India in view of the progressive mechanisation of the army?

Mr. P. Mason: There are of course horse breeding farms in the Punjab but I do not think that arises out of this question.

Prof. N. G. Ranga: Whatever land can be saved from what is meant for horse breeding purposes can be utilised for food production and that is why I put that question.

Mr. P. Mason: I should require notice of that.

Mr. Ahmed E. H. Jaffer: Will A-1. land also be leased in cantonments for this purpose?

Mr. P. Mason: I am afraid that is a technical term which is beyond me.

Prof. N. G. Ranga: With reference to part (c) of the question the Honourable Member said that they have certain schemes whereby they hope to develop cultivation with the help of tractors, which they hope to import and that these schemes will get the first preference on the tractors. May I know how many such schemes Government have for development of agriculture on the military lands?

Mr. P. Mason: Every unit has a scheme of its own and there are well over 5,000 units.

STATION DIRECTORS OF ALL-INDIA RADIO AT CALCUTTA AND BOMBAY

1795. *Sri S. T. Adityan: Will the Honourable Member for Information and Arts be pleased to state:

(a) whether the Station Director of the All-India Radio at Calcutta knows the Bengali language; and

(b) whether the Station Director of the said Radio at Bombay knows Marathi or Gujarati languages?

The Honourable Sir Akbar Hydari: (a) and (b). No.

Mr. Sasanka Sekhar Sanyal: May I know from the Honourable Member whether ignorance of the language of the Province was considered a qualification?

The Honourable Sir Akbar Hydari: No, Sir.

Mr. Sasanka Sekhar Sanyal: Then why is that a man who does not understand the language of the Province was selected?

The Honourable Sir Akbar Hydari: A Station Director's is an administrative post. It is recognized that it is desirable that he should know the language or the languages of the particular province in which he is Station Director. But we cannot always ensure that. In Dacca the Station Director does know Bengali.

Mr. Sasanka Sekhar Sanyal: Will my Honourable friend consider the desirability of appointing a man who does not speak any Indian language?

The Honourable Sir Akbar Hydari: Yes, if my Honourable friend so wishes.

Sri S. T. Adityan: It is admitted that these two Station Directors do not know the language of the Province. Are there like cases in other provinces also?

The Honourable Sir Akbar Hydari: No. Take for example the Station Director in Bombay. There are three languages in Bombay: Gujarati, Mahratti and Hindustani. We cannot get a man who knows all the three languages. The present incumbent knows one of the three languages.

Shri D. P. Karmarkar: What does the Honourable Member mean by 'Madrasi' language?

The Honourable Sir Akbar Hydari: I did not say 'Madrasi'. I said Maharatti.

Mr. Sasanka Sekhar Sanyal: Which of the three languages is known to the Bombay Station Director?

The Honourable Sir Akbar Hydari: I think Hindustani.

PUNJABI STATION DIRECTORS AND OFFICERS IN PROGRAMME STAFF OF ALL RADIO STATIONS

1796. *Sri S. T. Adityan: Will the Honourable Member for Information and Arts please state:

(a) how many Station Directors there are in the employment of the All-India Radio;

(b) how many of the said Station Directors are natives of the Punjab Province;

(c) the number of officers in the programme staff of all Stations of the All-India Radio; and

(d) how many of the said officers are natives of the Punjab Province?

The Honourable Sir Akbar Hydari: (a) 9; (b) 4; (c) 196; (d) 51.

Prof. N. G. Ranga: What is the reason for this predominant representation of Punjabis in the cadre of Directors of these Stations?

The Honourable Sir Akbar Hydari: Your guess is as good as mine.

EXEMPTION TO LANSDOWNE CANTONMENT BOARD AGAINST DEFENCE OF INDIA RULES CONTROLLING HOUSE RENT

+1797. *Sjt. Seth Damodar Swroop: (a) Will the War Secretary please state if he is aware of the fact that the Cantonment Board, Lansdowne has been charging excessively high rent for the shops belonging to the Board almost regularly every year and in several cases the rent for the year 1944-45 and 1945-46 is almost double the rent charged in the previous year as is clear from the figures given below?

Shop No.	Rent per mensem for								
	1943-44			1944-45			1945-46		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
58	10	0	0	16	8	0	20	0	0
59	10	0	0	19	0	0	30	0	0
60	10	0	0	15	0	0	31	8	0
61	10	0	0	30	0	0	30	0	0
203A	10	0	0	23	0	0	34	8	0
203B	10	0	0	20	8	0	27	0	0

If so, will he be pleased to state the reasons that have led the Board to the policy of regular enhancement of rent?

(b) Are Government aware of the hardship undergone by the poor tenants of the shops in these hard days on account of these yearly enhancement of rent, and why has the Cantonment Board been exempted from the operation of the Defence of India Rules controlling the house rents?

Mr. P. Mason: (a) and (b). Information has been called for and a reply will be laid on the table of the House in due course.

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

INDIAN ARMY, NAVY AND AIR FORCE PERSONNEL HANGED, TRANSPORTED FOR LIFE AND IMPRISONED DURING WAR.

1798. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to lay on the table of the House a statement giving the names and addresses of persons in the Indian Army, Navy and Air Force who were sentenced to death and hanged during the pendency of war and the offences, stating in each case what facilities of defence were given to them?

(b) Will he also lay on the table of the House a similar statement giving names of all persons belonging to the Indian Forces who were sentenced to transportation and imprisonment?

(c) In view of the changed circumstances, will he consider the advisability of releasing them?

Mr. P. Mason: (a) The number of persons in the Indian Armed Forces who were hanged during the recent war is 78. The offence in the majority of cases was murder.

The usual facilities for defence of a person under trial by court martial were accorded to these men. In general, these facilities are free communication with witnesses and with any friend, defending officer or legal adviser whom they may wish to consult.

(b) The number of persons sentenced to transportation is 185 and to imprisonment 36,930. (These figures do not include the number of persons convicted by civil courts, nor those of R.I.N. personnel who were punished summarily with imprisonment—upto a maximum of three months—by the Commanding Officers of various ships and establishments. In the case of the Indian Army, figures are included only up to 30th September, 1945, and cover troops in the India Command.)

(c) As I have already stated in this House, a Committee is now engaged in reviewing all these sentences of transportation and imprisonment.

Prof. N. G. Ranga: May I know the significance of this? It is stated that the number of persons sentenced to imprisonment is 36,930. Are these people still being kept in jail as prisoners or as detenus?

Mr. P. Mason: Certainly not. Many of them have been sent out long ago. Some of them had sentences as short as one month.

Prof. N. G. Ranga: May I know how many of them are still in jail?

Mr. P. Mason: I want notice.

Prof. N. G. Ranga: Were they all sent to jail during the course of the six years, that is ever since the war began?

Mr. P. Mason: Yes.

Shri Mohan Lal Saksena: In the case of those who were hanged, may I know whether they were permitted to have defence counsel?

Mr. P. Mason: That is the answer I gave just now.

DEPUTY INDUSTRIAL ADVISERS IN PLANNING AND DEVELOPMENT DEPARTMENT

1799. *Seth Yusuf Abdoola Haroon: Will the Honourable Member for Planning and Development please state:

(a) how many Deputy Industrial Advisers there are in the Planning and Development Department and how many of them are Muslims;

(b) their original pay before they were taken in the Department, and their appointment salary and present day salary;

(c) whether it is proposed to entertain more Deputy Industrial Advisers; if so, for what panel;

(d) if it is a fact that two of the Deputy Industrial Advisers left the Department; if so, the reasons therefor;

(e) the reasons for quick rise in pay of the Deputy Industrial Advisers which they would not have earned in the course of their own service; and

(f) whether there were no Muslims available who could be promoted to that position from the Assistant Industrial Advisers?

The Honourable Sir Akbar Hydari: (a) Five; none of whom is a Muslim.

(b) I lay a statement on the table of the house.

(c) Yes, two; one for the panel on prime movers, automobiles and tractors; and the other for the panel for electrical machinery and equipment.

(d) Yes. One joined the Commerce Department on appointment to a better post, and the other on the completion of his work in the Department.

(e) Increases in their pay were made taking into account the nature and responsibilities of their work.

(f) No.

Statement

Name of D. I. A.	Original Pay	Appt. Pay	Present Pay
	Rs.	Rs.	Rs.
1. Mr. K. C. Kooper	1,100	1,400	1,450
2. Dr. M. K. Maitra	1,000	1,400	1,450
3. Dr. K. A. N. Rao	800	1,200	1,500
4. Mr. C. S. N. Raju	2,000	2,500	2,500
5. Mr. S. S. Iyengar	1,500	2,000	2,000

Mr. Muhammad Nauman: May I know how many of them were drawn from business houses and whether they were drawn only on the basis of experience with meagre education?

The Honourable Sir Akbar Hydari: I think they were all drawn from business houses but I am not quite sure.

Mr. Muhammad Nauman: May I know whether it is not true that they were not drawn on the basis of any economic education except on the basis of experience and the favour of the Honourable Member in the Government?

(No answer was given).

Dr. Sir Zia Uddin Ahmad: Now that the war is over, are not these people going to their original jobs?

The Honourable Sir Akbar Hydari: Some of them are going back. But it should be remembered that they were not engaged for purposes of war but for post-war purposes.

Mr. Ahmed E. H. Jaffer: May I know the reason for not appointing a Muslim to any of these posts? Were Muslims not available?

The Honourable Sir Akbar Hydari: If my Honourable friend has had the same experience as I have had, he would find that it is very difficult to get Muslims for these technical posts. I make him an offer now whether he will let me have a panel of competent Muslims.

Seth Yusuf Abdoola Haroon: I will.

Mr. Muhammad Nauman: What are the qualifications required.

The Honourable Sir Akbar Hydari: I will let you know.

Seth Yusuf Abdoola Haroon: Is it a fact that the original pay of these Advisers was doubled when they were taken into the Department?

The Honourable Sir Akbar Hydari: It was not doubled except in one case, I think. It is so in one case.

Seth Yusuf Abdoola Haroon: And then their pay was further raised after about a few months.

The Honourable Sir Akbar Hydari: Only in two cases

Prof. N. G. Ranga: With reference to part (c) of the question why is it that Government have not thought of appointing another Deputy Industrial Adviser to help them in regard to cottage industries?

(No answer was given.)

ASSISTANT INDUSTRIAL ADVISERS IN PLANNING AND DEVELOPMENT DEPARTMENT

1800. *Seth Yusuf Abdoola Haroon: Will the Honourable Member for Planning and Development please state:

(a) how many Assistant Industrial Advisers there are at present in the Department and how many of them are Muslims;

(b) whether Government propose to consider the claims of Assistant Industrial Advisers for promotion as advisers in view of their year's service and responsible work in their own panels; and

(c) whether Government propose to consider, particularly, the claim of the Muslim Assistant Industrial Advisers for the vacancies caused long ago by the Muslim Deputy Industrial Advisers, before the department gets wound up?

The Honourable Sir Akbar Hydari: (a) Three; one of whom is a Muslim.

(b) Yes.

(c) These posts are not filled according to any communal ratio; but as I have already assured the Honourable Member, the claims of all the Assistant Industrial Advisers for promotion will be considered when a suitable occasion arises.

Prof. N. G. Ranga: Is it a fact that Government have not got either a Deputy or an Assistant Adviser in regard to cottage industries?

The Honourable Sir Akbar Hydari: Yes.

Prof. N. G. Ranga: Why is it that Government do not think of having at least one Adviser competent to advise them in regard to cottage industries?

The Honourable Sir Akbar Hydari: I have exhaustively dealt with this question of cottage industries on numerous occasions.

TRANSFER OF MANAGEMENT OF SALT WORKS, MAURIPUR AND EXCISE FROM SIND GOVERNMENT TO CENTRAL GOVERNMENT.

†1801. *Seth Sukhdev: (a) Will the Honourable the Finance Member be pleased to state when the Government of India propose to take over from the Sind Government the management of the Salt Works at Mauripur as well as excise?

(b) Is it a fact that Salt and Excise are administered by the Government of India direct in all other Provinces?

(c) Are Government aware that the Central revenue will increase if the management is taken over by the Government of India as soon as possible?

Mr. K. G. Ambegaokar: (a) to (c). Without accepting the implication of the question, I may say that steps are being taken by the Government of India to take over the Salt and Central Excise administration in the Province of Sind.

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

NUMBER OF LADY RELATIVES OF WAR DEPARTMENT OFFICIALS EMPLOYED UNDER GOVERNMENT OF INDIA.

†1802. *Seth Sukhdev: Will the War Secretary be pleased to state:

(a) how many ladies (wives and relatives of officials) were employed under the Government of India in the War Department during the last six years, stating how many (i) Europeans and Anglo Indians, and (ii) Indians;

(b) how many of them are still working; and

(c) whether it is proposed to dispense with their services, since the war is now over?

Mr. P. Mason: (a) and (b). The required information is not readily available and can only be furnished after considerable research of the records of the past six years. The total number of ladies at present employed in G. H. Q. is 101 civilians and 352 in the Services. Of the civilians, 96 are Europeans and Anglo-Indians and five are Indians. Of those in the Services, 266 are Europeans and Anglo-Indians and 83 Indians. 22 of the 96 civilian Europeans and Anglo-Indian ladies are wives or daughters of officers.

(c) Yes, Sir. They will be compulsorily retrenched as reductions in establishment take place.

EXPENDITURE ON AND WORK DONE THROUGH F. P. S. C.

†1803. *Seth Sukhdev: Will the Honourable the Home Member be pleased to state:

(a) how many members and officers including the chairman are employed by the Federal Public Service Commission;

(b) how much amount was spent during the last six years on the maintenance of the establishment of the Commission;

(c) how many officers were recruited through the commission during the last six years for the (i) Indian Civil Service, (ii) Imperial Police, and (iii) other Imperial Departments;

(d) the reasons for maintaining this establishment when most of the important examinations were discontinued; and

(e) the reasons for having so many members on the Federal Public Service Commission?

The Honourable Sir John Thorne: (a), (b) and (c). I place a statement containing the information on the table.

(d) Although examinations for recruitment to the Secretary of State's Services have been suspended for the last two years, examinations for the Government of India Central Services have continued and these have always formed the major part of the Commission's examination programme. The resumption of recruitment to war service vacancies in the Indian Civil Service, the Indian Police, and the Central Services, has involved the Commission in a very great increase of work. Moreover, the conduct of examinations is only one of the important functions performed by the Commission. The Commission has also to recruit otherwise than through examinations, and to advise on disciplinary cases, promotions to the Central Services Class I, pension cases, and appeals and memorials.

(e) During the last few years the work of Members of the Commission has very greatly increased. The regular Members of the Commission have been very fully occupied, and the temporary Additional Members were appointed for the special purpose of presiding over the selection boards for recruitment to war reserved vacancies.

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

Statement

(a) The permanent strength of the Commission consists of a Chairman and three Members, with a permanent staff, of a Secretary and an Assistant Secretary. In addition, two Additional Temporary Members have been appointed, and a third is likely to start work shortly. These Additional Temporary Members have been appointed in connexion with the recruitment to war service vacancies in the Indian Civil Service, the Indian Police and the Central Services, and they have been acting as Presidents of the preliminary Selection Boards appointed for the purposes of that recruitment. A temporary post of Assistant Secretary has also been created in connexion with this work; and a temporary post of Deputy Secretary on account of the increased work of the Commission in other directions.

	1940-41	1941-42	1942-43	1943-44	1944-45	1945-46
(b) Pay of Officers	2,44,098	2,13,070	1,99,353	1,88,592	1,90,215	2,19,050
Pay of establishment	71,903	73,558	73,388	74,312	83,201	1,35,200
Allowances, Honoraria, etc.	17,025	16,110	39,433	40,580	63,927	1,14,250

	1940	1941	1942	1943	1944	1945
(c) Indian Civil Service	11	15	6	9	...	...
Indian Police	10	8	5	5	...	...
Other Imperial Services	...	...	...	...	...	...

POLICY ENUNCIATED IN "INDIA TELLS THE WORLD" ISSUED BY FOREIGN PUBLICITY OFFICE.

1804. *Shri Mohan Lal Saksena: (a) Will the Honourable Member for Information and Arts be pleased to state how many pamphlets, confidential or otherwise, have been issued by the Foreign Publicity office?

(b) Will he be pleased to give their names, dates of issue and also place a copy of each pamphlet in the Library of the House?

(c) When was the pamphlet entitled "India Tells the World" issued?

(d) Is it a fact that in the introductory observation it is pointed out that "in the course of work, it has become increasingly clear that India has many advantages as a centre for British Commonwealth publicity in Asia" and further that the present pamphlet was to some extent an amplification of a previous one entitled "Propaganda in the Middle East"?

(e) Do Government approve of the policy enunciated in the above pamphlet regarding foreign propaganda and publicity? If so, was the name approved by Government?

The Honourable Sir Akbar Hydari: (a) and (b). A statement is laid on the table giving the information as nearly as can be ascertained. Copies of pamphlets in English and Indian languages have been placed in the Library of the House. It hardly seems worth while supplying copies of the pamphlets in various foreign languages. There is no such thing as a confidential pamphlet.

(c) This is not a pamphlet. It is a discussion of methods of publicity for official use only.

(d) I regret I am not prepared to discuss the contents of a confidential official document.

(e) Does not arise.

Statement

English Pamphlets—

	Date of Issue.
1. The Example of Turkey.	June, 1943.
2. Swords & Ploughshares	June, 1944.
3. Mr. Churchill's Harvard Speech	(Out of print) Oct., 1943
4. De Gaulle invents the Armoured Division	1942
5. Studies in Russian History	October, 1945.
6. What's in an Indian Name?	October, 1945.
7. The Indian Studies. Series I to IV (Omnibus edition also printed)	March '44 to May '45
8. The Two Mystery Stories	March, 1946
9. India 1945	June, 1945.
10. India 1944	July, 1945.
11. The Indian States	August 1944.
12. Evolution of Commonwealth (condensed from Argument of Empire by W. K. Hancock).	1944

Pushtu Pamphlets—

1. Tojocularity	March, 1942.
2. Flock of Cranes	April, 1942.
3. Wings	June, 1942.
4. Queen of Seas	June, 1942.
5. Da Dunia Zura	September, 1945.
6. Kazi of Cardova	April, 1942.
7. Mother Fights Hitler	September, 1942.
8. President Roosevelt's Speech	October 1942.
1942	
9. Mr. Churchill's Speech in the House of Commons; August, 1942.	September, 1942.
10. Mr. Churchill's Speech Nov. 1942	September, 1942.
11. do July, 1942	"
12. do May, 1942	"
13. Death to the Innocent	(Out of stock) October, '42

Urdu Pamphlets—

1. Mr. Churchill's Speech in the House of Commons	May, 1942.
2. Mr. Churchill's Speech in the House of Commons	July, 1942.
3. Mr. Churchill's Speech in the House of Commons	September, 1942.
4. Mr. Churchill's Speech in the House of Commons	November, 1942.
5. Swords & Ploughshare	June, 1940.

Hindi Pamphlets—

1. Swords & Ploughshare	June, 1940.
Persian Pamphlets—	
1. Sutun-i-Panjom	Issued during 1941.
2. Alman Chah Me Khahad ?	Do.
taman giti ra	Do.
3. Nazari Be Auzai Jang	Do.
4. Moj-i-Kootah-i-Berlin	Do.
5. Auz aiBalkan	Do.

Persian Pamphlets—contd.

	Date of Issue
6. Istagasa-i-Akhlaqui Ba Hitler	Issued during 1941.
7. Jang dar Mediteraneh Shadidtar Migardad	Do.
8. Raftar-i-Naziha Ba Koodekan	Do.
9. Britaniai Kabir-ra-Mutafagin	Do.
10. Ba Zoore-Shamshir	Do.
11. Major Shah's Radio Talks No. 2	(Out of stock) 1943.
12. A Mother Fights Hitler	June, 1942.
13. Europe	Do.
14. Karla	July, 1942.
15. Hitler and I	June, 1942.
16. Paris Calling	June, 1942.
17. Mr. Tamaddun's Radio Talks	September, 1942.
18. Collapse of German Army in 1918	February, 1943.
19. Army of Today	January, 1943.
20. Taking Off	Do.
21. Joan of Paris	Do.
22. Day Will Dawn	June, 1943.
23. London City of Culture	September, 1943.
24. Souvenir of the Iranian Cultural Mission's Visit to India	September, 1944.
25. Radio Talks by Major Abdus Samad: Series 3	August, 1943.
26. Generals and Generalship by Lord Wavell	October, 1942.
27. Winston Churchill	February, 1942.
28. Iran and England by S. M. Tamadun	July, 1943.
29. Escape by Ethel Vance	March, 1944.
30. School of Slavery (the story of the film)	April 1943.
31. Two Great Men (Peter the Great & Cardinal Richelieu)	Do.
32. Pukar	July, 1943.
33. Ramayana	August, 1943.
34. King Arthur	November, 1944.
35. David Copperfield	March, 1944.
36. Don Quixote	September, 1944.
37. Gulliver's Travels	March, 1945.
38. Brothers Karamazov	March, 1944.
39. Indias Natural Resources	October, 1945.
40. Swords & Ploughshares	August, 1944.
41. English Persian Phrase Book	May, 1945.
42. India 1945	November, 1945.
43. Kishor Hai Balkan	(Out of stock) 1941.
44. Radio Talks by Major Abdus Samad: Series I	(Out of stock) August, 1943.
45. International Lady	(Out of stock) July, 1942.

French Pamphlets—

1. Gargantua	
2. L' exemple De La Turquie	
3. Examen De Conscience	
4. La Grande Bretagne A-T-Elle "Laisse Tomber" Ses Allies?	
5. Complot En Irak	
6. Paris Sous L' occupation Allemande	
7. Soleil Levant.....Soleil Couchant	

Issued during 1941-43.

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STARRED QUESTIONS AND ANSWERS

French Pamphlets—contd.

Issued during 1941-43

8. Quatre Hommes Sur Le Theatre D' extreme-Orient	"
9. Lettres De Francais En Allemagne	(Out of stock).
10. Deux Enfants S'evadent	"
11. La Grande-Bretagne	"
12. Royal Navy (La Marine Royale Britannique)	"
13. Ce Que Less Naziz Font De L' enfance	"
14. Lettres De France	"
15. Des Mines Dans Le Canal De Kiel	"
16. Napoleon Et Hitler En Russie	"
17. Deux Enfants S'evadent—10	"
18. Colomba	"
19. Trois Contes De Perrault	"
20. Le Cid	"
21. Le Printemps Dans La Poesie Francaise	"
22. Due Village a la Prison	"
23. Jeune Fille Allemande	"
24. Vers La Lumiere	"
25. L'Allemagne Et Sa Volonte De Destruction	"
26. La Jeunesse Allemande Et Le Reve De Victorie Nazie	"

French Pamphlets

Issued during 1941-43

1. Une Page D'histoire	(Out of stock).
2. L'avenement Des Forces Mecanisees	(Out of stock).
3. Dieu Le Veut	"
4. Jeanne D'arc, Patronne De La France	"
5. Reflexions Sur La Defaite De La France	"
6. Menace Japonaise Sur Le Pacifique	"
7. Nouvelless Lettres De France	"
8. L'inde Est Bien Defendue	"
9. Winston Churchill, l'Enemi No. 1 d' Hittler	"
10. Le Petrole Dans Le Proche-Orient.	"
11. Les Dictateurs Et La Mystique De La Violence	"
12. La Flotte Francaise Libre	"
13. Grandeur D'une Petite Nation	"
14. Il Faut ecraser le Nazisme	"
15. La France Est Necessaire A La Civilisation	"
16. Dunkerque.....Vu Par Un Chef D'escadrille	"
17. La Guerre Aerienne	"
18. Les Musulmans Devant La Guerre	"
19. Hitler Ne Gagnera Pas	"
20. La France Libre	"
21. La Science Dans Les Chaines Nazies	"
22. Le Petrole Et La Strategie Allemande	"
23. La Tradition Francaise	"
24. Paris, Ville Occupee	"
25. Homage A L'angleterre	"
26. Le Nacissisme Allemand	"
27. Les Chances De Hitler En Russie	"
28. Pourquoi Combat La Russie.	(Out of stock).

French Pamphlets—concl'd.

29. Le Reich Coupable	"
30. L'Afrique Française Libre	"
31. Ces Mystérieux Anglais	"
32. La France A Travers La Presse Allemande.	"
33. Methodes Allemandes	"
34. L'Allemand Moyen Ou L' anarchiste A La Recherche De L' autorite.	"
35. Temoignage D'un Americain Sur L' Angleterre.	"
36. Le Double Enjeu De La Campagne Germano-Russe.	"
37. Au Service De L'Allemagne	"
38. L'indépendance De La Syrie	"
39. Une Mere Resiste Aux Nazis	"
40. Le Dilemme Espagnol	(Out of stock).
41. L'heritage Des Germains	Do.
42. L'entente Cordiale	Do.
43. La Crise De L'entente Cordiale	"
44. L'envers De L' "Ordre Nouveau"	"
45. Les Ouvriers Sous Le Talon Nazi	"
46. Fonction Universelle De La France	"
47. Evasions	"
48. La Belgique Sous Le Joug des Nazis	(Out of stock).
49. Vie D'une Nation	"
50. La Propagande Allemande En France Occupee.	"
51. Le Miracle Chinois	"
52. L'Italie Pays Occupe	"
53. Au Service De La France Libre	"
54. Ce Qu'on Chante A Paris	"
55. L'armee De La France Libre	"
56. Les Ressorts Secrets De La Resistance Sovietique.	"
57. La Puissance Militaire Russe	(Out of stock).
58. Dans Paris Occupe	"
59. Misere Pillage En France	"
60. Le Martyre des Otages de Chateaub- riant.	"
61. Le Process De Riom	"
62. Bir-Hakeim	"
63. Radio Ennemie	"
64. Principes et Ideals de l'Empire Britan- nique (by Barker).	"
65. Textes Français Pour le Jeunesse No. 3 "Les Grandes Scenes du C".	(Out of stock).
66. Textes Français pour le Jeunesse No. 6 "Chateaubriand".	Do.
67. Ténèbres Sur le Allemagne (The Lights Go Down) by Erika Mann.	Do.
No. 2 "Le Noel de Frau Murks"	Do.
No. 3 "Le Marriage Manque de Herr Huber".	"
"Le Russe due Professeur Haber- mann".	"
No. 4 "L'Exode" "Compagnons d'In- fortune".	(Out of stock).

Russian Pamphlets—

1. Russian Primer	January, 1944.
2. Russian Reading Book. (Reader).	February, 1945.
3. Swords and Ploughshare	May, 1944.
4. Russian Phrase Book	January, 1946.
5. Bilingual Series II and III	January, 1945 and 1946 respectively.

Arabic Pamphlets—

1. The Beautiful Carla—Between her Love and Promise.	October, 1943.
2. Muslims in America	February, 1943.
3. Paris Calling	May, 1943.
4. Joan of Paris	July, 1943.
5. Day will Dawn	December, 1943.
6. Ramayana	November, 1942.
7. King Arthur	November, 1944.
8. David Copperfield	April, 1943.
9. Don Quixote	June, 1944.
10. Gulliver's Travels	August, 1945.
11. Brothers Karamazov	September, 1945.
12. Robinson Crusoe	September, 1945.
13. Three Musketeers	March, 1946.
14. Three Great Men (Peter the Great, Cardinal Richelieu and Alexander).	November, 1943.
15. Suspicion (the story of the film)	June, 1944.
16. The Noble Trio	September, 1945.
17. Eugene Grandet	December, 1945.
18. India 1945	January, 1946.
19. Swords and Ploughshares	June, 1944.
20. English-Arabic Phrase Book	September, 1945.
21. India's Natural Resources Pamphlet	August, 1945.
22. Collapse of the German Army in 1918	September, 1944.
23. Enemies of Race	August, 1943.
24. Pukar	August, 1943.

Shri Mohan Lal Saksena: May I know why he is not prepared to give out the contents? As a matter of fact I disclosed the contents to the House the other day.

The Honourable Sir Akbar Hydari: It is a confidential official document. All the copies of this document are numbered. One copy was purloined and I have a very shrewd suspicion where it is. But it is a well established rule which I think my Honourable friends opposite will find of use, that confidential official documents should not be made public. However, if my Honourable friend has any prurient suspicion as to what this document contains, I am prepared to show it to members of the Advisory Committee of this Department.

Mr. Deputy President: Question hour is now over.

(b) WRITTEN ANSWERS

EUROPEANS IN FOREIGN PUBLICITY OFFICE

1805. *Shri Mohan Lal Saksena: (a) Will the Honourable Member for Information and Arts please state if it is a fact that the present incumbent in charge of the Foreign Publicity Office as well as his assistants are Europeans? If so, why were not Indians appointed to these posts?

(c) Has a senior officer of the Board of Revenue gone down to Bombay to enquire into the complaints, which have been made of discrimination against Indian passengers and corruption and nepotism generally? If not, why not?

The Honourable Sir Archibald Rowlands: (a) Yes. I have seen the report and though it bears much internal evidence of gross exaggeration, I have asked that the allegations which it contains should be thoroughly investigated.

(b) Yes. It is true that eleven temporary officers have been given notice. This is, however, only with a view to making those posts which have been reserved for war service candidates available to such candidates and not, as has been suggested, as a result of any racial conspiracy to secure the preventive service as a monopoly for Anglo-Indians. Actually, three of those who have been given notice are Anglo-Indians. Further, the officers, who have been given notice, will be considered together with other candidates when recruitment is made in the vacancies not reserved for war service candidates.

(c) No, Sir; Not yet. The Collector of Customs is already engaged upon a personal investigation and has been instructed to submit a full report to the Board.

CONTEMPLATED ACTION BY GOVERNMENT AGAINST LT. ISHAQ SOBANI, INDIAN NAVAL OFFICER

1810. ***Mr. Manu Subedar:** (a) Has the attention of the War Secretary been drawn to the account in the *Blitz* of Bombay, dated the 30th of March, 1946, relating to Lieut. Ishaq Sobani an Indian Naval Officer?

(b) Has this officer been arrested?

(c) What are the charges against him?

(d) When is he going to be tried and by whom?

(e) Will the assistance of non-official lawyers be available to him?

(f) Is it a fact that this officer tried to restrain the strikers to confine themselves to their protests and demonstration?

(g) Are Government aware that but for him, a much bigger damage would have been done?

(h) Where is this officer now?

Mr. P. Mason: (a) Yes, Sir.

(b) Yes, Sir.

(c) The charges, Sir, are not yet complete. As soon as the enquiry is complete, the charges will be framed and handed to the accused.

(d) When the enquiry is complete he will be tried by Naval Court Martial.

(e) Yes, if he wishes to employ them.

(f) and (g). Those, Sir, are matters on which no doubt the Court will reach a conclusion after hearing the evidence, and on which neither the Honourable Member nor I can at present be in a position to form an opinion of any value.

(h) In the transit camp at Colaba.

RESERVATION OF SEATS IN I. O. S., I. P. S., I. M. S. AND I. M. D. FOR SCHEDULED CASTE AND TRIBAL YOUTHS

1811. ***Mr. N. G. Ranga:** Will the Honourable the Home Member be pleased to state:

(a) what special steps are being taken to recruit either by nomination or through competitive examinations youths of scheduled castes and tribal peoples to the I.C.S., I.P.S., and I.M.S., or I.M.D.;

(b) whether any places are reserved for them at all; if so, how many out of what totals; and

(c) whether it is proposed to reserve any seats for them during this and the next year to be filled by nomination; if so, what steps are being taken to encourage the youths of these peoples to apply for these posts?

The Honourable Sir John Thorne: (a) to (c). (i) *Indian Civil Service.*—Recruitment is now being made only to war-service vacancies. The Secretary of State has not reserved any vacancies specifically for Scheduled Castes candidates, but the question whether any special measures are necessary to secure a suitable share of vacancies for such candidates will be considered when the process of selection now proceeding is more advanced.

(ii) *Indian Police.*—Recruitment is at present being made only to war-service vacancies. Recruitment to this Service is made on a regional basis and the rules relating to communal representation do not apply. The initiative in ensuring adequate representation for minority communities in this Service rests with the Provinces with whom consultation on the question is now proceeding.

(iii) *Indian Medical Service and Indian Medical Department.*—The Home Department is not concerned with these Services, but I understand that the whole question of recruitment to the Military Medical Services is at present under the consideration of the Government. No recruitment is now being made on a permanent basis to the Indian Medical Service. Emergency Commissions are, however, being granted in the Indian Medical Service and the candidates best qualified are appointed irrespective of the community to which they belong. No recruitment is now being made to the Indian Medical Department, which has been transferred to the Indian Army Medical Corps.

(iv) No special measures are being taken to recruit tribal peoples in the Government Services.

UNEMPLOYMENT IN CENTRAL GOVERNMENT OFFICES IN CALCUTTA DUE TO REPLACEMENT OF PRESENT INCUMBENTS BY WAR RETURNED MEN

1812. ***Sree Satyapriya Banerjee:** Will the Honourable the Home Member be pleased to state:

(a) whether it is a fact that about 10,000 (ten thousand) temporary employees of the Central Government offices in Calcutta have been threatened with unemployment;

(b) whether it is a fact that this is due to the replacement of 70 per cent. of the present incumbents by war-returned men;

(c) whether Government have any immediate scheme to prevent the unemployment referred to above;

(d) whether his attention has been drawn to the resolution passed at a meeting of the temporary employees of the Central Government offices in Calcutta held on the 4th February, 1946;

(e) whether the resolution mentioned above suggested certain measures to meet the situation;

(f) whether Government have considered the desirability of accepting those suggestions; if not, why not; and

(g) whether he is aware of the possibility of a social upheaval, in case such a large number of men are faced with destitution and starvation on account of unemployment; if so, what steps Government propose to take to eliminate such a possibility?

The Honourable Sir John Thorne: (a) and (b). I have no information as to the number of temporary employees in the Central Government's offices at Calcutta who are likely to be thrown out of employment in the near future. But it is unlikely that any employee has yet been retrenched to make room for war service men, because appointments of these have not yet been made. Even when the permanent vacancies reserved for men with war service have been filled it is unlikely that 10,000 men will be displaced on this account in Calcutta.

(b) Is it also a fact that the present incumbent in charge of the Printing Section is an English man?

(c) Is he aware of the overwhelming public resentment in this respect?

The Honourable Sir Akbar Hydari: (a) The head of the Publications Division is Lt. Col. G. E. Wheeler, who is a European. It is not a fact that all his assistants are Europeans. Europeans have been appointed to some posts in the Publications Division on account of their special technical, linguistic or literary qualifications. A majority of the posts are, however, held by non-Europeans.

(b) Yes.

(c) No, though I am aware of considerable ill-informed criticism.

DISCONTINUANCE OF DEARNESS AND WAR ALLOWANCES OF OFFICERS DRAWING Rs. 1,000 PER MENSEM AND ABOVE

1806. *Shri Mohan Lal Saksena: (a) Will the Honourable the Finance Member be pleased to state what action he proposes to take on the cut motion passed by the Assembly on the 30th March, 1946 regarding Dearness and War allowances paid to officers drawing Rs. 1,000 and above?

(b) Will he consider the advisability of not taking any action on the new proposal made by the Finance Committee in its meeting held on the 23rd of March, 1946, making the allowances retrospective from 1st July, 1945?

(c) In view of the unanimous opinion of the elected members of the House, will he consider the advisability of the discontinuance forthwith of such allowances?

The Honourable Sir Archibald Rowlands: (a) The grant will be reduced to the extent of the cut.

(b) and (c). Presumably the Honourable Member has in mind the proceedings of meeting of the Standing Finance Committee held on the 16th March, 1946. Orders sanctioning retrospective effect to the enhanced rates of both dearness and war allowances from 1st July, 1944, were issued on the 22nd March, 1946, and Government do not propose to rescind these. They will, however, take into account the strongly expressed feelings of the House on the occasion of the next review.

PRODUCTION AND IMPORT OF ALKALOIDS OF OPIUM

1807. *Sri S. T. Adityan: (a) Will the Honourable the Finance Member please state the normal annual requirement of alkaloids of opium (Codeine, morphine, and heroin) for India?

(b) What quantity of the said drugs is produced annually in the Government factory at Ghazipur?

(c) Do Government propose to allow imports of the said drugs from foreign countries?

(d) Do private manufacturers in Great Britain and the United States of America produce the said drugs under a licence?

(e) Has the Indian Chemical Manufacturers' Association been requesting Government to allow Indian manufacturers to produce the said drugs under a licence and control?

(f) What action, if any, have Government taken on the request of the said Association?

Mr. K. G. Ambegaoakar: (a) I am afraid it is not possible to form an accurate estimate of India's normal annual requirements of opium alkaloids. The quantities actually obtained are known but Government are not in a position to say how far these quantities satisfied the demand. Codeine and morphine salts are procurable from the Government of India's opium factory at Ghazipur

and from abroad and the average quantities obtained annually from both these sources before and during the war were as follows:

	Codeine lbs.	Morphine lbs.
In the pre-war years (1935-39)	113	245
In the war years (1940-44)	238	776

Heroin (otherwise Diacetylmorphine) is not manufactured in India and imports of this drug during 1943, 1944 and 1945 were 50 lbs. and 94 lbs. and 64 lbs. respectively.

(b) The average annual production of codeine and morphine salts at Ghazipur before and during the war were:

	Codeine lbs.	Morphine lbs.
In the pre-war years (1935-39)	203	1,106
In the war years (1940-44)	207	1,889

A part of these quantities was exported out of India.

(c) Yes, subject to the Import Trade Control Regulations in force from time to time.

(d) Yes.

(e) Yes.

(f) The matter has been considered carefully. In view of the necessity for the strictest control over these dangerous drugs and since the Government factory at Gazipur is fully capable of meeting India's present needs for opium alkaloids (other than heroin, of which only small quantities are required) it has been decided that private manufacture should not be permitted.

INDIA'S PARTICIPATION IN BRETTON WOODS FUND AND BANK AND REPAYMENT OF STERLING BALANCES.

1808. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state whether the preliminary meeting of Governors of the Bretton Woods Fund and Bank has finished, and whether the representative of the Government of India has sent any interim report?

(b) What appointments have been made, and on what terms, in connection with the Bretton Woods Fund and Bank, and who will bear the cost?

(c) What further consideration has been given to matters connected with India joining this institution, and is any material prepared for determining India's par of exchange?

(d) When do Government propose to bring in legislation to repeal or modify sections 40 and 41 of the Reserve Bank of India Act?

(e) What progress has been made in negotiations for the repayment of sterling by the United Kingdom, and is a British delegation coming here to discuss this matter, or is the Cabinet Delegation seized of this issue?

The Honourable Sir Archibald Rowlands: (a) to (e). I hope that the Honourable Member will agree that it would be more useful to defer dealing with the questions raised until the Committee appointed by the House has had an opportunity of discussion with Sir Chintamani Deshmukh, who has arrived in Delhi today for this very purpose.

ALLEGATIONS OF CORRUPTION AND DISCRIMINATION AGAINST INDIANS IN H. M. CUSTOMS.

1809. *Mr. Manu Subedar: (a) Has the attention of the Honourable the Finance Member been drawn to the article in the "Blitz" of Bombay, dated the 30th March, 1946, headed "even high Officials involved in Rampant Corruption and nepotism in H. M. Customs"?

(b) Is it a fact that eleven Indian officers, who have been working, have been given notice and that the Customs Collector is seeking to engage more men? If so, what is the reason?

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(c) to (g). The following provision has already been made for temporary Government servants employed during the war:

(i) In competing for future vacancies they will be allowed to deduct their temporary service for the purposes of the maximum age limit.

(ii) Instructions were issued last November that, where recruitment is not made through the Federal Public Service Commission or by means of competitive examination, future vacancies should be filled from among retrenched men through the employment exchanges.

(iii) They have been given the same employment exchange facilities as have been granted to demobilised soldiers. This gives them the same opportunity of securing non-Government employment.

I have not seen the resolution referred to dated the 4th February, 1946, but I have seen one dated the 21st December, 1945. Government cannot be expected to absorb, at the cost of the public revenues, all persons whom it was found necessary to employ temporarily during the war, any more than they can continue to maintain the Armed Forces at war strength.

DETENTION AND CONFISCATION OF MONEY OF MR. KANDIAH, ARRESTED AT TRICHINOPOLY RAILWAY STATION

1813. *Sree Satyapriya Banerjee: Will the Honourable the Home Member be pleased to state:

(a) whether Government are aware that one Mr. V. Kandiah was arrested on the 31st December, 1944, at the Trichinopoly Railway Station and detained in custody there and later on detained as an enemy agent in Madras for a month and then detained at the Parliament Street Police Station, New Delhi, up to the 26th November 1945;

(b) whether it is a fact that he had a considerable sum of money with him at the time of his arrest; if so, the amount of money;

(c) whether it is a fact that Government confiscated the sum of money referred to in (b);

(d) whether it is a fact that after his release on the 26th November, 1945, he wanted to stay in the Madras Presidency but was not allowed to do so; if so, why;

(e) whether it is a fact that he was escorted to Jaffua in Ceylon and a sum of Rs. 1,000 only was given to him, instead of the sum found with him at the time of arrest, as final payment;

(f) whether Government propose to pay back the whole money referred to in (b); and

(g) whether Government have any objection now to grant him permission to come back to the Madras Presidency and reside there?

The Honourable Sir John Thorne: (a) Yes, but the date of arrest was 1st January, 1945.

(b) Yes. Over Rs. 13,000.

(c) The money was confiscated by the Government of Madras.

(d) The Government of India took no action to prevent his staying in Madras.

(e) Yes.

(f) and (g). This is for the Government of Madras to decide.

PAYMENT OF BONUS COMPENSATION, ETC., TO MR. A. S. RAY, CHIEF PETTY OFFICER R. I. N. RENDERED DEAF.

1814. *Sree Satyapriya Banerjee: Will the War Secretary be pleased to state:

(a) whether it is a fact that Mr. A. S. Ray was the chief Petty Officer, R.I.N.;

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(b) whether it is a fact that he became deaf as a result of circumstances attributable to war;

(c) whether it is a fact that he has been discharged owing to deafness; if so, whether any bonus or compensation has been paid to him; if not, why not; and

(d) whether he proposes to reconsider the question of payment of bonus or compensation to him, if it has been already refused?

Mr. P. Mason: As far as is known, Sir, no rating by the name of A. S. Ray has been invalided out of the R. I. N. through deafness. If Honourable Member will supply further details of name and number I will look into the matter further.

AMENITIES TO B. O. R.'S AND INDIAN N. C. O.'S.

1815. *Sree Satyapriya Banerjee: Will the War Secretary be pleased to state:

(a) whether it is a fact that Garrison children schools are provided for the families of B.O.R. in cantonments and free conveyance is also given for them and that no such arrangements are made for the children of Indian soldiers;

(b) whether it is a fact that when a B.O.R. proceeds on leave he gets ration allowance at Rs. 2-14 per diem and that when an Indian soldier proceeds on leave he forfeits his ration allowance of Re. 1-6 per diem;

(c) whether it is a fact that a B.O.R. while travelling on duty is entitled to a Second class fare warrant and that he gets the same class of accommodation when he proceeds on leave and that when an Indian N.C.O. proceeds on duty he gets an Inter class Railway warrant but only a third class fare warrant when he goes on leave;

(d) whether it is a fact that when a B.O.R. proceeds on field service his family is entitled to free accommodation or compensation in lieu thereof and that when an Indian soldier proceeds on field service he gets nothing;

(e) whether it is a fact that a B.O.R. is paid Rs. 30 per mensem for his wife and also a child allowance at the rate Rs. 56 per mensem and that an Indian soldier gets nothing; and

(f) if the answers to the above be in the affirmative, the reasons for this discriminatory treatment meted out to the Indian soldiers and whether he proposes to remove this discrimination at a very early date?

Mr. P. Mason: (a) Yes, Sir.

(b) No, Sir. Indian troops now receive a ration allowance of annas eight per day during leave.

(c) The facts are as stated except that Indian N.C.Os. are now entitled to Inter Class accommodation on all occasions including journeys on leave at Government expense.

(d) It is true, Sir, that the families of British Other Ranks are given accommodation or compensation in lieu when a soldier proceeds overseas but that is because they are not in their own country and have no homes to go to. Indian soldiers serving overseas receive expatriation allowance which is intended to cover the additional expenses of the soldier and his separated family.

(e) It is true that a B.O.R. gets a separate marriage and family allowance while an Indian soldier does not although his consolidated rates of pay do include family allowance. But all these questions, and this one specifically, have been referred to a Committee of Experts.

(f) As I have explained on more than one occasion during this session, matters regarding pay, allowances, travelling facilities and accommodation for the members of the fighting services of various countries are based on the cost of living and other factors in those countries. It is for this reason that the American soldier gets higher pay than the British soldier who in turn gets higher

rates than the Indian soldier. To attempt to equate these factors would affect the whole economic structure of the country and create impossible demands in every branch of Government service.

LOW SCALES OF PAY OF NON-GAZETTED POSTS IN POLICE, JUDICIAL AND OTHER GOVERNMENT DEPARTMENTS OF AJMER-MERWARA

1816. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable the Home Member please state if Government are aware that the scale of pay of the non-gazetted posts in the Police, Judicial and other Government Departments of Ajmer-Merwara is considerably much lower than the scale of pay of similar posts in other Provinces of India? If so, what is the reason for this disparity, and do Government propose to revise their scale to bring them in level with other Provinces?

The Honourable Sir Archibald Rowlands: The rates of pay for non-gazetted posts in Ajmer-Merwara have been fixed with reference to local conditions and compare favourably with those sanctioned for similar posts in certain provinces. The Government of India are however setting up machinery for an enquiry into the adequacy of the existing scales of pay for all posts under the Central Government including those in Ajmer-Merwara.

SALARIES COMMISSION TO REVISE SCALES OF PAY OF CENTRAL GOVERNMENT SERVANTS

1817. *Shri Mohan Lal Saksena: Will the Honourable the Finance Member be pleased to state:

(a) whether it is a fact that a Salaries Commission has been set up to revise scales of pay of all the cadres of the Central Government servants; if so, the names of the Chairman and members of the Commission as well as the terms of reference of the Commission;

(b) when the Commission is likely to report; and

(c) whether the report will be brought for discussion before the Assembly?

The Honourable Sir Archibald Rowlands: (a) Yes. Government will issue a statement when the personnel of the Commission is complete.

(b) and (c). I cannot forecast the future.

MILITARY CAMPAIGN GROUNDS ON GRAND TRUNK ROAD IN BIHAR FOR CULTIVATORS TO GROW MORE FOOD

1818. *Babu Ram Narayan Singh: (a) Will the War Secretary please state the number and names of the military camping grounds on the Grand Trunk Road in Bihar, and whether these grounds will be leased out or sold to cultivators to grow more food?

(b) Is it a fact that these camping grounds have not been used for military purposes for long?

Mr. P. Mason: I have called for the required information in respect of camping grounds on the Grand Trunk Road in Bihar and will let the Honourable Member know the result as soon as possible. As I have said before, however, that the general policy in regard to all surplus military lands, including camping grounds, is to release as many as possible for the purpose of growing more food.

CONVEYANCE ALLOWANCE TO CERTAIN CLERKS OF ORDNANCE INSPECTION DEPOT, DELHI

1819. *Prof. N. G. Ranga: (a) With reference to the reply to part (c) of starred question No. 1488, dated the 1st April, 1946, which affirms that conveyance allowance is given to those clerks of the Ordnance Inspection Depot, Delhi, who reside beyond five miles from the Office, will the War Secretary be pleased to state why the clerks who reside within three to four and four to five miles are not allowed to draw the respective conveyance allowance, in

spite of the fact that the order regarding the grant of conveyance allowance applies equally to all the three categories?

(b) In view of the position stated in (a) above, does he propose to issue necessary instructions to remove the hardship caused to the latter two categories, making good, at the same time, the loss they have suffered up to this time? If not, why not?

Mr. P. Mason: (a) I think the Honourable Member is under a misapprehension. As I explained before, there are differences in the conditions of service of clerks employed in establishments under the Master General of the Ordnance and those employed in the M. G. O. Branch of G. H. Q. The terms and conditions of service of the latter are related to those for clerks in the Government of India, while the terms and conditions of service of the former who are employed in establishments all over India, are laid down separately.

(b) No, Sir, for the reasons given above.

MANUFACTURE OF RAILWAY ENGINES, MOTOR CARS, TRACTORS, ETC.

1820. *Mr. G. B. Dani: Will the Honourable Member for Planning and Development be pleased to state:

(a) whether the Government of India desire to encourage the manufacture of Railway Engines, Motor Cars, tractors etc. which are required for public convenience and public economy; and

(b) whether any import licence has been obtained for plants and other necessary materials for the manufacture of the above named machineries?

The Honourable Sir Akbar Hydari: (a) Yes. Government are remodelling the locomotive workshops at Kanchrapara for making locomotives. They have also entered into an agreement with the Tata Locomotive and Engineering Co. Ltd., for the manufacture of locomotives at Tatanagar. For this purpose, the Singhbhum Workshops of the East Indian Railway were sold to the company on the 1st June 1945, and the firm have started making locomotive boilers as a preliminary step towards the ultimate production of complete locomotives.

In order to report on the possibilities of manufacturing automobiles and tractors in India, a Panel has been appointed which has held preliminary meetings, and is collecting factual data.

(b) No application for an import licence for plant and machinery for the manufacture of railway engines and tractors under the post-war capital goods scheme has been received but two import licences—one for a plant for the manufacture of automobiles and component parts; and the other, for a plant for the assembly of motor vehicles, have been issued.

PROSECUTIONS UNDER MILK CONTROL ORDER IN DELHI

1821. *Babu Ram Narayan Singh: Will the Honourable the Home Member please state:

(a) whether Government are aware that prosecutions under the Delhi Milk Control Order are, in effect, summary prosecutions;

(b) whether the Chemical Analyser who reports on milk being adulterated or otherwise, is a local official;

(c) whether any maximum punishment is prescribed by the Order referred to in (a);

(d) whether culpability in cases under the Milk Control Order referred to in (a) is based on the Chemical Analyser's report referred to in (b) or on some other evidence;

(e) if the replies to (a) to (d) be in the affirmative, the particular section of the Defence of India Act under which the prosecutions referred to in (a) are made summary prosecutions; and

(f) the total number of prosecutions under the Milk Control Order in Delhi and the total amount of fines realised by way of punishment for violating the provisions of the order as regards selling adulterated milk?

The Honourable Sir John Thorne: The question should have been addressed to the Health Secretary. It has accordingly been transferred to the list of questions for the 17th April, 1946, when it will be answered by the Health Secretary.

STOCKING OF PASSING SHOW CIGARETTES AND PROSECUTIONS UNDER HOARDING AND PROFITEERING ORDINANCE IN DELHI PROVINCE

1822. *Babu Ram Narayan Singh: Will the Honourable the Home Member please state:

(a) whether any maximum quantity of cigarettes of the Passing Show Brand which a dealer can obtain for possession or for sale is prescribed for the Delhi Province under the Hoarding and Profiteering Ordinance;

(b) whether the supply of cigarettes referred to in (a) is a regular supply or it depends on the quantity available for a single transaction;

(c) if the answers to (a) to (b) be in the affirmative, the maximum that is fixed for possession by a casual customer of the Passing Show cigarettes in one transaction; and

(d) the number of prosecutions launched for transactions of the Passing Show cigarettes below packet of ten cigarettes and the total amount of fines recovered so far as a result of convictions for the alleged breach of rules referred to in (a)?

The Honourable Sir John Thorne: The question should have been addressed to the Honourable Member in charge of Industries and Supplies.

SCALES OF PAY, ETC., AND SUPPLY OF RATIONS TO POLICE MEN IN AJMER-MERWARA

1823. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Home Member please state the scale of pay of a police constable and a Head constable in Ajmer-Merwara and the dearness allowance he is getting?

(b) Is it a fact that ration supply of the Police constables and Head constables at Ajmer for the month of February, 1946, lasted up to the 25th February, 1946, only?

(c) Is it a fact that the Police constables and Head constables in Ajmer had to go without ration up to the 4th March, 1946?

(d) Is it a fact that some of the constables in the parade fell down as they had been hungry for a number of days before the incident took place? If so, who was responsible for the non-supply of ration to these persons in time, and what steps do Government propose to take to ensure regular supply of ration to these persons in future?

The Honourable Sir John Thorne: (a) The scale of pay of Constables in Ajmer-Merwara is: Rs. 22—1/3—23—1/7—24—1/7—25, with a selection grade of Rs. 27 for men of over 25 years' service. Scale of Head-Constables is: Rs. 30—1—45. Men drawing less than Rs. 40 get Rs. 14 dearness allowance, and those drawing above Rs. 40 get Rs. 16 as dearness allowance.

(b) and (c). No. Sanctioned rations have been maintained in the Lines messes throughout and men not feeding in messes have been able to draw their controlled rations along with the rest of the public.

(d) No; but on the 18th February 1946, when 200 men were being detailed for duties at about midday, one man became giddy and had to be helped away.

UNSTARRED QUESTIONS AND ANSWERS

TAKING POSSESSIONS OF SHRI GANDHI SEVA ASHRAM, RAM TAL KATHARIA, DELHI PROVINCE AND ITS MOVEABLE PROPERTY BY GOVERNMENT

215. Pandit Thakur Das Bhargava: (a) Will the Honourable the Home Member kindly state if it is a fact that the Shri Gandhi Seva Ashram of Ram

Tal Katharia in the Delhi Province was in possession of Master Biharilal and his son Jyoti Prakash when Government took possession of the same in 1942 through one Tula Ram, temporary Manager of the Ashram?

(b) Is it a fact that master Biharilal had built houses on the Ashram lands for the school, the Library, the hospital and for his own residence and that Government took possession of all the buildings and the moveable property found in the Ashram?

The Honourable Sir John Thorne: (a) and (b). I am informed that Master Bihari Lal had made certain additions to existing structures and had been in occupation of part of the buildings. When the premises and moveable property were seized by Government in 1942, one Tula Ram was in possession.

MOVEABLE PROPERTY OF SHRI GANDHI SEVA ASHRAM, RAM TAL KATHARIA, DELHI PROVINCE

216. Pandit Thakur Das Bhargava: (a) Will the Honourable the Home Member please state if it is a fact that Government returned some of the moveable property of the Shri Gandhi Seva Ashram to one Tula Ram and confiscated many other articles?

(b) Do Government propose to give details of the articles so confiscated?

(c) Is it a fact that a list of articles was prepared when Government took charge of these articles and that a copy of the list was, in spite of many requests, never supplied to Master Biharilal?

The Honourable Sir John Thorne: (a) Yes.

(b) A list of the property confiscated is laid on the table of the House.

(c) Master Bihari Lal made one request for a copy of the list which was not furnished to him.

List of the property confiscated

S. No.	Description of property	Number.
		6
1	Wooden Charkhas	13
2	Atairan	1
3	Wooden desk	9
4	Coloured chalk boxes	43
5	White copies (blank)	1/2 seer
6	Black ink	1
7	Small counting frame	24
8	Accounts books	1
9	Map of India	1
10	Map of Punjab	1
11	Map of Delhi Province	1
12	Small wooden black-board	1
13	Iron bar used for ringing bell	4
14	Wooden boards	1
15	Attendance Register	1
16	Table bell	3
17	Taqias	1
18	Bal Pothi	4
19	Shaisho Budh	1
20	Bunyadi Raster Mersakam	4
21	Hindi Qaida	1
22	English translation	5
23	Copies of students daily programme	1
24	Teacher's Diary	1
25	Compass (mariners)	1

LEGISLATIVE ASSEMBLY
List of the property confiscated

[15TH APRIL 1946]

S. No.	Description of property	Number
26	Compass (drawing)	1
27	Bundle of broken Atairan	1
28	Taqlies	28
29	Atairan Taqli	1
30	Map of Katwaria village	1
31	Wooden roller	1
32	Wooden foot	1
33	Bundle of card boards	23
34	World map	1
35	Map of Europe	1
36	Wooden Almirah containing Hindi books	16
37	Books in English	15
38	Subscription copies in cut state	31
39	New subscription copies	11
40	Small globes	2
41	Note-books of daily accounts	7
42	Urdu Qaidas	5
43	Brass Compass	1
44	Broken wooden Charkha	1
45	Wooden boxes containing Hindi books	28
46	File of Risala Section Pattar Kal 1937	1
47	Books in English	3
48	Wooden boards	3
49	Wooden Takhat	2
50	Black Board	1
51	Wooden Board	1
52	Books in Hindi	50
53	Books in English	6
54	Books in Urdu	31
55	Wooden Takhat	4
56	Wooden desk	1
57	Wooden Charkha	1
58	Broken cycle without number	1
59	Weaving and spinning material	1
60	Worn out material such as taslahs, bories and charkha etc.	
61	Jute Bag containing one seer of cotton	1
62	Khaddar Congress flags	4
63	Khaddar cotton	1
64	Strings	2
65	Volume of the monthly Dharam Risala	1
66	Volume of the monthly Dharam Risala (Vedic)	1
67	Hindi Qaidas	17
68	Soot Desi Wazni	1 Sr. & 6 Chhataks
69	Uniform shirts of Khaddar	11
70	Khaddar shorts	14
71	Congress Flag	1
72	Urdu books	5
73	Sanad from Perbh Kartail which is in frame	
74	Black copies	3
75	One book entitled "Hamare Zamane ki Ghulami" in Hindi.	
76	One book entitled "Rashtraya Gavan" in Hindi.	

RETURNING OF SHRI GANDHI SEVA ASHRAM, RAM TAL KATHARIA, DELHI PROVINCE
TO PREVIOUS OWNERS

217. Pundit Thakur Das Bhargava: (a) Will the Honourable the Home Member please state if Government are aware that the houses and the lands of the Shri Gandhi Seva Ashram have been given back to the villagers of Ram Tal Katharia, that they were never made over to Master Biharilal and his son Jyoti Prakash and that these lands and houses are now possessed by villagers?

(b) Do Government propose to restore the lands and houses of the said Ashram to Master Biharilal, Jyoti Prakash or Master Tula Ram from whom they took the possession in 1942?

The Honourable Sir John Thorne: (a) Yes.

(b) Possession of the property has already been restored to the villagers, in whose name it stands.

AMENITIES TO CERTAIN INDIAN AND BRITISH ARMY OFFICERS.

218. Babu Ram Narayan Singh: Will the War Secretary please lay on the table of the House a comparative statement showing the rates of pay, allowances, ordinary, disability and family pensions and all other pecuniary benefits admissible on "Active Service" in India and outside India to (i) British Officers, Non-Commissioned Officers, Soldiers and Followers, and (ii) to Viceroy's Commissioned Officers, Non-Commissioned Officers, Soldiers and Followers of His Majesty's Indian Forces during the 1939-45 War?

Mr. P. Mason: I would refer the Honourable Member to Army Regulations (India), Pay and Allowance Regulations, Pension Regulations, India, and the Royal Warrant for Pay, Appointment, etc., and to the relevant Army Orders, Army Council Instructions, Army Instructions (India), and India Army Orders which have been issued from time to time. The whole question is being examined by a Committee.

APPEALS AGAINST CLAIMS FOR WAR PENSIONS TURNED DOWN BY CERTAIN
AUTHORITIES

219. Babu Ram Narayan Singh: Will the War Secretary please lay on the table a statement showing:

(a) the number of claims for war pensions on account of death and disablement in 1939-45 War which were turned down by (i) the Regimental authorities, (ii) the Controller of Military Accounts and Pensions, (iii) the Adjutant General in India, and (iv) the War Department; and

(b) the number of appeals withheld against the rejections of War Pension Claims referred to in (a)?

Mr. P. Mason: The labour involved in preparation of an answer to this question would be out of proportion to the value of the result.

WHEREABOUTS OF MR. BHABESH CHANDRA BHADURI AND OTHER INDIAN STUDENTS
IN GERMANY.

220. Seth Sheodass Daga: Will the Honourable the Home Member be pleased to state:

(a) if he is aware of the miserable plight of the parents and relations of the Indian students in Germany;

(b) the numbers of the Indian students in the three zones of Germany occupied by the Russians, Americans and British;

(c) whether the Indian students are detained in different zones or in the British zone alone;

(d) if it is possible to give out their names;

(e) whether Government are aware of the whereabouts of Mr. Bhabesh Chandra Bhaduri of the Central Provinces, a student of Bakelite and Engineering in Germany;

- (f) if it is possible for the relations of the students to correspond with them;
- (g) if it is a fact that he was last seen in Berlin on the day the Allies entered that city; and
- (h) whether any steps have been taken for the early repatriation of the Indian students?

The Honourable Sir John Thorne: (a) The Government of India can appreciate the anxiety felt by parents and other relations of Indian students in Germany.

(b), (c), (d) and (e). I have no information of any Indian student detained in the American or Russian Zones. For the British Zone such information (not necessarily exhaustive) shows that Messrs. Suresh Chandra, Braja Lal Mukherji, Promode Ranjan Sen Gupta and Tarachand Roy are detained and that Mr. Bhabesh Chandra Bhaduri is billeted with the Quaker Relief Organisation at 63, Marienburg, Cologne.

(f) Ordinary postal communication with Germany has not yet been resumed.

(g) No.

(h) The Government of India have continued to press for the speedy repatriation of Indians with a clean record. But they cannot undertake to ask for the repatriation of Indians whose detention has been found necessary by the local administration in the interests of security.

MOTIONS FOR ADJOURNMENT

DEPUTATION OF AN INDIAN TO THE MEETING OF COUNCIL OF FOREIGN MINISTERS AT PARIS IN PLACE OF SIR GEOFFREY PRIOR

Mr. Deputy President: I have received notice of an adjournment motion from Sir Vijaya Ananda "to discuss the question of deputing an Indian (in place of Sir Geoffrey Prior) to the meeting of the Council of Foreign Ministers on the 25th April 1946, to represent the Indian point of view". Has the Honourable Member got to say anything about this?

Maharajkumar Dr. Sir Vijaya Ananda (United Provinces: Landholders): Sir, I put a question about this and got an answer on the 11th, on which I base this motion. May I read it out? The answer was:

"The Honourable Member presumably refers to the first meeting of the Council of Foreign Ministers, which was held in London in September 1945. The Government of India appointed Sir Geoffrey Prior to represent their views on any question on which India as one of the United Nations may be invited to submit views for the consideration of the Council. No Indian official with the requisite experience was available at short notice at that time."

As regards the urgency of this matter. The Assembly is closing on the 18th. The Council of Foreign Ministers is meeting at Paris on the 25th instant. Who is going to represent this country? That is the question. Is Sir Geoffrey Prior going to represent this country or is an Indian going to represent this country? If an Indian is going to represent this country, then I shall gladly withdraw my adjournment motion. In any case India cannot be left unrepresented at the forthcoming meeting at Paris. Upon this I sent in my adjournment motion.

Mr. Deputy President: Has the Honourable Member got to make any point whether there is any Indian as a Foreign Minister here in India?

Maharajkumar Dr. Sir Vijaya Ananda: No. I wish to know if Sir Geoffrey Prior is being sent to this meeting, and if so why an Indian is not being sent in his place?

Mr. H. Weightman (Secretary, External Affairs Department): Sir Geoffrey Prior is not being sent to the Council of Foreign Ministers to be held in Paris on the 25th of this month; nor is any one else. We have no opportunity to send any one to this meeting. The Honourable Member has been under some misapprehension, I think. When the first meeting of the Foreign Ministers of the United Kingdom, the United States and the United Soviet Socialist Republics

was held in London in September 1945, we did have some reason to hope that it might be possible for India amongst other United Nations to place before that meeting her own particular views on questions concerning the framing of the peace treaties. Sir Geoffrey Prior was in London on leave at that time; there was very short notice; our interests were largely, though not exclusively, concerned with the Middle East and neighbouring areas; Sir Geoffrey Prior had been our representative on the Middle East War Council and is a very considerable expert on Middle East affairs; and he was therefore nominated to represent our views if the opportunity occurred. As everybody knows, that first meeting of the Foreign Ministers broke up with nothing accomplished. Later on a further meeting of the Foreign Ministers of the three great powers was held in Moscow, where no other country was invited to send a representative; but a procedure was evolved for the preparation and consideration of peace treaties with the European ex-enemy countries, less Germany. That, then, leads to the coming meeting of the Foreign Ministers in Paris, where they will consider the first drafts of these treaties. When they have reached their conclusions on those drafts, they will be placed before the peace conference at which India will be represented by a full scale delegation. But at this Paris meeting of Foreign Ministers, there is no room for us or for any other country to send a representative.

Maharajkumar Dr. Sir Vijaya Ananda: How did they come to send a representative in the first instance in September?

Mr. Deputy President: Order, order: the Honourable Member says that nobody is going to attend this meeting—neither Sir Geoffrey Prior nor anybody else. Therefore the question does not arise. I rule this motion out of order.

TRAIN COLLISION AT ITWARI

Mr. Deputy President: I have received another motion from Sir Vijaya Ananda—"to censure the Government for continued gross negligence and utter disregard to public safety, of the Railway Authorities resulting in a collision of two passenger trains at Itwari and serious injuries to 40 passengers." Has the Honourable Member got anything to say?

Maharajkumar Dr. Sir Vijaya Ananda: As everybody is aware, within the last month and a half or two, there have been three very serious accidents. In the case of Itwari the train was standing on the platform and another train came and ran into it. So, forty people were injured. What I am saying is this: the railway authorities must be brought to book. Their utter disregard for public safety is becoming so apparent that it is very unsafe to travel these days: 40 people have been injured at Itwari, and I submit that the Government should be censured on this.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I do not know that you would wish me to give some details of this accident.

Mr. Deputy President: No; at this stage I want to know whether the Honourable Member has any objection to this being admitted, and if so, on what grounds.

The Honourable Sir Edward Benthall: Yes, Sir; I have objections. The adjournment motion seeks to censure Government for continued gross negligence and utter disregard of public safety and seeks to hang that on the accident at Itwari. The Government of India utterly denies that there is continued gross negligence and utter disregard of public safety. An accident of this sort, which my Honourable friend says has resulted in serious injuries to 40 passengers, is the result of the failure of some individual railway servant and not to any gross negligence on the part of Government or disregard of public safety. The 40 passengers who were injured were not severely injured as my Honourable friend states.

Maharajkumar Dr. Sir Vijaya Anand: Only if they are dead, you will take notice of it?

The Honourable Sir Edward Benthall: Sir, I protest. I can give the full facts of the case now—I gave them to the Central Advisory Council on Saturday. But I suggest that, as ex-Presidents have ruled, a railway accident cannot by itself be the reason for allowing an adjournment motion to be brought in. Due precautions are taken by Government. As happens to be the case in this particular instance, failure of a railway servant is bound to happen from time to time. It happens in all countries and therefore I submit that this not a question for the adjournment of the House.

Mr. Deputy President: Will the Honourable Member say what he has stated in another place?

The Honourable Sir Edward Benthall: I shall be glad to give details. If there is to be an adjournment motion, I should prefer to give it then. If there is not to be, then I should be glad to give the details.

Mr. Deputy President: If the mover of the adjournment motion is satisfied after hearing the details, then he may not move the adjournment motion.

The Honourable Sir Edward Benthall: I should be glad to give the Honourable Member all the relevant details of this accident provided my Honourable friend will withdraw his motion.

Maharajkumar Dr. Sir Vijaya Ananda: That will not cure the malady of having continued accidents.

The Honourable Sir Edward Benthall: I have said that the Government has its rules, etc., in operation which are designed to prevent these accidents. There are human failures and what the House is asked to do is to censure an individual who may ultimately be found to have been the cause of this accident.

Mr. Deputy President: I am asking the Honourable Member to place the facts, though that is not the procedure that ought to be followed, simply because so many questions have been discussed of a similar nature. I want to find out the facts and facilitate the discussion. After hearing the Honourable Member, I may give my ruling in the light of the facts given.

Maharajkumar Dr. Sir Vijaya Ananda: The accident took place while a train was standing at the platform and I submit that it is absolute negligence and sheer disregard for safety. If two trains were running in opposite directions, I could understand there being an accident but this is absolute neglect of duty.

The Honourable Sir Edward Benthall: The facts of the case are these. The accident took place at Itwari which is a two line station on the Bengal Nagpur Railway, in the Bilaspur section I think. The main line is the platform line and the second line is a loop. On the night of the 10th, at about 21-35 hours, 12 Up passenger from Howrah was admitted into the main line and was halted at the platform. The 13 Down passenger coming the other way was scheduled to cross at Itwari but by some error which has to be investigated,—I cannot say who made it, because that would be an injustice to people under suspicion,—by some error the 13 Down was admitted into the same line as the stationary train and there was a collision at a slow speed. The buffers and buffer beams of the two engines were somewhat damaged. On the 13 Down there were two engines of which one was being taken to a shed for overhaul. The front one was damaged. The leading coach of 12 Up, that is the stationary train, was damaged and partially derailed and the second coach was damaged. The screw coupling on the 5th coach of the other train, 13 Down was broken. Apparently no other damage was done to the train. The Guard and the brakeman of 13 Down were slightly injured. The khalassies of both 13 Down and 12 Up were slightly injured. The driver of 13 Down was slightly injured but he continued at his work. Of the passengers 40 were slightly injured. They were treated by the Civil Surgeon at Nagpur, by the G. I. P. doctor and by the Sub Assistant Surgeon at Itwari and they proceeded on their journey. After first aid treatment, 40 passengers continued on their journey. Three passengers were taken to the Military hospital at Nagpur and on the

morning of the 11th they were progressing favourably; I have no further information about them. One military personnel was taken to Kamptee and was discharged. The Railway officers on the spot made a preliminary inquiry but I do not propose to disclose what the result was, because there will be a formal official inquiry by the Railway in the normal course of events and of course, as is usual in these cases, the Government Inspector of Railways under the Posts and Air Department will carry out his formal inquiry in due course and will officially report who is to blame.

Maharajkumar Dr. Sir Vijaya Ananda: This is due to sheer carelessness. Within the last month, there have been accidents to the Dehra Dun Express, one in Bengal and now this one. This is sheer carelessness and my Honourable friend talks of minor injury. Minor injuries to Indians don't matter at all?

The Honourable Sir Edward Benthall: I must protest at that remark and at these continual suggestions that accidents to passengers are caused by the carelessness of the Railway Department. I really must protest.

Mr. P. B. Gole (Berar: Non-Muhammadan): There is a double line at Itwari, which is between Nagpur and Kamptee and how is it that the trains could cross and how could they dash against each other?

The Honourable Sir Edward Benthall: It is a loop line. There are two lines in the station. There is one line outside and the train was admitted from the single line on to the wrong line in the station. Why it was admitted will be found out by the inquiry of the Posts and Air Department. In the Railway Department we have formed our own ideas of the reasons for the accident. It is no good by disclosing them here firstly because they will be suspect and secondly because it will be unfair to the railway servant who appears to have been the cause of this accident.

Mr. Deputy President: I think this matter has been discussed so often in this House that there is no necessity to censure Government on each and every accident that takes place. (An Honourable Member: "It is becoming the usual practice".) The Honourable the President has held very clearly and I do not want to go against his ruling that there is no necessity

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): I rise to a point of order. That ruling of the President against which you do not propose to go was not stated from the Chair in this House. Has it got any status in our proceedings or is it you that will give a ruling on the point raised?

Mr. Deputy President: I have given my ruling.

Mr. Abdur Rahman Siddiqi: I am standing on my right as a member of this House. You told us that because the President had decided the matter one way or the other you would not like to go against it. That gives an indication of a mind that suggests that you might have decided otherwise. I should very much like to be assured that decisions given from the Chair do come from the Chair.

Mr. Deputy President: I assure the Honourable Member that whatever ruling I have given has been given after due consideration and thinking that the previous ruling was quite right and therefore I have given that ruling.

MISLEADING INFORMATION IN ANSWER TO QUESTIONS IN THE ASSEMBLY RE APPOINTMENT OF MEMBERS OF RAILWAY BOARD.

Mr. Deputy President: I have received notice of an adjournment motion from Diwan Chaman Lal who wishes to discuss a matter of urgent public importance of recent origin, namely:

"The action of the Government Member for War Transport in giving incorrect and misleading information to the House in answer to Starred Question No. 1704, and supplementary questions on 11th April, 1946, to the effect that appointments of the Members of the Railway Board, have been made on the basis of seniority whereby Indians could not be appointed without doing injustice to senior European officers."

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, on the 11th instant, the Honourable Member asked his question No. 1704, I answered it and I answered supplementary questions also. On the 12th instant my Honourable friend opposite sought to adjourn the business of the House by reason of the unsatisfactory answers given by the Government in response to this question. Sir, the Honourable the President ruled—I am reading from the newspaper report, which I think is substantially correct:

“as regards the complaint of unsatisfactoriness, the President said, he did not know if the Adjournment Motion could be based on it. Looking at the replies given by the Railway Member, the President was unable to agree that they were unsatisfactory in the sense that they kept back any information, or that the manner or tone was unsatisfactory. He could not admit the Motion as it stood.”

Now, Sir, today my Honourable friend moves a second Adjournment Motion suggesting that my answers given on that date were incorrect and misleading. Now, Sir, I suggest that my Honourable friend's Adjournment Motion is based purely on an after thought. Finding that the answers given on a previous occasion were ruled by the President as not “unsatisfactory”, he now seeks to re-open the question a second time by altering the words to read, “incorrect and misleading”. I deny that these were incorrect and misleading. But, Sir, I do not think it is necessary to argue that point because I maintain that my Honourable friend had ample opportunity to raise this question on the 12th instant when he labelled my replies as unsatisfactory. I therefore submit, Sir, for your Ruling that this Adjournment Motion is out of order on these grounds. If you do not hold to that Ruling, then I deny that the statements were incorrect or misleading. But, Sir, in view of what I have said, the latter question does not arise.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, my Honourable friend the Member for War Transport is apparently suffering from some confusion of thought. He will realise that when he referred me to a previous occasion when the Adjournment Motion was ruled out on the ground that it was not clear to the Honourable President that the replies were unsatisfactory, he should know the distinction between unsatisfactory replies and the replies that are misleading and incorrect. They were stated to be unsatisfactory because my Honourable friend was asked on that occasion, ‘is he prepared to disclose the names of Indians who have been considered for this particular appointment’? My Honourable friend then got back into his shell and refused to give this House the information as to the names of Indians whose names were considered for this appointment. Today I have been able to discover that the statements made by my Honourable friend on the floor of the House, apart from this fact that he did not disclose the information which led to the unsatisfactory nature of the replies, the replies which he gave were incorrect and misleading. I want therefore to seek your permission on that basis, apart from the basis of the unsatisfactory nature of the replies which I am not referring to at the present moment.

The Honourable Sir Edward Benthall: It might be convenient if I point out that my Honourable friend is exactly confirming what I said. He moved the Motion on the 12th saying that the replies were unsatisfactory. He was in full possession of those replies on the 11th and he should therefore have given his notice on the 11th. He did not do so. He is now seeking to raise this question for a second time under a different wording.

Diwan Chaman Lall: The trouble is this, that there is none so blind who will not see. My Honourable friend has raised this point of urgency. If he had waited a little while, I would have given the answer on that particular point. He gave me these replies on the floor of the House on the 11th. He said this: that these posts go by seniority. I was not in possession of that information which we considered to be correct. Because the Honourable Member, in due regard to the office he holds, had taken upon himself the responsibility to make certain statements on the floor of the House. I took that statement to be correct but today information has come into my

possession according to which the statement made by my Honourable friend is incorrect and misleading. Let me tell my Honourable friend that as far as the point of urgency is concerned, it is today that the information comes into my possession and it is only today that I realise that the statement made by my Honourable friend on that occasion was incorrect and misleading. This is the first occasion on which it comes into my possession. I give notice, of the adjournment motion within an hour of the information coming into my possession. It was not in my possession then. I could not have challenged him there and then. I had not got that information in my possession at that time. The information comes into my possession today and at the earliest possible moment, I give notice of the adjournment motion. Now, Mr. Deputy President, let me inform my Honourable friend what the information is. I take it that my Honourable friend does not take objection to the terms of the Motion as tabled, regarding that he made a statement to the effect that these posts of the Railway Board must go by seniority.

The Honourable Sir Edward Benthall: Will my Honourable friend point out where in my replies I have said that?

Diwan Chaman Lall: My Honourable friend is charging me as follows: “that after that he had an opportunity to state that in his objections and he did not do so”.

The Honourable Sir Edward Benthall: No, Sir. I said, I would refute the point.

Diwan Chaman Lall: Let me again refresh my Honourable friend's memory. My Honourable friend said towards the end of the replies that he gave the historical fact that so many years ago Europeans had been imported into the service and therefore because of that historical fact giving them priority in service as a result of seniority, other people could not go over the heads of those Europeans and no injustice should be done to those Europeans. We were discussing at that time, Mr. Deputy President, the question of Mr. Rowleron of O. & T. Railway. Now, Sir, Mr. Rowleron happens to be a man imported from a company-managed railway and therefore the question of seniority *qua* those who are already in State service does not arise. My Honourable friend then misled the House by not telling this House this particular relevant fact that he was in company-managed service, that he has been taken over and therefore, *qua* those who are already in State employment, the question of seniority does not arise. That is number one. The second point is, my Honourable friend knows perfectly well that even if you take the period of Mr. Rowleron's service in company management, his service is much less than the service of Indians available to my Honourable friend. Mr. Rowleron who is being appointed as a Member of the Railway Board has less service than probably four Indian officers. Take the case of one Indian officer, Mr. Giani.

Mr. Deputy President: The Honourable Member need not go into details.

Diwan Chaman Lall: That is only for the purpose of satisfying you, Mr. Deputy President. I am bound to give you all the facts regarding this allegation of mine that my Honourable friend, when he said as what he did in his answer, that he was not leading the House correctly, but that he was misleading the House. He says historical reasons were that officers who joined the service 25 years ago were largely Europeans. I remember he quoted to the House the statement that two-thirds of the officers were Europeans, perhaps ten years before 90 per cent. were Europeans and therefore all the officers who are right at the top would naturally expect to be considered for higher posts and a great majority of them are Europeans and it is not easy to Indianise these posts without doing serious injustice to officers who have served India loyally and well. The implication is obvious that these are the senior officers and they are Europeans, they cannot therefore be superseded by Indians who are not as senior as they are, and therefore because they cannot be superseded by Indians not senior, these Europeans have been appointed. Sir, I challenge

[Diwan Chaman Lal]

that statement. I have given one instance; I am prepared to give a series of other instances in regard to this matter, to prove that this statement is incorrect.

Mr. Muhammad Ismail Khan (Cities of the United Provinces: Muhammadan Urban): Sir, on a point of order, I should like to know whether the whole motion is being argued now. The only question now is whether an adjournment motion can be based on answers being misleading and incorrect. Previously it has been decided by the President that the unsatisfactoriness of answers cannot be the basis of an adjournment motion. But today there is a definite allegation that the answers are incorrect and misleading. If you hold that this can be the basis of an adjournment motion all this speech can be relevant, otherwise I submit it is all irrelevant.

Mr. Deputy President: I have pointed out to the Honourable Member that he need not go into the details, and he is just explaining how the statement became misleading.

Diwan Chaman Lal: Sir, I am grateful to my old and dear friend Nawab Ismail Khan for having quite correctly pointed out what you, Mr. Deputy President, also pointed out. It is immaterial and unnecessary to go into all the details; the fact is that I am prepared to take my stand upon these points:

(a) that the matter is urgent because the information came into my possession only today with reference to the statement made by my Honourable friend the other day;

(b) that I have at the earliest possible moment given notice of this motion;

(c) that it is a matter of great public importance that the House and the country should be misled in this particular manner;

(d) that I have facts and figures with me which will disprove the statements made by my Honourable friend.

I therefore submit that the matter is urgent, of public importance and of recent origin.

Mr. Deputy President: With reference to these officers in the company-managed railways, was the question of their seniority decided when they were absorbed into Government service?

The Honourable Sir Edward Benthall: Yes, Sir. They came in on the same basis of seniority as the State Railway servants.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): With reference to the Honourable Member's statement that he got this information only this morning, the test is whether he could have got it earlier. He could have got it days ahead. The fact that the particular officer was not in a State Railway and other facts about him are well known and were available to everybody. The fact that the Honourable Member came to know about it only this morning does not make it such a fresh fact as to constitute a justification for an adjournment motion.

Mr. Deputy President: I have seen the replies given on the 11th April. On the 12th April the motion was discussed and the fact that Mr. Rowlerson came from the O. & T. Railway should have been known to the Honourable Member when he brought this adjournment motion. It is also well known that the O. & T. Railway has recently been taken over by Government; and that is why I asked whether the seniority of these officers who came to State employment was considered. All this had been known to the public for a long time; there is a cadre for these officers in Government service and they were recruited on the basis of seniority.

Diwan Chaman Lal: Sir, may I interrupt for one minute? The 13th and 14th were holidays. My Honourable friend makes a statement which we take to be correct. We have not got the advantages of my Honourable friend's secretariat behind us. We immediately instituted inquiries and we got the information this morning. And you must take my word for it that we attempted to get the information immediately this thing happened and we were unable to

get it until this morning. This matter refers not only to this motion but to other Indians to whom I shall refer later.

Mr. Deputy President: The Chair is concerned with the fact whether or not a misleading answer had been given or whether the Honourable Member could get the information or not. I believe the Honourable Member's statement that he did not know it and probably no Member of his party knew it. But it was known to the public that Mr. Rowlerson was the General Manager of the O. & T. Railway and that it had been taken over by Government about two years ago, and also that the staff of these company-managed railways was taken over on certain conditions. I take the word of the Honourable the Railway Member that the question of seniority was decided then and on that basis Mr. Rowlerson was entitled to get this. All these things could have been known. The Chair is not concerned with whether the Honourable Member did or did not get this information; the only test is whether he could or could not get it when the adjournment motion was discussed on the last occasion. I think if I allow this adjournment motion it will create a precedent for future occasions and there will be no end of adjournment motions on the same issue whenever a new matter will come to light. After this matter has been so much debated I do not think I should give my consent to this motion.

BANKING COMPANIES BILL

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I move:

"That Mr. K. G. Ambegaokar be appointed to the Select Committee on the Bill to consolidate and amend the law relating to banking companies, *vice* Mr. B. C. A. Cook, resigned."

Mr. Deputy President: The question is:

"That Mr. K. G. Ambegaokar be appointed to the Select Committee on the Bill to consolidate and amend the law relating to banking companies, *vice* Mr. B. C. A. Cook, resigned."

The motion was adopted.

INSURANCE (SECOND AMENDMENT) BILL—contd.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, I should like to respond to the appeal made by the Honourable Leader of the House to economise time. But I may make a counter-suggestion to him that Government will have to revise the whole agenda and drop out a few of the Bills which can very conveniently and properly be taken to the next session. But much as I would like to curtail the remarks which I was going to make and which will now be dealt with in the Select Committee, I should like the attention of the House to be drawn to a very great issue of principle which is involved in this Bill. I welcome this Bill; in fact I was blaming Government for not having brought this Bill earlier; and the principle in it to which I wish to refer deals with clauses 6 to 12, particularly with regard to the capital structure, voting rights, remuneration of managers, common directorship, compensation and investments. Sir, there is an unsocial and anti-social spirit in this country—I do not say it has been caused wholly by British rule in this country—a spirit of greed by which private people will exploit their opportunities as and when they arise in their own interest, regardless of the consequences on others, and more particularly regardless of the consequences on society as a whole. This spirit pervades this country right from top to bottom. Every time a control of any kind is instituted it creates opportunities which are availed of by some people concerned in order to fill their own pockets. Every time a regulation is brought in there is an attempt to evade it. I am associated with insurance for the last 27 years, or rather I was associated very actively 27 years ago with it, when I started one of the companies which is now the second company in Bombay. In this field of insurance which I have therefore observed closely and

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in which I have seen all the developments, the evil has transcended all limits. The Committee on which my honourable friend, Sir Cowasjee Jehangir, presided has gone into this, all the evils were brought to the notice of the committee by the Bombay Shareholders' Association, and what has happened is this: that every time there is an opportunity to evade the law, to get round it, to do something within the limits of the existing law, it has been done. Already, Sir, powerful interests are pursuing Members of the Select Committee to whittle down some of the provisions of this, that or the other as provided in this Bill. It has been pointed out to me that only four or five cases of this evil have occurred in the past, why do you try to penalize 250 companies, and mostly the Indian companies will be penalized whereas the European companies operating in this country will not have the burden of these regulations. This is in my opinion, Sir, an entirely misleading logic. All laws are made not because everybody is a thief, but because there are a few thieves aboard. All provisions in the interest of society generally are undertaken because there is a bad spirit, a bad spirit of greed which is pervading, opportunities for private enterprise which are given by law are abused and people use every opportunity to feed private interests at the sacrifice of general or the public interests. As I said, Sir, this bad spirit is pervading all sections of society, but those at the top, particularly the directors or others, are overdoing it. These sections are so powerful that they can command the services of the best lawyers to study the law and to find out how to evade it. They are competing with Government for the services of civil servants and I dare say there are very few Indian civil servants high up in this Government who have not been formally or informally approached by one or the other of these various groups of big directors who want to engage their services. What for? In order to use their influence to get round the provisions of the law in their own specific case. Sir, there is an anti-social spirit in fighting which every state is concerned and the legislature should fight that spirit and put it down. This spirit has increased very much under British Rule during the last thirty years, and I therefore welcome this particular measure.

May I illustrate in what way the spirit is working? Take the directors of the Bombay Stock Exchange or Bullion Exchange. What do they do? Every time there is a crisis the decision of the Bullion Exchange or the Stock Exchange is such as to favour the directors who are sometimes bulls and sometimes bears. In other words, there is no principle but the private interests of the Directors count more than the general interests. These are influential men, some of them have powers with the Congress, some of them have powers with the Muslim League, and all of them have power and direct link with this Government. They are powerful people. When they sit in the Coal Board, they see that their own concerns get enough. It does not matter what happens to the trade generally. When this Government invites them to conferences and committees they are out again to make sure that their own concern gets everything; the trade does not matter. When they were invited on those 29 panels which the Planning Department has instituted, what did most of them do? They found out what was necessary for them. They tried to promote their own interests and the general interest took a very small place in their attention. It is this spirit which is at the root of the evil which my Honourable friend envisaged.

Sir Cowasjee Jehangir (Nominated Non-Official): May I ask my Honourable friend whether members of that very well known institution which he represents in this House are not invited by Government for advice, and does he put them under the same category?

Mr. Manu Subedar: I am very glad my Honourable friend raised this issue. My Honourable friend is always and constantly in the habit of asking who represents whom. May I ask whom he represents in this House?

Sir Cowasjee Jehangir: That has nothing to do with the issue. The Honourable Member should answer my question.

Mr. Manu Subedar: Quite so. I am answering the question. As I was saying, this poison of private greed at the expense of public welfare has spread everywhere, and it pervades all classes. Let us take the class of Government servants, let us take corruption. What is the meaning of that? That the personal interests of the parties immediately concerned are more important than observance of rules and laws and the general interest of the community is sacrificed. I do not mind, if there are people in the institution which I represent here if they are guilty people of this type, I do not mind saying that I am very glad that this regulation is coming and that it will regulate the affairs. I am speaking here not constantly, as various people point out, not in the interest of so and so. This sectional interest is another evil created by this Government. We are here as legislators and let my friend find fault with what I am saying, not for whom I am speaking.

As I say, there are evils of this type which have grown up and what is at the root of it is that if opportunities are made available by law for certain people through abuse, then they will avail themselves of it to their own advantage and to the detriment of the state, shareholders, and everybody. Therefore, I am very glad that this particular motion in the form in which it has come before us has come, and I trust that the provisions in this Bill will not be whittled down in so far as they restrict these opportunities.

I do not say that every one concerned in the management of these companies is dishonest or intends to do something wrong, but the honest ones and the good ones have to suffer by regulation which causes inconvenience. They have to agree to eschew multiple interests if they have got more than one interest in which they are concerned. All these regulations are calculated to improve the general health of business and I, Sir, representing my institution and fully conscious of that responsibility, I say we welcome every measure which puts the business life of this country on a sound footing, which improves the health of the business and which curtails the opportunities for the wrong-doer by abusing the provisions of law, and generally for promoting his own private greed at the expense of society.

We permit private enterprise at present. What would happen if private enterprise did not behave itself in respect of the provisions which we are now introducing? What would happen would be that the demand for nationalization of these concerns will arise. I myself, Sir, recommended in 1931 in the minority banking report that life insurance business was one of the things in which it was legitimate and proper field for state enterprise. I recommended this at the time when nationalisation of business was not as fashionable as it is today. Why did I do it? I did this because of the relative cost of administration. For example, in the insurance scheme, which is worked for Government servants in this country, the cost of administration is seven per cent to eight per cent whereas the cost of administration of the very best companies is 23 per cent, and it rises to 46 per cent, in some cases. All this extra cost is naturally paid by the insured, by the public, and therefore there is a specific case for considering whether something may not be done in order to reduce the overall costs because life insurance business does permit itself to that routine arrangement which, if this competition and canvassing were omitted, could be done at a much lower cost than it is done at present. I had other reasons in the interest of the country as a whole which induced me to recommend for consideration that life insurance business should be nationalised. But those friends of mine who are suggesting nationalization in a hurry not merely for life insurance but for many other things, I invite them to consider that vicious spirit of private greed which has grown up in this country. What happened with regard to the grain trade and the cloth trade, rubber and various other trades under control? What has happened as regards the administration of some of these things which technically were for that purpose and partially it could be said that these particular trades were nationalised? What has happened? Has not this Government heard over and over again that the opportunities were abused, the public bribed the officials, and the officials took

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the bribe, and generally the administration has not proved quite as satisfactory and successful as all of us, including the Government, would have liked? If that is so, let us seek the reason for the phenomenon. It is the same keen pursuit of predatory self-interest masquerading often as public interest. It is the same self-interest which ignores what happens to society and members of the public and is solely concerned with its own immediate profits and convenience. Therefore, Sir, if we tried to get away by the method of nationalization from the evils which are occurring in private enterprise, then we are still not getting away from the root evil which, in my opinion, is of the same order. We must check sufficiently those predatory and piratical instincts of the ordinary normal citizen, of the official, of the businessman and we must create sufficient self-respect for some social interest in this country so that a man will learn to subordinate his own interest and to regulate it within the regulations laid down by the State and will permit the general interest to prevail and will not attack the general interests for his own private profit. We must create the spirit of citizenship which will strike at the root of these evils. They shall not go undetected by the people in the surroundings, by the employees of these particular persons, by the people in the trades or in the activities which are regulated. My friend, Mr. Griffiths, tried to put down black-marketing in Bengal. He will agree with me, I trust enthusiastically, that the spirit which creates black-marketing here and all the other anti-social activities, is the bad spirit which I am referring to, and this Bill is to be welcomed because it is an attempt in one direction to check that anti-social and bad spirit.

Now, Sir, with regard to the investments policy which is also covered here. I will not detain this House very much. But I must say that it has been pointed out to me—and it will require serious thinking—that many of the companies' investments have been reckoned on the basis of $3\frac{1}{2}$ per cent. There is first the fall in the realization of Government securities when Government will borrow at $2\frac{1}{2}$ per cent, and there is generally a tendency for the earnings to fall. If in addition, restrictions of the kind which are intended to be put in this Bill are placed—I am mentioning the problem—it is suggested that the earnings will still further fall and if that happens, undoubtedly the consequence will be either the companies will be wiped out or the general rate of premium will have to be increased. This is a problem which will have to be carefully gone into in the Select Committee, and personally I would think that if we have a capable authority—considering the number of companies is relatively limited—who is in a position to know what is sound and what is unsound, I would be personally inclined to give a little larger power of discretion to this authority in certain fields and under certain stated and relevant circumstances, in order that, at all events during the next few years, until the world settles down a little more, those companies which would otherwise feel the pinch, would not be driven out of the field altogether or would not be imperilled.

Then, Sir, with regard to the point which my friend Mr. Sanyal so eloquently and with very great passion put forward, namely, the point with regard to the agents. I think my Honourable friend has given in the Bill latitude for certain companies for the next few years. I would extend that latitude with regard to agents on the basis of the total amount of annual earnings which they are making, and those of them, for example, who are below one thousand rupees I would submit their rate of remuneration not to be seriously diminished. There are various other ways of dealing with these problems. I think the labourer is worthy of his hire and I would not like to see agents of insurance companies as a class being singled out at a time when we are fixing the minimum wages for various working classes, and advocating other rules and regulations for the provision of a proper standard of life for other people. I would not like this class, by any provisions of this Bill to be singled out for being further reduced from the very low standard of earnings which they have got.

Sir, I support the Bill.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Mr. Deputy President, I should have liked to have spoken a bit later on this motion, but after hearing my predecessor, I felt that some of the misconceptions he has formed about the mentality of the Indian insurance businessmen require to be corrected.

Mr. Manu Subedar: Not all. Only a small fringe.

Mr. Abdur Rahman Siddiqi: Before I do that I should like to draw the attention of the Honourable the Commerce Member to the fact that one cannot legislate with panic in his heart. You have got to take into consideration things as they are but you cannot ignore the fact that we have passed through many years of war, in which it will be difficult to find businessmen, government officials, and middlemen who were entirely honest. That money has been made illegally, and black-marketing has been the vogue and it has been tolerated by those who had to enforce the law, I do not deny that but the language used by the Honourable the Commerce Member was unworthy of the man who was trying to legislate in order to remove certain black spots in the business of insurance. May I also draw his attention, Sir, to the fact that life business is not the only aspect of insurance in the world. When you think of insurance also take into consideration the other lines and branches of insurance. To punish the many, even in the life section, because a few have committed mistakes is neither just nor equitable. All persons connected with assurance and insurance in this country are not thieves or blood-suckers. No company would succeed if it ignored the interests of the policyholder. There is a new spirit abroad in the country after the war. People have been talking of the masses, they have been talking of the workers and peasants, but they have ignored other sections of society which are equally necessary, if we wish to advance as a nation all along the line. That being so, I do not understand why the policyholder alone should be taken under the protecting wings of high-flown oratory and the shareholder left out. More than that, there is a group of people who work from morning till night giving the best they can to help insurance companies and their shareholders and policyholders through their expert knowledge of insurance and in keeping the companies on the road to progress. If this group were not present every company, like those I am talking of now, would collapse. The profits that are made deserve to be distributed on an equitable basis between the policyholder and the shareholder who brought the company into existence and the expert also deserves to be remunerated. Just because half a dozen people behave badly I would not label the whole of the insurance world in this country as composed of rascals and blackguards. The language used not only by my colleagues to my right but even by the Government spokesman, requires, if I may use the word, revision, reconsideration and withdrawal.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): On a point of explanation, Sir, I made it quite emphatically clear that whatever hard language I used was with reference to those whose nefarious practice is the subject matter of this Bill. I never said anything general of insurance business.

Mr. Abdur Rahman Siddiqi: Mr. Deputy President, I agree that no word was uttered about the good companies and no reflections were cast upon them. There are, so far as my information goes, 206 companies in India, out of which perhaps six have not behaved well. In fact in the report of the Committee established to investigate the undesirable trends and features in the management of insurance companies, every reference made is to one company here and another there or one man in Bombay and another in Timbuctoo who misbehaved. I entirely agree with the Honourable the Commerce Member that he said nothing about the good insurance people but the Bill which he has brought before us is built on the supposition of that panicky attitude of mind which the Committee that investigated insurance affairs in Bombay has put into his mind. The law should certainly punish the guilty but if a law is framed with the intention of

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punishing the good also, I consider the whole outlook and the juridical background deserving of revision and correction. I hope the Select Committee will do that.

I have no intention to go into the details of the Bill, because we want to save time. I hope I shall be elected to the Select Committee and allowed to have my say there. But the policy of the investment of funds, visualised by the Honourable the Commerce Member and his advisers, is one which will break the back of Indian insurance. Insurance companies are nation-building institutions. If you go and sit on the brains of the Boards of Directors and dictate to them as to where they should invest their money and that everything must go into Government or approved securities, as I have said, insurance companies will be debarred from discharging their big function in the advancement of national industries and in the advancement of national institutions which build the nation. Although I do not suspect the intentions of the Honourable the Commerce Member, I do question the whole outlook, whether Indian insurance companies should or should not be allowed to play their proper role in the rebuilding and reconstruction of the country. Indian insurance companies are small today and perhaps the longest period of an insurance company in our country is 50 to 60 years. Most of the insurance and assurance companies came into being after the war of 1914-18. We have not got those huge reserves which insurance companies in other countries have. I support the whole purpose of this law. I had pleaded that we should pass this amending Bill in this session. Now it is going to a Select Committee and the final decision will be delayed. But the whole outlook should be to build up Indian insurance not on the back-ground of half a dozen black-sheep in the insurance world but with a view to assist, help and encourage Indian insurance, so that one day insurance companies in India may help the nation to go ahead as they have done in other countries.

The Honourable Member who spoke before me talked of an expense ratio of seven per cent in the Post Office and governmental insurance management and 23 per cent of expenses under company management. I should not like to cross swords with him but he would understand that the seven or eight per cent ratio of expenditure of Government assurance arrangements do not have branch offices. They do not have agents. They do not publish any propaganda literature. They are worked like a department of the Government and we of non-governmental institutions have suggested and criticised that even seven per cent is a higher ratio for such departmental insurance offices. On the other hand I consider that 23 per cent for regular limited liability companies is a very fair figure. In fact my heart will not break if it went up even to 40 per cent. I hope the Honourable the Commerce Member will agree that if the insurance companies in their life departments were so rapacious and were out to tear to pieces their clients, whose lives they assure, they would not get any business. Yet, if you were to look at the balance sheets of the companies, you will find that the business of the insurance companies is going higher and higher from year to year. If we were all what we have been painted to be, I am sure we would not have carried out insurance business successfully in this country. I would, therefore, urge upon the Honourable the Commerce Member to reconsider his whole outlook, come forward and assist those who are not guilty. In doing so, I feel certain, he will have done great service to the country.

I could go on speaking to the resolution. But the Honourable Member who preceded me uttered a phrase that "the health of the business should be maintained": I agree. The health of the business must be maintained. But the remedy he has offered is rather on the way to kill the patient than to let Indian insurance survive and go ahead. I would beg all friends on both sides of the House to see to it that this great institution of nation-building is not smothered. There are agencies out to smother it. Our business here should be to see to it

that they do not succeed. He has used another phrase "labour is worthy of the hire". This view is expressed better by the old Persian adage:

"Mazdoor-i-khush dil kunad kar-i-besh."

Therefore, those who work insurance either as managers, or as clerks in the offices, or as agents or sub-agents in the field, will give a better return if they receive their wages on a decent scale.

Another point to which I wish to draw the attention of the Honourable the Commerce Member is that the tables prepared by most of the companies are at four per cent. Some that looked ahead calculated their tables at $3\frac{1}{2}$ per cent. Our investments give sometimes two and sometimes three, and with the deductions of the income-tax and its many progenies the yield is $1\frac{1}{2}$ per cent. Therefore, if I have to meet my liabilities I must either increase, as he said, the premium rate, or I must increase my business. I shall not get an increase in my business if I am the rascal that I have been painted.

Sir, I welcome the Bill and support its being sent to the Select Committee. I do hope that by the time we meet in the Select Committee the Honourable the Commerce Member will extend his kindness and generosity to us because we deserve it.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. Vaman Lalubhai (Ahmedabad Millowners Association: Indian Commerce): Sir, the genesis of this Bill has been due to two causes. One is the undesirable features that have crept into the insurance business of late. The other is the internal competition that has been going on in the insurance trade, due to a keen desire of the various companies to get at the business that has been available to the insurance trade. Lately, due to the war conditions and the inflationary trend that has been established in this country due to the Government policy, many people have come to possess vast amounts of money, and some of them naturally tried to get into the insurance trade with a view to get possession of the vast funds which the insurance companies possess, so that they could use these funds to their advantage and make more money. The result has been that shares of insurance companies have been sold at fabulous prices, out of proportion to the interest they were bearing, and consequently the insurance companies themselves had to suffer. Many new banks tried to get possession of insurance companies by buying up shares and some insurance companies also tried to get into some new banks. To avoid this state of affairs, the Cowasji Jehangir Committee was appointed, and as a result of the recommendations of that committee, there have been certain proposals put before us, so that these nefarious activities may be put a stop to.

The other cause is about the internal competition. These two matters have to be mended and the result is the present Bill. However, the competition between the new and the old companies has been so serious that insurance expenses have gone up tremendously; and with a view to come to a settlement, the old and the new companies got together and devised certain schemes whereby they might be able to help both the new and the old companies and reduce their expense ratio. The new Companies are at a certain disadvantage because with the old companies there have been vast resources and a highly trained staff; and as a result the only thing that the new and small insurance companies had to do was to undercut them and that has brought about this situation. The result of this undercutting has been uneconomic to a certain extent and the ultimate sufferer has been the policyholder. If the expense ratios are reduced naturally the insurance companies will be benefitted more than at present. If we take

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for example the expenses of the life insurance companies as proposed in the present Bill, we will find that for the old companies with a business of two crores or more they propose to allow 80 per cent as expenses on the first year's premium and 13 per cent on the renewal premium. I will come to the difference between the first year's premium and the renewal premiums later on—but I would just compare the first schedule and the alternative schedule that has been provided in this Bill. If we look at the alternative schedule we will come to the conclusion that it has been devised only with a view to help very big insurance companies to the detriment of the new and small companies. I feel that there is no necessity for this alternative schedule, because if we look at the figures given in the alternative schedule—for ten crores of rupees and more insurance business the figure given for expenses in the first year is 85 per cent while in the first schedule it is 80 per cent for business of two crores and more. On the one side small companies have been accommodated, while on the other side in this alternative schedule that accommodation has been sought to be taken away. If by the first schedule the big companies can afford to do that business by 80 per cent expenses, why is it sought that 85 per cent expenses is to be given to them under the alternative scheme? Similarly, in the renewal premiums also it comes to 13 per cent in the first schedule and 14½ per cent in the alternative schedule; and therefore I feel that it will be a great injustice perpetrated both ways, one way to the new and small companies and the other way, the bigger companies will be given an unnecessary advantage of that five or seven or whatever per cent it is. I would draw the attention of members of the Select Committee to this very great inequality that has been sought to be perpetrated in this Bill as against the small companies.

Now, coming to the expenses side of the first year's premium and the renewal expenses, the renewal expenses are sought to be given, ranging from 13 to 20 per cent: that is, for an insurance company that is well established it will be 13 per cent; and out of that if renewal commissions to agents is taken out, the expense ratio would be eight per cent. In the first year the agent's commission would be 35 per cent—and if this is taken out from the 80 per cent, there will still be 45 per cent left for incurring expenses. I cannot understand why there is this huge difference between renewals and the first year's expenses, of between eight and 45 per cent. No doubt, in the first year, the working expenses are certainly heavy—new policies have to be taken out, medical expenses have to be borne, and a little more clerical work has to be done; but 45 per cent as against eight per cent is certainly heavy and if this expense can be reduced, I am sure tariffs can be reduced to the advantage of the policyholders. There are various defects in the Bill a few of which I will here refer to. Regarding general insurance, the expense to be allowed is 20 per cent while in life insurance we allow only eight per cent on renewals. No doubt general insurance has to be taken every year but I cannot understand why the expense should be 20 per cent because when a general insurance policy has been taken it is always taken year after year and generally the client goes to the original company in a great majority of cases and as that is the position the difference between life insurance expense of eight per cent on the renewals and 20 per cent in general insurance is certainly heavy. I feel the expense ratio of 20 per cent can be and ought to be reduced to 15 per cent which would ultimately go to the benefit of the policyholders which ought to be the main criterion in selling insurance. Regarding the general insurance business the Insurance Association issued a memorandum in which they have given certain facts. The facts are that the claims ratio has been going down slowly and during the period of 1939-43 the claims ratio has been 88.2 and that has given a profit to the companies of 17.9 per cent, according to their figures. Now, while drafting this Bill or while suggesting several changes in the Bill the insurance companies want to get 45 per cent, to be calculated as claims ratio. Their fear is that this 38 per cent is a very low and an exceptional figure but in future it may be that the claims ratios may be heavier as had been

in the years 1930-32. I for one do not feel that the claims ratio may be heavy but taking for granted that the claims ratio would be heavy, do they want that the claim ratio should be considered at 45 per cent while considering the expense ratio, etc., and pocket the difference themselves? It may be allowed for the time being but the difference between the actual expense ratio and the expense ratio demanded by the insurance companies should not be allowed to be pocketed by shareholders because that extra claim ratio which has been set aside would be at the cost of the insured and so I would propose that this difference between the actual claim and the claims ratio of 45 per cent proposed may be set aside as an insurance fund for various emergencies that may arise in future and later on if it is found that the expense ratio is certainly lower than 45 per cent the same may be squared up by reducing the tariff rates for the general insurance. The ultimate aim of the insurance, both life and general, therefore should be how to sell the insurance cheap to the public and how to make the public more insurance minded, both in the sphere of life as well as general. India is a country where insurance is not in vogue as in other countries. The insurance figures as compared with the U. K. and the U. S. A. are extremely low. Probably the figures would be 1 to 200 or 1 to 150 and that is why there is a huge scope for getting more insurance business and that can only be done if insurance business is being attended to in a very scientific manner and at less expense to the insured and that is why these expenses ought to be reduced and that is why specially so far as the general insurance is concerned this extra difference between the claims ratio proposed and the actual claims ratio should be set aside for a general fund that may help in future to reduce insurance tariff.

Further the position regarding insurance agents is a little strange. There have been about 90,000 insurance agents in this country whose average annual income is less than Rs. 30. That is there must be thousands who may not be getting even Rs. 10 or 20 a year. These persons who earn only Rs. 10 or 20 are naturally not insurance workers and the real insurance workers suffer because there are so many hundreds and thousands who simply butt in as insurance workers being relatives of the insured or some friends of some insurance company officers and also specially the policyholders may be desiring to oblige somebody and that is the reason for these low earnings. If these people are eliminated by putting into the clauses of the Bill that a certain amount of insurance will have to be taken, that would be a good proposition. I find from the Bill that there is that proposition that every insurance agent will have at least ten thousand rupees worth of business in a year. I would like to find out whether it is not worth while to make that limit a little higher. I would therefore suggest to the Select Committee to go deeply into the matter as to how a real insurance agent can be benefitted by getting more work, so that although their remuneration has been fixed at a certain percentage their earnings may not go down but may increase in future.

Further in this Bill nowhere it has been specified what will be the remuneration of the Chief Agent. Something ought to be specified that the Chief Agent's remuneration will not be more than a certain percentage. Otherwise in the expense ratio that has been allowed a position would arise when the Chief Agents may be given in certain companies more income which they would in turn, shift to the policyholders and which would again create an unhealthy competition. Similarly the remuneration of Managers and Managing Directors ought to be specified because if you specify the remuneration of the Agent, the Chief Agent and various other expenses, why should we not specify certain expenses for managerial staff because the same difficulty would arise that if the managerial staff is paid very heavily and which the big insurance companies will be able to allow

Sir Cowasjee Jehangir: There is a provision.

Mr. Vadilal Lallubhai: Will you let me know the provision?

Sir Cowasjee Jehangir: I cannot tell you now. It is there.

Mr. Vadilal Lalubhai: The expenses are devised in a way that the big insurance companies will be able to give very handsome salaries to their managers and managing directors, whereby they will be able to circumvent the clauses of this Bill to the detriment of the new insurance companies and the small insurance companies. So, Sir, some device should be found whereby this circumvention which is sought to be availed of might be removed. Regarding investments clauses, there has been a tightening of investments, but I would rather wish that the tightening should be perfect in a few spheres rather than in so many items as has been suggested in the Bill, because on one side you tighten up the sources of investment, and on the other you also give a proviso whereby if the Directors unanimously decide they will be able to invest wherever they like. Probably some difficulty would arise if a Director who is not honest tries to put a premium on his agreeing to be unanimous with the wishes of the other Directors and thereby he may be able to get some gains for himself. Rather, I would suggest that so far as investments are concerned, there should be a high percentage of voting for Directors, so that one individual, if he wants to take any advantage may not be able to do so. Instead of having several sub-clauses about investments two or three items which might have been harmful in the past may be taken away and there should be no latitude given in those items. Some exemption is being given for investments according to section 29. In this section it is allowed that you can loan your monies to banks. That is the thing which the Jehangir committee had to investigate because banks bought the insurance company shares and insurance companies deposited large amounts in certain new banks. Here again you seek to allow these kinds of investments in these banks. I wish the matter is gone through thoroughly and if there is any difficulty or defect found it may be removed.

In clause 11, new section 31-A(1) (ii) there is a provision for payment of commission to a person not being an officer of an Insurer. This person is probably a third person. Already there is the Chief Agent, there is the Agent, and now there is going to be the third person who will also be paid some commission. I do not understand why this third person should intervene between the management and the Chief Agent, and to how many persons you are going to give this commission and if that happens, naturally, as I said before the big companies will be able to circumvent the provisions of the Bill and will be able to harm the rightful share of business that new companies should have. Regarding the clause for whole time officers, it has been stated that whole-time officers will be employed by those insurance companies whose life fund is 25 lakhs and those of other companies whose fund is 50 lakhs. Now, Sir, we know that life fund accumulates very quick in the case of life insurance companies, and in the case of general insurance companies, it accumulates rather slow. You should not put life fund and other insurance funds on equal basis; that is 25 lakhs may be life fund, but to put another 25 lakhs for general fund, it is rather high. If the general insurance company has no life department, it would suffice if the general insurance fund is only about 15 lakhs and no more, but if it is general insurance company including life department, then the figure may be 40 lakhs. This anomaly of 50 lakhs in place of 15 lakhs should be looked into. I feel this is too heavy an accumulation of funds for allowing a whole time officer for a general insurance company.

Regarding penalties, I see that penalties are levied on insurance agents and not on insurers in the case of life insurance companies. Rather, if anybody breaks the law, it will be both the insurer and the insurance agent. While the insurer is a big, company, the insurance agent is an individual. We ought to see that we do not put in any way more difficulties in the way of insurance agents than in the way of insurers. If regulations are infringed we ought to put heavier penalty on the insurance company than on the insurance agent.

In another sub-clause it has already been laid down what the penalty is for an insurer. Clause 14(5) lays down a penalty of Rs. 10,000 for an insurer:

"If any insurer contravenes any provision of this section other than sub-section (1) he shall be punishable with fine which may extend to ten thousand rupees."

They are making here an exception in the case of the insurer in case of sub-section (1). That exemption, according to me, ought not to be there. Rather the insurer should have heavier penalty. All the same, penalty of Rs. 10,000 should be put here.

Sir, when this Bill is considered in the Select Committee and when various matters are discussed there, I hope the expense ratio which is allowed, if it is considered high, will be lowered. If the claim ratios of general insurance companies and actual claim ratio fund are set apart, I am sure the whole insurance industry will benefit as then they will be in a position to reduce the tariffs to the satisfaction of the policyholders which would ultimately give them more and more business.

Sir, in conclusion I would again say that the advantage that is being given to big companies under this Bill in the alternative scheme of expenses should be dropped as that is an unfair advantage which big companies would try to exploit. I do not know whether this is deliberate or accidental. And I hope it is accidental and I hope this anomaly will be removed. With these observations, I conclude.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, the Bill for amending the Insurance Act which is now before us has been recommended to this House in its present reading by the Honourable the Commerce Member, with a speech which has left some of us at a loss to understand, not only the purport of the Bill which it sought to pilot, but also the purport of the speech which the Honourable the Commerce Member thought fit to make. Some other Honourable Members who preceded me have already referred to the tirade which the Honourable the Commerce Member indulged in against profiteers, black-marketeers and others. There will not be any one in this House or outside it who has the interest of the country and its people at heart who will not be at one with him in all that he said against these anti-social people. But one failed to understand, Sir, what all that had to do with the Bill that was placed before the House, unless it was sought to make out that all the problems that have arisen in regard to insurance in this country and all this legislation was being pushed through merely because some people

having earned money—illegal money in the black market or elsewhere—were going to make it impossible for decent business to exist. The committee presided over by my Honourable friend Sir Cowasjee Jehangir was appointed to look into the matter of shares of companies being bought over by other persons. It has been sought to be made out that there was something unspeakably evil about that prospect or that matter. We have been told that the whole edifice of insurance might have fallen down and the entire future of the country would have been jeopardised if steps had not been taken to make it impossible for anyone or any set of people—call them by whatever name you like—to be able to purchase over the shares of any insurance company. Was this panicky attitude dictated, as I once before asked in this House, by the fact of a certain attempt to effect a transfer of shares of a very big company, a company to which my Honourable friend Mr. Sanyal referred the other day as having paid dividends of Rs. 125 per share of Rs. 100? Could it be due to a panic created in the minds of its shareholders and owners, of whom, I believe my Honourable friend the gallant Knight from Bombay is a prominent member? Could it be that this panic was created by an effort in the past on the part of some other persons, long before black markets came into vogue, to corner the shares of that company? Could it be that it was felt that the interests of some people who possessed the hen that laid the golden eggs for them day after day and year after year, required this? Was it due to a fear of the interests of these few people being jeopardised that all these drastic provisions have been thought out? A big sledge-hammer has been invented to kill a small fly which might have concerned one or two or three or four companies here or there. Sir, I do not wish to make any accusations; I am only trying to seek the light and express some doubts and suspicions which might naturally cross the minds of those who wish to look for the causes and the reasons for this Bill and

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India is a poor country. There is need for popularising insurance. It is essential for the well-being of our people that insurance should spread among them. If they are finding it well nigh impossible to go in for sufficient or even nominal cover even at the present rate of premia, may I ask how the Government imagine that when the premia are raised very much higher, people will be able to insure themselves in this country? You can very well say it does not matter to me. I shall have a mathematically sound proposition. I shall have a proposition which an actuary and a financier will pass and approve. I do not care whether the result is that you have a proper and practical possibility to live upon. If that is the attitude of the Government, one can understand these provisions. But if this Bill intends to safeguard the interests of insurance, of policyholders and insurance companies and their funds only, then may I ask how all that will be done if insurance does not itself thrive, if insurance itself does not flourish, if it does not itself expand? How will you have a thing without the basis of it? Therefore this proposition of confining investments to approved securities, to shares which have for at least five years paid regular dividends—in other words, the market prices of which will be proportionately at a level where the yield will not be more than the yield on Government securities—how are insurance companies going to live? Sir, the clauses give to the insurer the right to have landed property and houses, but that again, Sir, for the use of the insurer alone. May I ask what the meaning of that clause is? May I ask the purpose with which it has been put up? May I ask in all sincerity as to how that is going to help insurance companies or policyholders? Or is it that by a mere whim, you have put into the Bill clauses which have neither relevancy nor meaning, nor purpose, but which you in your wisdom have taken the fancy to bring in? You probably imagine that thereby you will be able to put insurers on a sound basis, while in actual practice, even though you may put it on a theoretically sound basis, you will actually kill it root and branch.

Sir, there are other clauses regarding investment. There is a clause, Sir, that a Superintendent of Insurance will have the right to ask an insurance company to realise the assets of anyone of its investments whenever he chooses. The Bill does not merely try to lay down how investments shall be made. The Bill does not content itself with providing the lines on which work shall be done and laying down the penalty which will be there to see to it that nobody transgresses those provisions, but the Bill goes a step further and gives to the Superintendent of Insurance powers of a most arbitrary nature, that in his simple whim or fancy he might ask my Honourable friend, the Knight from Bombay, to realize all the money that he owns in the shares of the Oriental Insurance Company. I really do not know, Sir, how a provision like that should at all be necessary. On the contrary, there can be a great deal of indefinable mischief implied. We have had a Superintendent of Insurance during the last few years, to whom this country will feel grateful for the good work he has done. That Superintendent, Sir, has left.

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): He is there!

Pandit Govind Malaviya: I am sorry, otherwise possibly I would not have given him the praise that I have.

But, Sir, another Superintendent of Insurance has to be appointed. Several days ago, Sir, I along with some other Honourable Members of this House, sent notice of a question to the Honourable the Commerce Member and requested that, in view of the fact that the matter was urgent and that the Assembly session was soon coming to a close, he might be good enough to admit the short notice question and give a reply. The question was as follows:

The Honourable Dr. Sir M. Azizul Huque: On a point of order. Is it fair that a short notice question contents should be introduced here? I am prepared to give him all the information. Owing to the exigencies of official work, I could not do it before. I am now prepared to give him the information at any moment. It is not that I wanted to keep things.

Pandit Govind Malaviya: This question was sent to the Honourable Member on the 8th or 9th April. Today it is the 15th. The question did not ask for information which had to be collected from anywhere. The question did not seek enlightenment on points about which there can be any controversy. Simple files which must be lying on the table of the Honourable Member had to be turned over and the information given. But I am sorry to say, Sir, leave alone the question being admitted, we have not had even the courtesy of a reply that it would not be admitted.

The Honourable Dr. Sir M. Azizul Huque: I cannot say I remember to have received it. I can say that the subject matter is still not finally decided and that is probably the reason, but I will find out and give the information to my friend tomorrow.

Pandit Govind Malaviya: I handed over the question with my own hands to the officials and I do not know why it should not have reached him. Besides, obviously, the Honourable Member knows the text of my question. But he says he does not remember. Very well, that fact itself lends support to what I was going to say. As I was saying the question was:

"If applications have been called for for filling the post of Superintendent of Insurance: If so, what are the qualifications set out in the notification inviting such applications:

How many applications have been received:

If a special and independent committee will be appointed to make the selection from among the applicants: If not, why not? and

How does the Honourable Member propose to fill up the post and when?"

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): Sir, is this all relevant to the motion before the House, that the Bill be taken into consideration? We have been sitting here patiently but this is too much.

Pandit Govind Malaviya: I think nothing could be more relevant to insurance than the appointment of the Superintendent of Insurance. If my Honourable friend is unable to see that point I shall have nothing to say.

Mr. President: The point to which the Honourable Member was referring was the provision which invests the Superintendent with the power of realising securities and his contention was that the Bill gives authority to the Superintendent not only to regulate the investments but even to realise them, and that such a power in the hands of the Superintendent of Insurance is likely to affect adversely insurance companies. That seems to be the point.

The Honourable Dr. Sir M. Azizul Huque: The Honourable Member is asking about recruitment.

Mr. President: I am just going to see what the Honourable Member is going to say further. Perhaps his point is that the appointment of the Superintendent being entirely left in the hands of the Government, any man may be appointed and there was no guarantee that a suitable person who is capable of exercising proper discretion is likely to be appointed. I believe the Honourable Member has some such thing in his mind. Let us see what further he is going to say.

Pandit Govind Malaviya: Sir, you have put it very much better than I could. The point is so obvious that any reasonable man would see it and I hope the Government will. Such a question was not answered. As I said, no information had to be collected about it. The Government must have proceeded in the matter and if they have not it would be a peculiar state of things. They ought to be able to tell us what they had done and how far they have gone, and the fear is that probably they may delay in such a manner that this Assembly meanwhile may be adjourned and then they would make the appointment so that we may not be able even to judge the man's merits and some man who might be a favourite of the Government (we say it from our experience in this country) may be foisted upon all the insurance companies, not because he has the ability for his work, not because he has even the integrity to perform his duties properly but just because he has to be patronised. The favouritism and

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nepotism of this Government are well known. With that fear lurking in our minds, the powers which are sought to be given to the Superintendent of Insurance make us wonder as to what insurance companies are going to be in for.

During the course of the last Bill I pleaded with the Government and I pressed it on them that they should give consideration to the question of having certain clauses in this Bill of a nature which would leave scope and room for an appeal on behalf of aggrieved parties from the decisions of the Superintendent of Insurance. I left it at that hoping, particularly in view of the assurance which the Honourable the Commerce Member gave, that the matter would be brought up along with this Bill. But I find no such provision. There is no provision for any appeal. There is no second consideration of what the Grand Moghul might take into his head to do in regard to the investments of any company. Sir, I hope therefore that this question will be looked into very carefully by the Select Committee and this provision which gives the power to the Superintendent to call upon any company to realise their investment of any particular nature will be removed.

Section 7 of the Bill says that no advances or loans are to be granted. There were already provisions of that nature in the old Bill. We are thankful that this clause has a provision which some how leaves out the advances to agents. But it does something very much worse and that is that it rules out the possibility of insurance companies advancing loans for housing schemes and for housing purposes. It is a very important point which I hope the Select Committee will look into. All the world over today the problem of housing is as important as anything else can be. In India particularly the Government and other non-official agencies are all of one opinion that houses should be constructed for the poor, for the needy and others. We know very well that nothing can help that to a greater extent than that insurance companies should have their own housing schemes and provide residential accommodation to their clients. It is a perfectly sound scheme. Nothing could be sounder than schemes of that nature. But, Sir, this provision seeks to take away that right from insurance companies.

Similarly it leaves no room for insurance companies to invest in debentures or preference shares, unless they are debentures or preference shares which have been there for five years and have throughout paid dividends. Debentures as we know are always secured against block: therefore there can be no question at all of any risk in investing in debentures: and the advantage they possess is that they yield a little higher rate of interest than what the other shares yield. Now my friends over there will know very well that debentures usually are called for five years or about that time. Therefore, by the time an insurance company can purchase debentures, by the time an insurance company can think of taking up some debentures, they are redeemed by those who have offered them. I can understand a restriction about investments of a speculative nature regarding shares. I can understand well conceived regulations which would prevent any undue risk on the funds provided by policyholders. I am not against that in principle. But, Sir, behind the cloak of that principle, to lay down provisions which would make it impossible for insurance companies to carry on their business on a profitable basis and thereby make it profitable for their policyholders too, is a step in the wrong direction.

There are similar other provisions in those clauses which will jeopardise the entire possibility of insurance companies developing on healthy and prosperous lines. I hope the Select Committee will very carefully go into all that and will not be stampeded by the report signed by the members of the Sir Cowasjee Jehangir Committee—names which every one of us respects, names which each one of us recognises as names of capable and experienced people,—but names which have yet to establish their claim as well-wishers, pioneers and leaders of the spread of insurance throughout the length and breadth of this country. mean no personal reflection upon any one of them. As I have said, they are names which command our respect and admiration—each one of them in their

own line. But, as I said, those respectable friends could not possibly have the vision before them of a country of 1,500 miles of length and breadth with 400 millions of inhabitants, being covered by a net-work of insurance organization so that not a soul in this country would stand the risk of being uncovered and unprovided for. That vision—I say this entirely in an impersonal manner—could not possibly have been present before their minds. As it seems, that vision has not been present even before the minds of the framers of this Bill. I hope the Select Committee will look into the future and judge every provision from the view point whether it will help.

The next clause that I should like to refer to is clause 11 of this Bill. It lays down that officers of insurance companies shall not be paid on a commission basis. In other words they should have fixed salaries, but no commission or bonus, or anything you might call it, shall be paid to them under the terms of their employment. This again is a clause which is going to severely affect the well-being of by far the largest number of insurance companies in this country. That brings me to the point as to how far these companies have been able to cover the field in that direction. We have about two hundred insurance companies in this country. But those two hundred companies, or at least most of those which cover large business, are confining themselves—not because they do not wish to do otherwise, but some how in the very nature of things have to confine themselves—largely to urban areas. The real interior of the country, the real people of the country, have not been touched and they cannot be touched, because they will need local attention, local organisation and local effort, which very big companies sitting at a far off distance would not be able to run or control. Therefore, the need of this country is that there should be a large number of small insurance companies run on proper lines, run under laws and regulations which would leave them no room for going wrong or endangering the money invested by policyholders, that there should be a net-work of such small insurance companies, the expenses of which would be naturally very small and would be nominal, each of which would cover a small area intensively and carry insurance to every hut and every dwelling in the interior of the country. This provision, that commission basis payment should not be permitted, will make it impossible for small companies to carry on their business. I will give a small illustration. A company appoints a certain officer on Rs. 200 a month on the expectation that that man will create an organization which would produce about 2 lakhs of business in the year. It is found at the end of the year, or at the end of the second or third year, that that man has produced much more than two lakhs in a certain year. Let us say it is 5 lakhs. That man will come to the company and say "I have done much more; so, you must now give me a salary of Rs. 500 a month". This clause will lay down that either the company should give him a salary of Rs. 500 or do nothing else for him. In case the company increases his salary to Rs. 500 and the next year the man does only 2 lakhs business, as he had been originally expected to do, the company will suffer by Rs. 3,600 during that year and will have no option but either to dispense with the services of that capable man or to pay him again at a higher rate, or dissatisfy him by reducing his salary.

Mr. President: I want to be clear on one point. Am I right in believing that, under the clause, payment on commission basis in respect of life insurance business is permissible?

Pandit Govind Malaviya: I am afraid it is not so. If I am wrong the Honourable the Commerce Member will correct me. But I believe the clause has no such provision. The clause says clearly that payment on commission basis also shall not be permissible to officers.

Mr. President: In clause 11, proposed Section 31A, it is stated:

"Notwithstanding anything to the contrary contained in the Indian Companies Act..... no insurer shall after the expiry of two years from the commencement of the Insurance Act.....

(c) be directed or managed by, or employ as manager or officer or in any capacity any person whose remuneration or any part thereof takes the form of commission in respect of his insurance business other than life insurance business."

Pandit Govind Malaviya: If you will kindly look at clause (b) of the same it says:

"(b) be directed or managed by, or employ as manager or officer or in any capacity any person whose remuneration or any part thereof takes the form of commission or a share in the valuation surplus in respect of his life insurance business."

I am referring to that

Mr. President: But there it is a question of surplus—the words are "commission or share in the valuation surplus in respect of his life insurance business".

The Honourable Dr. Sir M. Azizul Huque: That is there.

Pandit Govind Malaviya: If that is so, I shall be very happy; but as I saw it, the commission mentioned is one thing and a share in the surplus is the second thing. It reads like this—"any person whose remuneration takes the form of a commission, or a share in the valuation surplus in respect of his life insurance business." I shall be very happy indeed if the Honourable Commerce Member will agree to make the point clear.

The Honourable Dr. Sir M. Azizul Huque: I think if my friend will look at clauses (b) and (c) together and put them side by side, he need not make a pause carefully after the word 'commission' in order to find out its meaning. The Honourable President has made it quite clear.

Pandit Govind Malaviya: In any case, if it is the fault of my understanding I shall be very happy to own it; and if my point is secured I do not mind being called a fool even.

Mr. President: That is not the point.

The Honourable Dr. Sir M. Azizul Huque: All I say is, that really these are all points which can be threshed out in Select Committee without difficulty.

Sir Cowasjee Jehangir: All these are Select Committee points—every one of them.

Mr. President: I just wanted to know what the Honourable Member's objections were, and as I could not follow them, I wished to get them clarified.

Pandit Govind Malaviya: As I said, in case that interpretation is correct, I have nothing more to say about it and I shall be very happy if the Honourable Commerce Member will agree to have it so clarified that there will be no argument at all about that point or any doubt about it. That is all and I shall leave it at that.

Then Sir, I have also before me the provision regarding a reduction of commissions payable to agents. I should very much like to go into that question because I consider that that is the bed rock upon which all insurance stands and will stand; but I shall not go into that at this stage because of the very clear exposition which my friend the Honourable Mr. Sanyal has already made yesterday of the various aspects of that question; and I hope that that will be looked into most carefully in the Select Committee and not be ignored, as insurance agents are the foundation upon which alone insurance companies can prosper. There is no point in our saying that the commission of insurance agents should be reduced, when as Mr. Sanyal said, everywhere we are thinking of increasing the wages of workers and labourers and producers. It is a point which is of the utmost importance, but as it has been already dealt with and as we shall have an opportunity to go into it in the Select Committee, I shall not take the time of the House in developing that.

The next point which I wish to refer to is about Chief Agents. That again becomes a question of the few big companies trying to secure through this Bill what they can afford and what they find to their advantage, and thereby compel companies with smaller resources either to take to white elephants in the shape of regular offices everywhere, or to forego the possibility of developing their business. There can be no third possibility. The difficulty is on the one hand that they will be restricted to the limit of expenses which they can incur and rightly so, because that is a step in the right direction; whether small or

big, all companies should be ruthlessly made to limit themselves to a certain proportion of expenditure. But on the one hand, we are laying down that clause that they cannot spend more than a certain figure; and on the other hand we are laying down that these small chief agents shall not exist. What happens in the case of these chief agents is that they are appointed by companies on the basis of doing business. It is more or less, if I may say so, an arrangement, on an *ad valorem* basis: if they bring you business, you pay them their commission; if they do not bring you business you do not suffer and they do not lose; while on the other hand in the case of offices, what happens is that first of all a company must have an office of a proper type which involves a great deal of expenditure; whether that office is able to pay its way and get sufficient business is a matter for the future. Therefore, by this provision we shall be compelling all companies either to restrict their activity or to go in for a method which will be hazardous, in other words, which will entail a risk upon the monies of the policyholders which will be invested in the company. I think the Honourable Commerce Member waxed eloquent and professed his desire to safeguard the interests and the funds and monies of these policyholders. I therefore ask him to explain how this provision by which he leaves no room to a company except to have expensive offices everywhere, how this clause will avoid the risking of the money of the policyholders of these small companies. Similarly the clause that a chief agent can only function if he has at least 12 good productive agents under him and produces at least Rs. 1,20,000 worth of business in the year should be at least modified, if not dropped altogether. We must have chief agents of smaller type also, so that smaller companies may be able to utilise them. There are other sub-clauses also regarding chief agents which try to do away with them. I hope it will be realised that those clauses also will actually stand in the way of the development of insurance and I hope that therefore they will be removed.

Sir, I then come to the tables for over-all expenses. They are a very desirable thing and I give my fullest support to the principle; but the Honourable the Commerce Member stated that these tables have been framed after a careful consideration of the various representations, which had been made about them. I therefore take it that they must be sound in their basis; but, from the practical point of view, these tables will require a great deal of modification. To take one very prominent aspect of it, the tables lay down certain categories and the top most category is, if I am not mistaken, of companies which have a total business of more than 10 crores or something like that. Now, there will be companies which will have 50 lakhs of business in force, there will be companies which will have 10 crores of business in force, and there will be companies which will have 50 crores of business in force. Now, as will be very easily seen, a proportion of their assets—a small fractional proportion of even half per cent. of the assets of companies which have 20 crores of business in force, will be in geometrical contrast to what will be available to companies which have only 2 crores, or one crore, or 50 lakhs or even 5 lakhs of business. Therefore, I would submit that more grades should be inserted; and also the question of considering the minimum figure for the total business in the lowest grade should also be gone into. That is what I would suggest, because, while on the one hand it is a very good thing to have such a law limiting over-all expenses, we must not forget that in this country we have got many other difficulties also. There are one or two or five large companies which are able to dominate the whole field of insurance. For them it will be easy with all these provisions to go on expanding further and further, while it will be impossible for smaller companies to do so. In the American law on insurance, on the basis of which I understand this Bill has been framed, there are provisions not only to limit the overall expenses of companies but also to set a limit to the increase in the new business of companies in any year.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan).]

Sir, this is a very important point to which I wish to draw the attention of the Honourable the Commerce Member. I suppose he must be familiar with

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it already could I have his attention. Sir? There is that provision in the American law which lays down that during any year no company can have more than a certain percentage of increased new business in a year over its previous year's business. If we have this overall limitation of expenses, I would suggest the need and the desirability of having a clause of that nature which would leave room for all companies in the country to develop and will not result in future in large companies overshadowing all other companies and gradually pushing them out of existence and monopolising the whole insurance business to themselves. That is a feature which I wish to urge on the consideration of the Honourable the Commerce Member. All these things indicate the need of considering all these provisions as inter related to each other. My fear is that the framers of the Bill have gone about putting in these clauses almost from the subjective point of view. A clause which is considered good, which is considered theoretically correct, is inserted without due consideration having been given to the effect which it will have in total with the other clauses in the insurance business in India. I therefore suggest that a provision for fixing limit to company's increase in annual new business during any year should also be brought into the Bill.

Next, I wish to refer briefly to the provision contained in section 12 of the Bill regarding companies being compelled to have whole time officers in case their life fund exceeds 25 lakhs of rupees. Every one of these clauses, as I said, has to be weighed in the scale as to whether it is going to help or hinder the expansion of insurance business. I again say it from my knowledge of insurance companies in this country that it will not be possible for all insurance companies to get first rate men to guide their business, if they have to keep them as whole time men, because then they will have to pay them salaries which their resources would not be able to stand. If the argument is advanced that they should be content with people of less ability, well, it will mean that the companies will not flourish as they should. The Bill and the law of insurance as it stands already lay down sufficient safeguards and sufficient restrictions to ensure that companies cannot be run in a haphazard or undesirable manner. We have a very tight inflexible law of insurance and we are making it much more tight and inflexible. Therefore there is no danger of any man playing ducks and drakes with insurance. Why then have this clause which will make it impossible for some companies to have at their helm people who will guide them and carry them to success and yet not become a burden upon them to an extent which the companies should not be able to bear. I hope the Select Committee will go into it. Another surprising thing is that while this clause lays down such a provision with regard to the executives, it actually inserts a sub-clause saying that this provision shall not apply to actuaries. I cannot understand why if the first is essential, the second can come in. I would not suggest that this clause should be there. I am for the removal of both restrictions but the anomaly is there. The argument, I suppose, will be that there is not a sufficient number of actuaries available in this country. Well, it should be for the actuaries to decide whether they would take up service with any one particular company or would set up as consulting actuaries who would be serving a large number of companies and getting their fees from them all. Besides, steps should be taken to increase the number of actuaries in the country which is not only desirable but essential and which I hope will be done. I have referred to this to point out how haphazardly the clauses of this Bill have been jumbled together. You cannot have one thing one way and another thing another way.

There is another clause Sir, that there should be no common directors of insurance companies. I may to some extent understand somebody arguing that there should be a whole time director or whole time executive but I fail to understand how there should be any danger to insurance if a man who is considered fit for it, a man who by his advice and by his guidance is able to help a company to carry on successfully and well, how it will be detrimental to the interests of any company whether he is a director of one company or more

companies. I do not think we have still reached that stage in the commercial, industrial and business development of this country that every director of every company should be so fabulously paid that he should have to do nothing else in life. Therefore I would request the Honourable the Commerce Member to tell us as to what is in his mind in bringing forward this proposal. In his speech he did not take us into confidence with regard to the reasons for any one of these provisions. He made a general speech. We are unable to understand the reason why no one may be a director of different companies. As I said, this will be a block in the way of progress and therefore I hope that this will be removed.

I will now come to section 19 of the Bill. I should like to read it, because it is a very very important point. It says:

"The Superintendent of Insurance may by notice require any insurer to supply him with any information relating to his insurance business, and the insurer shall comply with such requirement within such period as may be specified in the notice."

Now, Sir, every one of the clauses of the Insurance Act as it stands today, every one of the clauses of the first recent amendment to the Insurance Act which we passed a few weeks ago, every one of the clauses of this Bill lays down in iron rigidity the method and the manner in which an insurance companies shall be run, the manner in which its returns shall be submitted, the manner in which its books shall be maintained, the manner in which its funds shall be dealt with, its expenses controlled; and, in every single detail, it is laid down what a company shall do and what it shall not do. There are powers in the hands of the Superintendent that whenever he feels that a company is doing anything wrong, he can intervene. But, Sir, to give these additional powers to the Superintendent will mean—I do not say it will necessarily be so, but legislation must safeguard against dangers and possibilities—it will mean that any Superintendent of Insurance who feels piqued about any particular company and who wants to make life impossible for that company will be able under this clause to send them a directive from day to day, asking them to submit this and that, send him books, send him statements, send him returns, which will make the normal working of that office impossible. I said I do not apprehend that any Superintendent of Insurance will necessarily do so. I am not suggesting that. But we are here to legislate in an intelligent manner.

Dewan Chaman Lal: Question.

Pandit Govind Malaviya: I share the question, but at any rate we all fool ourselves in imagining that we are trying to do so. In any case, we should not leave loopholes in our laws which can make it possible for a Superintendent of Insurance to go on like that and make it impossible for a company to go on, if he takes it into his head to do so. What is the safeguard? There is no right of appeal, there is no provision for appeal. There is no provision for the Insurance company to say to the Superintendent, "No, we do not think you should call for this. We have neither the time nor the funds to waste on this complication, at this moment. Three months hence, or six months hence or twelve months hence, at the end of the year, you are going to have all these details in our statements and you will have all the time to scrutinise". There is no such safeguard. Therefore, I submit that this is a clause which can make the smooth working of an insurance company impossible. I hope this also will be looked into.

There is just one thing more which I wish to say. One has got to be clear in one's mind as to the direction in which he wants to go. Insurance in this country, during the last several decades, has developed on most successful lines. Nobody who would dispassionately and impartially look at things can but voice a word of praise and congratulation for the manner in which insurance has gone on. I know that, however rare, there have been black sheep, there have been bad examples as there must be everywhere. We should legislate in such a manner that the danger of such black sheep doing injury to society should be

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removed. But, Sir, ultimately, you must either depend on the ability and integrity of the people of a country in business line to carry on things in a proper manner subject to such general guidance, control and restrictions as you might think fit, or the only other course for you is to take over the entire management of insurance companies in your own hands. You cannot possibly have the cake and eat it. You cannot possibly lay down a legislation which will fetter the discretion and right of action and decision of the executives of insurance companies from 'A' to 'Z' and yet which would call upon them to make a success of it; which would compel them, on account of provisions of your law, to take a course which will defeat the very object you have in view. Therefore, Sir, there is only one course open and that is that we should take over the control and management of all insurance companies in this country by nationalising them forthwith. It is a course which is not only desirable but which is thoroughly practicable. Look at what is being done in other countries. Look at the insurance protection which people have elsewhere. I do not want to go into that very interesting subject because that will take possibly a couple of hours more. But, Sir, every one who is interested in insurance knows what the requirements and the possibilities in those directions are in this country especially, which is so poor, where,—possibly the Honourable the Commerce Member does not know it, because I do not know what practical touch he has had with insurance, but those who have anything to do with insurance know that,—where, the average man finds it impossible even to dream of an insurance policy in this life. The premium which one has to pay is beyond his imagination. In a country like India we have got to think of ways by which we should be able to provide insurance cover for every one. The ways are that we should completely nationalise insurance and take it into the hands of the Government; we should ruthlessly cut down the expenses of management which every company has got to make just now. We should provide not only for limitation of expenses at 95 per cent., or 99 per cent., but at 25 per cent. and 30 per cent. We should cut out all speculative elements about insurance business, not only in the matter of investments, but in the matter of premia payable by policyholders. Let there be no lures for big bonuses and big profits. Let there be simple policies which will provide insurance cover without profits which would be taken out on a satisfactory compulsory basis, which would involve no expenditure or practically negligible expenditure in the shape of medical fees and scrutiny and the commission, which you will have to pay to the agent—I have pleaded here for the agent—and yet I say this because those conditions will make it possible for us to reduce the commissions which are payable to the agents not from 40 to 35 per cent., but from 40 per cent. to ten per cent. and probably even less, because, in the actual net result, on account of the statutory obligation for everybody to go in for insurance, the income which each agent will get even at the rate of 5 or 10 per cent. will be far in excess of what he gets today even at the rate of 70 and 80 per cent., which, in spite of the law limiting agents' commissions to 40 per cent., there is no company in this country which does not connive at. Just imagine what it means. From 70 or 80 per cent. we bring it down to 10 or 15 per cent.; we bring down the expenses from 90 or 99 per cent. to 20 or 25 per cent. And instead of each policy costing eight or ten or fifteen or fifty rupees to procure, they will come in by themselves almost on the lines of something like income-tax coming in by itself. We will then be able to reduce the rates of our premia to an extent which should be unimaginable at present. I cannot guess the figures; it is for the great actuaries and the great highlights of the department of insurance to work out. But, probably they do not think it worth while to do so. Probably all their energy and ability and attention are devoted to fabricating new clauses for the statute which would make it impossible for insurance companies to invest in funds which will yield more than 2 per cent. There is the expert friend, sitting near by in the galleries of this House at this moment; I would appeal to him specially to devote his undoubted talents and his genius to that task and earn for himself a permanent

name in the Insurance history of this country by preparing the requisite tables and an entire scheme of national insurance under which every man in this country, poor and rich, will be free from worry and anxiety. I hope he and all others and also the members of the Select Committee will devote their attention to these requirements which I have tried to place before this House, and that the Bill when it comes out of the Select Committee will be shorn of all its objectionable features and will really help to set insurance on a solid and flourishing basis in this country.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadian Rural): Sir, I will not give myself more than five minutes and I hope to make my few points in this short time. Lest it should be said that our party is only interested in the business and technical side of insurance and is not really keen on the nationalisation of insurance business. I wish to say here and now that we stand for unadulterated and complete nationalisation of insurance. Very many objections were raised to many of the clauses of this particular Bill. I only wish to mention a few clauses with which generally I personally am in agreement. In the proposed section 31A (clause 11) I do not agree with the provision relating to the payment of a share in the profits of insurance business other than life insurance business. I do not see any reason why a share in the profits also shall be paid to some of the employees of the insurers; I do not wish to go into the reasons now.

Then I am glad that in sub-section (2) of that proposed section 31A there is a ban imposed on directors nominating their successors, and so on. I am also glad that in the proposed section 31B power is sought to be given to the Central Government to limit the remuneration to be paid to various employees of the insurance business; but I take objection to the particular phrase used here, "the normal standards prevailing in insurance business". I do not know why it should be confined to insurance business alone; it ought to be "the normal standards prevailing in the country."

Then we come to clause 12 which proposes the insertion of new section 32B and deals with prohibition of common officers and requirement to appoint whole-time officers. I agree with this also. With regard to sub-section (2) of this proposed section 32B I agree that we should certainly have this whole-time officer.

Then coming to clause 15, provision is made for only two people to represent the policyholders in the insurance company. I want more; whether you will have three or four or any other number is for the Select Committee to say. I know it cannot be so very satisfactory as when the whole of this business is nationalised, but anyhow this is a good beginning.

In clause 16 there is a prohibition put upon common directors. Here I am afraid I cannot agree with some of our technical experts who have spoken before me who took objection to this particular clause and said that any one individual should be allowed to be a Director of more than one company. I cannot agree with this. If any one is interested in insurance business he should become Director only in one company so that he may give his full and real attention to that company only, and we can break up the directors of business in all the various kinds of business that we shall have developed in various parts of the country.

Coming to the question of nationalisation, on an earlier occasion I pleaded with the Finance Member, but in vain, for an inquiry to be made into the business side of nationalisation. Just now my Honourable friend Pandit Malaviya has appealed to the expert that we have in India on insurance to try and prepare a plan for that particular thing. I think it is high time for Government to go into this matter a little more seriously than they have done up till now. What is it that Government have done so far to encourage insurance in this country? They have performed only police functions and nothing more. This Bill too seeks to do that business a little more carefully than it has been done till now. They have not done very much to encourage insurance business in this country. I want them to take up that particular responsibility and

[Prof. N. G. Ranga]

develop at the earliest possible moment their plans for providing crop and cattle insurance for our people. More and more we are coming to realise how great is the necessity for these insurance schemes. Cyclones, floods and pests are visiting different parts of our country in different years. In one year the whole section of peasantry in one part of the country is ruined, and in another year another section. I do not see any reason why the whole of the peasantry of this country should not be brought into one comprehensive crop and cattle insurance so that they can pool their resources, equalise their troubles and disorders and try to save one another, and in that way insure each other. In this of course I do recognise one difficulty; peasants left to themselves may not be able to do this and therefore the State has got to take a hand in this matter. The State may even have to be prepared to subsidise such an insurance or pay a very large portion of the administrative costs of such insurance. But anyhow the time has come when our Government must take up such matters, prepare plans and keep them ready, in the hope that when the change comes—which we all expect to happen as early as possible—it will be possible for the new dispensation to take up this matter as earnestly as they can and go ahead with their activities based upon the plans or the inquiries that the present Government are able to make. On an earlier occasion my Honourable friend tried to twit me by saying that I am extremely obstinate. I am proud of being very obstinate about things that I believe in. This is one of the things in which I believe, and I am extremely anxious that the Honourable Member should again make an earnest effort to give an assurance to us that he will apply his mind to this particular matter and see to it that his experts go into this matter.

Some observation was made about the appointment of a Superintendent of Insurance. It does not matter who that gentleman is so long as he is not an I. C. S. officer, and he is an Indian actuary; and if that gentleman is found to be thoroughly incompetent it will be left to his successor to dispense with that gentleman and get another. But we must make an experiment with our own people; it does not matter with whom. Let him make an experiment with an Indian and an Indian alone.

The Honourable Dr. Sir M. Azizul Huque: I think I will reply first to my Honourable friend, Prof. Ranga, as regards nationalization. This question has indeed been raised ever since I made my speech in connection with reference to the Select Committee of the first Insurance Bill. But, Sir, if the political situation of the country was definitely known to me at that time or even today, I could plan as to what I should do, but surely a momentous matter of that importance could not be expected to be taken up by me, knowing as I did that the political conditions might change any moment and somebody else might take over charge from me at any moment. My Honourable friend can at least give me the credit that I know that nationalisation is a matter of some importance to the economy of the country. As to insurance, I made it clear that if Indian agriculture has to be helped, then more than insurance of the non-agriculturist, it is necessary that insurance should envelope the life of the agriculturist in his crop, and cattle. It is from that point of view that I am anxious and I have been anxious to take up the matter, but there are certain things about which one is absolutely helpless. My Honourable friend, Mr. Malaviya, was complaining that he is helpless against so many powers vested by law in the Superintendent of Insurance. We are also helpless in some matters in this House too. For example, a speech which can be and might to be finished in ten or fifteen minutes takes 75 minutes. We have to tolerate quite a number of things, and life is such that we have to tolerate many things in this evil world.

I completely repudiate the charge that this Bill has been fabricated in the interest of big companies. Government never thought of any of the big companies, much less 'fabricating in the interest of big companies'. I know fabrication is a special favourite of certain persons, but I can assure him that this Bill has not been fabricated in the interest of big companies.

Pandit Govind Malaviya: You protest very loudly.

The Honourable Dr. Sir M. Azizul Huque: I cannot imitate the bulk of my Honourable friend either in his size or in his voice, so I hope my Honourable friend will kindly pardon me for the weakness in my voice or for my size.

My Honourable friend asked me as to what I was going to do about the Superintendent of Insurance. Sir, so far as the Superintendent of Insurance is concerned, I understood from the trend of debate in this House that they were not in favour of appointing any official or a member of the Indian Civil Service in this post, and it was expressed by different sections that we should have some one connected with insurance business and with some experience of insurance work. My answer to the question of my Honourable friend, Mr. Malaviya, is that I have been trying to find someone who is not an I.C.S. and who has some experience of insurance business. And I am candid enough to say that as this post had been held by a European and by a Hindu gentleman, I propose, if possible, to find a suitable Muslim for this post. I hope that the reason why this short notice question

Pandit Govind Malaviya: May I know from the Honourable Member, if that will be the criterion in the matter?

The Honourable Dr. Sir M. Azizul Huque: No. That criterion comes last of all after consideration of competency. But I hope, Sir, that that was not the object of the short notice question which was put.

Pandit Govind Malaviya: No, Sir.

The Honourable Dr. Sir M. Azizul Huque: All I can tell my Honourable friend is that this question of the appointment of a Superintendent of Insurance never went before the Federal Public Service Commission; it has always been considered on its own merits after consulting such insurance opinion as may be possible to consult in this country. It will be done in exactly the same manner as it has been done in the past.

Pandit Govind Malaviya: Will the Honourable Member just give us an assurance that he will consult some *ad hoc* committee? It does not matter whether a Muslim is selected or a Hindu is selected; whoever he may be we will be very happy.

The Honourable Dr. Sir M. Azizul Huque: I have said nothing more than this that I will appoint one in exactly the same manner as it has been done in the past. I will follow the same procedure and as far as my conscience, judgment, and patriotism go, I will try to appoint the best man. I can inform my Honourable friend that I have consulted the best opinion I can, and it is only after being advised in the selection of the candidate that I am venturing to appoint the gentleman.

Pandit Govind Malaviya: Why not consult the Assembly?

The Honourable Dr. Sir M. Azizul Huque: But the unfortunate part of it is that a certain amount of protest is always made when a Muslim is appointed to a high post.

Prof. N. G. Ranga: No, Sir.

The Honourable Dr. Sir M. Azizul Huque: I am not referring at all to many in the Congress benches. I know there are men in the front benches opposite who will support me genuinely.

Pandit Govind Malaviya: On a point of order. I must protest against this bringing in by the Honourable Member of an extraneous matter into this debate. Never has the question of Hindu or Muslim or anybody been in the mind of anybody and I feel that it is a matter of great regret that it should be in the mind of the Honourable the Commerce Member. The whole question is about the ability and qualifications of the man who may be appointed. If he is a Muslim so much so good; we don't mind; we shall be very happy. But the question of Hindus and Muslims should not be brought in. That was never raised. I request the Chair to rule that the Honourable the Commerce Member has no right to suggest that it was on the ground of Hindu or Muslim that this question was asked. We want a careful consideration of the matter, because

we have seen the ability of the Insurance Department and we do not want any one without requisite ability to be appointed.

The Honourable Dr. Sir M. Azizul Huque: I have not made any reflection on anybody. Just as my Honourable friend stated that this was not the object of Government, similarly I am saying, in exactly the same parliamentary way, 'I hope that was not the object of my Honourable friend in putting the short notice question'. I did not say that that was his object. I remember, Sir, in one of the famous Irish speeches, the parliamentary way was 'I will not call him a fool because that is unparliamentary'. I have not gone so far. All I have said is that I hope that that was not the object with which that question was put. I have made it quite clear that I shall appoint in the interest of the Department, in the interest of all sections, and I have got the best advice available and I shall follow the method which has always been followed in the past. I know that there are friends on the other side who will support me in this, namely that if in the interest of the country I can find a qualified Muslim it is my duty to find him for such appointment.

Some Honourable Members (on the Opposition Benches): By all means do it.

The Honourable Dr. Sir M. Azizul Huque: My Honourable friend talks of relevancy. Was there anything relevant in his reading out the short notice question and explaining the reasons as to why he put this question in great details? What was behind all that? Was it relevant? My Honourable friend wants to talk to me about relevancy. He wanted to show to this House . . .

Pandit Govind Malaviya: Is the Honourable Member questioning the President's ruling?

The Honourable Dr. Sir M. Azizul Huque: So far as this Bill is concerned, I can give him the assurance that on the details which he has suggested—I cannot speak for anybody who will be after me—that if I am there, my duty as the Member will be to find out the largest common denominator of agreement among the Members. I am not trying to force any opinion on the House or on the Select Committee. My duty is to bring before the House and the Select Committee such matters as have been reported by the previous Select Committee and the recommendations of the Cowasjee Committee.

Yesterday I heard a number of speeches about Chief Agents. It is unfortunate that sometimes people do not know or even try to know the past history of a case. I was very much criticized about agent's remuneration. My friend, Mr. Sanyal, criticised me. Since he is not here, he has probably gone out to find some butter elsewhere, as he complained that I have no butter in me. He spoke about the Agent's remuneration. Does my friend know that this clause was not in the Government Bill at all, that it was introduced in the Select Committee, and Mr. Bhulabhai Desai, whose name anyone can take with a certain amount of pride, and the other Members put that clause in? Today it is too late for him to blame Government for it unless those who have eyes do not wish to see facts as they are.

As regards the present Bill, we have tried to find out an adjustment. We have tried to improve the position from what was suggested by the Select Committee. Yet there was a full debate of forty minutes simply on the Chief Agent's remuneration clause. That is why I sometimes feel when a Bill is referred to the Select Committee, they should look at the facts.

As regards the question of overall expenditure, it was the Select Committee which introduced it, and those who know this will come to the House and say that Government is responsible.

Pandit Govind Malaviya: May I know who has opposed it here?

The Honourable Dr. Sir M. Azizul Huque: Sir, sometimes truth works so much havoc in home and its surroundings that the people feel impatient. Overall expenses is a clause which was introduced in the Select Committee. Mainly the clause about officers, whether they should have a percentage of

premium as a remuneration. We provided in the original Bill that no manager or technical adviser should be remunerated on a percentage basis. It was the Select Committee which introduced the present clause. Therefore to condemn the Government for these clauses is not fair. Mr. Sanyal yesterday said that the report which I had circulated showed that the Bill had been drafted on the recommendations of the Cowasjee Committee and he enquired about the agent's remuneration, in that report, forgetting that certain provisions which I omitted from the first Bill had been brought into this Bill. In a matter of such importance, one cannot expect to do much unless he carries the legislature with him. Therefore, my duty is to bring the proposals as recommended by the Select Committee the last time and being long enough in politics, I have never tried to push my own opinion in a matter of this character. The man who tries to push his opinion is thwarted at every stage. The man who is prepared to hear the opinion of others will be able to get large measure of agreement or unanimity of views as far as possible from the others. That is the line which I have taken and that is the point of view from which I have brought forward this Bill. I do not think it is necessary for me to say anything more.

But my friend, Pandit Malaviya, whom I cannot forget easily, has referred to this fact that if there is one murder committed in this society, in the interests of other ninety-nine good persons, you must not have any law of crime. That is the gist of his argument, forgetting that the law of crime, or any law for that matter, is really needed because society consists of only a few persons who do wrong and it is against the acts of those that laws are promulgated. Therefore, when I tried to bring this before the law, it is not because I felt that all the insurance companies are bad. That cannot be. It will be a complaint against whole human nature to say so. But it is against some insurance companies. To give an example, and I think Pandit Malaviya knows it well that the share of a company running in the Bombay market on one particular day at about Rs. 200 immediately rose up in the same day to Rs. 1,000, because one man went to the market and purchased every share in order to capture the company. Surely that state of affairs even the other 99 per cent. are good, should be checked.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): What did the Government do?

The Honourable Dr. Sir M. Azizul Huque: That is why I have brought this legislation. There is another case and I am referring from the judgment of a High Court as to why some check is necessary. "With regard to so and so, he was pitch-forked into the position of a Managing Director of such and such bank without having any experience whatsoever of bank business. He was the Managing Agent of such and such insurance company before he got the present position and he struck me as being completely a creature of another man in this suit."

If these are the judgments of cases, as also facts in the market—there is not one case but twenty or thirty cases where interlocking of a most vicious character is found between insurance and financial companies,—it is time that Government should bring this measure and it is in that spirit and in all humility that I brought this legislation in the hope that some remedy should be found to check this state of affairs.

As regards the responsibility of Government, I do hope it will be realized more and more that it is not as much of the Government as of the legislature as a whole. Our duty is to initiate matters, but the responsibility of deciding on those measures is on the legislature and it is from that spirit that I have brought it and I hope and trust that whether I am here or not, the wisdom of the House will decide to eradicate evils which have entered into the present system of insurance. This is all I have to say.

Mr. Deputy President: The question is

That the Bill further to amend the Insurance Act, 1938 (Second Amendment) be referred to a Select Committee consisting of the Honourable Sir Anoka Roy, Pandit Govind Malaviya, Mr. T. V. Satakmachari, Mr. B. K. Choudhury, Mr. B. B. Verma,

[Mr. Deputy President]

Mr. R. V. Reddiar, Mr. P. K. Salve, Shri Sri Prakasa, Mr. Manu Subedar, Haji Abdus Sattar Haji Ishaq Seth, Mr. A. R. Siddiqi, Mr. Ahmed E. H. Jaffer, Nawab Siddique Ali Khan, Choudhri Abid Hussain, Mr. M. A. F. Hirtzel, Mr. C. P. Lawson, Sir Cowasjee Rai Bahadur D. M. Bhattacharyya and the Mover, that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five, and that the Committee be authorised to meet at Simla."

The motion was adopted.

MICA MINES LABOUR WELFARE FUND BILL

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

"That the Bill to constitute a fund for the financing of activities to promote the welfare of Labour employed in the Mica Mining Industry, as reported by the Select Committee be taken into consideration."

The Bill has emerged practically as it was from the Select Committee with changes which are so inconsequential that I think it would be wrong on my part to take the time of the House to refer to it. I will therefore do no more than move the motion.

Mr. Deputy President: The question is:

"That the Bill to constitute a fund for the financing of activities to promote the welfare of Labour employed in the Mica Mining Industry, as reported by the Select Committee be taken into consideration."

The motion was adopted.

Mr. Deputy President: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Mr. Deputy President: Clause 5.

Pandit Mukut Bihari Lal Bhargava (Ajmer-Merwara: General): Sir, I beg to move:

"That in sub-clause 3 (a) of clause 5 of the Bill, after the word 'fund' and before the word 'and', the following be inserted namely:—

'Provided that no officer shall be deemed to be competent to enter a private dwelling house between the hours of sunset and sunrise and in case of such dwelling house being occupied by women without proper notice of such entry to the inmates'."

Mr. Deputy President: The Honourable Member just now has given notice of this amendment. It has not been circulated to the members.

The Honourable Dr. B. R. Ambedkar: Sir, I object to it.

Mr. Deputy President: I am afraid this amendment has come too late and it cannot be permitted at this stage.

Prof. N. G. Ranga (Guntur cum Nallore: Non-Muhammadan Rural): Have you any objection to that?

The Honourable Dr. B. R. Ambedkar: I strongly object to it.

Mr. Deputy President: Does the Honourable Member want to speak on Clause 5?

Pandit Mukut Bihari Lal Bhargava: No, Sir.

Mr. Deputy President: The question is:

"That clauses 5 and 6 stand part of the Bill."

The motion was adopted.

Clauses 5 and 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. B. R. Ambedkar: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Deputy President: Motion moved:

"That the Bill, as amended, be passed."

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, before we finally pass this Bill I should like to make a few remarks which have an indirect bearing upon it. The Bill itself is one which we all support and for which I should like to offer my congratulations to the Honourable the Labour Member. But I have a fear in regard to this Bill in the fact that it is going to be worked by a Department which is presided over by an Honourable Member who has scant regard for accuracy about things and as such it would not be safe for him to have laws in his hands which may affect the well being of the people. It happened that sometime ago here in this House one day, the Honourable Member during the course of a debate in another connection was pleased to make certain remarks. I do not care so much to go into the incorrect and irrelevant personal remarks which he made about myself but the utterly baseless and brazenly untrue and slanderous remarks which, without any reason or occasion, he made against the greatest and universally honoured national institution, the Benares Hindu University

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: On a point of order, Sir, all this has nothing to do with this Bill. We are on the third reading stage and I do not think it is necessary to resurrect some old speech of my Honourable colleague and try to answer it on this occasion. The next budget speech will be the proper occasion when all this can be discussed.

Mr. Deputy President: The Honourable Member must confine himself to the Bill, because on the third reading it is usual to make observations whether a Bill will be beneficial or not. If this practice is followed there will be no objection.

Pandit Govind Malaviya: I entirely agree and I bow to your ruling, Sir. What I wish to submit is that a Bill of this character has got to be administered in a certain manner to bring out the inherent good in it, and that therefore an Honourable Member who is so incapable of knowing well known facts about institutions like even the Benares Hindu University, that he should have said utterly groundless and malicious things about it, which, on the authority of the Pro-Vice Chancellor who today is the highest executive authority in the University and who is a Kayastha and not a Brahman

Mr. Deputy President: This has got nothing to do with the Bill. The Honourable Member must confine himself to the Bill.

Pandit Govind Malaviya: If that is your ruling, Sir, I bow to it.

Mr. Deputy President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

STATEMENT OF BUSINESS

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): Mr. Deputy President, the progress in this House of legislation contemplated by the Government has been more slow than even the Government Benches had anticipated. We have now to revise our views as to what legislation and what motions we should necessarily place before this House in the short time at our disposal during the next three days. I have had opportunities of consulting my Honourable colleagues and certain sections of opinion in this House and I am convinced that if the next item in the name of my Honourable colleague, viz., the Bill further to amend the Indian Trade Unions Act, 1926, is taken up there will be no time for any other subject being discussed in this session of the House. We are anxious to close this session on

[Sir A. Ramaswami Mudaliar]

Thursday, the 18th, as my predecessor, Sir Edward Benthall has said. Having regard to all this I should like to state to the House that my Honourable colleague the Labour Member does not propose to move at present the Bill to amend the Indian Trade Unions Act.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, in regard to the Trade Unions Bill (a) it is not of a controversial nature.

Several Honourable Members: It is very controversial.

Diwan Chaman Lall: If my Honourable friends consider it to be controversial they are entitled to their opinion. As I said, so far as my party is concerned I can say definitely that none of us would make even a single speech and would be willing to take the Bill straight to the Select Committee and any controversy that might arise can arise in the Select Committee or on the floor of the House when the Bill comes back from the Select Committee. I consider the Bill to be of very great importance and since both parts of the House are agreed that it is a matter of great importance I suggest that that Bill may be taken up. In regard to the Minimum Wages Bill that is a matter for circulation and I see no reason why that legislation should not be brought before the House. Then we had a definite assurance given to us that the I.L.O. matter will be discussed. Any subject can be made a subject of controversy but I submit that having promised a debate on that subject, I hope that the resolution will be not only tabled but also moved. Then there is the question of the Estates Duty. These are matters of great importance and I take it that there is time from now on till the 18th to discuss these matters. I do not see any reason why we should not go on in a regular manner, starting from the Trade Unions Bill to the others and I think we shall be able to complete the immediate business in hand.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I only state that we have decided on the best information that we could have as regards the time that will be taken with reference to each of these measures which are contemplated for discussion by the House; and I am perfectly satisfied that if this measure, namely the Bill regarding the Trade Unions Act is taken up, the time of the House will be almost completely exhausted in the discussion of this question. Therefore, the only decision that the Government of India has come to at present is that that matter cannot be taken up. The rest stands. We can see from day to day how we can adjust our programme with a view to securing at least those things which must be passed before the House rises on Thursday.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Do I understand that the Congress Party was consulted with respect the dropping of this Bill, namely the Trade Unions Bill?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: No party was consulted as regards the dropping of any particular measure. That is a decision by the Government. The parties were consulted as to what time will be taken in the discussion of particular measures and I am bound to say that the Congress Party generally stated that it will not take any long time over it. But I have also to consult other parties and we are satisfied that if this Bill is proceeded with it will take two days.

Diwan Chaman Lall: May I suggest that this measure may be put in the list, last, so that in case we reach it the Bill can be discussed?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is done.

Diwan Chaman Lall: But the other matter that will vitally consume the time of the House is the discussion on the Report of the Public Accounts Committee. Then, this matter may be put last.

Sir Cowasjee Jehangir (Nominated Non-Official): May I submit since we are running so short of time that question hour be given up and that there shall be a convention that no adjournment motion be moved?

Mr Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): I support the Honourable Member's suggestion because elimination of question time may be a great saving.

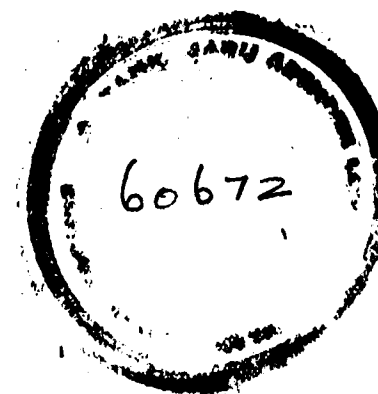
Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): I am told by the Chief Whip of our party that he has already communicated to the Leader of the House our desire that the discussion on the Report of the Public Accounts Committee shall be postponed to the first two days of the next session so that we will be able to devote all the time for the rest of the business.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: It will be at the end of the agenda, and if it cannot be disposed of it will go on to the next session.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 16th April 1946.

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[Pandit Govind Malaviya]

its provisions and fail to find any in the speech that the Honourable the Commerce Member was good enough to make in its support. Sir, we have heard of attempts made by certain big financiers to purchase over certain insurance companies and their stock. Does it lie in the mouth of an Honourable Member of this Government to call them all the names that the Honourable the Commerce Member did the other day, when, at every step and over every item, every day, every morning, every noon and every evening, if not every night, Government went hand in glove with these very financiers and industrialists and raised its entire edifice—be it about war work or any other work—on their support and co-operation? Was it not this Government which by its own methods and by its own corruption and inefficiency allowed black markets to go on as they did and connived at them in order that its own dirty work might be done? And if with all that, some of these people, not in one or two places only but in almost every sphere of life, went about purchasing things here, there and everywhere at fabulous prices and went about causing havoc in the ordinary social, industrial and business organisation everywhere and still about whom Government did not raise its little finger, how is it, one wonders, that just when some of them thought of purchasing over the interest and the stock of some big insurance companies the minds and consciences of those who constitute this Government and its henchmen were troubled and they began to think of the catastrophe which was going to befall people, all the evils which we were faced with, all the stringent measures that had to be adopted and all the long or short rope that had to be given to people in order that the interests of society might be safeguarded? I should like to know, Sir, the purpose and the object with which this Bill has been brought forward. We had an Insurance Amendment Bill only a few weeks ago. We have this Bill now, certain clauses of which, the Honourable Member said, were based on the recommendations of the Cowasjee Jehangir Committee. The other clauses, he said, had not been brought in along with the previous amending Bill because they were of a controversial nature. May I ask what has transpired within these few weeks to make the Commerce Member feel that these controversial clauses, which he did not care to bring in during the course of the previous Bill, should be brought in now? What is the purpose of these clauses? Legislation, in all healthy and normal society and State, can have one of two purposes; one, to foster and help the growth of desirable things, and the other to prevent and check the perpetration of wrong and injurious things. I ask, Sir, what crisis has developed in the history of insurance business of this country that all these far-reaching and controversial clauses, as the Commerce Member has admitted, should be brought in now at this fag-end of a long and tiring session when everybody's mind is jaded and everybody is anxious somehow to get done with things; when Bills and legislation which would affect the well-being of 400 million human souls are being rushed through during the brief space of a few minutes? I ask, Sir, is this the time, was this the occasion when a Bill of such far-reaching importance, a Bill the clauses of which admittedly are of a controversial nature, which lays down provisions without which insurance business in the country would not come to a standstill, nor which, by a magic wand, would make the business of insurance in this country expand by leaps and bounds tomorrow, may I ask, Sir, what justification there could be for bringing in a Bill of that nature at this fag-end of the Session? Sir, if the object of the present members of this Government is to get the credit for rushing through legislation even till the last day of their existence, good luck to them. If the object of the Government is to bring about a legislation which theoretically and technically would be hailed as a perfect piece of legislation and if they think—whether rightly or wrongly, it does not matter—that it is their object to bring forward a legislation of that nature and to pass it merely for the sake of passing it, without any more urgent objective behind it, one could understand it. But, Sir, the lecture we had from the Honourable the Commerce Member yesterday and the rhetoric that he indulged in, the favour which he showed, almost the crusading zeal that he exhibited, made one rub one's eyes in wonder and scan the Bill once again to find if there was really some of Solomon's wisdom contained in it. Frankly, Sir, I have not been able to find it. I beg, therefore, Sir, to submit that it is wrong of the

Government to bring forward this Bill at this stage and try to rush it. Legislation about insurance in other countries has been proceeded with on the most cautious and careful lines possible. The library of the Legislative Assembly here unfortunately could not supply me with some books that I wanted, I am therefore not able to quote exactly, but I believe the Honourable the Commerce Member who should be supposed to be familiar with all relevant things about insurance legislation will bear me out that the American law of insurance, which has been largely depended upon by this Government for legislating upon the insurance law in this country, after it had been first thought of and conceived, was allowed to be carefully and thoroughly considered by different committees of policyholders, of management of insurance companies, of Government and other committees, and that it was not before twelve or fifteen years, when almost every part of the country interested in that subject had carefully considered the matter and placed its opinion before the Government, it was not till then, Sir, that that law was enacted. If in a country like America in the State of New York, where the average insurance intelligence of people and the interest in which they take in insurance is developed to a remarkably higher extent than in this country, there, Sir, if the Government thought fit to allow a proposal for legislation in this behalf to lie for the expression of public opinion for so long as twelve or fifteen years and then only felt competent to go about it, is it right that in this country we should try to rush this Bill in this manner? Similar has been the case in other countries also. I therefore ask as to where is the need or the justification for this course?

I had given notice, Sir, of an amendment that this Bill should be circulated for eliciting public opinion, but in view of the fact that the Honourable the Commerce Member seems to have set his heart upon it, I am not going to move that amendment and I shall agree to the proposal that the Bill be referred to a Select Committee in the hope that the Select Committee will thrash out the Bill, but the provisions of the Bill, as I shall show when I come to them, sole and the only viewpoint of the interest of insurance in India and of India as a whole and will then reshape it in such manner that it shall do no harm either to the business which it seeks to protect or to the people to whom it will relate.

Sir, several clauses of the Bill have already been referred to. Members have already spoken about the different clauses in it. There is the main portion of the Bill relating to investments. We have already heard a great deal about it, but, Sir, it is so important a matter that nothing that is said about it can be too much. The insurance companies in India are already required by law to invest 55 per cent of their assets in Government securities. There are companies in this country—I know at least of one very big company—which by its own regulations invests all its funds in Government securities and approved securities. It cannot, it does not even contemplate to invest its funds in any other way. It may be all right for that company to have a Bill of this nature passed which should compel all others also to fall in line with that provision that no funds should be invested anywhere except in Government securities.

Sir Cowasjee Jehangir: That is not the provision of the Bill.

Pandit Govind Malaviya: Sir, I know that that is not the language of the Bill, but the provisions of the Bill, as I shall show when I come to them will mean, if not exactly what I have said, then very nearly what I have said and will leave little discretion for any company to invest its funds in anything except Government securities, and securities which will not fetch a higher return than Government securities yield. Government securities today yield something like 2 per cent. As another Honourable Member has already stated, the tables of the various life insurance companies in this country are prepared on the basis of 4 per cent. or 8½ per cent., even after the drastic changes that have been introduced during the last few years. Otherwise, the tables of most companies had been prepared on the basis of 5 per cent. Now, Sir, if interest which these companies are going to earn is to be 2 per cent., it should not be difficult for anybody to imagine what the rates of premia for insurance will have to be.

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