

12th February 1943

# THE LEGISLATIVE ASSEMBLY DEBATES

## Official Report

Volumes I to II, 1943

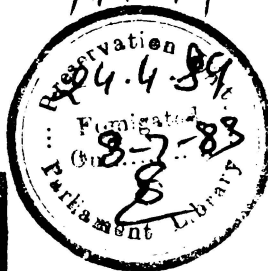
(10th February to 2nd April, 1943)

## SEVENTEENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1943



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI  
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI  
1943

Price Rs. 2 As. 2 or 3s. 6d

# LEGISLATIVE ASSEMBLY.

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Sir ABDUL HALIM GHUZHNAVI, M.L.A.

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

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# LEGISLATIVE ASSEMBLY

Friday, 12th February, 1943.

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

MEMBER SWORN.

Mr. Noel Victor Housman Symons, C.I.E., M.C., M.L.A., (Government of India: Nominated Official).

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

#### FLOGGING PUNISHMENT FOR POLITICAL OFFENCES UNDER MARTIAL LAW IN SIND.

52. \*Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to state if it is a fact that punishment of flogging with stripes is being awarded to respectable persons and young students of tender age charged with political offences in Sind area where Martial Law is proclaimed?

(b) Is it a fact that Martial Law in Sind was proclaimed avowedly for the suppression of Hur outrages?

(c) Will the Honourable Member be pleased to give the number of students and non-students, separately, who have been awarded this type of punishment since the proclamation of Martial Law, according to each district in Sind?

(d) Is it a fact that many amongst them had fainted during the infliction?

(e) Are Government aware of the enormous discontent and horror that this practice has caused among people of all shades of public opinion?

(f) Do Government propose to stop it?

Mr. C. M. Trivedi: (a) The punishment of whipping or caning has been awarded to a number of youths who have created or incited others to create disturbances within the Martial Law area. Whipping in accordance with Jail Rules has been awarded to a few such youths between the ages of 18 and 23 for acts of hooliganism. A number of youths between the ages of 12 and 18 have been punished by being lightly caned, as it was not considered desirable to award sentences of imprisonment to them. I may add that all persons were warned by Martial Law Regulation No. 41 that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

(b) The Honourable Member is referred to the reply given by me to part (a) of starred question No. 124 on the 21st September, 1942.

(c) Statistics are not available to show what proportion of the youths whipped or caned were actual students but the majority were of student age.

(d) There was no case of fainting during infliction of either whipping or caning.

(e) No.

(f) Whipping is one of the forms of punishment provided under Martial Law Regulations and Government see no reason to interfere with the discretion of Martial Law Tribunals in this matter.

Mr. Lalchand Navalrai: May I ask if the intention was not to apply the Martial Law for civil offences? What was required by the public was that the Hur movement should also be met by Martial Law and is it not against that principle that the smaller children should be flogged?

Mr. C. M. Trivedi: No, Sir. I have already said that that Martial Law Regulation No. 41 lays down that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

**Mr. Lalchand Navalrai:** Was it in connection with the Hur movement or not?

**Mr. C. M. Trivedi:** No, Sir; this Regulation was not promulgated in connection with the Hur movement.

**Mr. Lalchand Navalrai:** May I ask whether the Honourable Member knows that the public asked and the Martial Law was established only to checkmate the Hur movement?

**Mr. C. M. Trivedi:** I know that, but subsequently Regulation No. 41 was made.

**Mr. Lalchand Navalrai:** That is exactly what I want to know from the Honourable Member. Was this Regulation made with the intention which was consistent with the original intention or was it made with the further intention to apply it to the civil population as well?

**Mr. C. M. Trivedi:** If there are disturbances in a Martial Law area for any reason, that must hamper the military authorities in carrying out the object for which Martial Law was originally established.

**Mr. Lalchand Navalrai:** Am I to understand from the Honourable Member that the disturbances arose amongst the civil population and because of that it was considered that there should be Martial Law?

**Mr. C. M. Trivedi:** No. What I say is this that Martial Law was originally proclaimed for the suppression of Hur outrages. If any other forms of disturbances occur in the Martial Law area, those disturbances must hamper the Martial Law Administrator in the suppression of the Hur menace for which Martial Law was established. Regulation No. 41 lays down that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member what were those civil disturbances that necessitated Regulation No. 41? Was it the Congress movement?

**Mr. C. M. Trivedi:** Yes, Sir.

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

#### SILVER STOCK WITH THE RESERVE BANK OF INDIA AND SALE OF INDIAN SILVER IN LONDON.

53. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable the Finance Member be pleased to state what was the quantity of the silver in stock with the Reserve Bank of India at the time of the commencement of the present war?

(b) Is it a fact that on the 31st March, 1941, the surplus stock of silver amounted to 47 crore tolas?

(c) How much quantity of silver has been acquired by Government since the withdrawal of standard silver coins and how much has the silver stock with the Government of India been thus augmented upto now?

(d) How much Indian silver has been sold out in London since the 31st March, 1941, and at what rate?

(e) What was the rate of silver in India and in the United States of America on the dates on which Indian silver was sold in London since the 31st March, 1941?

(f) Is there any agreement between the Government of India and the British Government with regard to the sale price of silver in London? If so, what and when it was made?

(g) Has the great rise in the rate of silver in India and in the United States of America any effect on the sale price of Indian silver in London? If so, how much? If not, what was the reason for the consequent loss to this country?

(h) What is the balance of silver in store with the Reserve Bank of India now?

**The Honourable Sir Jeremy Raisman:** (a), (b), (c) and (h). Information regarding the surplus silver stock of the Government of India is compiled so as to show the position at the end of each financial year and is published in the Central Appropriation Accounts (Civil), copies of which are supplied to Honourable Members. In conformity with their past practice in the matter the Government are not prepared to disclose their current stock position.

(d) to (g). I would invite the attention of the Honourable Member to the reply given to parts (a), (b) and (d) of Mr. K. C. Neogy's question No. 62 on the 16th September, 1942. I would also draw his attention to the statement which I made in this House on Wednesday last, in connection with the adjournment motion of which Mr. Sant Singh had given notice, to the effect that no sales had been made to His Majesty's Government since the beginning of the war at rates lower than the American acquisition rate for imported silver, and that since the rise in that rate on the 31st August last, His Majesty's Government have not approached the Government of India for any further sales to them.

**Mr. Lalchand Navalrai:** May I ask what was the necessity to sell the silver to the British Government when it was needed in this country?

**The Honourable Sir Jeremy Raisman:** His Majesty's Government have from time to time required silver for essential war purposes.

**Sardar Sant Singh:** Was any silver shipped to Great Britain after the declaration of the war from India?

**The Honourable Sir Jeremy Raisman:** Yes, Sir; there have been sales of silver to His Majesty's Government since the beginning of the war.

**Sardar Sant Singh:** May I know the reasons for keeping the stock of silver in Great Britain and not in India?

**The Honourable Sir Jeremy Raisman:** There were only small stocks in Great Britain and the main stocks have always been kept in India.

**Sardar Sant Singh:** May I know the reasons for shipping it to England?

**The Honourable Sir Jeremy Raisman:** I am afraid I do not understand the Honourable Member.

**Sardar Sant Singh:** I will try to explain. The question is that silver stocks should be kept in India ordinarily. May I know the reasons which led the Government of India to ship stocks of silver from India to England and for what purpose they were shipped to that country?

**The Honourable Sir Jeremy Raisman:** In normal times a certain amount of the Government of India stock of silver was kept in London where there is a regular market, and further shipments have only taken place in connection with the actual sales to His Majesty's Government for essential war purposes.

**Mr. Lalchand Navalrai:** What is the balance of the silver that is in England now? Is that also kept for the purposes of the war and is it to be used for the purposes of the war?

**The Honourable Sir Jeremy Raisman:** Apart from the stocks of silver which used to be in London in the ordinary way and which were there at the outbreak of the war, no stocks have been kept in London, but shipments have been made in connection with war purposes.

#### WORKING OF THE DEFENCE OF INDIA RULES.

54. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable the Defence Member be pleased to state if he has ever examined how the Defence of India Rules are being worked in practice in the Provinces in order to find out if the original intention of the Legislature by which the rule-making powers were given to the Government of India, is being carried out?

(b) If not, is the Honourable Member prepared to make inquiries and place the report on the table? If not, why not?



(c) What steps do Government propose to take to instruct the Provincial Governments to make only necessary and cautious use of these rules for the efficient prosecution of War?

**The Honourable Malik Sir Feroz Khan Noon:** (a) and (c). The attention of the Honourable Member is invited to the reply given to parts (b) and (c) of question No. 216 asked by Sardar Sant Singh on the 21st November, 1940.

(b) In the circumstances explained in that reply, the Government of India do not think that any useful purpose would be served by making enquiries.

**Mr. Lalchand Navalrai:** Does the Honourable Member know, at any rate, this much that the Defence of India Rules are not being used properly in the Provinces and that they are being applied for every purpose?

**Mr. President** (The Honourable Sir Abdur Rahim): That is matter of opinion.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member whether the Defence of India Rules are being applied even in the case of those persons who are asked to leave a certain place and they go away from that place?

**The Honourable Malik Sir Feroz Khan Noon:** If the rules provide for a certain kind of action and if that action is taken, I think, it is within the law.

**Mr. Lalchand Navalrai:** Is the Honourable Member prepared to consult certain representative members of the public as to whether these rules are being used indiscriminately or not?

**The Honourable Malik Sir Feroz Khan Noon:** When the Legislature has passed a law whether it is an enactment or whether by way of Rules made thereunder you have to leave it to the Provinces and the public representatives to administer it and you cannot forthwith proceed to appoint a Committee to find out how that law is being worked. You have many laws: you will want a committee to be appointed on the Indian Penal Code, the Criminal Procedure Code. That is rather a lengthy procedure and waste of time. But if there is any definite act, which the Honourable Member has in view and he thinks that he is justified in bringing it to the notice of the Government, where injustice has been done, he can do so.

**Mr. Lalchand Navalrai:** If there is one particular instance, but there are several instances. In that case what is remedy?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is arguing now.

**Sardar Sant Singh:** Is the Honourable Member aware that the Defence of India Rules were made under the Defence of India Act and under section 2 of that Act, if I am not mistaken, they were mainly to apply for the purposes of war effort?

**The Honourable Malik Sir Feroz Khan Noon:** I think the Honourable Member's memory since the law was passed has become a bit hazy. Apart from the efficient prosecution of the war the Act covers many other things. No rule has been framed which goes beyond the law as sanctioned by this Assembly.

**Sardar Sant Singh:** It is a question of application of rules for purposes other than the war efforts. May I ask the Honourable Member if he is aware that in his own District—Sargodha—the Defence of India Rules were thought to realise.

**Mr. President** (The Honourable Sir Abdur Rahim): These are all provincial matters. It is impossible to go into those details.

**Babu Baijnath Bajoria:** Is the Honourable Member aware that the Defence of India Rules have superseded the Indian Penal Code and the Code of Criminal Procedure in practice.

**Mr. President** (The Honourable Sir Abdur Rahim): That is a matter of opinion.

**Pandit Lakshmi Kanta Maitra:** Is the Honourable Member aware that even for the restoration of conjugal rights the Defence of India Rules have been applied?

**The Honourable Malik Sir Feroz Khan Noon:** The laws have in many cases become more effective.

#### SHORTAGE OF SMALL COINS.

**55. \*Mr. Lalchand Navalrai:** (a) Will the Honourable the Finance Member be pleased to state if he is aware that the shortage of coins of smaller denominations is causing immense inconvenience to all people in India in their daily transactions?

(b) If so, what is the cause of the shortage and what measures do Government propose to take to meet the situation and to remove the inconvenience?

(c) Is it a fact that Government have withdrawn from circulation silver and copper coins of old mintage? If so, which and why?

**The Honourable Sir Jeremy Raisman:** (a) Yes.

(b) I would refer the Honourable Member to my reply to the debate on the 10th February, 1943 on Babu Baijnath Bajoria's adjournment motion on the shortage of small coin.

(c) In the ordinary course all defaced or worn out coin are withdrawn from circulation to maintain the purity of the currency. If by the withdrawal of silver coins, the Honourable Member refers to the demonetisation of standard silver rupees and half-rupees, his attention is invited to the Finance Department Press Communique, dated the 16th November, 1942. No other coins have been demonetised.

In this connection I should like to correct a misunderstanding which has arisen in relation to the press reports of an observation made by me in the course of the debate to which I have referred in my reply to part (b) of this question. It is not correct that Government are withdrawing the old bronze pice and melting them down either for new coinage or for any other purpose. Such bronze coin as is returned and is serviceable is put back at once into circulation and it is contemplated that the two types of pice will remain in circulation together.

#### PRESS COMMUNIQUE

#### GOVERNMENT OF INDIA AND SILVER.

#### SILVER RUPEE POLICY REVIEWED.

#### WARNING TO HOARDERS OF STANDARD SILVER RUPEE

#### NEW QUATERNARY RUPEE CONTINUES TO BE FULL LEGAL TENDER

Though Queen Victoria and King Edward VII rupees and half rupees were called in with effect from April 1, 1941, and June, 1, 1942, respectively, they have continued to be legal tender at the offices of the Issue Department of the Reserve Bank of India at Bombay and Calcutta in the case of the former and at Bombay, Calcutta and Madras in the case of the latter. To-day a notification issued by the Finance Department terminates the legal tender character of such coins even at the offices of the Reserve Bank of India with effect from May, 1, 1943.

A second notification provides that George V, and George VI standard silver rupees which have been called in before May, 1, 1943, shall cease to be legal tender even at the offices of the Reserve Bank of India, from November, 1, 1943, the date from which it has already been notified they will cease to be legal tender at Government Treasuries, Post Offices and Railway Offices.

Both notifications, however, provide for the acceptance of such coin by the Reserve Bank of India in its discretion after these dates at such of its offices as it may select in cases where the holder of such coins proves to the satisfaction of the Bank that he was prevented from presenting them before the prescribed dates by circumstances beyond his control.

#### EARLY HISTORY :

##### MINTS CLOSED TO FREE COINAGE.

These notifications mark the culmination of the policy which had its origin more than fifty years ago when the world-wide abandonment of silver as a concurrent currency metal with gold compelled the Government of India to close their Mints to the free coining of silver and to convert the rupee which had previously been a full value silver coin into a token.

The maintenance of such a high silver content as eleven-twelfths has, however, created continued complications. Silver, besides lending itself comparatively easily to counterfeiting has other disadvantages in its pure or nearly pure form as a material for coinage. It was in the first place unduly expensive and the market for its purchase and sale was restricted so that it was difficult and expensive to buy when the Government of India needed it and almost unsaleable when the Government had surplus stocks. For those reasons too it was exposed to unduly speculative influences which often had awkward repercussions on other Indian commodity markets.

##### SILVER CAREFULLY NURSED.

If, however, the Government of India had attempted to discard it too quickly, they would not only have injured their own finances, as a large amount of their funds had been locked up in the purchase of the metal for coinage but, what is more important, would have injured those in this country, largely belonging to the poorer classes, who had invested in this metal in the past at a time when its free exchangeability with the rupee had given it an artificial value and when the lack of investment facilities particularly in rural areas had narrowed their other possibilities of saving. For this reason, silver has had to be carefully nursed by the Government of India over the last 15 years, since sales were first initiated.

##### WAR REACTS FAVOURABLY ON SILVER PRICES.

With the rise in the price of silver due to the war, however, these difficulties have been removed. The local price of silver has now reached a level at which the metallic content of the standard silver rupee is practically the same as its nominal value, and the holder of silver in bullion form has ample facilities to sell it at levels which are not likely to recur and which are certainly high enough to free the Government of India from any responsibility for the future of the metal if he should elect not to take advantage of them now. The Government of India see no reason why those who choose to hoard silver in its coined form should be given an indefinite option either to retain it to the Mint at its full nominal value or to melt and sell it as bullion.

##### WARNING TO HOARDERS OF STANDARD SILVER COIN.

The time prescribed for the compulsory return is in each case ample and the facilities for exchange at the places appointed for receipt are more than adequate provided that timely advantage is taken of them. If, however, as has happened in several instances in the past, holders, prefer to wait until the last moment before tendering their coin, they are warned that they run the risk of being shut out. The officers-in-charge of receiving treasuries have been informed that, in the event of a last minute rush they should give preference to those who in their view have been prevented from applying earlier for reasons beyond their control.

Holders of standard silver coin are therefore strongly recommended in their own interest to take them as soon as possible to the nearest convenient treasury or other receiving office. In the case of large holders, to avoid risk of delay and inconvenience, it would be advisable that they should inform the officer-in-charge of the amounts they have, so that mutually convenient arrangements may be made for their examination.

Those who do not take advantage of this extensive period of notice will only have themselves to thank if they find themselves saddled after the war with silver either in the form of uncurrent standard-rupee coin or bullion which they are only able to sell at a heavy loss.

##### POSITION OF NEW QUATERNARY RUPEE UNAFFECTED.

Finally, it should be emphasised that though the Government of India are finally terminating their liabilities in respect of the standard silver rupee, this does not affect the usefulness of silver in combination with other metals as a material for coinage and that the new quaternary rupee, with its 50 per cent content of silver and its security edge, is entirely unaffected by these notifications and continues to be full legal tender. These notifications only apply to standard silver coins of the Queen Victoria, King Edward and George V issues and the comparatively small issue of George VI coin which was issued with the milled and not the security edge.

**Mr. Lalchand Navalrai:** May I know when this new pice will come into force?

**The Honourable Sir Jeremy Raisman:** Sir, it has already been issued since the 1st February.

**Mr. Lalchand Navalrai:** Whether it has been issued all over India or only in Delhi?

**The Honourable Sir Jeremy Raisman:** It is being issued from main centres and it always takes some time to pervade the whole country.

**Maulana Zafar Ali Khan:** May I know whether the Post Office in the Assembly Building has been furnished with these new pieces, because just now I am coming from there—I wanted to buy post-cards—and I was told that there was no small coin?

**The Honourable Sir Jeremy Raisman:** I cannot tell whether they have reached a particular post office.

**Babu Baijnath Bajoria:** May I know the value of silver coins—rupee and half rupee—which have been withdrawn?

**The Honourable Sir Jeremy Raisman:** I am sorry I have not got that information. I cannot give it.

#### WAR SITUATION ON INDIAN BORDERS.

56. **\*Mr. Lalchand Navalrai:** (a) Will the War Secretary be pleased to make a full statement on the War situation on the eastern and southern borders of India?

(b) Have there been any naval, aerial and land attacks by the Japanese on the borders of India? If so, at what places and how were they counteracted?

(c) How many attacks have been made by the Japanese in Assam, Midnapore, Chittagong, Orissa and Calcutta during the last six months, and with what consequences?

(d) Have Government made arrangements to intercept the Japanese air force from extending to areas beyond Calcutta? If so, what is the nature and extent of the same?

(e) What arrangements have Government made for the evacuees from areas under Japanese attacks including Calcutta?

**Mr. C. M. Trivedi:** (a) The defensive policy on the eastern border of India, which was necessary during the time when the Burma Army had to be re-organised and re-equipped following its withdrawal, has now given place to one in which the Armed forces in India are only waiting for the most suitable moment to take the offensive. During the summer of last year there was every possibility that the Japanese would follow up our withdrawal by attempting to invade northern Assam and our forces were disposed to meet not only this threatened land invasion but also the possibility of a sea-borne attack either in Bengal or on the coast of eastern and southern India.

The eastern frontier may be considered in two parts; the Assam-Burma border and the frontiers of eastern Bengal. In the former, there has been, as yet, no major encounter with the enemy and activity has been confined to patrolling by both sides. The situation is, however, very satisfactory, the morale of the troops is high and we may be confident of the results of any action with the enemy.

On the Bengal frontier we have made an advance down the Arakan coast which has removed the immediate land threat to the Bengal frontier and has carried our pressure against the enemy's forward troops into Japanese occupied territory. There is little which I can add to the reports which have been published in the Press except to say that owing to maintenance difficulties in a country largely devoid of roads suitable for military transport, operations have necessarily been slow. The morale of the troops in this area also is very high and good relations prevail with the civil population who have given our troops much assistance. The Royal Indian Navy has played its part in the Arakan operations in support of our military forces. In the air, our

forces and those of our American allies are being steadily augmented with modern types of aircraft, and bomber formations are regularly attacking military objectives in areas occupied by the enemy while other aircraft carry out fighter sweeps and escort duties. The results of these air operations have been most satisfactory.

In southern India, energetic preparations for defence still continue; but although the threat of sea-borne invasion has not entirely disappeared, Allied naval successes in the south-west Pacific have considerably reduced the possibility of such attacks and our forces are fully sufficient to deal with any attack which could possibly develop.

(b) and (c) There have been no naval or land attacks on the frontier of India. Enemy air forces have, however, attacked certain areas in eastern India. Chittagong district has been raided ten times and on the whole damage has been slight. There have been five attacks in Fenny area which have caused negligible damage. On three occasions in October 1942, aerodromes used by American forces were bombed. Calcutta has been raided seven times and full reports of these raids have appeared in the Press. Apart from this, there have been no other air raids on India during the last six months.

(d) I am afraid, that it is not possible for me to give details of defence arrangements since these details might assist the enemy in planning further attacks. The Honourable Member may however rest assured that adequate precautions have been taken and that full use is being made of modern equipment. Our defences are capable of dealing with any scale of attack which the enemy is likely to deliver. It is, of course, impossible to guarantee interception of enemy aircraft but the recent successes of our night fighters over the Calcutta area have provided impressive evidence of what the enemy is up against in any attempt to penetrate far into Indian territory.

(e) This part of the question should have been addressed to the Secretary, Civil Defence Department.

**Mr. Lalchand Navalrai:** With regard to part (c), may I know how many Japanese aeroplanes were brought down in Chittagong, in Calcutta and in Assam?

**Mr. C. M. Trivedi:** I have not got details with me at present.

**Mr. Lalchand Navalrai:** May I know if the Honourable Member has got definite information about the number of attacks by air made by the Japanese in Calcutta, Chittagong and Assam and can the Honourable Member, instead of vaguely saying there has been some slight damage and some casualties, give the actual number of lives lost and the amount of damage done?

**Mr. C. M. Trivedi:** There is a question later on which will be answered by the Civil Defence Department and which will contain the information which the Honourable Member wants.

**Mr. President** (The Honourable Sir Abdur Rahim): With reference to this question and the answer which has been given by the Government Member, I wish to point out that the ordinary object of interpellation is to elicit information on definite matter of public interest and not comprehensive discussion of a subject like the war situation. It is a well established rule of the House that during question time, a lengthy statement on any subject of this nature just read out should be avoided. I would suggest to the House and particularly to the Government Members that as regards the war situation, the Government may consider whether it is not desirable to make a full statement from time to time. The Honourable Member who is responsible for Defence might take the House into confidence as to the progress of the war so far as it affects this country to the extent that is considered expedient.

**Babu Baijnath Bajoria:** What steps have been taken. . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I think the Honourable Member had better leave this question alone now. Honourable Members cannot take up the whole time of the House on one question.

**Maulana Zafar Ali Khan:** One short question as regards the danger of Japanese invasion?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Government Member has made a very full statement. I am sure it is not possible for any Honourable Member to remember all the points covered in the reply and put any more useful supplementary questions. Next question.

FIRE-FIGHTING EXPERTS IMPORTED FROM BRITAIN.

57. \***Mr. K. C. Neogy:** (a) Will the Honourable Member for Civil Defence be pleased to state what are the conditions of service and terms of remuneration arranged for the fire-fighting experts who have been recently imported from Britain?

(b) Is it the policy of Government to get these experts employed in factories, and is it a fact that in many cases the factory owners have shown unwillingness to entertain these experts on the terms put forward? How many such experts have come out, and where are they employed?

**Mr. N. V. H. Symons:** (a) A statement is laid on the table.

(b) 228 fire-fighting experts have come out. A statement showing where they are employed is laid on the table.

(c) No factory owner has brought to Government's notice any unwillingness on his part to employ these experts on the terms put forward.

*Conditions of Appointment.*

1. In these Conditions :

- (A) "Government" means the Governor-General of India in Council.  
(B) "Employee" means the person whose signature appears above.

2. The Employee shall be provided with an allowance of Twenty-five pounds (£25) in the case of a Fire Officer and Fifteen pounds (£15) in the case of a Sub-Officer Grade I or Grade II towards the cost of outfit (not including uniform) for his use in India and with a passage either by air or sea to India and with transit from the place of arrival in India to the place where he is required to report for duty and on being provided with such passage he shall proceed within such time and by such means as may be prescribed by or on behalf of the Government. The Employee shall be provided in India with a uniform.

3. The Employee shall on arrival in India forthwith report himself for duty without avoidable delay as directed by the officers of the Government and shall submit himself to the orders of the Government and of the Government of the Province to which he may from time to time be posted by the Government and of the officers and authorities under whom he may from time to time be placed by the Government or by the said Provincial Government.

4. The term during which the Employee shall remain in the service shall be a period from the date of his departure for India to one year after his arrival in India provided that during the continuance of the present war the said term may be extended at the option of the Government for further terms of six months at a time if whenever the Government exercise such option they give three calendar months' previous notice in writing.

5. (1) If the Employee is stated in the Application written above these Conditions to be professional or police fireman the Government will make such arrangements regarding the payment of a contribution to the Local Authority or Authorities administering the appropriate pension provision in his case as may be permissible to ensure that his contingent superannuation benefits under the said provision shall not cease during his service under this agreement.

(2) If the Employee is not stated in the said Application to be such a professional or police fireman then upon termination of his service to the satisfaction of the Government the Employee shall be paid a gratuity equivalent to one month's pay in respect of each year of service.

6. The Employee shall devote his whole time to his duties and at all times obey the rules prescribed for the time being for the regulation of the branch of the public service to which he may belong including the Government Servants' Conduct Rules and shall whenever required proceed to any part of India and there perform such duties as may be assigned to him.

7. If the Employee fails to proceed to India or to join his appointment there as ordered or if he at any time during the first year of his service voluntarily quits the service without the permission of the Government he shall forthwith on demand repay to the Government the sums expended by the Government under Condition 2 hereof in respect of the allowance the passage and the transit in India.

8. The service of the Employee may be terminated as follows :—

(1) At any time on three calendar months' notice in writing given to him by or on behalf of the Government if in the opinion of the Government the Employee proves unsuitable for the efficient performance of his duties during service under this Agreement.

(2) By or on behalf of the Government without previous notice if the Government is satisfied on medical evidence that the Employee is unfit and a likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in India. Provided always that the decision of the Government that the Employee is likely to continue unfit shall be conclusively binding on the Employee.

(3) By the Government or their officers having proper authority without any previous notice if the Employee shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of these Conditions.

(4) By three calendar months' notice in writing given at any time during service under this Agreement (except during the first year thereof) either by him to the Government or by the Government or their authorised officer to him without cause assigned.

The Government may in lieu of any such notice aforesaid give the Employee a sum equivalent to the amount of his pay for three months or shorter notice than three months if they pay him a sum equal to the amount of his pay for the period by which such notice falls short of three months.

9. If the Employee be suspended from duty during investigation into any charge which if substantiated would permit the termination of his service under Condition 8 (3) hereof he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Government may decide to allow him.

10. (1) The pay which the Employee shall receive shall be as follows :

(A) If the Employee is appointed as a Fire Officer, Rs. 800 per month.

(B) If the Employee is appointed as a Sub-Officer, Grade I Rs. 600 per month.

(C) If the Employee is appointed as a Sub-Officer, Grade II Rs. 500 per month.

Provided that if the Employee proceeds on deputation out of India his pay during the period of his deputation shall be regulated by the ordinary rules regarding deputation.

(2) The pay shall be payable monthly in India from the date of his departure for India during the term of the Employee's service specified in Condition 4.

(3) If the Employee is appointed as a Sub-Officer, Grade I or Grade II, he shall be provided with free quarters or an allowance in lieu thereof.

11. If the Employee is appointed a Fire Officer and if he is unable to provide himself with quarters or is unable to provide himself with quarters except at a cost in excess of 10 per cent. of his said pay the Government shall at his request provide him with quarters suitable for him in the opinion of the Government and he shall pay to the Government for such quarters a rent not exceeding 10 per cent. of his said pay.

12. The Employee shall not be entitled to pension or gratuity or bonus on retirement or to any allowances except as expressly stated in these Conditions nor shall he be entitled to subscribe to a Provident Fund.

13. The Employee shall be eligible for leave in accordance with the provisions of the Model Leave Terms as amended from time to time as applicable to his case. His service for leave shall commence from the date of his first reporting for duty in India and such leave shall not be claimed as a matter of right but shall be given or refused at the discretion of the Government.

14. If the Employee is required to travel in the interests of public service he shall be entitled to travelling allowance on the scale provided for in the rules supplementary to the Fundamental Rules for the time being in force and applicable to his case.

15. The Employee shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by the Government for the class of officers serving in the same station to which the Government may declare the Employee to correspond.

16. In any payments made to the Employee in the United Kingdom the rate of exchange then applicable to the class of transaction concerned as decided by the Secretary of State from time to time shall be observed.

17. The proceedings letters and report of the Governor-General of India in Council or of any of the Provincial Governments and of his or their officers and agents or any copies thereof or extracts therefrom which shall be sent officially to the Secretary of State or to the High Commissioner for India or to their officers or servants or to any person in the Indian Service of His Majesty in England or elsewhere in any way relating to the sums of money to be paid or allowed to the Employee or to his conduct or in any way relating to the premises shall be received as evidence of any matter therein contained in any action or in any legal proceedings by or between the Government and the Employee or in any way relating thereto but without prejudice to any claim of privilege.

18. The Government shall provide the Employee, with a passage to England, by sea including transit from his station in India to the port of embarkation—

(A) on the completion by the Employee of his term of service specified in condition 4. or

(B) on his being allowed to proceed on leave preparatory to the termination of his service. or

(C) on the termination of his service under sub-clauses (1) (2) or (4) of condition 8 hereof :

Provided :

- (i) that he claims such passage and leaves India in accordance with any direction given by the Government on the completion of his service or on the commencement of his leave or on the termination of his service, and
- (ii) that if his service is terminated on account of ill-health such ill-health has not been brought on by his neglect or carelessness or misconduct (of which the certificate of a medical officer nominated by the Government shall be conclusive).

19. (1) In respect of a war service injury sustained during the Employee's service in India or of a war injury sustained during the Employee's voyage to India during his service in India under this agreement or during his voyage from India if the Government shall have provided him with his passage under Condition 18 the Employee (or in the event of his death through such an injury his widow children or other dependants) shall be entitled to receive from the Government such pension allowances and benefits as though the Personal Injuries (Civilians) Scheme made under the Personal Injuries (Emergency Provisions) Act 1939, in force at the date of the Employee's leaving for India applied to him. The Government may apply any amendment duly made to such scheme or apply any scheme substituted directly or indirectly for such scheme.

(2) For the purpose of the application of such Scheme (A), the Employee shall be deemed to be a civil defence volunteer and the Government a civil defence organisation and (B) the Government shall be deemed to be the Minister but the Government may authorise any person or persons to perform the functions of the Minister.

20. If during his term of service specified in Condition 4 the Employee becomes or continues to be insured as a voluntary contributor under the National Health Insurance Acts and the Widows' Orphans' and Old Age Contributory Pensions Acts for the time being in force the Government shall pay one-half of the contributions payable by him as such contributor and in that event he shall authorise the Government to pay in the United Kingdom on his behalf the balance of such contributions and the surrender by the Government at the appropriate time of the duly stamped contribution cards to his Approved Society or to the appropriate Insurance Department shall be a sufficient discharge in respect of any liability incurred by the Government under this Condition.

21. Notwithstanding anything hereinbefore contained the pay and leave salary of the Employee whether payable in India or elsewhere shall be subject to any emergency cut that may be ordered by the Government for the same period and on the same terms as for other officers under the administrative control of the Government.

22. All acts authorised or required to be done by the Government may be done in the United Kingdom by the High Commissioner for India acting on their behalf.

*Statement showing the Places where Fire Officers and Sub-Officers are employed.*

Serial No.	Posted to.	Fire Officers.	Sub-Fire officers, Grade I.	Sub-Fire officers, Grade II.
<i>Provinces.</i>				
1	Madras . . . . .	2	3	53
2	Bengal . . . . .	5	4	30
3	Bihar . . . . .	1	..	8
4	Bombay . . . . .	..	2	3
5	Punjab . . . . .	1	1	..
6	U. P. . . . .	1	..	5
7	C. P. . . . .	1	1	1
8	Assam . . . . .	..	4	..
9	Delhi . . . . .	1	1	9
10	Baluchistan . . . . .	1	..	..

*Labour Department and Factories.*

11	Organisation of the Chief Adviser, Factory Labour Department, Delhi	A. R. P.,	1	..
12	Organisation of the Chief Adviser, Factory Labour Department, Calcutta	A. R. P.,	..	1
13	Organisation of the Chief Adviser, Factory Labour Department, Madras	A. R. P.,	..	1
14	Organisation of the Chief Adviser, Factory Labour Department, Bombay	A. R. P.,	..	1
15	Central Government Buildings, Calcutta	..	..	1
16	Rifle Factory, Ishapore	..	..	1
17	M. S. Factory, Ishapore	..	..	1
18	G. S. Factory, Cossipore	..	..	1
19	G. C. Factory, Jubbulpore	..	..	1
20	H. and S. Factory, Cawnpore	..	..	1
21	H. E. Factory, Kirkee	..	..	1
22	Ammunition Factory, Kirkee	..	..	1



Serial No.	Posted to.	Fire Officers.	Sub-Fire officers, Grade I.	Sub-Fire officers, Grade II.
<i>Labour Department and Factories.—contd.</i>				
23	Ordnance Factory, Dohad	..	1	..
24	Ordnance Factory, Khamaria	..	..	1
25	Cordite Factory, Arvankadu	..	..	1
26	Burmah Shell, Madras	..	..	1
27	Burmah Shell, Cochin	..	..	1
28	Burmah Shell, Bombay	..	..	1
29	Burmah Shell, Karachi	..	..	1
30	Employers' Association of Northern India, Cawnpore	..	1	..
31	Bombay Millowners' Association Bombay	..	..	2
32	Indian Jute Mills Association, Calcutta	..	..	1
33	Indian Iron and Steel Co. Ltd., Burnpore, Asansol	..	..	1
34	Titaghur Paper Mills, Calcutta	..	1	1
35	Madura Mills, Madura	..	..	2
36	Buckingham and Carnatic Mills, Madura	..	1	..
37	E. D. Sassoon & Co., Bombay	..	..	1
38	Attock Oil Co., Rawalpindi	..	..	1
39	Assam oil Co., Digboi	1	..	..
40	Mathematical Instruments Office, Calcutta	..	..	1
<i>Railways.</i>				
41	Bengal and Assam Railway	..	..	6
42	Bengal and Nagpur Railway	..	..	2
43	B. B. & C. I. Railway	..	..	4
44	East Indian Railway	..	..	3
45	G. I. P. Railway	..	..	3
46	North Western Railway	..	1	3
47	M. & S. M. Railway	..	..	2
48	South Indian Railway	..	..	1
<i>Government of India Secretariat.</i>				
49	Civil Defence Department	4	..	2
<i>Civil &amp; Military Station.</i>				
50	Bangalore	..	1	..
<i>Naval Dockyards</i>				
51	H. M. I. Dockyard, Bombay	..	1	3
52	H. M. Dock yard, Colombo	..	..	4
<i>Ports.</i>				
53	Calcutta Port Trust	1	..	..
54	Karachi Port Trust	1	3	..
55	Cochin Harbour	..	1	..
56	Ceylon Government	..	..	2
<i>Indian States.</i>				
57	Hyderabad Deccan	1	..	2
58	Baroda State	..	..	1
<i>Miscellaneous.</i>				
59	Returned to England	1	..	..
Total		19	28	181

**Pandit Lakshmi Kanta Maitra:** Where did these experts receive training? In foreign countries?

**Mr. N. V. H. Symons:** They are all either professional firemen or temporary National Service firemen who have been trained in the United Kingdom and they have all had blitz experience in London, Manchester, Birmingham and other big cities which have suffered heavy air attacks.

**Pandit Lakshmi Kanta Maitra:** So these experts were all imported from abroad?

**Mr. N. V. H. Symons:** Yes.

**Pandit Lakshmi Kanta Maitra:** Have any efforts been made for getting Indians trained in this fire-fighting work?

**Mr. N. V. H. Symons:** These fire-fighting experts are all doing most valuable work in training Indians.

#### SHORTAGE OF SMALL COINS.

58. **\*Mr. K. C. Neogy:** (a) Will the Honourable the Finance Member be pleased to state whether Government recognise that there is a serious shortage of small coins throughout the country especially the pice coins?

(b) Is hoarding alone in the main responsible for this shortage?

(c) What is the exact number of pice coins minted every month?

(d) What types of coin do Government mean by the term "small coin" used in their communique of the 27th November, 1942?

(e) As has been alleged by a section of the Press is it a fact that copper intended for the minting of pice has been diverted for the use of the Defence Department for munition production?

(f) Even though the communique had stated that Government are taking steps to increase their minting capacity, has the Reserve Bank of India informed the Bengal National Chamber of Commerce in reply to a letter from the Chamber, that the production of pice coins has been curtailed and that the public are expected to devise methods of payment whereby the use of one pice coins may be eliminated?

(g) Has the Reserve Bank further advised the Chamber to emulate the example of the Calcutta Tramways Company which has issued coupons as substitute for one pice coins?

(h) Are Government aware that the practice of issuing coupons as substitutes for pice coins has been adopted by several private persons and firms? Is it the policy of Government to encourage an extension of this practice?

(i) Have coins of smaller denominations been minted in India of late, for Australia or any other country? If so, will the Honourable Member be pleased to state all particulars of these transactions?

**The Honourable Sir Jeremy Raisman:** (a) Yes.

(b) Yes.

(c) The present output is ten million pieces a month. This will be augmented when the position in regard to small coin of higher denominations has been restored. In addition 30 million 2-pice pieces are being minted every month.

(d) All subsidiary coin from eight annas downwards, except where otherwise stated.

(e) No.

(f) Yes. The Reserve Bank of India suggested this course as an interim expedient to enable the productive capacity of the Mints to be utilised to the best advantage in meeting the increased demand for small coin generally.

(g) The Reserve Bank suggested that the example set by the Bombay Electric Supply and Tramways Co., and followed by the Calcutta Tramways Co., might be copied by other Companies and Firms.

(h) The answer to the first part of this question, is in the affirmative. As regards the second part, until the position can be restored such expedients will be unavoidable.

(i) As I mentioned last Wednesday in the course of the adjournment motion debate on the small coin position, in accordance with Government's policy of utilising to the full their available resources to further the cause of the Allied Nations, certain foreign orders were in the past undertaken from time to time mainly for the Middle-East. Some of these orders included coin of smaller denomination.

The only order executed for Australia, consisting of nine million bronze pennies and six million bronze half-pennies, was undertaken as long ago as December 1941.

No foreign orders have been accepted since the small coin shortage became manifest in India and the rate of execution of outstanding commitments was slowed down at once to a minimum and now represents less than one per cent. of our minting capacity.

These transactions were all carried out at a reasonable profit to Government.

**Pandit Lakshmi Kanta Maitra:** With regard to part (h), may I know if it is the policy of the Government to encourage an extension of the practice of issue of coupons by private companies? What is the definite policy of the Government in this respect?

**The Honourable Sir Jeremy Raisman:** My answer was that until the position can be restored such expedients will be unavoidable. I must point out that although coupons of this kind are not legal tender in the sense that people can be compelled to accept them in satisfaction of their demand, there is no reason why in an abnormal situation like the present commonsense local arrangement should not be made.

**Pandit Lakshmi Kanta Maitra:** Do I take it that the suggestion, as explained by the Honourable Member with regard to part (g) of the question, of the Reserve Bank regarding the issue of these coupons, emanated from the Reserve Bank at the instance of the Government of India?

**The Honourable Sir Jeremy Raisman:** No, Sir. It was not at the instance of the Government of India, but I should have no difficulty in endorsing their attitude.

**Babu Baijnath Bajoria:** Will the Honourable Member enquire as to what happens to the large number of small coins which are deposited in the railway stations and the post offices and how these coins are disposed of?

**The Honourable Sir Jeremy Raisman:** I must point out to the Honourable Member that he is under a grave misapprehension if he thinks that the result of transactions which take place at railway stations and post offices is an inflow of small coins to Government. There is never a net inflow. In normal times these places have to be provided every day with a certain amount of small coin because the net result of their transactions is an out-go. It is because the two way traffic, which I mentioned the other day as being the basis of all normal small coin circulation, it is because that has been destroyed that there is such a small amount of coin available even at places like railway stations and post offices?

**Pandit Lakshmi Kanta Maitra:** With regard to part (i), may I enquire of the Honourable Member who supplied the metal for minting of small coins for Australia and other countries?

**The Honourable Sir Jeremy Raisman:** The metal was supplied by us. There was no difficulty about metal and, as I have mentioned in this House, we have the metal for a large small-coin programme as long as our capacity will enable us to carry it out.

**Mr. H. A. Sathar H. Essak Sait:** With regard to part (g), will the Honourable Member consider the advisability of authorizing the Railways to issue such coupons until normal conditions prevail?

**The Honourable Sir Jeremy Raisman:** I would like to have time to think over that suggestion.

PROVISION OF BROTHELS FOR FIGHTING FORCES IN CALCUTTA.

59. \***Mr. K. C. Neogy:** (a) Will the War Secretary be pleased to state whether the attention of Government has been drawn to certain comments published recently in the *Calcutta Diocesan Record* and the *Guardian*, a Christian Weekly of Madras, relating to the provision of brothels for the fighting forces in Calcutta in the very heart of the residential areas?

(b) Is it a fact that even respectable people of the localities concerned were asked to turn out of their houses by the authorities in order to make way for brothels, and that residents have been visited by the police accompanied by prostitutes and told that their homes were required for brothels for the military.

(c) Is it a fact that the Metropolitan of India has interested himself in the matter and is making an effort to stop these proceedings? If so, with what result?

(d) What is the general policy of Government in regard to the provision of brothels for the troops in India, and at which centres at present have brothels been provided with the active or passive assistance, approval or knowledge of the military authorities?

(e) What is the policy or practice in such matters in Great Britain, Canada, Australia, South Africa and the United States of America, separately?

**Mr. C. M. Trivedi:** (a) Yes. I may add that following a strong remonstrance on the part of the Military Authorities the allegations made against those authorities in the November issue of the *Calcutta Diocesan Record* were substantially withdrawn in an article in the December issue.

(b) The Government of India have been informed as follows by the Provincial Government:

"With the arrival of large numbers of troops, brothels sprang up in various localities in Calcutta. Numbers of these were at once closed down, but some, started in the vicinity of existing brothels, were allowed for a time to remain; but there was no question of turning residents out of their houses to make way for such establishments nor was any action with that object taken; and on receipt of various complaints including complaints from the Metropolitan of India these were also closed down. No brothels for the troops have been provided by the authorities."

(c) The Honourable Member is referred to the answers to parts (a) and (b)

(d) It is no part of the policy of the Civil or the Military authorities to provide brothels for troops or to assist in such provision.

(e) The Government of India have no information.

**Mr. K. C. Neogy:** Sir, with regard to the Honourable Member's reference to certain complaints made by the Metropolitan of India, will the Honourable Member be pleased to give us a gist of the complaints made by the Metropolitan?

**Mr. C. M. Trivedi:** It is a very long article.

**Mr. K. C. Neogy:** Give us only a gist of that article . . .

**Mr. President** (The Honourable Sir Abdur Rahim): It can be laid on the table if you like.

**Mr. C. M. Trivedi:** I will lay it on the table of the House.

**Babu Baijnath Bajoria:** Did these brothels spring up under Government patronage?

**Mr. C. M. Trivedi:** No, Sir.

MINTING OF SMALL COINS FOR AUSTRALIA.

60. \***Maulvi Muhammad Abdul Ghani** (on behalf of **Dr. Sir Zia Uddin Ahmad**): (a) Will the Honourable the Finance Member please state whether the news published in the *Hindustan Times*, dated the 11th January, 1943, that the Government of India were minting small coins for Australia is correct?

(b) If so, what are the values and descriptions of those coins?

(c) Was the metal required for coinage supplied by Australia?

(d) What are the financial implications in such transaction?

**The Honourable Sir Jeremy Raisman:** (a) and (b). No. The Press report of January 1943 to the effect that Indian Mints were then busy executing orders for copper coin for Australia was quite incorrect. An order for nine million bronze pennies and six million bronze half-pennies was undertaken as far back as December 1941 that is long before the small coin shortage manifested itself in India. This order was undertaken in pursuance of Government's policy of utilising to the full their available resources for the common Allied cause. No later order has been accepted.

(c) The metal used in executing the order just mentioned came from the stocks of the Government of India.

(d) The transaction was completed at a reasonable profit to Government.

**Mr. Muhammad Azhar Ali:** May I know from the Honourable Member whether the Government has made any profit out of this transactions?

**The Honourable Sir Jeremy Raisman:** I have already replied to that: It was completed at a reasonable profit.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if the Government issued any communique contradicting the news published in the papers?

**The Honourable Sir Jeremy Raisman:** Yes. It was put out in the Press that the report was quite incorrect.

**Mr. Lalchand Navalrai:** May I know the amount of profit which the Government made out of this transaction?

**The Honourable Sir Jeremy Raisman:** I am afraid I cannot say that.

#### BREACH BETWEEN GOVERNMENT AND THE INDIAN PRESS.

**61. \*Sardar Sant Singh:** (a) Will the Honourable the Home Member make a statement with regard to the facts which led to the breach between the Government and the Indian Press?

(b) How many newspapers and journals in India did not publish the Honours List on the New Year's Day, 1943, and how many published the same in response to the call of the Editors' Conference held at Bombay, giving the following details province by province:

- (i) owned by Indians;
- (ii) owned by Europeans or Anglo-Indians; and
- (iii) number of dailies, weeklies and monthlies?

(c) How many newspapers, both dailies and weeklies, suspended publication on the 6th January, 1943, in response to the same call, giving details province by province?

(d) Do Government propose to conciliate the Press? If so, what steps do they propose to take in this direction?

**The Honourable Sir Reginald Maxwell:** (a) If the Honourable Member refers to the recent protest by the press against the suppression of news concerning Professor Bhansali's fast, the facts have already been published extensively in the press and are presumably known to Honourable members of this house.

(b) and (c). The information asked for is not available and the labour involved in compiling it would not be justified in time of war.

(d) As what the Honourable Member calls the breach has now been closed this part of the question does not arise.

**Mr. Lalchand Navalrai:** Has the breach been closed completely?

**The Honourable Sir Reginald Maxwell:** A breach is either closed or open. I said it was closed.

**Mr. Lalchand Navalrai:** May I know whether any conditions or particular limitations have been put on the press, and whether the press have been satisfied?

**The Honourable Sir Reginald Maxwell:** I have no means of knowing that.

## CASUALTIES, ARRESTS, ETC., DURING THE RECENT DISTURBANCES.

**62. \*Sardar Sant Singh:** Will the Honourable the Home Member be pleased to state:

- (a) the names of the towns where disturbances occurred after the arrest of Mahatma Gandhi and the Working Committee of the Indian National Congress;
- (b) the steps taken to suppress the same;
- (c) the names of the towns where the Military or the Air Force was used to suppress the same;
- (d) number of times firing was resorted to;
- (e) the number of persons killed and injured;
- (f) the number of arrests made;
- (g) the number of persons prosecuted and the number convicted and the number sentenced to death and the number actually executed; and
- (h) the number of persons detained without trial?

**The Honourable Sir Reginald Maxwell:** (a) The disturbances occurred in a large number of places and it is not possible to collect this information without undue expenditure of labour.

(b) I would refer the Honourable Member to my speech in this House on the 15th September, 1942.

(c) The number of such towns is large and it is not possible to collect the information required without undue expenditure of labour.

(d) 538 times up to about the end of the year 1942.

(e) The number of persons killed by police or military firing up to about the end of the year was 940 and the number injured 1,630.

(f) 60,229 persons had been arrested up to about the end of the year.

(g) The number of persons convicted up to about the end of the year was approximately 26,000. I have no information about the number of persons prosecuted, or the number sentenced to death or executed.

(h) Approximately 18,000 persons had been detained under rules 26 and 129 of the Defence of India Rules up to about the end of the year.

Although, as will be seen from my replies to parts (f), (g) and (h), large numbers of people have been arrested, convicted or detained the figures by themselves give a false impression since large numbers of persons have also been released or were sentenced only to short terms of imprisonment or to fines. The number of persons actually in custody at about the end of the year was approximately 14,000 convicted prisoners and 11,000 persons detained under the Defence of India Rules.

**Sardar Sant Singh:** May I know with reference to the answer to part (c) of the question how many times the air force was used and in what provinces?

**The Honourable Sir Reginald Maxwell:** The question was with respect to the names of the towns.

**Sardar Sant Singh:** What are the names of the towns where the air force was used? That must be a small number. Or was it a big number?

**The Honourable Sir Reginald Maxwell:** The air force is not used in a town but in the air.

**Sardar Sant Singh:** The air force used over the town, if my friend wants to be particular about it? Were bombs thrown from the air to suppress the disturbances? Is that clear?

**The Honourable Sir Reginald Maxwell:** I can assure the Honourable Member that no towns were bombed by the air force.

**Mr. N. M. Joshi:** May I ask with reference to the answer given to (h), whether the cases of those detained without any trial will be examined by an advisory committee or by any other machinery by the Government of India?

**The Honourable Sir Reginald Maxwell:** There is no such proposal at present under consideration.

**Mr. N. M. Joshi:** May I ask if the Government of India are aware that in Great Britain people detained without any trial are given an opportunity of putting their case before an advisory committee, and whether also the Government of India had agreed to the principle that such cases will be examined by what they have said a very high authority from time to time?

**The Honourable Sir Reginald Maxwell:** That was in relation to the last civil disobedience movement, Sir.

**Mr. N. M. Joshi:** May I ask, Sir, whether these principles vary from movement to movement?

**The Honourable Sir Reginald Maxwell:** Yes, Sir.

**Mr. N. M. Joshi:** May I ask, Sir, the reason for it?

**The Honourable Sir Reginald Maxwell:** I am afraid I cannot enter into a debate on that subject.

**Sardar Sant Singh:** If no bombs were dropped by aeroplanes to suppress the disturbances, were people machine-gunned by aeroplane?

**The Honourable Sir Reginald Maxwell:** I informed the House in the last Session that in one or two cases persons found committing acts of sabotage on the railway lines, not in towns, were fired on from the air. I believe the number of such cases is very small.

**Mr. C. P. Lawson:** May I ask the Honourable the Home Member with reference to his reply to (e), whether he has any information as to the number of people who were killed not as a result of firing by the police?

**The Honourable Sir Reginald Maxwell:** Does the Honourable Member mean victims of the disturbances not caused by Government action? I have such information and I will give it in the debate on Mr. Neogy's resolution.

**Mr. C. P. Lawson:** Will the Honourable the Home Member be pleased to say whether this figure is not greatly in excess of the figure he has given for those people who suffered as the result of police firing?

**The Honourable Sir Reginald Maxwell:** It was not in excess.

**Pandit Lakshmi Kanta Maitra:** Is it not a fact that in the District of Nadia in Bengal, railway gangmen (coolies) were machine-gunned from the aeroplane?

**The Honourable Sir Reginald Maxwell:** I have no such information.

**Pandit Lakshmi Kanta Maitra:** Is the Honourable Member aware that a statement to that effect was made in the other House?

**The Honourable Sir Reginald Maxwell:** I am not responsible for statements in the other House.

#### SALE OF INDIAN SILVER IN ENGLAND.

**63. \*Sardar Sant Singh:** (a) Will the Honourable the Finance Member be pleased to state:

- (i) the total ounces of silver belonging to the Government of India lying in England at the commencement of the war;
- (ii) the total ounces of such silver with the Secretary of State for India on the 1st February, 1943, and
- (iii) the quantity sold in England from the 3rd September, 1939, to the 1st February, 1943, and the prices at which it was sold?

(b) What was the market price of silver in India on the dates when it was sold in England? How much loss was caused to the Exchequer of India?

**The Honourable Sir Jeremy Raisman:** -(a) (i) and (ii). The information regarding the surplus silver stock of the Government of India both in India and in England is compiled together so as to show the position at the end of each financial year. The last published accounts are those given in the Central Appropriation Accounts (Civil) for 1940-41, but the accounts for the next year are expected to be published shortly.

(a) (iii) and (b). I would invite the attention of the Honourable Member to the reply given to parts (a), (b) and (d) of Mr. K. C. Neogy's question No. 62 on the 16th September, 1942, and also to the reply which I have just given to parts (d) to (g) of Mr. Lalchand Navalrai's question No. 53.

#### RECENT APPOINTMENT OF CHIEF JUSTICE OF THE LAHORE HIGH COURT.

**64. \*Sardar Sant Singh:** (a) Will the Honourable the Home Member be pleased to state if the Government of India have tendered any recommendation to His Majesty the King Emperor for the appointment of Chief Justice to the High Court of Judicature at Lahore in place of Sir Douglas Young who retired on the 19th January, 1943?

(b) Was the Home Department asked to submit its opinion by His Majesty in connection with this appointment? Was the merit of Sir Bakhshi Tek Chand for appointment to the post of Chief Justice considered? Is the Honourable Member aware that the general opinion held in the Punjab is that Sir Bakhshi Tek Chand and Sir Dalip Singh were superseded on racial grounds? Is it a fact that both the above gentlemen have decided to retire as a protest against their supersession? Will the Honourable Member make a detailed statement regarding the appointments recently made by His Majesty on the Bench of High Court of Judicature at Lahore with special reference to the advice tendered by the Government of India?

**The Honourable Sir Reginald Maxwell:** (a) and (b). The appointment of a Chief Justice of a High Court is made by His Majesty; and is not the concern of the Governor General in Council.

**Sardar Sant Singh:** May I ask the Honourable Member if the Government of India is consulted before any appointment is made by His Majesty the King Emperor?

**The Honourable Sir Reginald Maxwell:** No, Sir.

**Sardar Sant Singh:** Am I to understand that no names are forwarded by the Government of India for the consideration of His Majesty's Government.

**The Honourable Sir Reginald Maxwell:** The Honourable Member is correct in so understanding.

#### GRIEVANCES OF INCOME-TAX DEPARTMENT STAFF OF THE BOMBAY PRESIDENCY.

†65. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable the Finance Member be pleased to state if it is a fact that in the Income-tax Department of the Bombay Presidency most of the Income-tax Officers, their Assistants, Examiners, Inspectors and clerks who have been officiating temporarily since several years past, have not been made permanent? If so, what are the reasons?

(b) Is it a fact that this practice has caused great dissatisfaction amongst the incumbents and some of them have actually left the department owing to lesser prospects than in other departments of the Government of India?

(c) Will the Honourable Member be pleased to state how many Income-tax Officers, Assistants, Examiners, Inspectors and clerks in each Income-tax Office in Sind Division are working temporarily or have been officiating without having been made permanent, and since how long?

(d) Is their confirmation due? If so, why have they not yet been recommended for being made permanent?

(e) Do Government propose to revise the scales of pay of the above mentioned staff to bring them in conformity with the salaries of the other departments of the Government of India? If not, why not?

† Answer to this question laid on the table, the questioner having exhausted his quota.



**The Honourable Sir Jeremy Raisman:** (a) A large number of officers have been employed in an officiating capacity because a considerable number of temporary posts have been created in connection with the excess profits tax, the clearance of arrears and the assessment of lower incomes.

(b) I am not aware of any general dissatisfaction. It is however true that some members of the clerical staff in Sind and Baluchistan have resigned from the Department during the last two years in order to take up appointments elsewhere on higher rates of pay. With one exception, the clerks who have resigned had less than two years' service in the Department.

(c) A statement is laid on the table.

(d) The question of confirmation can only arise if they have been appointed in clear vacancies or the temporary posts in question are made permanent.

(e) No. The revised scale of pay of Income-tax Officers has been fixed on an all-India basis. The scales of pay of all subordinate service officers in the departments of the Government of India working in the provinces are generally fixed taking into consideration local conditions, the nature of the work performed and the pay fixed for Provincial Government servants of a corresponding grade.

*Statement showing the position in Sind and Baluchistan at the end of December, 1942.*

No. of persons officiating.		No. who have been officiating continuously for	
I. T. Os. & A. I. T. Os.	7	More than 4 years	2
		More than 3	..
		More than 2	3
		More than 1	..
		Less than 1	2
Examiners	7	More than 4	1
		More than 3	..
		More than 2	3
		More than 1	1
		Less than 1	2
Inspectors	3	More than 4	2
		More than 3	..
		More than 2	..
		More than 1	1
		Less than 1	..
Asst. Insp. Examiners	6	More than 4	1
		More than 3	1
		More than 2	1
		More than 1	..
		Less than 1	3
Clerks	37	More than 4	6
		More than 3	2
		More than 2	10
		More than 1	10
		Less than 1	9

**TRANSFER OF CONTROL OVER INCOME-TAX TRIBUNALS AND THE APPELLATE ASSISTANT COMMISSIONERS OF INCOME-TAX.**

†66. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable the Finance Member be pleased to state if the control of the Finance Department over the Income-tax Tribunals has been transferred to the Legislative Department or any other Department of the Government of India? If so, since when, and what kind of control has been so transferred?

(b) Does any control of the Central Board of Revenue over the Income-tax Tribunals still remain? If so, what and why?

(c) Who is controlling the Appellate Assistant Commissioners and by whom are they appointed?

(d) In view of the policy of the Government to separate the judicial work of the Income-tax Department from that of the Executive, do they propose to transfer the control over the Appellate Assistant Commissioners to the same department of the Government of India as that of the Income-tax Tribunals? If not, why not?

†Answer to this question laid on the table, the questioner having exhausted his quota.

**The Honourable Sir Jeremy Raisman:** (a) Yes. Complete control over the Income-tax Appellate Tribunal was transferred to the Legislative Department with effect from the 30th May, 1942.

(b) No.

(c) Appellate Assistant Commissioners of Income-tax are appointed by the Central Government and are under the direct administrative control of the Central Board of Revenue. The Commissioners of Income-tax are in immediate administrative charge of these officers.

(d) No. In this connection I invite the Honourable Member's attention to the reply given by me on the 19th February, 1942, to a Resolution moved by Sir Abdul Halim Ghuznavi on the 12th February, 1942 (pages 340-41) of the Assembly Debates.

**RESPONSIBILITY FOR ARMY REQUISITIONED FOR MAINTAINING ORDER.**

**57. \*Mr. Govind V. Deshmukh:** Will the War Secretary please state:

- (a) to whom the army, if called in to aid of the civil power, is responsible; whether it is responsible to the Military Officer or to the Civil Authority;
- (b) on whom the primary responsibility rests for withdrawing the army from a place where it was sent to establish peace and order on being requisitioned by a civil authority; and
- (c) whether it is the duty of the civil authority to be present on the spot so long as the army is stationed or is on duty to keep order in a place, town or village?

**Mr. C. M. Trivedi:** (a) When a Magistrate requires troops to take action in aid of the civil power, such troops carry out their duties for the purpose indicated by the Magistrate under the orders of the Military Commander.

(b) When aid to the civil power by the army is considered necessary the requisition for such aid is made by a Magistrate or competent civil authority. Similarly a Magistrate or competent civil authority is empowered to indicate when the object for which the troops were required has been achieved and when their aid is no longer necessary.

(c) Yes, Sir. Magistrates are present with troops whose aid to the civil power has been required whenever and wherever this is practicable.

**Mr. Govind V. Deshmukh:** May I know, Sir, whether the Magistrate moves with the Commander who is in charge of the situation, or is it that wherever the Commander is in the City the Magistrate moves with him?

**Mr. C. M. Trivedi:** I have not been able to follow the Honourable Member's question.

**Mr. Govind V. Deshmukh:** I wish to know whether, when military aid is requisitioned by any civil authority or magistrate, the person requisitioning that aid goes with the troops and sees that they are posted in the proper places and that no disturbance is created.

**Mr. C. M. Trivedi:** The Magistrate, as I have said, Sir, is present with troops whenever it is practicable. The actual disposition of troops in a particular area is made under the orders of the Military Commander.

**Mr. Govind V. Deshmukh:** Does that Military Commander know the situation of the city so well that he can on his own initiative post his troops in different places?

**Mr. C. M. Trivedi:** The Military Commander acts in the closest consultation with the civil authorities.

**Mr. Govind V. Deshmukh:** Then I take it that both the persons are present at the same time and place.

**Mr. C. M. Trivedi:** I have said, Sir, that whenever and wherever it is possible, the Magistrate is present with the troops.

**Mr. Govind V. Deshmukh:** Can the Magistrate be absent?

**Mr. C. M. Trivedi:** Well, that depends on the number of Magistrates. They may not be available everywhere.

**Mr. Govind V. Deshmukh:** Then I take it that the Military Commander himself takes the initiative and manages the affairs without the help of any Magistrate.

**Mr. C. M. Trivedi:** The Honourable Member is free to draw his own conclusions.

**Mr. K. C. Neogy:** In so far as the air force was employed for the purpose of machine-gunning saboteurs of railway lines, as mentioned by the Honourable the Home Member, was the air force acting in collaboration with the civil authorities concerned?

**Mr. C. M. Trivedi:** I want notice of the question.

**Mr. Lalchand Navalrai:** May I know if the military in Sind has done its purpose so that they may be removed from there?

**Mr. C. M. Trivedi:** This does not arise out of the question.

#### MEASURES FOR PROTECTION OF WOMEN FROM MOLESTATION BY SOLDIERS USED FOR RESTORING ORDER.

68. \***Mr. Govind V. Deshmukh:** Will the War Secretary please state:

- (a) if his attention has been drawn to the "Publicity Officer's statement to the Press" handed to the Press by the Chief Secretary to the Government of the Central Provinces about the solution of the difficulties arising from the Chimur incident; and
- (b) if he endorses the views in respect of the military engaged in restoration of order which find place in the statement namely "The Government attaches and has always attached the greatest importance to the maintenance of discipline among the military and police engaged in restoration of order and considers that the respect for the honour of women and their protection from molestation are and shall be the first essential of good discipline"? If so, what precautionary measures at present exist and what measures does he propose to adopt to protect women from molestation by soldiers when the army is used for restoring order?

**Mr C. M. Trivedi:** (a) Yes, Sir.

(b) The Government of India are in full agreement with the extract which has been quoted. Officers and all ranks invariably receive instruction as to how they should act when called out for the restoration of order; and the proper treatment of the civil population is always stressed in any instruction given.

**Mr. Govind V. Deshmukh:** May I know what are the instructions? Are there any standing instructions or are they orally issued from time to time whenever a situation arises?

**Mr. C. M. Trivedi:** There are standing instructions and they are reiterated every time military aid is requisitioned for the restoration of order.

**Mr. Govind V. Deshmukh:** May we have that statement laid on the table?

**Mr. C. M. Trivedi:** I want notice of that.

**Sardar Sant Singh:** In view of the many allegations of molestations of women and children during the last disturbances by the military authorities, will the Honourable Member tell us how many persons belonging to the military have been prosecuted or court-martialled or even had their conduct inquired into by the military authorities as regards those allegations?

**Mr. C. M. Trivedi:** No definite allegations have been made against definite individuals.

**Sardar Sant Singh:** Whose duty is it to find out the individuals? Allegations are made against the military employees. Will the Honourable Member tell us whether it is not the duty of the military to find out the guilty persons?

**Mr. C. M. Trivedi:** As I said, no definite allegations have come to the notice of the Government.

**Sardar Sant Singh:** Will the Honourable Member refer to the speech of the Honourable Mr. Neogy on the Resolution for the appointment of an inquiry committee, and will he look into the allegations made therein?

(No answer was given.)

#### RECENT AIR RAIDS OVER ASSAM AND BENGAL.

**69. \*Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Civil Defence be pleased to state on which dates the Japanese air force raided the different areas of Assam and Bengal and at what time of the day or night?

(b) How many aeroplanes, fighters and bombers, separately, took part in the raids and how many planes of the Royal Air Force or United States of America and Indian Air Force took part against the aggressors in Assam and Bengal?

(c) When did the Honourable Member pay his last visit to the affected areas in Assam and Bengal?

(d) Does the Honourable Member propose to give the number of people wounded and killed, separately, on each occasion of raids and what sort of damages were done to properties?

**Mr. N. V. H. Symons:** (a) Information as to Air Raids which had taken place up to that date on various parts of India including Assam and Bengal was given to the House in answer to question No. 59 on the 16th September, 1942. The present answer relates to the period between the 16th September, 1942 and the 10th February, 1943.

In Assam twelve raids were carried out in the North East Area of the Province on the 25th, 26th and 28th October, 1942 at various times between midday and 3 P.M.

In Bengal, the Calcutta, Chittagong and Feni areas were bombed. The Calcutta area was raided seven times on the 20th, 22nd, 23rd, 24th and 28th of December, 1942, and on the 15th and 19th of January, 1943. All these raids occurred between 9-30 P.M. and 4 A.M. mostly being carried out by moonlight.

The Chittagong area was raided ten times on the 25th October, 5th, 10th, 15th, 16th, 20th, 24th and 28th December, 1942, and 17th and 23rd January, 1943. The first five raids were carried out in daylight between 11-30 A.M., and 4-30 P.M. The last five occurred between 9-30 P.M. and 4-30 A.M. mostly being carried out by moonlight.

The Feni area was raided five times; on the 16th and 23rd December, 1942 and 17th January 1943 in daylight between 9-30 A.M. and 3-30 P.M. and on 28th December, 1942, and 23rd January, 1943 in darkness between 3-30 A.M. and 4 A.M.

(b) In Assam the attacking force on each day was made up of between 18 and 27 bombers and an equal number of fighters.

In the Calcutta area from three to nine bombers were used in each attack.

In the Chittagong area the night raids were carried out by two to three bombers and daylight raids by formations consisting of fourteen to twenty seven bombers escorted by an equal number of fighters.

In the Feni area the night raids were carried out by three to nine bombers, and daylight raids by fourteen to sixteen bombers.

Ample fighter cover was in operation during these raids. It is not in the public interest to disclose the details asked for, but The Honourable Member will no doubt have read in the Press of the exploit of Flt./Sgt. PRING, D.F.M. in shooting down three enemy bombers in four minutes.

(c) The Hon'ble Member for Civil Defence, visited Calcutta from 24th November till 1st December, 1942. He has not yet visited Assam.

(d) No. The Honourable Member is referred to the answer given to question No. 59 on 16th September, 1942 on this subject.

**Pandit Lakshmi Kanta Maitra:** May I inquire of the Honourable Member if there was not an air raid on the Cox's Bazaar area?

**Mr. N. V. H. Symons:** That was over the border in Burma: it was not on Bengal.

**Pandit Lakshmi Kanta Maitra:** Did the Honourable Member say that during the Japanese raids over Calcutta the bombers were not escorted by fighters?

**Mr. N. V. H. Symons:** Only bombers.

**Babu Baijnath Bajoria:** Is it a fact that the Member for Civil Defence did not visit Calcutta after the bombing?

**Mr. N. V. H. Symons:** It is a fact.

**Babu Baijnath Bajoria:** What steps are Government taking to compensate the civil persons injured and the heirs of persons killed and for the loss of property caused by the Japanese air raids in Calcutta and other areas?

**Mr. N. V. H. Symons:** I suggest that the Honourable Member should address his question to the Labour Department who deal with the War Injuries Ordinance, and as regards property, I understand that that is under the consideration of the Defence Department.

**Pandit Lakshmi Kanta Maitra:** With regard to part (d), will the Honourable Member give us any information as to the casualties?

**Mr. N. V. H. Symons:** Honourable Members will remember that we made it clear that, although we did give the actual casualties of the first two raids last spring on Vizagapatam and Coconada, following the practice in the United Kingdom we do not propose to give details of casualties after each raid or detailed casualties which the enemy could associate with any particular series of raids. But as the raids have now been going on since April 1942, I can give rather more information than I gave last September, when I gave only the total number of casualties up to that date. I am now in a position to give the House the figures of the total casualties, killed and wounded separately, in all raids on British India since April 1942; the figures are—killed 358, and wounded 459.

**Mr. Lalchand Navalrai:** May I know how many bombers were brought down on the Calcutta area?

**Mr. N. V. H. Symons:** That I think is a question you should ask the War Department.

**Mr. Ananga Mohan Dam:** Will the Honourable Member state whether conditions in Bombay were more serious than in Assam for civil defence and if not what was the reason for neglecting Assam?

**Mr. Jamnadas M. Mehta:** There are non-Japanese bombs thrown in Bombay!

**Kunwar Hajee Ismaiel Akhhan:** Do you plead the cause of Bombay or of Assam?

**Mr. Ananga Mohan Dam:** I plead the cause of Assam, but the Government of India seems to plead the cause of Bombay first. I want to know why the Honourable Member did not go to Assam.

**Mr. K. C. Neogy:** He was busy holding conferences of ladies.

**Mr. N. V. H. Symons:** I referred to bombing in my answer but did not mention Bombay.

**(b) WRITTEN ANSWERS.****EVACUATION FROM CHITTAGONG AND CALCUTTA AFTER JAPANESE AIR RAIDS.**

**70. \*Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Civil Defence be pleased to state if Chittagong has been evacuated by the civil population out of sheer sense of helplessness? If so, what arrangement has been made to help the civil population to remain in their homes by assuring them of their safety and security?

(b) Has the Honourable Member any idea of the exodus of the labour population and of the menial servants from Calcutta who had been terrorised by the Japanese raids?

(c) Does the Honourable Member propose to give the statistics of the people who left Calcutta during the last week of December 1942 and the 1st week of January 1943? If so, is he prepared to make a statement about the statistics on the floor of the House?

(d) Was the Honourable Member present on the 24th and 25th December in Calcutta?

(e) Did the Honourable Member make a statement on the high morale of the Bengal people in Calcutta who had led them to enjoy the festivities of the Xmas despite Japanese raids on Calcutta on the 21st, 23rd, 24th and 25th December?

**Mr. N. V. H. Symons:** (a) (i) No.

(ii) Full A. R. P. and Civil Defence preparations have been made and have functioned very well.

(b) Yes.

(c) No.

(d) No.

(e) Yes, a statement which appeared in the press was made but not in the terms of the question.

**APPOINTMENT OF ORGANISERS AND WARNING OFFICERS IN BENGAL.**

**71. \*Mr. Amarendra Nath Chattopadhyaya:** (a) Has the Honourable Member for Civil Defence appointed the organisers and the senior and junior Warning Officers as advertised in September last and interviewed in October last? If so, does he propose to lay on the table the list of persons appointed and state on what basis these appointments have been made? If appointments have not been made, will he state how long would it take Government to decide on the appointments? Is it a fact that the Honourable the Chief Justice of India—Sir Maurice Gwyer—was appointed to select the applicants for these posts? If so, has he done it?

(b) Does the Honourable Member propose to state the present number of Civic Guards, Air Raid Precaution staff and the National War Front workers who are helping the Civil defence works in Bengal and who are the leading officers of these forces, separately?

(c) What arrangements have been made for the maintenance of these forces and for the supply of staple food by the Provincial authority to these forces and has the Central Government any control over these forces in the provinces?

**Mr. N. V. H. Symons:** (a) No Officers have been appointed. The Honourable Sir Maurice Gwyer presided over a Selection Committee at New Delhi in the middle of December last and the final report of the Committee was received on 16th January, 1943. In the meantime it has been decided that Warning Officers will remain under War Department control. This decision was reached partly owing to the change in the War situation and partly owing to operational difficulties in inserting Civil Officers in the warning organization system the main part of which must be manned and controlled by military personnel.

(b) The Civil Defence Department are only concerned with A. R. P. staff. A statement is laid on the table. As regards the names of the leading officers, such information as is in the possession of the Government of India is given in

the statement but it is not claimed that it is complete. These appointments are made by the Provincial Government and not by the Government of India.

(c) Maintenance and the supply of staple food for A. R. P. Services is a Provincial responsibility and the Central Government has no control over these forces in the Provinces. The Bengal Government have made arrangements for the feeding of this personnel.

*Statement showing the A. R. P. Services in Bengal.*

A. R. P. SERVICES.	
Wardens . . . . .	22,698
Messengers (Inside) . . . . .	152
Messengers (Outside) . . . . .	3,172
House Fire Party Personnel . . . . .	104,742
First Aid Party Personnel . . . . .	2,645
First Aid Post Personnel (fixed) . . . . .	2,292
First Aid Post Personnel (Mobile) . . . . .	101
Ambulance Service (Ambulance staff) . . . . .	729
A. S. (Sitting case car drivers) . . . . .	417
Rescue Party Personnel . . . . .	3,847
Control and Report Centre . . . . .	928
Fire Services (A. F. S.) . . . . .	2,014
Fire Service (Regular) . . . . .	289
A. R. P. Instructors . . . . .	349
Total . . . . .	144,355

*Leading Civil Defence Officials in Calcutta Industrial Area.*

CALCUTTA CITY.

- A. S. Hands, Esq., C.I.E., M.C., I.C.S.,  
A. R. P. Controller.
- S. K. Dey, Esq., I.C.S.,  
Assistant A. R. P. Controller.
- A. H. Nunn, Esq., B.Sc., M.I.H.E.,  
Officer i/c Rescue Service.
- P. K. Biswas, Esq.,  
Officer-in-Charge Casualty Service.
- A. C. Roberts, Esq.,  
Officer-in-Charge Communications Service.

HOWRAH.

- Mr. Majid,  
A. R. P. Controller.

24 PARGANAS.

- Rai Bahadur N. R. Mukerji,  
A. R. P. Controller.

HOOGHLY.

- B. B. Das Gupta, Esq.,  
A. R. P. Controller.

VALUE OF SMALL COINS MINTED SINCE THE OUTBREAK OF WAR.

72. \*Maulvi Muhammad Abdul Ghani: Will the Honourable the Finance Member be pleased to state the total value of small coins of silver as well as of cheap metal and copper minted every month since the war broke out?

The Honourable Sir Jeremy Raisman: A statement is laid on the table of the House.

Statement showing the nominal value in Rupees of Small Coins (8 annas and downwards) minted each month since September 1939 upto January 1943.

September 1939—March 1940.		1940-41.		1941-42.		April 1942—January 1943.		(000 omitted)	
Month	Total.	Month.	Total.	Month.	Total.	Month.	Total.	Month.	Total.
September 1939	389	April 1940	3,649	April 1941	1,832	April 1942	9,515	April 1942	9,515
October 1939	353	May 1940	3,786	May 1941	3,349	May 1942	9,036	May 1942	9,036
November 1939	1,399	June 1940	3,380	June 1941	2,704	June 1942	10,802	June 1942	10,802
December 1939	3,564	July 1940	5,267	July 1941	2,369	July 1942	7,593	July 1942	7,593
January 1940	3,355	August 1940	8,898	August 1941	8,898	August 1942	8,088	August 1942	8,088
February 1940	5,976	September 1940	12,883	September 1941	1,828	September 1942	7,479	September 1942	7,479
March 1940	6,066	October 1940	9,548	October 1941	3,443	October 1942	8,432	October 1942	8,432
Total	21,102	November 1940	8,650	November 1941	2,872	November 1942	7,285	November 1942	7,285
		December 1940	2,956	December 1941	4,849	December 1942	9,774	December 1942	9,774
		January 1941	5,442	January 1942	4,498	January 1943	12,416	January 1943	12,416
		February 1941	4,498	February 1942	1,702	Total	90,420	Total	90,420
		March 1941	1,702	March 1942	70,659	Total	47,864	Total	47,864
		Total	70,659	Total	47,864	Total	230,065	Total	230,065

GRAND TOTAL . . . 230,065  
(September 1939—January 1943.)



**MUSLIM CANDIDATES FOR THE INDIAN CIVIL SERVICE EXAMINATION, 1943.**

**73. \*Maulvi Muhammad Abdul Ghani:** Will the Honourable the Home Member please state:

- the total number of candidates fixed to sit at the competitive examination for the Indian Civil Service in 1943;
- the quotas fixed for every province for the same and the number allotted to Muslim candidates; and
- the total number of such Muslim candidates selected from every province to sit for the examination?

**The Honourable Sir Reginald Maxwell:** (a) The number of candidates who may be admitted in any year to the Indian Civil Service examination held in India is limited to 300.

(b) and (c). The quotas are fixed not on a communal, but on a Provincial basis. The quotas and the number of Muslim candidates from each Province admitted to the Indian Civil Service examination held this year are given in a statement laid on the table.

*Statement.*

Selection Area.	No. of candidates.	Nos. admitted to the Indian Civil Service examination held in 1943.	No. of Muslim candidates admitted to the Indian Civil Service examination in 1943.
Madras . . . . .	50	..	3
Bombay . . . . .	22	..	1
Bengal . . . . .	45	..	5
U. P. . . . .	53	..	24
Punjab . . . . .	48	..	14
Bihar . . . . .	23	..	1
C. P. . . . .	11	..	1
Assam . . . . .	6	..	2
N.-W. F. P. . . . .	6	..	2
Sind . . . . .	6	..	3
Orissa . . . . .	5	..	1
	<b>*275</b>	<b>232</b>	<b>57</b>

\*The remaining 25 seats are at the disposal of the Federal Public Service Commission to be allotted in each year among selection areas or otherwise in their discretion.

**LEGISLATION FOR CONTROL AND REGULATION OF BANKS.**

**74. \*Mr. T. T. Krishnamachari:** Will the Honourable the Finance Member please state:

- whether the Government of India have given up the idea of undertaking legislation to control and regulate banks in this country;
- whether the attention of the Government of India has been drawn to the large number of banks floated in this country since September 1939; and
- whether the Government of India are aware that there have been certain deviations from normal practice in regard to the control and management of banks in respect of several of these new concerns?

**The Honourable Sir Jeremy Raisman:** (a) The proposed legislation has been postponed for the duration of the war.

(b) Yes.

(c) The attention of Government has been drawn to certain undesirable features of some of these new concerns and the matter is under consideration.

**BROADCASTS BY FOREIGN REPRESENTATIVES FROM THE ALL-INDIA RADIO.**

**75. \*Mr. T. T. Krishnamachari:** Will the Honourable Member for Information and Broadcasting please state:

- (a) how many representatives of Broadcasting Corporations, British and foreign, are permitted to broadcast from the All-India Radio studios; and
- (b) whether the Government, through the Controller of Broadcasting or otherwise, exercises control over the matter so broadcast by representatives of such Corporations?

**The Honourable Mr. M. S. Aney.** (a) The number is not fixed. Hitherto, ten representatives have broadcast commentaries, for four British and non-British broadcasting organisations, from the studios of All-India Radio.

(b) Yes; these commentaries are subject to the usual censorship applicable to messages sent outside India.

**ARREST OF LALA RAM KISHAN DAS OF DELHI.**

**76. \*Maulana Zafar Ali Khan:** (a) Will the Honourable the Home Member please state whether it is a fact that on the night of the 28th August, 1942, the City Magistrate of Delhi accompanied by two other Magistrates and a posse of police of about 100 strong headed by the Deputy Superintendent of Police surrounded the shop of Messrs. Mamraj Chunni Lal in Naya Bazar and ordered the proprietor, Lala Ram Kishan Das, who is the President of the Delhi Grain Merchants' Association, to be placed under arrest and his stocks of wheat attached to Government?

(b) Is it a fact that immediately after the City Magistrate ordered the withdrawal of the police cordon and release of the proprietor, Lala Ram Kishan Das?

(c) Do Government propose to state the circumstances which led the City Magistrate to take such an arbitrary action?

(d) Are Government aware that this action of the City Magistrate resulted in terrorising the mercantile community trading in food grains with the consequent discouragement of the traders in importing food stuffs as freely as before and which is responsible for the acute shortage of food grains in Delhi?

(e) Are Government satisfied that the action of the above official was not justified? Are they prepared to hold an enquiry to scrutinize the conduct of this official and to restore the confidence of the general public and the mercantile community in particular?

**The Honourable Sir Reginald Maxwell:** (a), (b) and (c). On August 28th, 1942 considerable popular indignation was aroused by the alleged refusal of the firm Chunnā Mal Mamraj to sell to the public certain stocks of wheat which were with them. The refusal constituted an infringement of the Defence of India Rules and the Foodgrains Control Order 1942. The City Magistrate accompanied by two honorary magistrates and the City Deputy Superintendent of Police, went to the shop of the firm, where a large crowd had collected. On being addressed by the City Magistrate the proprietor of the firm promised to bring out his stocks for sale, and actually did so. No arrests were made, nor was it found necessary to confiscate any stocks.

(d) No. On the other hand, they consider the action of the City Magistrate as entirely commendable.

(e) There is no case for ordering any inquiry.

**"JOINT RESPONSIBILITY" FOR SECURITY OF RAILWAY LINES.**

**77. \*Mr. K. O. Neogy:** (a) Will the Honourable the Home Member be pleased to explain the reference to "imposition of joint responsibility in districts through which the lines run" as reported in the reply to starred question No. 12, dated the 14th September, 1942, on the subject of the dislocation of war transport on account of mob violence?

(b) What are the orders, if any, that have been passed in regard to different districts through which the Railway lines run for the purpose of imposing such "joint responsibility"?

(c) Does the scheme contemplate the guarding of the lines, or the adoption of any other precautionary measures, by the people concerned as a positive responsibility? And how is such responsibility enforced?

(d) Is the Honourable Member aware of an order of the Bihar Government conveyed to the Commissioner of the Chota Nagpur Division, Ranchi, as quoted below, imposing "collective responsibility" for the strategic lines in the colliery areas of the Dhanbad Sub-division as well as other areas through which these lines pass, on the collieries themselves, including an obligation to arrange for patrols to guard these lines :

Copy of a letter No. 4535-C.W.12(13)-22/42, from Y. A. Godbole, Esq., C.I.E., I.C.S., Chief Secretary to the Government of Bihar, Political Department, Special Section, to the Commissioner of the Chota Nagpur Division, Ranchi.

"I am directed to refer to your memo. No. 713-C, dated the 16th October, 1942 and to say that the Provincial Government consider that the scheme of imposing collective responsibility must be carried out on the strategic lines, and it must be done in the colliery areas of the Dhanbad Subdivision as well as other areas through which these lines pass. They have therefore decided that the liability must be undertaken by the collieries since there is none in these villages but themselves and their labour. The patrols should be arranged by them. I am to request that the decision of Government may be communicated to them through the Additional Deputy Commissioner of Dhanbad"?

(e) Does the Honourable Member propose to place on the table a copy of the scheme of imposing "collective responsibility" referred to by the Bihar Government in the letter quoted above?

(f) Is any compensation payable to any party in respect of the cost incurred by it in arranging for patrols or other precautionary measures, on the Railway lines under any such scheme? If so, by whom and on what scales?

**The Honourable Sir Reginald Maxwell:** (a) Under the Collective Fines Ordinance persons living in the neighbourhood of railway lines are liable to penalties if these lines are damaged and the principle of joint responsibility to which the Honourable Member for Railways referred is that such persons should in their own interest and as part of their duty as citizens take such steps as they can to ensure that no damage occurs. These steps include patrolling, keeping a watch for likely saboteurs and conveying information about their movements.

(b) and (c). The orders regarding joint responsibility for the safety of communications vary in different Provinces and it is for the Provincial Governments to determine how the scheme is to be actually worked.

(d) I have no official information but a copy of the Chief Secretary's letter under reference was sent to Government by the Federation of Indian Chambers of Commerce.

(e) No. The matter is entirely within the discretion of the Bihar Government.

(f) The practice in this matter varies in different Provinces. I do not possess complete information about the details.

## UNSTARRED QUESTIONS AND ANSWERS.

### BUSINESS CORRESPONDENCE OF SARDAR SARDUL SINGH CAVEESHAR.

18. **Maulana Zafar Ali Khan:** (a) Is the Honourable the Home Member aware of the fact that Sardar Sardul Singh Caveeshar was permitted to carry on business correspondence regarding the People's Insurance and the New Hindustan Bank, Limited, Lahore, for some time after his detention on the 9th March, 1942?

(b) If the reply to part (a) be in the affirmative, is the Sardar Sahib still enjoying the same facilities? If not, why not?

**The Honourable Sir Reginald Maxwell:** (a) and (b). Sardul Singh Caveeshar was permitted to sign certain papers and cheques in connection with his business prior to the advice given to the People's Insurance Co. and the New Hindustan Bank Ltd., to appoint someone else in his place as their Managing Director. The rules governing security prisoners require that all correspondence to and from them shall be confined to purely domestic matters. The correspondence allowed is sufficient to keep Sardul Singh in touch with his personal affairs; but not to fulfil his obligations as the Managing Director of the two concerns.

**TREATMENT METED OUT TO SARDAR SARDUL SINGH CAVEESHAR.**

**19. Maulana Zafar Ali Khan:** (a) Is the Honourable the Home Member aware of the fact that Sardar Sardul Singh Caveeshar has recently made a representation to the Governor General of India regarding treatment meted out to him during his detention in Lahore Fort from March to September, 1942?

(b) Is he aware of the fact that Sardar Sardul Singh Caveeshar has complained in that representation against Mr. Wace, Deputy Inspector General (C. I. D.), Punjab, who gave a threat to the Sardar Sahib of withdrawing all the facilities given to him under the security prisoner rules, if he did not disclose the facts regarding the relations between Mr. Subhas Bose, Akali Party Leaders and other Indian Leaders?

(c) If the reply to part (b) above be in the affirmative, what are the reasons for the same and what action has been taken against the officer concerned?

**The Honourable Sir Reginald Maxwell:** (a) I have not seen any such representation and in any case the Government of India are not concerned with representations made to the Governor General.

(b) and (c). Do not arise.

**BUSINESS CORRESPONDENCE OF SARDAR SARDUL SINGH CAVEESHAR.**

**20. Maulana Zafar Ali Khan:** (a) Will the Honourable the Home Member please state if it is a fact that Sardar Sardul Singh Caveeshar was allowed for the last nine months to correspond with his people on business affairs but has been stopped from doing so now?

(b) Is it a fact that the above order was passed after the Sardar Sahib's complaints to the Viceroy and other high officials regarding the treatment meted out to him during his detention in the Lahore Fort from March 1942 to September 1942?

(c) Is he aware of the fact that in his petition the Sardar Sahib complained against the Deputy Inspector General (C. I. D.), Punjab, and his Assistants and this very officer has now imposed these new restrictions?

**The Honourable Sir Reginald Maxwell:** (a) and (b). The Honourable Member is referred to the answer to question No. 18.

(c) Does not arise.

**NON-GRANT OF MAINTENANCE ALLOWANCE TO SARDAR SARDUL SINGH CAVEESHAR'S FAMILY.**

**21. Maulana Zafar Ali Khan:** (a) Will the Honourable the Home Member please state if it is a fact that no maintenance allowance has been granted to the family members of Sardar Sardul Singh Caveeshar since his detention on the 9th March, 1942? If so, why?

(b) Has an application been made to the Government to this effect? If so, what action has Government taken on this application.

**The Honourable Sir Reginald Maxwell:** (a) Yes. It is understood that no member of his family is dependent on him except an adopted daughter and a son who are being looked after by their real parents.

(b) Government do not propose to accept his application for the reasons stated in reply to part (a)

## MOTIONS FOR ADJOURNMENT.

### REFUSAL OF PERMISSION TO MR. RAJAGOPALACHARI FOR INTERVIEWING MAHATMA GANDHI.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. The next adjournment motion is No. 11, given notice of by Mr. Joshi who  
12 NOON. wants to make a motion for adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance viz., the refusal, by the Government of India, of permission to Mr. Rajagopalachari to interview Mahatma Gandhi, to discuss with him the question of the solution of the political problem. Is there any objection?

**Mr. N. M. Joshi** (Nominated Non-Official): In view of the altered political situation I do not propose to make the motion for an adjournment of the House today. I shall take another opportunity to deal with that subject.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member may do what he likes afterwards. I want to know what he is going to do now. Is he going to move it?

**An Honourable Member**: He is withdrawing it.

**Mr. N. M. Joshi**: I do not propose to make the motion. I do not withdraw it. There is no question of withdrawing.

### LEGISLATION BY ORDINANCES.

**Mr. President** (The Honourable Sir Abdur Rahim): Then the next motion is in the name of Mr. Kazmi who wants to discuss a definite matter of urgent public importance viz., the failure of Government of India to take the Legislatures in confidence in respect of the very important laws of the country and for which the Governor General is compelled to issue Ordinances. Ordinances are issued by the Governor General in his discretion?

**The Honourable Sir Sultan Ahmed** (Law Member): Yes.

**Qazi Muhammad Ahmad Kazmi** (Meerut Division: Muhammadan Rural): What I say is that it is the function of this Legislature to enact proper laws even in a time of emergency and it is the function of the Government of India to bring proper legislation before this House and not to leave it absolutely to the Governor General to make ordinances. When the Governor General finds that Ordinances are necessary, why does the Government of India not consider it necessary to bring proper legislation before this House?

**Mr. President** (The Honourable Sir Abdur Rahim): I do not know what is the attitude of the Government.

**The Honourable Sir Sultan Ahmed**: The attitude of the Government of India is exactly as you have stated. The matter is entirely within the discretion of the Governor General and his discretion cannot be questioned in this House or even discussed. Supposing an ordinance is issued by the Governor General, we cannot bring the same sort of legislation before the House.

**Mr. President** (The Honourable Sir Abdur Rahim): I must hold that the motion is not in order because Ordinances are issued by the Governor General acting in his discretion. It is not open to the Government of India to initiate legislation which repeals, amends or is repugnant to any Ordinances issued by the Governor General, unless the Governor General again in his discretion thinks fit to give his previous sanction.

### HIGH RATES DEMANDED BY THE TONGAWALLAS OF DELHI.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion is in the name of Mr. Azhar Ali who wishes to discuss an important and urgent public matter viz., the demand of hirence. . . . What is this "hirence"? I have not come across such a word.

**Mr. Muhammad Azhar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): The tongawallas. It is "hirers".

**Mr. President** (The Honourable Sir Abdur Rahim): . . . . . the demand of hirers over and above the schedule rates and refusal to carry passengers on the schedule rates by the tongawallas of Delhi and not taking any step against the tongawallas either by the police constables on traffic duty or by the municipalities of Delhi for the profit they are making and for inconvenience to the passengers.

It is somewhat difficult to follow. This is a matter which really must be referred to the Municipality or the Police, it cannot be discussed here. I rule that the motion is out of order.

**Mr. Muhammad Azhar Ali:** I submit . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot speak on the motion. This is a question of order.

#### COERCION AND INTIMIDATION OF RAILWAY STAFF IN MORADABAD DIVISION.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion is also in his name. He wants to discuss a matter of public importance and urgency, viz., the policy of the Government of India in coercing and intimidating the staff, who apply for direction under the Payment of Wages Act, IV of 1936, as revealed (a) by the statement of the Defence Witness No. 2B. Ram Kumar appearing on behalf of the East Indian Railway, on oath, on the 19th January, 1943 in the Court of the City Magistrate, Bareilly, in case No. 1386 of 1942 under section 15 of the Payment of Wages Act and (b) by a declaration in the open Court of the Sub-Divisional Magistrate, Sitapur, on the 18th December, 1942 made by the Counsel of the East Indian Railway, appearing in application No. 302 of 1942 under the Payment of Wages Act to the effect that the Divisional Superintendent, East Indian Railway, Moradabad, has addressed a letter to the Counsel to advise the Divisional Superintendent of the desirability to remove the employed person from the service for his recourse to the court of law. These observations and coercions have caused a panic amongst the staff who consider that their services are neither secure nor protected and have affected adversely to a great extent towards the war efforts.

This, again, I am afraid is rather vague and very difficult to understand. Besides, the matter may be under consideration by a magistrate or a court of law?

**Mr. Muhammad Azhar Ali:** The case was before the court, but the intimidation which has been caused to the applicant I have referred to clearly in this notice.

**Mr. President** (The Honourable Sir Abdur Rahim): If there has been intimidation, the court of law is open to the party concerned.

**Mr. Muhammad Azhar Ali:** The court has nothing to do with that intimidation. The Divisional Superintendent has addressed a letter to the Counsel.

**Mr. President** (The Honourable Sir Abdur Rahim): This is not a matter to discuss which the business of the Assembly should be adjourned. I rule that the motion is out of order.

#### REMOVAL FROM SERVICE OF RAILWAY STAFF BY THE DIVISIONAL PERSONNEL OFFICER, MORADABAD:

**Mr. President** (The Honourable Sir Abdur Rahim): The next one is also in his name. He wishes to discuss a matter of public importance and urgency, namely, the policy of the Government of India in removing from service the staff on the East Indian Railway without assigning reasons for such removal as is enforced by the Divisional Personnel Officer, Moradabad, in the Removal

[Mr. President.]

Notice No. E/6/42-T.G., dated the 28th November, 1942 in which it is stated that the services are no longer required by the administration and removed from service by the orders of the Divisional Personnel Officer (an officer subordinate to the Divisional Superintendent and the Head of the Department) in terms of the agreement and conditions of service, and not taking action against the Divisional Personnel Officer for the removal without assigning reasons under the Ordinance No. XI of 1941 (Essential Services Ordinance). The removal from service of the staff without assigning reasons has caused an apprehension of insecurity of services during the present crisis and is retarding the progress of the war efforts.

**Mr. Muhammad Azhar Ali:** I do not want to move it.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member might have said that in the beginning.

**Mr. Muhammad Azhar Ali:** As you were standing . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. Will the Honourable Member resume his seat?

#### PRICES OF NECESSARIES OF LIFE.

**Mr. President** (The Honourable Sir Abdur Rahim): The next one is about the prices of the necessaries of life. That will be debated, I think, during the two days which have been allotted for the purpose.

**Mr. Muhammad Azhar Ali:** Yes. I do not want to move it.

#### IMPOSITION OF FINANCIAL BURDENS FOR WAR PURPOSES WITHOUT CONSULTING THE ASSEMBLY.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion is in the name of Mr. Jamnadas Mehta. He wishes to discuss a definite matter of urgent public importance, namely, the failure of the Government of India to take this Assembly into confidence before committing the country to huge and intolerable financial burdens for War purposes, far beyond the capacity of the tax-payer.

This seems to me to be rather vague. This is a matter which ought really to be discussed at the time of the Budget debate.

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural): May I make a submission?

**Mr. President** (The Honourable Sir Abdur Rahim): This is too large a question. It must be a definite matter.

**Mr. Jamnadas M. Mehta:** I want to submit that it will be too late at the time of the Budget to discuss it.

**Mr. President** (The Honourable Sir Abdur Rahim): What is the definite matter?

**Mr. Jamnadas M. Mehta:** The definite matter is the huge financial burden. 'Huge' is something very great. I submit therefore that 'huge' is not an indefinite thing. It is a definite statement that it is more than ordinary and I do submit that it cannot be called indefinite. It is quite definite.

**Mr. President** (The Honourable Sir Abdur Rahim): I hold that it is indefinite.

**Mr. Jamnadas M. Mehta:** Of course, you can, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): I rule it out of order. The Honourable Member should not make any reflection on the Chair's ruling.

ANNOUNCEMENT *re* GRANT OF INADEQUATE DEARNESS ALLOWANCE TO WORKERS.

**Mr. President** (The Honourable Sir Abdur Rahim): The next one is also in the name of Mr. Jamnadas Mehta. He wishes to discuss a definite matter of urgent public importance, namely, the extreme discontent created among nearly three lakhs of workers in the employment of the Government of India by the action of the latter in failing to consult their respective Trade Unions, before announcing a very meagre and inadequate grant of Dearness Allowance to the workers concerned.

When was this announcement made?

**Mr. Jamnadas M. Mehta:** On the 23rd January this year.

**Mr. President** (The Honourable Sir Abdur Rahim): After the last Session?

**Mr. Jamnadas M. Mehta:** Yes, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Who is the Member in charge?

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I do not think that the failure to consult Trade Unions is a matter of urgent public importance.

**Mr. President** (The Honourable Sir Abdur Rahim): Why?

**The Honourable Dr. B. R. Ambedkar:** It is not a definite matter, because there has been no obligation placed upon Government by any . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That may be an answer on the merits. This announcement was made on the 23rd January?

**The Honourable Dr. B. R. Ambedkar:** That is so.

**Mr. President** (The Honourable Sir Abdur Rahim): The allegation is that there is considerable dissatisfaction among the workers who number three lakhs. That suggests that it is rather an important public matter. I hold that the motion is in order.

**The Honourable Dr. B. R. Ambedkar:** I object to the motion.

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

(More than 25 Members stood up.)

As not less than 25 Members are for leave being granted, the motion will be taken up at 4 P.M. or earlier, if the business on the agenda is finished earlier. I take it that that is the desire of the House.

## ELECTION OF A MEMBER TO THE COMMITTEE ON PUBLIC ACCOUNTS.

**Mr. President** (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 NOON on Thursday, the 11th February, 1943, the time fixed for receiving nominations for the election of a Member to the Committee on Public Accounts only one nomination was received. As there is only one vacancy I declare Mr. T. Chapman-Mortimer to be duly elected.

RESOLUTION *RE* COMMITTEE FOR ENQUIRY INTO THE ALLEGED MILITARY AND POLICE EXCESSES—*contd.*

**Mr. President** (The Honourable Sir Abdur Rahim): Further discussion of the Resolution moved by Mr. Neogy on the 24th September, 1942.

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to support the amendments moved by my friends, Mr. Bajoria and Mr. Nilakantha Das. By that, I do not mean to oppose the original Resolution. The reason why I support the amendments is that they are more complete and state both sides of the case far more fully than has been done



[Mr. Jamnadas M. Mehta.]

in the Resolution. The Resolution itself does not condemn the necessary force used against acts of sabotage. The support for the use of legitimate force is implicit in the Resolution. Nearly five months have elapsed since the Resolution was moved. There has been considerable improvement in the situation in the country. Those who were active saboteurs have gone underground and except for an occasional burning of a station or the robbery of a postal peon or some procession, the movement has definitely failed to get public support. We are, therefore, in a position to discuss it more dispassionately than we were in September when feelings were roused and passions were more in evidence.

No condemnation of the excesses of Government in suppressing disorders would be just unless the condemnation of the acts of violence is also full, strong, open-mouthed, complete and unequivocal. I am one of those who condemned the violence which broke out on the 9th August, 1942, at a time when the country was in definite danger of being invaded by a foreign enemy; the result of the movement set on foot on that day was, in my opinion, highly prejudicial to the safety and security of this country and highly impolitic and unpatriotic. It was a movement based on irritation and a sense of frustration. It lacked a sense of proportion and it definitely lacked any appreciation of the international and national situation. For these reasons, as also for the reasons that the sufferers were mostly my countrymen, men, women and children, I denounce that policy of the 9th August without any reservation and every legitimate action which the Government of India might have taken or might hereafter take for suppressing that movement will have my full, unequivocal and constant support. I do not wish to minimise the gravity of the situation that was created on the 9th August in the name of the freedom of this country. Far from being a movement for freedom it was quite the opposite. It was a movement for the enslavement of this country by the Japanese. Therefore, I have nothing but condemnation for those who started and continued it or have still got some sneaking sympathy for it or who are honestly misled into the belief that that movement can do anything good to this country. I condemn those who are privately supporting it and outwardly pretending not to know it. I condemn those cowards who have put women and children and students in front and ruined the careers of the students and brought about the deaths or injury to many boys and girls. I condemn those cowards who sulk behind and put forward those innocent people as their victims and their dupes. I would have expected that every patriotic man then and now would have taken the first care that the security of this country above all should be inviolate. The movement, in my opinion, was, therefore, utterly ill-advised and wholly wrong and unpatriotic. Therefore, I say that in supporting these amendments I am, first of all, supporting Government as strongly as they could desire of a citizen; I support the steps which they took for suppressing the violence and the sabotage that was involved in the "Quit India" movement. I am not one of those who believe that Government arrested these people too soon. They arrested them rather late. I compliment the Government for their considered courtesy and consideration even to the point of fault in tolerating people who had openly proclaimed their intention to rebel. I ask anybody whether anywhere in this world, even under a national government, it would be possible to receive such a considerate treatment for avowed and open rebels. I doubt that even if it was a national government. Some Congress newspapers have practically threatened with hanging those who differed from them. That is the toleration which some of the Congress papers have shown, that people who differ from them should be hanged.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is not speaking on the Resolution. The Honourable Member must confine himself to the Resolution.

**Mr. Jamnadas M. Mehta:** I was simply illustrating the toleration which the Government have shown to those who are saboteurs.

**Mr. President** (The Honourable Sir Abdur Rahm): If the Honourable Member covers a wide field like this, then he should remember that there are other Honourable Members who might wish to discuss these matters which are really irrelevant to the Resolution.

**Mr. Jamnadas M. Mehta:** I will not amplify that any further. All I have to say today in support of the latter part of the Resolution, namely, the excesses, is, first of all, based on this unequivocal declaration of condemnation for the disorders. It comes from one who is a friendly critic and who wishes success to their war effort but who also insists that Government should take care that no excess of any kind is indulged in and that it is the policy of the Government that they would scrupulously take all steps to prevent the excesses and punish those who have gone beyond the necessary force. That is the burden of what I am going to say now. I am very sorry to say that Government have not shown that keenness to maintain the balance; while suppressing violence against the State, they should equally suppress all unwarranted use of force against the citizen. Government have no intention, indeed there is lack of real desire to probe behind the action taken by the various Provincial Governments. The Honourable Sir Sultan Ahmed in making his speech that day said that the police and the military were very jealous of their honour and that if any excesses had taken place they would be the first to repudiate them, and that if the use of excessive force were brought to the notice of the Provincial Governments, they will take the earliest step to look into them. That kind of attitude was welcome to me. If that was really so, I would not press this Resolution; but all the evidence that we get is that wherever an excess has been perpetrated, the authorities are most unwilling to examine it—in fact, they are willing to screen it—and much less willing to punish those who have been responsible for these acts of excesses. In fact, in the provinces a policy of frightfulness has been indulged in, a frightfulness which the present Prime Minister has condemned in no unequivocal language. Here is what the Right Honourable the Prime Minister said on another occasion about frightfulness relating to India:

“I mean a prohibition against what is called ‘frightfulness.’”

There is no frightfulness sanctioned in British practice. He says:

“What I mean by frightfulness is the inflicting of great slaughter or massacre upon a particular crowd of people, with the intention of terrorising not merely the rest of the crowd, but the whole district or the whole country. We cannot admit this doctrine in any form. Frightfulness is not a remedy known to the British pharmacopoeia.”

This is Mr. Churchill's statement on the debate of General Dyer's massacres at the Jallianwala Bagh. I stand by this statement and demand that if frightfulness is not in the British pharmacopoeia, the Government must inquire into the frightfulness complained of. I do not want to speak about the events that have happened in the whole country. I confine my observations primarily to my constituency and to the city of Bombay and the district of Thana. I speak from personal knowledge of people who have suffered. I know from personal knowledge of the people who were shot. I am asking Government that, if they do not want to lose their reputation with those who are very friendly and with those who are against any anti-war movement, they must accept this Resolution. I will give only two cases in my constituency where guns were used against women—not against the Japanese, not against the Germans—but against women who were proceeding to their houses or were already there. Government have admitted this grave misuse of authority and have come forward with small compensation instead of punishing those who

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were guilty. I ask the Honourable Sir Sultan Ahmed whether or not these guns, which should be used only in war against the enemy, were used in the city of Poona and whether Government do not feel that their sense of honour and sense of responsibility demand the punishment of those who were responsible for those murderous attacks on the citizens. Soldiers who fired on those innocent women deserve nothing except hauling up for murder. I will give only one more case. In Nandurbar, a town in my constituency, school boys and girls were going in procession through the bazaar on the 9th September or 10th September—I don't remember the exact date. They were going in procession from their schools. The public had nothing to do with it. It was purely school boys demonstration. They were shouting the usual slogans—harmless slogans. What happened? The police got scared and opened fire on those boys and girls aged mostly from five to fifteen. A procession—not of citizens, not of Congressmen, not of politicians—only of boys and girls returning home from their schools. The police fired on this crowd. The crowd began to run away. One boy of fourteen went to the place where the Congress flag was hoisted in that town and remained there. The police instead of arresting him fired on him. The boy was hit in the leg and the police went on firing till the boy was killed.

**An Honourable Member:** Shame, shame.

**Mr. Jamnadas M. Mehta:** The name of that boy will go down in the history of this country as a hero. I have seen the place where he was shot dead; I have met many citizens of Nandurbar. As soon as firing started the procession dispersed, all running for safety. Some ran say towards the Assembly, others towards the Council of State Chamber and the rest towards the Princes Chamber—for the purpose of illustration—I am pointing out that the boys and the girls were shot after they had dispersed and were running for safety.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

**Mr. Jamnadas M. Mehta:** I therefore ask the Government to take note of this and institute an inquiry. I have complained to His Excellency the Governor of Bombay. He has promised to enquire if I sent him the necessary papers. But the police have effectively prevented me from collecting full information by terrorising those who had cars to lend me for going to Nandurbar. Even if any friend of mine offered me his own car he is threatened with the stoppage of his petrol supply.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

**Mr. Jamnadas M. Mehta:** Therefore, I say that in the interest of good Government and the safety of the citizens—as promised by the Honourable Sir Sultan Ahmed—I appeal to the Honourable the Home Member to accept the amendment that has been moved. Sir, I support.

**Pandit Nilakantha Das** (Orissa Division : Non-Muhammadan) : Sir, the Resolution as well as the amendment, both of them are very old.

**Mr. President:** (The Honourable Sir Abdur Rahim) : Is the Honourable Member moving his amendment?

**Pandit Nilakantha Das:** I have already moved my amendment. Sir, at this stage I feel there should be avoided all unnecessary controversy of the matter. So, I propose only to refer to certain principles of administration involved in these excesses. My object in moving the amendment is to bring into bold relief the fact that while this Assembly wants the Government to guard in all possible manners against the use of excessive force, it also supports the Government in the use of legitimate force that may be necessary in dealing with acts of violence and sabotage.

Sir, I differ from those who think that in spite of the Indianization of the Governor General's Executive Council no change has taken place in the Government of India and that, therefore, no change is called for in the traditional duty of the opposition of which I have been a member with certain intervals for a period of more than 18 years. I regret most deeply that even today the Council has not been wholly Indianised. The important portfolios of Finance, Home and Transport are yet in foreign hands. Even so, for the matters to which the resolution and my amendment relate the Indian Members of the Executive Council have taken the fullest responsibility. I sincerely welcome this evidence of collective responsibility of the Executive Council and I hope that when members of different parties and different races have been able to pull together in matters of highest importance which have given rise to great passions, they will be able to function as a cabinet government on questions of still deeper moment.

My friends, Mr. K. C. Neogy and Mr. Jamnadas Mehta, have narrated to you the stories of excesses in different parts of the country. We, on this side of the House, believe that most of these stories will be found to be true on an impartial investigation. But the wildest rumours of excesses find ready credence from the public and the public mind being thus inflamed prepares the atmosphere for further and more heinous outrages. This is a factor to which I ask the Government to apply their mind in all seriousness. Why is it so? What is the psychology behind it? I say that the public confidence in the administration of law and order has been shaken to its very foundation, mainly because that the administration has been entrusted to civilians here in the Centre and in most of the Provinces. I mean no disrespect to my Honourable friend, Sir Reginald Maxwell, when I say that the edge of much of the criticism that has been levelled against the Government in the matter of controlling the situation created by the recent disturbances would have been blunted had the administration of law and order been in charge of a representative Indian.

Civilian rule has always been an anomaly; today it is a positive danger to the peace of the country and the stability of its Government. I ask the Government to take this fact deeply to their heart. Even in some Provinces with popular Ministries the application of law and order today is, in fact, directed and controlled by the civilian Governors and Secretaries who have never had any real touch with the people and consider repression to be a panacea for all violent and vengeful expressions of popular discontent.

The conditions in the Provinces with Ministries and those under section 98 have often times been contrasted. I can speak with personal knowledge about Orissa. The first point is that most of the disturbances there took place in the lands which are under Princes. But even for that little which took place in the Province under popular Government an enquiry committee was appointed by the Provincial Government for one case of alleged excesses, and this is the only Enquiry Committee of its kind in India, so far as I know. What has been the result there? Surely nothing worse has come of it. In fact that Province is practically free from any disturbances today.

I say in all solemnity and with a deep sense of responsibility that rule by people who are alien to us in race and culture, who do not understand our ways and our customs, who are deadly opposed to our aspirations must end here and now. Rule by civilians, white or brown, must go, if India is to be saved from the horrors of a revolution and perchance the devastation of a foreign invasion. When I say this, I do not indulge in any idle rhetoric. I state only a sober fact. The responsibility that rests on the Government of India today had never been borne by any Government in this country before. It is for them to determine whether the history of India henceforth shall be drenched in blood or whether it shall be a record of peaceful progress towards the fulfilment of her

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destiny. I want to offer them all help in carrying out their terrific responsibilities. Therefore, in spite of my intense dissatisfaction with the composition of this Government, I extend to them in all sincerity my hand of co-operation, modifying the policy I have followed during a life time. I ask them to think not once, not twice, but many times before they reject the co-operation so offered.

Times have changed. We are in the midst of the most supreme crisis in the history of our country. It is easy to say it; but I am afraid that few of us realise it in the way we should. New conditions call for new policies and actions. We have got an immense army of invasion standing on the borders of India. Inside the country we have got differences between the communities which are well nigh irreconcilable. The Congress, the biggest organised political party in the country, will not depart from its traditional policy of self-abnegation. The Muslim League will not co-operate with other parties except on impossible terms. The prestige of the ruling race is at its lowest depth for reasons on which I need not dilate. Hatred of the British has gone deep down and now permeates the entire masses of this country. Britain had never statesmanship enough in dealing properly with the non-white races of the Empire. She had always relied on a policy of somehow muddling through. Today when the aspirations of the people are at their highest pitch British statesmanship has nothing to offer but the abuses of Mr. Churchill and Mr. Amery. Does Mr. Churchill envisage the national resistance of India against the Japanese invasion?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is not really speaking to the Resolution.

**Pandit Nilakantha Das:** Let me now address a few words to my countrymen on this occasion?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must confine himself to the Resolution before the House. He cannot go into all sorts of political questions on this Resolution.

**Pandit Nilakantha Das:** I am coming to sabotage.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is not doing that. He is referring to matters which are not relevant. I can allow a certain amount of prefatory remarks but within due limits.

**Pandit Nilakantha Das:** All right, Sir. But there should be response from the side of the Government. Co-operation cannot be one-sided. I have framed my amendment in a way which no decent Government with a reputation to lose can object to. Whether allegations of excessive use of force are well supported or not is for the Government to judge. It is for the Government to appoint judicial officers who will make the investigation. It is the Government that will punish those found guilty of excesses. I ask the Government to ponder seriously over such a mild proposition. If they oppose such a proposition as this then the Government will plough their lonely furrow in the wilderness and will reap the harvest of blood and blaze.

One more word about the amendment and I have done. I do not think that a peripatetic committee consisting of the members of this House of Legislature is the proper body to enquire into the allegations of the use of excessive force by police or military. Such investigation should be entrusted not to politicians but to Judges trained by long experience to weigh in scales of justice the evidence before them. My amendment, therefore, calls for investigation by judicial officers of high standing and qualification. In my amendment, perhaps the word "Tribunal" is not very appropriate. This may in its implication mean something which may not be very convenient for the Government to appoint. So, I even agree and concede that the word "Tribunal" should be deleted. I shall drop it from my amendment if the Government care to consider my amendment favourably. I shall substitute for the word "Tribunal";

judicial officers of standing should be appointed to enquire into any alleged excesses which are found to be well based by the Government, and for which there is a *prima facie* case made out. So, I say the Government will have to do all these things, appointment and punishment; and whether the allegations are *prima facie* well founded will be for the Government to judge. My amendment is so simple and so mild that if the Government do not accept an amendment like this, it must be said that they never accept the hand of co-operation. They only want "yes"-men in this country and not men who are out to co-operate. With these words, I resume my seat.

**Mr. President** (The Honourable Sir Abdur Rahim) : Honourable Members are aware that on Friday the Assembly usually adjourns at Quarter to One of the Clock in order to enable the Muslim Members of this House to say their Friday prayers. But now when the time has been advanced by one hour and the Assembly is sitting according to the new time it will not be convenient for the Muslim Members to say their Friday prayers and return to the Assembly in time for the remaining business. The Friday prayers are held not according to Greenwich Time but according to the position of the sun on the horizon, and it is, therefore, the desire of the Muslim Members of the Assembly that the Assembly should now-a-days adjourn on Fridays at 1-30 P.M. and meet again at 3-0 P.M. I understand Syed Ghulam Bhik Nairang has consulted the Leaders of Parties and they are agreeable to this suggestion. Does that suit the convenience of the House? (Voices: "Yes. Yes.") Then the House will adjourn at Half Past One and meet again at 3 P.M.

**Sir Muhammad Yamin Khan** (Agra Division : Muhammadan Rural) : I should have thought that after a lapse of such a long time this matter will not come before this House and when the normal relations are being restored in the country this Resolution may not be debated in order that it may not create some kind of excitement again. But the harrowing tales, which have been told by Mr. Neogy, are of such a nature that they cannot be brushed aside, and it has been the policy of the Muslim League that they do not tolerate and cannot allow excesses by any party whatsoever, whether those excesses have been committed by the hooligans in August last or those committed by the people who were in charge of keeping law and order. We have been told—I do not know how far they are right or wrong,—but a Member of the position of Mr. K. C. Neogy has made those allegations before this House, and today I find that certain allegations have been made by Mr. Jamnadas Mehta, who is a member of the Defence Council. When the allegations come from Members of that status, they require some consideration, and we cannot say that they are all false, and there should be no enquiry into those excesses. After all it is the Government who is responsible to keep law and order, but at the same time it is the duty of every civilized Government to keep their employees under proper control so that when they are sent out to deal with disturbances they should not lose their heads. We find that there is some justification for getting a proper enquiry made by the Government. We do not want this matter to be left to future Governments to appoint committees later on to go into these incidents, and let the bad spirit continue as was evidenced after the Jallianwala Bagh incident. We do not want a repetition of that kind, nor do we want the same spirit to prevail in the country in future. At the same time, we cannot ignore the position which has been taken by the Honourable the Home Member. He gave us a full and detailed report of the excesses committed by the other side—the hooligans. And we know, as public men, not only what he gave us, but what appeared in the press—mostly in the papers edited by the partisans of the Congress—giving accounts of people who were burnt alive, the soldiers and police being attacked and certain police officials being burnt alive. After all the police and the officers who had to deal with these disturbances were human beings—and they are not very highly paid officials, either—when they

[Sir Muhammad Yamin Khan.]

find that an attack is made on their class, naturally what is expected of people of that status would come from them also. Therefore retaliation and excesses might have been committed by them in return. But even if they have committed excesses in return, we cannot ignore the fact that the perpetrators of the first act of excess was the other party, and the blame, therefore, ought to be apportioned on all sides and not thrown on one side alone. I quite agree with the Government position that if we make enquiries into everything which is done by an official after the disturbances are over, and his action is questioned later on, nobody will be willing in future to do anything under those circumstances. And, therefore, it is really right and proper that an enquiry should be made into the allegations which have already been made before this House, and this position is strengthened by the communique which has been issued by the Government of India recently on the correspondence which took place between the Viceroy and Mahatma Gandhi. Mahatma Gandhi in his letters has denounced the reports' . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I think the Honourable Member must confine his remarks to the subject of the Resolution. There will be plenty of occasions for discussing all these political questions. That is not the Resolution now before the House. \*

**Sir Muhammad Yamin Khan:** I am only justifying the amendment of Dr. Sir Ziauddin, which I am supporting.

**Mr. President** (The Honourable Sir Abdur Rahim): It has nothing to do with Mahatma Gandhi.

**Sir Muhammad Yamin Khan:** I am only illustrating my point by telling the House that he takes up one position. And Government position is different; they do not accept the attitude taken up by Mahatma Gandhi. Therefore, in order to convince Mahatma Gandhi and his supporters that really the blame lies on them, it is necessary that a judicial enquiry should be held. Such an enquiry will reveal clearly as to who committed those excesses, and we will know whether the blame lies on the organization which is led by Mahatma Gandhi himself or the Government. Therefore, in this respect the only way open to us is that we should accept the amendment moved by Dr. Sir Ziauddin, namely, that not only an enquiry should take place into the excesses committed by the Government officials but also into the excesses committed by the other side. I think there is justification for this House to ask for such an enquiry, for we are convinced that though the fault lies on the Government side to a certain extent, there lies a greater fault on those people who allowed the Government to take that step. We are convinced that there has been a great dislocation of work and there has been a great loss of life and property in this country on account of the action of certain organization which deliberately wanted to thwart and coerce the people and the Government into submission to their views.

This is the position that has been consistently taken up by the Muslim League, viz., that the object of that organization and that movement, and all that took place after the 9th August was meant to coerce the Government into conceding the demands of that organization, and we still hold that view. And if it is required that this should be established by a tribunal we are prepared to lend our full support for that, and if the amendment of Dr. Sir Zia Uddin Ahmad is accepted by the Mover, then we shall certainly vote for the amended Resolution. In that case I think the Government should have no objection to showing their *bona fides*, viz., that they are prepared to meet and take up the responsibility which lies on them and to deal with their subordinates who violated their orders or exceeded the limit. At the same time, to convince the public and the country and those people who did not take part in that agitation and who suffered on account of that agitation, it is necessary that an impartial tribunal should give its verdict. Everybody

will be satisfied by that and that is our position. If our amendment is accepted by the House then we vote for the amended Resolution, otherwise we are sorry that we cannot support either the Resolution as it stands, or the Resolution as amended by the other two amendments. That is my position. I support Dr. Sir Zia Uddin Ahmad's amendment.

**Sardar Sant Singh** (West Punjab: Sikh): Sir, an important statesman once said: "Truth is a first casualty in war". Probably it is as much true in the case of disturbances as in the case of war. We are familiar, Sir, with the war propaganda carried on by both the combatants, and there is not a man, in the world I should say, who believes in its entirety the propaganda carried on by any combatant. Similar seems to be the case in this House. The Government has taken up the attitude that as the mob has committed excesses, therefore we are bound to maintain law and order. If they had gone a bit further and had said that in punishing the excesses they did not pay any regard to the law of the land, and thus equally committed excesses, the position would have been understandable. But this is not the position taken up by the Government. I find, Sir, that in the course of the debate during the last Session, the Honourable the Home Member said then that—

"If any such act has occurred anywhere, it is a breach of discipline with which the Provincial Governments and the officers in command of their forces are as much concerned as any member of the public. The proper course in such cases will be to bring the allegations, if they are well authenticated (*this is very important*) to the notice of the authorities immediately responsible for the discipline of their forces, and it can be assumed that if they are satisfied they will do what is proper."

Now, that was the position taken up. May I remind the Honourable Member that about five months have elapsed since Mr. Neggy gave the details in this House. Has he taken any step to find out whether those details and facts were correct or incorrect? Has the Government issued any communique during that period of five months, explaining the position that the Government, in their capacity as members of the Government—and I hope as members of a civilized Government—enquired into the allegations made publicly on the floor of this House, and that they found them, either exaggerated or unfounded? No. Why, Sir? The issue which requires to be decided between the Government and the people is this. Is it maintenance of law and order—which is, of course, the function of any Government, whether civilized or barbarous—or is it the policy of frightfulness indulged in for motives other than the good administration of the country? The charge is that the Government have indulged in a policy of frightfulness. They want to terrorise the people into submission. They are not maintaining law and order. I appeal to my friend, the Honourable the Law Member, because he is the proper authority to maintain the rule of law in this country, whether he agrees with me or not in this proposition, *viz.*, that the law applies to the offender, whether he is a member of the public or a member of Government? Does it or does it not hold good? The Honourable Member, Sir Sultan Ahmed, says it does. If it is so, may I ask him then how does he justify his own speech which he made on the 24th September, 1942, wherein he said:

"The main objection to the proposal, as I have submitted before, and I am glad my honourable friend, Sir F. E. James, has quoted it, is the disastrous effect it would have on the morale of the service concerned if an inquiry, such as has been suggested, was ordered."

How is it consistent with the rule of law in the country? In his speech further on he has taken his stand with the Sind Government when he says:

"It is interesting to note that the Sind Government which had held an official inquiry into certain allegations against the police in Karachi, which incidentally turned out to be completely unfounded, reported that it had immediately an adverse effect on the morale of the police force in that area."

To me, the position of the rule of law is directly antagonistic to the principle of the policy that has been enunciated in his speech. The Honourable Sir Sultan Ahmed says: "No." I will wait to listen how he reconciles these two



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positions. To me they seem to be irreconcilable. Before I go to give some instances of excesses committed, may I ask him one question? Is a police sub-inspector who commits dacoity or the military indulging in indiscriminate loot and plunder—are they not offenders in the eyes of the law? If they are offenders, do not the penal provisions of the country apply to their acts, or do they hold any privileged position in the eyes of the Government? That is the point which requires serious consideration of any Government.

Now, I come to the facts. What has happened in the country? I will quote from some documents which are authenticated. One is a memorial submitted by a retired sub-inspector of police to His Excellency the Governor of the United Provinces. Therein—I will read only the relevant portion—he says:

“In spite of the fact that Your Excellency’s memorialist and his whole family are faithful and loyal subjects of the Government, his country house at village Sherpur Kalan, police station Mahmudabad, district Ghazipur, was, along with others, burnt to ashes and all his other movable property, namely, 25,000 rupees in cash, 10,000 rupees by way of gold and silver ornaments, 10,000 rupees by way of clothes and furniture and 2,000 rupees by way of damages to the house, were looted away and destroyed by the military under the direct command of the district authorities, leaving the family in utter ruin and despair.”

Further on he says that not only the cash tempted our brave soldiers fighting against unarmed civilians, but look at the mentality which prompted them to burn to ashes all the important and valuable documents, mortgage deeds—both registered and unregistered—and throw away the key of the iron safe, which they had forcibly taken away from the inmates of the house, into a deep tank. May I ask if this is not a specific instance? The date is not given in the copy, but this memorial has been submitted to the Government. May I ask the Honourable the Home Member, when he gets up to give some reply on behalf of the Government—which I hope he will do—has any action so far been taken on this memorial and any inquiry made by any official and any conclusions or findings reached on it?

**The Honourable Sir Reginald Maxwell** (Home Member): Which memorial?

**Sardar Sant Singh:** This memorial, which I have read, from Suraj Narayan Rai to the Governor of the United Provinces. I can send him a copy if he needs it.

Then there is another signed letter which is in Hindi and which has been translated for the purposes of this debate; it is from Mr. Jagannath Rai of the same village. He says:

“The senior police inspector accompanied by a posse of constables made their appearance in my village and indulged in acts of loot and pillage. None dared oppose them because the people were assaulted, fisticuffed, prodded with the butt end of the guns. Many people fell down unconscious as a result.”

Further on he said that the people killed in the firing were thrown into the water, although some of the victims were still alive and could possibly have been saved on receiving proper treatment. Further on the allegation is that a woman was molested and her house was looted and set on fire afterwards. This state of things continued for two days in Arrah and other villages. The villagers were robbed of their property and even horses and elephants were not spared.

**An Honourable Member:** What was done by the horses and elephants?

**Sardar Sant Singh:** This should be known to the commander of the military who took them away. Then there is another letter from one Shri Ram Chopra, a Government pensioner of the Punjab Police. It was addressed as an open letter to the Honourable Sir Firoz Khan Noon, Defence Member of the Government of India, New Delhi, and copies were sent to the Honourable Mr. Aney, Mr. Sarker, Sir Shadi Lal and others. This too contains a description of the manner in which.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member’s time is up.

**Sardar Sant Singh:** I will finish. The disturbances were quelled. . . .

**Mr. K. C. Neogy** (Dacca Division: Non-Muhammadian Rural): Where?

-- **Sardar Sant Singh:** Here at Delhi. In the end, may I ask the Honourable the Home Member this question? These things are alleged by one side and denied by the other. How is the public to judge? If they are to be judged by any method, it is the method of inquiry. Why do they shirk inquiry? Will he please tell us what are the worse methods which Nazism indulges in in punishing persons who are against Hitler and his colleagues? If these methods have a family likeness with those of Nazism, will he tell us how does he defend the war in the present stage? That is the pointed question which I place before the House.

**Mr. T. T. Krishnamachari** (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): Mr. President, I rise to support the motion of my honourable friend, Mr. K. C. Neogy; and as I do not feel called upon to ingratiate myself into the good graces of those in authority, I am unable to accord the same support to the amendments moved to this Resolution. Sir, reading the report of the proceedings of the previous day, I see that the province from which I come finds no mention in the various occurrences that have been detailed in the speeches of the Honourable Members who spoke then. Madras is far away. We have no Provincial Government which affords an opportunity to express the people's grievances, because the province is being ruled under section 93; and so I am taking this opportunity to ventilate the grievances of the people of my province, which the Resolution seeks to bring to the notice of the Government.

The Honourable Sir Yamin Khan mentioned that a long time has elapsed since the Resolution was moved and time as the healer of many things must be allowed to function normally. But in the present case the offence is a continuing one. The acts of the police and of the military have created such a terror in the minds of the people, made them completely silent and dumb, made them put up with all the atrocities of the local police without complaint, and unless some relief is forthcoming, some gesture is forthcoming from the Government to the effect that they do not wish to countenance this kind of atrocities or encourage such atrocities on future occasions, the morale of the people will indeed be affected and to that extent the war effort on which every Member of this House appears to be keen will suffer.

There are two aspects to this question, Sir. One is where there is a particular outbreak, in the act of quelling that outbreak there may be police excesses. Well, perhaps, in a case like that police excesses can be justified to a certain extent. But, Sir, there is the other aspect of the question. There is a continuous movement on the part of those in authority to terrorise people into obedience, to take reprisals against acts of sabotage from which particular localities have suffered, which people of those localities are said to have indulged in. It is this aspect which is more frightening than the first one. We in Madras are accustomed to police shooting in the past—in the past, unconnected with the movement that is supposed to have been launched in August last. We have had occasions when unarmed crowds have been shot down, but since those occurrences have taken place during war time no redress of those grievances was vouchsafed to us. We are accustomed, in the past to that peculiar technique which has been evolved by the police in Madras called the lathi charge—lathi charge which has frightened people in the past—as long back as 12 years ago when the non-co-operation movement of 1931 was in progress. But the new method of terrorism indulged in by the police for the punishment of offenders is something totally new to us. It is a fact that in Madras we did not have military firing on occasions when there were outbreaks or subsequently thereafter. We have, however, a special branch of the police called the Malabar Special Police,—a police which are quasi-military, and who

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are so wholly kept away from the people of the country that they could be as ruthless as, if not more ruthless than, the military. In my own province, in the district which I have the honour to represent on the floor of this House, there have been occasions when police excesses had been so great that they have terrified the people of the entire district. In Tanjore there have been instances of firing, not only in the town of Tanjore, but in Kumbakonam, in Mannargudi, and in the suburbs. And on what account? To disperse the crowd. No enquiry was made whether the firing was justifiable, because the police had always held that the prestige of the Government would suffer, that the morale of the officers who were carrying out the work of keeping the peace in the country would suffer. That has been the age long cry of British Imperialism in this country and it is still being used to-day, notwithstanding the fact that we have wise and patriotic Indians on the Treasury Benches. Another instance is that of the district of Ramnad where the worst type of police atrocities have taken place. There villages were burnt. Thatched sheds, huts were burnt during the absence of the male members of the village, and it is said that women also were molested. The matter was put before the local police officers; some of them had the decency to admit, "Reprisals we have to carry out. Otherwise we cannot put down this movement". A distinguished police officer in my province has said that hooliganism must be met by hooliganism, but they would not admit that there have been occasions of molestation of women. In the town of Madura I have heard of a well authenticated report of bad handling of two women. Two women were taken away by the police, stripped of their clothes, dressed in rags and then left on an open road 12 miles away from the city, and it is said that that particular action on the part of the police has evoked a reprisal from the public, the sequel to which is now a matter under the consideration of a judicial tribunal. Again, further south in Tinnevely similar instances have occurred. Villages after villages have been looted. Thatched sheds and huts have been set fire to, and there has been no enquiry of any sort. I can take the House into my confidence and say that a very highly placed person in my own province had approached the highest authority of that province and told him, "these are the instances we hear. Why don't you investigate? Why don't you, when you go about, call some non-officials and find out the truth? That at least will put the fear of God in the minds of the police". There was no response. It is not merely in these districts that I have mentioned, that such things have happened. In other districts as well, in the Andhra districts, in the Ceded Districts, in the district of Guntur, in the district of Coimbatore such acts of terrorism have taken place, and only for the purpose of terrorising people into obedience and to prevent them from resorting to acts of sabotage which they are reported to have indulged in.

Is that really the policy of the Government? The resolution of this Government issued after the arrest of the Congress leaders seemed to indicate that punitive action will not be taken. But what is this? This is not perhaps punitive action, then this is sheer terrorism. The result of it is, as the House will understand, that if there is a movement it will be driven underground, if there is no movement people will be hardened against the Government. And that is the feeling of the people to-day in my own province at any rate.

I shall not appeal to the Treasury Benches in the name of fair play. I shall not appeal to them in the name of the standards of justice for which great nations of the world are supposed to be fighting. But I shall appeal to them this way. I shall tell those people of my own colour, people who are sons of the soil, that they have to sit up sometimes and see that some remedy is vouchsafed to their own people who are suffering, who have been stricken down by these acts of terrorism. The members of an alien bureaucracy who are not natives of this country might feel in the same way as Madame la Pompadour, after us the deluge; but people of the soil cannot afford to do so. The deluge will come and will overtake them. They have got to be here and with us, they will have

to sink or swim with us in the deluge. I appeal to those wise and patriotic Indians on the Treasury Benches, pull your weight, to see that something is done. Some enquiry is instituted, some courage and hope is infused in those people who have been terrorised into abject obedience. In my province no meetings are possible, there is a ban everywhere, we cannot have even meetings where Gita can be expounded. The District Magistrates use the Defence of India Rules for the purpose. We cannot write to the newspapers, as newspapers won't publish them. How else are we going to ventilate these grievances except in this only forum which is vouchsafed to the people of this country, and that is why I have asked your permission to stand up and support this Resolution of Mr. Neogy for an enquiry, whatever may be the method of enquiry. It is not the method that counts; there is no use saying that Members of the Legislative Assembly as a peripatetic body cannot go round and make enquiries. Certainly individual members of the Assembly can be associated with the inquiry whatever its composition. If you do not ask for individual members of this House to be associated with the inquiry, you know what the Local Governments will do. What is the use of a judicial tribunal unless individual non-officials, proven in the service of the country, are not to be associated? That is why I feel that the only Resolution that could be accepted by the people is the Resolution moved by Mr. Neogy. If accepted it would infuse courage into the people. Whittling it down will not help. Of course we condemn these outrages. We might deplore them, but what I would urge on the Members of this House is the central point in the Resolution. Accept the Resolution as it has been moved by the Mover or reject it. If you whittle it down and tell the Government "We have been your supporters. Do something for us", it is of no use. The time when that method was fruitful is gone. There is no use going to the Government and saying "We will ingratiate ourselves into your favour". What we really want is some gesture, some method by which the Government will tell the people "We will assure you some kind of justice. We will see that the excesses are not continued".

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

**Mr. T. T. Krishnamachari**: I shall finish soon. No matter what has happened in the past, we want an assurance for the future and that assurance can only be vouchsafed by an inquiry into the excesses of the past. Sir, I support the Resolution moved by Mr. Neogy.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Syed Ghulam Bliik Nairang (one of the Panel of Chairmen) in the Chair.

**Mr. Govind V. Deshmukh** (Nagpur Division: Non-Muhammadan): Sir, the use of force can only be justified when those who wish to establish order have to deal with a riotous assembly, and the use of firearms can only be justified when those who wish to establish order and preserve peace are in such a position that their lives are in danger. If none of these conditions can be satisfied, then resort to arms cannot be justified. There are certainly cases which have occurred and I am going to cite them and they can only be designated as cases of murder.

Now, I am going to cite some instances in Nagpur. For instance, milkmen coming from the suburbs in the early hours of the morning were shot at by the military men. Mind you, the suburban people are not expected to know any curfew order or any other orders that were promulgated. Not only was this curfew order which was issued in Nagpur not made known to these suburban people who brought milk and vegetables but even Government servants were not aware of it. I can cite the instance of a person who was connected

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with the Agricultural Department of the Government. He was connected with the breeding branch of the Agricultural Department. His boss was coming to Nagpur and he wanted to receive him at the station. The scheduled time of the arrival of the train was 5 O'clock but that day it was late. So, I told him that there was a rumour that a curfew order was going to be issued. He said, "Is it so?" I told him it was so. I was sitting at the house of a person who is a very responsible person; he is doctor and he was a Member of this Assembly, I mean Dr. Khare. So, the gentleman who wanted to go to the station to receive his boss got himself in touch with the police. The reply that he got from the police station was that they did not know but they promised to make inquiries and then let him know. The fellow waited for half an hour and got no reply. So, even the police did not know the promulgation of this curfew order. When even the educated people did not know anything about this curfew order, how can you expect the milkmen and the vegetable vendors to know about it? These milkmen come to Nagpur to sell their milk; they ride on their cycles and their cans are filled with milk. There was no earthly reason for shooting a man who was riding on a bicycle and carrying his milk cans. The next thing that I wish to say is this. The soldiers, whether Indian or European, who were employed to establish order or the officers who commanded them, did not care tuppence for the lives of Indians. When the disturbances occurred, I went to the city and there was firing going on. When the military came, there was no mob round-about those places and yet they started firing at random. I saw men coming in Dr. Paranjpye's hospital who were shot on all parts of their body. Among them were persons who were living in their houses and who were doing business in their shops. What earthly justification was there for using firearms against them? Not only that, even after the order was established, respectable persons were brought out of their houses to remove the refuse in the streets. So, it was not a solitary instance which Mr. Neogy quoted. I can say that this happened to the retired Government sub-assistant surgeons. The unfortunate part of it is that these people who suffered at the hands of the military will tell you in private all that happened to them but not in the public. Their idea is that they would go down in the estimation of the people. If there is a regular inquiry, they can come forward and speak the truth. There was a member of the Bar, who was treated in a very disrespectful fashion. The peons of Judges and other respectable persons were shot at. I know the case of a person who is now on the Bench and whose peon was shot at when he was returning from the Bank. When he wrote to the military authorities about the matter, they did not pay any attention to it. When cases like this do occur, they certainly impress the public and people begin to ask, as a friend of mine did ask, whether there is British Raj or Goonda Raj. These things are unjustifiable. Even ladies have suffered at the hands of the military. Of course, they are not prepared to mention their names because their self-respect is involved.

Now, Sir, after narrating these incidents that happened at Nagpur, let me come to Chimur. Things became so serious at Chimur that they have occupied the attention not only of the public here but also in England and other countries. This is a place which has made itself known. I have a Government communiqué in my hand. From this very communiqué I will point out that there are grounds for inquiry. What happened was this. There were disturbances on the 16th and the District Magistrate went there on the 19th. He took with him 200 British soldiers, 50 Indian soldiers and 50 men belonging to the reserved police force. They went there and what did they do? They started breaking open the houses and arresting men and the following night the women were molested. Force was used, the houses were broken open and the people were terrified. I can establish this from the statement which

was issued in justification of it by the Central Provinces Government itself. This is what the communiqué says:

"As the Deputy Commissioner points out, the force sent to Chimur was 'dealing with violent persons whose thirst for blood had not yet subsided' and who were concealing themselves in groups of 8 or 10 behind locked doors. In such circumstances, a certain amount of damage to property and rough handling were inevitable."

The fact is clear. The comment which I wish to make is this. "How could these blood thirsty men behind the locked doors confine themselves in the houses in batches? If they were blood thirsty men, they would be out to take somebody's blood. The Government says that damage to property and rough handling were inevitable. You have to prove that these things were inevitable. If you are not going to accept the statements which some of the ladies made and among them was included the wife of the ex-Governor of the Central Provinces and Berar and many of them were graduates, what earthly reason is there for us to accept your statement?"

Then Sir, besides the allegations relating to Chimur incident there are other cases of molestation of women. What had the Government done? What is it that the Government says? It says we are not going to do anything. The reason is that names of women are not disclosed. Nobody comes forward to give out the names of persons. We cannot convict persons unless their names are known. It is no use to have any enquiry. What Government forgets and what we are claiming is this, that allegations against military and police are made by responsible persons. Government wish to disbelieve the attacks of military merely by saying that no name was given. They say the complaints of women are false. We say that there have been these acts, it is for you to prove that these are false. Hold an inquiry and prove the falsity of these; if you do not, then I feel justified in saying that these complaints are true and that the allegations that we have made are correct. Sir, I want to say one thing in justification of my proposition and that is this. You cannot disbelieve a statement simply because no names are disclosed. For instance, this National War Front issued a leaflet called "Hounded Eyes"; that gives an extract from a newspaper called *The Leader* of Allahabad. It contained an article or an extract of article which said that some person whose name is not given, interviewed a person, whose name is not given, and complained that his wife was raped by a Japanese soldier. The woman's name is not given. This interview took place after many months of Japanese attack on Burma. I am prepared to believe it,—this statement that a Japanese may have raped this woman. Why should anybody blame us for not giving out names of women. Even in this article the names of persons are not mentioned. In the leaflet which has been issued by the National War Front no names are mentioned. They are carrying this propaganda. They want the people to believe this statement.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

**Mr. Govind V. Deshmukh**: Sir, having regard to the circumstances and certain customs of the society if at this stage no names of ladies are given we cannot say that these allegations are false. Why these complaints were delayed. The cases of violation and molestation occurred in August.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

**Mr. Govind V. Deshmukh**: One minute, Sir.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): Well, I cannot extend the time.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): Sir, an identical question as is involved in this Resolution was brought before this House by the Government last Session, I mean the Autumn Session, and we were asked to consider a situation like the one we are discussing at the present time. The Government only let loose that Resolution in the House and later on we came here and delivered our lectures—nothing more than that came out. Nor was any proposition offered by the Government. But today the situation is different. At that time no remedies were suggested by the Government. But during the course of discussion on that Resolution certain remedies were suggested, still nothing has, so far, come out of that at all. My own suggestion was that the Governor General in Council should call a meeting or a Conference of the members of all parties, even those who were in jail, and then only after the whole matter was discussed the situation will ease and the disturbances and excesses—that we have brought to the notice of the Government—would come to an end. Nothing came out of that as well. I am now grateful to my Honourable friend, Mr. Neogy, for having put a concrete proposition asking that there has been excesses—too much excesses, a great harm has been done—let a Committee be appointed to enquire into the whole matter. According to this Resolution, what is wanted is the composition of a Committee with a majority of non-officials selected in consultation with leaders of the parties immediately to enquire into the allegations of excesses committed by the military and police in dealing with the recent disturbances in the country and report thereon. Now, this Resolution asks that a committee with non-officials selected be appointed to go into that question and in the meantime if the Government comes forward to admit that there are excesses then in that case there will be no need to appoint such a committee. The Resolution only demands the appointment of a committee of this Honourable House or at least the appointment of a Tribunal. Therefore, the demand in this Resolution is very reasonable, and if the Government is going to oppose it, then we think that Government knows that the officials have committed many actions of this kind of which they themselves should be ashamed. But they cannot be shielded from the public. The public knows it. On the contrary to soothe the public by proving there has been no excesses, they should set up an enquiry and bring to book the culprits, if there are excesses. Therefore this Resolution, as it stands, is all right. An amendment is proposed to this Resolution asking for a judicial tribunal being appointed. This is also all right. If a committee of non-officials is appointed, that will be quicker. A judicial tribunal takes a long time and also it is bound to be more expensive.

So far as the third amendment by Dr. Sir Zia Uddin Ahmad is concerned, it requires that enquiries on both sides should be made. That is to say enquiries should be made also into the disturbances and also into the excesses that have been committed in quelling these disturbances. My humble submission on that point is this. So far as the Government are concerned, they have taken hold of those criminals who have committed these disturbances and sent them to jail after trial, or detained them under the Defence of India Act.

**Sir Muhammad Yamin Khan:** A lot of those who committed these disturbances are still left unpunished. What about the Sub-Inspector's murder? Where are the murderers? They have not been punished.

**Mr. Lalchand Navalrai:** If the culprits are not traced, what can be done. The committee is not going to find them out. But the point is, one-sided enquiry has been made and people have been detained on the result of this one-sided enquiry. My point is that the criminal on the side of the Government who has been responsible for using excessive force must also be brought

to book. We are now asking for an enquiry into the military and police excesses in quelling the disturbances. In what manner the enquiry should be made is an ancillary subject. A Committee may be appointed of non-officials, or it may be a Tribunal of Justice. If the Government leaves everything in the lurch, it will not be creditable to it. So far as the excesses are concerned, nobody can gainsay the fact that there have been excesses. Even the Resolution says that an enquiry should be made over the excesses in the recent disturbances in the country. The Resolution admits there have been disturbances. But the point is whether the measures taken by Government to quell these disturbances were limited to the necessities of the cases or were in excess. On that point, we had given many instances at the time when this question was debated in the House last time. It was then conclusively shown that there have been many excesses. Government would not admit it, though they say there has been some excess here and there. I submit we have a strong case for showing that too much cruelty has been done in exercising the powers which the military and the police did. On this point, I will take only two factors, firstly, if there has been firing and if so, was it in excess or if there was any necessity for firing at all, and secondly, whether the punishment inflicted upon the people in the way of flogging young children and school boys, whether this punishment was in excess or not. These are the two points. On these, I do not think much evidence is needed. With regard to firing, I have in my hands a pamphlet written by Mr. R. N. Mandlik, a Member of the Bombay Legislative Assembly, a responsible man. He has given his own experiences of what he has himself seen. I cannot understand how the evidence of such a responsible man could be brushed aside. This gentleman, Mr. Mandlik asked constitutionally for the appointment of a Committee. The Bombay Government refused his request. Then, he found that when this matter was discussed in the Central Legislature during the last Session, the Honourable Mr. Aney gave expression to certain statements. According to the conditions laid down in those statements, Mr. Mandlik tried his level best to persuade the Bombay Government to make enquiries into the excesses that have been committed. But nothing has been done. In his pamphlet he says that he simply followed up what the Honourable Mr. Aney announced in the Central Assembly. The Honourable Mr. Aney said in this House:

"The Authorities had to meet an uncommon situation. It was not easy to put down riotous and rebellious people. In meeting the situation force had to be used and in the use of that force, a certain latitude had to be given to the persons who were on the spot. If, however, there were excesses, it was in the interests of Provincial Governments and Officers responsible for the discipline of the forces to take note of the facts and inquire into the complaints. I believe that complaints would be considered and grievances put right."

But they have not been put right. After exploring all other avenues to get a remedy, Mr. Mandlik has at last come to the Members of the Central Legislature to table this Resolution and bring the facts again to the notice of the Government and urge upon the Government to institute enquiries. If this modest demand is not agreed to, then woe unto the situation. With regard to firing Mr. Mandlik says:

"As a representative of the people in the Bombay Legislative Assembly, I did everything that was possible to be done in a constitutional manner to secure a Judicial enquiry from Government into the alleged wanton firing at Poona on the 12th August, 1942, by the Military and at Nandurbar on the 9th September, 1942, by the Police. At Poona among others, innocent housewives were shot dead, not on the street or in the midst of the mob, but in their homes!"

Is this not a tragedy? Last year, I also mentioned that in Karachi, the excesses went so far that when small boys were taking a procession or something and when they went into their houses, they were pursued by the police into their houses and they were beaten. Is it possible that the steps taken by Government to put down the disturbances were in any way lenient? So far



[Mr. Lalchand Navalrai.]

as firing is concerned, it cannot be justified on any ground. He further on says:

"At Nandurbar, the police are alleged to have opened fire, without a warning, on a peaceful procession of school children! In this firing four school boys of ages between 8 and 15 and one college student aged about 20 were killed and about 12 persons were wounded among whom is a girl 8 years old."

What more should I say?

With regard to flogging, here is what appeared in the press regarding flogging in Sind. I was very sorry when the War Secretary came forward to say that these boys were given cane stripes only. It is not so at all. I challenge that statement, and propose that an enquiry should be made into this.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

**Mr. Lalchand Navalrai**: I am finishing it, Sir. The manner in which these school boys between the ages of 11 and 14 years, excepting one of 18, were flogged was this:

"They were stripped naked before their comrades and tied to a 'tik-tiki' and then flogged on the thighs by a sepoy or a 'mukadam'. The cuts were sharp and severe and they did bleed."

**Mr. C. M. Trivedi** (Secretary, War Department): I challenge that.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The Honourable Member must finish his speech. His time is up.

**Mr. Lalchand Navalrai**: I submit, Sir, that this is a very great excess and a committee should be appointed to go into this.

**The Honourable Sir Reginald Maxwell**: Sir, in his speech this morning, my Honourable friend, Sardar Sant Singh, asked what steps Government had taken to investigate the allegations made in the course of the debate at the last Session. I can assure him that we have not been idle on that point, and that copies of the debate have been sent to the Provincial Governments with a view to the verification of such cases as was possible. Of course, no investigation can be made, or expected, of wide and sweeping allegations, such as that the police generally indulged in random firing, and so forth. No investigation is possible of anything which is not sufficiently definite to enable somebody to go and find out whether this or that took place at all. In so far as specific allegations have been investigated, and I have information about them, I am in a position to assure the House that nothing has come to notice as a result of the last debate in which the allegations were entirely substantiated. The enquiries show that most of the allegations either misrepresented the facts or represented only one side of what occurred. And in some cases investigation has failed to reveal any incident of the kind described to have taken place at all.

Of course I am not in a position to reply to allegations made in the course of today's debate, because they could not be referred to Provincial Governments. But I can give one or two instances showing the kind of results revealed by investigations on assertions that were made on the last occasion: Mr. Jamnadas Mehta, for instance, has referred to the Nandurbar case which was quoted in Mr. Joshi's speech. What the House was told failed entirely to bring out the fact that the police had to deal with an excited mob of about a thousand persons armed with sticks. The police ordered it to disperse several times, but that had no effect. They then arrested the leaders and they were escorting them to the police station but they lay down on the ground and refused to move. At the same time stones were thrown at the police and a Sub-Inspector was attacked and stabbed in the eye and abdomen. It has been stated that this was a stone thrown by some enemy of his. In fact, this Sub-Inspector had only been transferred to that Police Station—not

even in Nandurbar but in Sakri—in August. He had never been to Nandurbar and the people there did not know him and there could not have been anybody there who could possibly have any grudge against him. Then, finding that the lives of the whole police party were in danger, the Resident 1st Class Magistrate, who was present on the spot, ordered the Police to open fire after warning the crowd, and as a result of that in all 19 rounds were fired, 14 persons were injured of whom 5 died but only one of those killed and 3 of those injured were under the age of 16. We were told that the police fired wantonly on merely a students' procession or a boys' procession. That will show to the House that there was another side to the matter. I do not at all doubt the sincerity of my Honourable friend, Mr. Jamnadas Mehta, who referred to this incident this morning, but, after all, he was not present on the spot. He can only give the House what he has been told.

**Mr. Jamnadas M. Mehta:** I have seen some of the injured who were still alive.

**Mr. K. C. Neogy:** But was the Honourable Member himself present on the spot?

**The Honourable Sir Reginald Maxwell:** Of course I was not.

**Mr. K. C. Neogy:** Then, is his testimony any more reliable than that of Mr. Mehta?

**The Honourable Sir Reginald Maxwell:** I warn the House of the tendency which arises in such cases for persons to make a story of police excesses in order to create a diversion. When some one goes afterwards to the place to find out about the matter, these stories are presented to him with all appearance of sincerity and he may believe them, but at the same time here we have a well authenticated case of firing under the orders of a Resident 1st Class Magistrate.

There was another case of which mention was made in the previous debate about a notice under section 80 from a Zamindar of Ghazipur. That was told by Mr. Neogy. But his story of the matter, which he gave to the House, entirely omits to mention that a mob of 600 persons from that and other villages were attacking the police with lathis and that is why the police and military had to open fire to disperse them. . .

**Mr. K. C. Neogy:** And set fire to the Houses. . .

**The Honourable Sir Reginald Maxwell:** This point was omitted from the story given to Mr. Neogy.

**Mr. K. C. Neogy:** What about incendiarism, looting and occasional raids. It is a sense of shame.

**The Honourable Sir Reginald Maxwell:** Mr. Neogy mentioned four cases from Cawnpore in which he alleged that excesses had been committed. His allegations were based on letters which he had received from other persons and did not purport to give his personal knowledge of the matter. Of these four instances, not one has come to the notice of the Provincial Government. The position taken up by Government in the previous debate was that if well supported allegations are made to the Local Government, that Government will be as much interested as any member of the public in investigating them. But if such allegations do not reach the Provincial Government, how can it be expected to do anything. One can presume that if no complaint was made to the Provincial Government nothing of the kind took place.

**Mr. K. C. Neogy:** They do not enjoy any confidence. The Honourable Member knows it very well. Who trusts them?

**The Honourable Sir Reginald Maxwell:** There is another case mentioned by my Honourable friend, Mr. Joshi, about the Manager of the Gandhi Ashram, Meerut, who was alleged to have been attacked by a police party

[Sir Reginald Maxwell.]

together with the persons associated with him, and it is stated that the Manager was subsequently shot. This again has not come to the notice of the Provincial Government at all. No such complaint has been made to them. All I can say is, therefore, that the presumption is that no such thing occurred: but at any rate Government are clear in the matter. We have said that well supported allegations will be investigated. Well, if they are not made it is not our fault.

**Sardar Sant Singh:** What can you say of a Government which does not even know about the firing!

**Mr. K. C. Neogy:** If you care for your reputation you should yourself investigate them.

**The Honourable Sir Reginald Maxwell:** As regards the general allegations the Government position was stated very clearly by my Honourable Colleague, the Law Member, on the last day's debate on this Resolution. Government stand entirely by what he then said. I must repeat that Government deny altogether that there has been any general policy of frightfulness, such as Mr. Jamnadas Mehta asked us to repudiate. I fully repudiate any such thing. There is no general policy sanctioning the use of excess force.

**Mr. Jamnadas M. Mehta:** Is there any particular policy?

**The Honourable Sir Reginald Maxwell:** Certainly there is. The policy is there and it is that the force used must be such as is sufficient to restore order.

**Sardar Sant Singh:** The Nazis say the same thing. They say it no differently. The question is how do the people feel.

**The Honourable Sir Reginald Maxwell:** If excess force or unjustifiable action has occurred anywhere, I can only say that it is not part of any general policy sanctioned either by this Government or by any Provincial Government.

**Sardar Sant Singh:** Why not make an enquiry?

**The Honourable Sir Reginald Maxwell:** And, therefore, instances in regard to which any complaint may arise must be regarded as isolated instances and dealt with as such.

**Pandit Nilakantha Das:** Have there been such instances?

**The Honourable Sir Reginald Maxwell:** Certainly. I will come back to it in a moment. At this very moment, so far as my information goes, a number of cases against policemen are under investigation, or action has been taken, in various provinces. I have not yet got the full particulars of these cases. But, for instance, in Bihar 13 cases, involving 35 police officers, are either being inquired into at this moment or are being tried. I am informed that in the Central Provinces one constable has been suspended and one dismissed. In the United Provinces there is a case in which five policemen are being tried on a charge of murder. In Delhi there is one case in which four policemen are being tried on a charge of murder.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): Altogether how many scape-goats?

**The Honourable Sir Reginald Maxwell:** I have not complete statistics. I am giving the House instances to support what I have said, *viz.*, that the Government and the Provinces are in no way reluctant to take adequate action where the cases are properly brought to their notice and where investigation shows that they are well founded. But as I have said, these cases must be regarded as isolated instances. They are no part of any general policy and therefore, on that ground no case is made out for an all-India inquiry.

Now I would ask the House to be careful in judging allegations of excess force. The force used in any situation must be judged in relation to the situation with which the police had to deal. As I pointed out in my speech at the last Session, it is entirely wrong to speak or to regard the matter as though in all these cases the police were the aggressors and the persons who suffered were doing nothing, or carrying on some legitimate activity. In all cases which have come to our notice, and in which force has been used, the violence was on the other side. It was the mob who were the aggressors and it was the duty of the police to protect Government property, or to prevent their own party from being overwhelmed. It is very easy to judge these instances long after the event sitting in the comfortable safety of this House. Sir Muhammad Yamin Khan asked that the police should be kept under control and should not be allowed to lose their heads. But as I pointed out before, in situations of that kind where a small body of police is confronted by a large armed mob, you cannot expect the men on the spot to judge the amount of force necessary by a yard stick.

**Sir Muhammad Yamin Khan:** I did not use the word "police". I said those people.

**The Honourable Sir Reginald Maxwell:** Well, the debate relates to persons who did use force. Didn't it?

**Sir Muhammad Yamin Khan:** They were not always at fault.

**The Honourable Sir Reginald Maxwell:** I shall now give the House illustrations of the situations with which police parties had to deal.

At Katra in the Bihar Province, on the 15th August, an armed mob about 5,000 strong attacked the police station and assaulted the Sub-Inspector and his 8 constables before the police could open fire. The Sub-Inspector lay unconscious, one constable was killed and the remaining constables were disarmed and severely beaten. The rioters looted the police station and barracks, and the Sub-Inspector's property, and finally set fire to the police station. If the police had fired on the mob, they would have been doing their duty and no more. This particular instance shows how wrong it is to say that the police should have withheld their fire. This was a case in which the police had not fired. They were overwhelmed and their police station burnt. There are many other cases in my hand here, but it is no use reading them to the house. There are many such cases of the same kind in which small parties of the police had to deal with very large armed mobs of an extremely violent disposition, and it is impossible for us to judge such cases by applying any standard of measurement to the force which was to be used.

Statistics up to the 30th November show that there were 49 fatal casualties among the police. Non-fatal casualties numbered 1,363. These would not include a number of unreported injuries. The number of police stations or outposts destroyed or severely damaged was 192, and the number of other Government buildings 494, not counting municipal property, schools and so forth. The number of railway stations destroyed or severely damaged up till the 31st December was 318: cases of serious damage to railway tracks were 103: serious damage to rolling stock 254: post and telegraph offices, sub-offices and so on, destroyed or severely damaged 309; other cases of damages to telegraphs and telephones 11,285. I may add that among the military forces there were 14 fatal and 70 non-fatal casualties inflicted by the mobs and nine cases in which military property and installations were destroyed or severely damaged.

I quote these figures in order, that the House may realise the great seriousness of the rebellion and the extreme violence with which the Government forces had to deal.

[Sir Reginald Maxwell.]

Now, some of the allegations relate to the shooting of innocent persons including women and children. It is not denied that when mob violence necessitates firing, innocent persons may sometimes be injured or even killed. Actually I could quote an instance at Mahad in the Colaba district where a revenue head clerk was killed by firing by a police party because the mob had captured him and some other Government servants and put them in front as a shield when they were about to attack a *kutcheri*. These things cannot be helped. Many innocent persons suffer in such disturbances. But the position of Government is that no wilful action of this kind is part of the policy employed; and in regard to these allegations about women and children, I should like the House to remember on the other side the record of the rebellion itself in terms of injuries or loss of property inflicted on innocent persons and the loss of life, even of women and children, caused by bomb outrages. There again I can give the House numerous instances but time will not permit me to quote many. But I would like to read this instance. On the 23rd August in a place in the Monghyr district of Bihar rioters caught several men who had refused to join them and maltreated them. Three victims had an eye deliberately put out by a spear point, whilst a fourth had an eye burnt out. Four of these men had also fingers cut off and five of them branded. One subsequently died. As regards the bomb outrages, I will just quote one or two. On the 29th September 1942, a crude bomb thrown from the Cotton Exchange in Bombay city injured five innocent men. On the 4th October 1942, a bomb exploded in a gymnasium in Pandharpur town, killing one boy and injuring three others, one seriously. The boys were preparing a wrestling pit and finding an object inside they threw it to the ground and the bomb exploded. Another boy was killed while flying a kite on the top of a temple in Sholapur—he picked up a bomb and showed it to his friends and accidentally dropped it. Three boys received serious injuries and one succumbed later. Again on the 9th December 1942, a bomb exploded on the road in the Ahmednagar district and seriously injured three girls who were passing by at the time: one of them had her palm amputated.

I could quote many other instances of the same kind, and I would ask why is no inquiry demanded against those who are responsible for such outrages? Why do the movers of this Resolution concentrate on inquiries into the conduct of the police? Actually up to the 30th November, fatal casualties among the public caused by the use of explosives was recorded as 8 and the non-fatal casualties included 8 women and 17 children. I forbear to mention the number of passengers killed or injured in railway accidents—one was recorded only three days ago in the *Hindustan Times*. Even the amendments proposed by Mr. Bajoria and Pandit Nilakantha Das, deploring the occurrence of such things, demand only inquiry into the conduct of the police and the military. Dr. Sir Zia Uddin Ahmad's amendment is more logical on that point, but I have already shown that there is no case for an all-India inquiry into the conduct of Government servants.

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

As regards the other side I have already informed the House in answer to a question that 26,000 persons have already been convicted by the courts up to the end of the year. Government do propose to make certain facts public, by which the responsibility for these disturbances can be judged. I have a document under preparation on that subject at this moment and I hope to make it public shortly. This will, however, be only intermediate information, such as can be given to the public now; and what further steps should be taken to bring home responsibility to those concerned in organising these disturbances must remain a matter for consideration. But one thing upon which the House will agree with me is that outrages such as those which I have described must be suppressed with all possible speed and by all measures available. I would

remind the House of the concluding words of my last speech in which I pointed out the extreme danger of allowing hooliganism to establish itself in this country and to produce a state of things in which no man's life or property was safe. Events, since I spoke, have confirmed my words and we have seen so many instances in which perfectly innocent people going about their daily occupations or travelling by rail have been exposed to those outrages. Effective measures cannot be taken against this kind of hooliganism if the immediate reaction of this House is to demand committees of inquiry. The idea that the police and public servants are the enemies of popular institutions and should be regarded with hostility by this House is entirely wrong. I would like to remind the House of what its own position would be without the maintenance of order and respect for authority. How far do Honourable Members think the writ of this House would run without firm and loyal public services and police forces? That is true in any democracy. But the House has had too much evidence in recent months to bring the point home to them. But for respect for authority and but for firm and loyal police forces, this House and its power would be of no account in the institutions of this country, and the only conclusion to which Honourable Members should come is that public servants should be supported in all legitimate action to maintain order. The effectiveness and even the existence of our constitutional machinery depend on them. I must, therefore, oppose any motion which creates the impression that the House desires to place those Government forces who have been instrumental in putting down these disturbances in the dock.

(Dr. P. N. Banerjea rose to speak.)

**Mr. President** (The Honourable Sir Abdur Rahim): There is only half a minute left, but the Honourable Member may finish his speech now if he likes.

**Dr. P. N. Banerjea** (Calcutta Suburbs: Non-Muhammadan Urban): Sir, the original Resolution moved by my Honourable friend, Mr. Neogy, has the full support of my Party. The two amendments which have been also moved by members of my Party are not inconsistent with the original motion. They in fact make explicit what was implicit in Mr. Neogy's Resolution.

(It being Four of the Clock.)

**Mr. President** (The Honourable Sir Abdur Rahim): Mr. Jamnadas Mehta.

#### MOTION FOR ADJOURNMENT.

ANNOUNCEMENT *re* GRANT OF INADEQUATE DEARNESS ALLOWANCE TO WORKERS.

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural): Sir, I move:

"That the Assembly do now adjourn."

In doing so I want to make two or three brief observations. On the 23rd January, 1943, there was in the Gazette of India published the following information.

"The Governor General in Council is pleased to make the following further amendment to the scheme for the grant of dearness allowance to Central Government servants . . . . .

And the amendment made is according to the three sub-divisions into which the Central Government servants were divided—in section A, those who are getting below Rs. 40 per mensem will be given Rs. 7 as dearness allowance. Those who are getting above Rs. 40 up to Rs. 120 will be given Rs. 10. In Area B which consisted of cities except Bombay and Calcutta and other urban areas, those up to Rs. 40 were to get Rs. 6-8-0, and those from Rs. 40 to Rs. 100 were to get Rs. 9. In Area C, which was described as rural, those up to Rs. 40 were to get Rs. 5 and those between Rs. 40 and Rs. 70 were to get Rs. 7-8-0. This was the dearness allowance that was announced on the 23rd January of this year in the Gazette of India of that date.

[Mr. Jamnadas M. Mehta.]

I submit that this announcement was faulty in two respects. The first is that the employees concerned have got their trade unions or employees' associations, which are recognised by the Government and in staff matters submissions are invited and considered. Representations are received and discussed and consultations are very often held. This is the meaning of recognition of employees' association. This is the meaning of genuine support for trade unionism; and the Government have times without number professed their belief in the virtues of trade unionism.

What happened on this occasion? The Government never consulted the unions which were most vitally interested, whether these additional scales of dearness allowance were adequate or were inadequate. In fact, consultation was being asked for. It was under discussion when and where consultation should take place. All of a sudden, without listening to the submissions of the employees, without even waiting for them, Government, in order to allay, as they thought, discontent, and to suppress what they thought agitation, came out with a *fait accompli*. This, I submit, is against all ideas of the usual relations between Government and the employees who are organised in their associations. In the last census—the present census figures are not yet available—in the last census the number of people employed in public administrations and public forces, was somewhere about 10 lakhs. If you increase the number of people who are in public forces that is, the police, air force, army, navy and others, the number may be larger. This does not include six lakhs of railway workers. So, if you really take into account every public servant, whether in the Central Government, the Provincial Government, municipal administration, local boards, improvement trusts, port trusts, my estimate of the number of employees is somewhere near 37 lakhs. If you add their dependents at the rate of four per every employee, then the number of people who maintain themselves by serving public administrations will be somewhere over one crore and fifty lakhs. Out of these, I am referring those who are organised in some way or other, unorganised I have not taken into account. I have not taken into account the railways. Only non-railway organised workers from *hamals* and peons to employees up to Rs. 250 who are in postal and telegraph departments, in port trusts, in income-tax, in salt, excise, in customs, in Accountant General's offices—all these told are not less than 3 lakhs of people, and if you add the number of their dependents at the rate of four, 12 lakhs are to be added, namely, 15 lakhs of people. The vital interests of such a large number of people were concerned and the Government have thought it proper to announce their decision about dearness allowance without consulting them.

Let us see why there is bound to be discontent. Government have announced—I have not taken into account what happened prior to this 23rd January, 1943—those who are getting up to Rs. 40 will get Rs. 7. That means they will get on an average about 21 per cent. of their actual salary. Now, according to the cost of living index recorded in the Bombay Labour Office, taking the cost of living of the poorest, the cost of living has risen by 103 per cent. Against 103 per cent., the dearness allowance given to the poorest is 21 per cent. That means, while food, clothing and residence and everything has gone up by 103 per cent., the compensation paid to these unfortunate people—the maximum is 21 per cent. When they needed five, they have got one, and this is the generosity of the Government towards these lowly paid people! I am not going into the salaries and emoluments of people from Rs. 40 to Rs. 120. They are as bad, some of them are even much worse, they get even less, till at Rs. 120 a man gets only Rs. 10 in Bombay and Calcutta, Rs. 9 in urban areas, and Rs. 7-8-0 in the rural areas as they are called. So they are expected to live on 20 per cent. of the actual rise of the cost of living which is 103 per cent. Four-fifths of the cost of living is not to be paid for. They are asking for no improvement in the pre-war condition. What is asked for is that they

should be placed, these low paid people should be placed in the same condition in which they were on the 3rd September, 1939. The Government of India say "No. We shall give them one-fifth of what they really need and deserve". Government cannot challenge the figures of the *Bombay Labour Gazette*. What other figures have the Government got? Two judicial pronouncements have declared that even this *Bombay Labour Gazette* index number of the cost of living is wide of the mark on the wrong side, that it is below the real rise by something 25 per cent. occasionally. Let the Government read the report of Mr. Justice Rangnekar and Mr. Justice Rau. They are not documents written by workers. They will find that even the *Labour Gazette* index number of cost of living is lower than the actual one.

Therefore, Sir, I protest most earnestly and most respectfully but none the less most emphatically against the conduct of the Government in trying to meet the poor with a *fait accompli* as if the Government were omniscient. It is a conduct worthy of the severest condemnation. Government ought to set a better example. They set an evil example by refusing to consult the people who are most vitally interested in the cost of living. They are thereby putting an axe at the genuine trade union movement in the country. The enormity of the Government conduct is not to be minimised from either point of view. They have laid an axe at the growth of trade union movement in the country, *i.e.*, the unions whom they recognise and yet refuse to consult and, with the full knowledge of the fact of the cost of living index in their possession from the *Labour Gazette*, they refuse to give more than one fifth by way of dearness allowance denying the 4/5ths of the rise. And what is worse, they do not consult the people most vitally affected. I may quote for the benefit of Government the opinion of the most distinguished economic journal in this matter. It says that so far as those who are living on the verge of starvation, on the borderland of starvation, no matter what the rise in the cost of living is, it must be fully compensated. Let the Government note that this is the opinion not of a workers' organisation, not of a political agitator. This is the opinion of the most distinguished economic journal in England and that opinion is reinforced by the report of Justice Rau that those who are living on the borderland of starvation must be fully compensated, but the Government of India compensate them to the extent of 21 per cent., deny them even a consultation and think that they have done their duty. Sir, to say the least, this is not worthy of a Government which claims to be based on popular will. Therefore Government will have to admit that they have treated public opinion among the workers with perfect contempt, that they are not concerned in knowing what the real state of the employees is. They simply think of their own infallibility and their own omniscience, because Government will claim that they know more than we do. That is one of the claims of Government,—the claim to infallibility. If it was a matter between two powerful parties, I would not have minded. but it is a quarrel between those who are matched unequally. On the one side, there is the poor worker without resources, without anybody to back him up, and on the other side there is the most powerful Government in the country, against whom nobody can raise his hand, without suffering for doing so. In that unequal match, the present Members of the Executive Council who have had some experience of public life should have shown that they favoured consultation with employees' unions or associations, that they are prepared to give them every chance to be heard, that they will give them every consideration and show every solicitude for them; but in spite of nearly a dozen popular men, on the Government Benches, this most unhappy spectacle is seen that the wives and children of these unhappy men may go to the wall but no one bothers. These eleven Members are supposed to represent non-official opinion in the country and yet they showed the utmost contempt for the organisations by ignoring them. I am not saying that we should give them 50 rupees allowance. I am not saying that they should get any particular amount. All that I am asking Non-official Benches to appreciate is that Government did a



[Mr. Jamnadas M. Mehta.]

thoroughly arbitrary act, a wantonly unjust act in not giving an opportunity to the workers' organisations or their representatives to be heard and that without discussion between them, they announced a wholly inadequate and meagre allowance. Sir, I move that the Assembly do adjourn.

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

"That the Assembly do now adjourn."

**Mr. N. M. Joshi** (Nominated Non-Official): Sir the policy which the Government of India has been following in dealing with the problem of giving compensatory allowances to their employees on account of the rise in the prices and the cost of living has been wrong and unsatisfactory in several respects. In the first place, although since the beginning of the war, the prices had begun to rise and the cost of living had become high, the Government failed to take notice for a long time, and then when they took notice of the rise, the steps which they took were insufficient and unsatisfactory. In dealing with this question last year, I think the Honourable the Finance Member said that he generally follows the steps taken by the Provincial Governments. It has been my experience that when one of the Provincial Governments does something right, then the Government of India expresses its unwillingness to follow the Provincial Government. Not once but several times I have stated in this House, that the Bombay Government in the matter of pension, has done some justice to their inferior servants and I asked the Government of India to follow the example of the Bombay Government. In that respect, the Government of India refused to follow the example of the Provincial Government, but when the Government of India feels that the Local Governments may not do full justice to their employees, then the Government of India is willing to follow the Provincial Governments. Sir, in this matter, the Government of India is not even willing to follow the Provincial Governments although the Provincial Governments are not very generous in these matters. In the first place, since the war started, the prices began to rise and the cost of living became higher but the Government did not take any notice of the rise in the cost of living till January 1941—a year and a half after the war had started. Then the Provincial Governments gave some paltry allowances. I do not wish to deal with the figures of the allowances which are very paltry. The Bombay Government gave an allowance of Rs. 3 in the Bombay city, and Rs. 2 in the other smaller places. Then the Government of India takes some time to move after the Bombay Government had moved, and then Government of India began to consider and think. Then the Bombay Government in 1942 increased the allowance from Rs. 3 to Rs. 4-8-0 and Rs. 3. The Bombay Government increased the allowance again, in July, 1942, to Rs. 7-8-0 and Rs. 5. Now, the Government of India thought that the allowances given by the Bombay Government were too high and they decided not to follow the Bombay Government. In the city of Bombay, the Bombay Government gave a flat rate allowance of Rs. 7-8-0. Then the Government of India decided not to give a flat rate, so that the least paid employee of the Government of India in the Bombay city began to get, I think, Rs. 6. So, the Bombay Government paid Rs. 7-8-0 and the Government of India, which was going to follow the Bombay Government, began to pay Rs. 6. Then the Bombay Government again increased the allowance in November, 1942, to Rs. 11 and in the outside places to Rs. 9. The Government of India then again decided not to follow the Bombay Government. My friend, Mr. Jamnadas Mehta, gave the figures. The least paid employee of the Government of India in the Bombay city gets Rs. 7, while the Bombay Government pays Rs. 11.

**Mr. Jamnadas M. Mehta:** So does the Bombay Municipality.

**Mr. N. M. Joshi:** Yes, so does the Bombay Municipality. I have now shown that the Government of India first said that they would follow the Bombay Government. I expected the Government of India to be a little more generous than the Bombay Government because their resources are greater. When they found that the Provincial Governments were giving allowances which, though not very generous, were a little higher than those of the Government of India, they gave up the policy of following the Provincial Governments. My friend, Mr. Jamnadas Mehta, has already stated that the Government of India should have the aspiration of being a model Government, at least model employers, because we do not expect them to be a model Government. The Honourable the Labour Member knows that in Bombay, even employers who do not aspire to be the model employers, I mean the mill-owners in Bombay, pay at present Rs. 20 or even more, as dearness allowance, and our Government of India which ought to be model employers pay Rs. 7, which is one-third of what the Bombay mill-owners pay. I feel that the Government of India must give up this policy. In the first place, the original plan of giving the dearness allowance at a flat rate, should have been followed. They gave up that policy. They began to give a little more to those who got higher pay and a little less to those who got less pay. That has been the wrong policy followed by the Government of India all through. That has been my complaint. You pay a little more to those who have got a little more. Ordinarily, you would like the Government of India to follow the policy of giving a little more to those who get less, but that policy the Government of India does not follow. I would suggest to them, to change that policy, and at least to keep up to their original plan of giving the dearness allowance at a flat rate, so that the lowest paid employée who is on the border line of starvation will get a little more in proportion. He will get the same rate of allowance but the proportion in which he will get the rate of allowance will be a little larger. I would, therefore, suggest to the Government of India to bring their allowances to a flat rate. Instead of paying Rs. 10 and Rs. 7 as different rates of allowances, they should bring the rate of allowances to a flat rate, so that a man getting Rs. 100 a month and a man getting less than Rs. 40 a month should have the same allowance. I am not suggesting that the allowance paid to the man who is at present getting a little more should be reduced.....

**The Honourable Mr. M. S. Aney** (Member for Indians Overseas): Would you agree to a mean between Rs. 10 and Rs. 11?

**Mr. N. M. Joshi:** I am stating my case that the allowance should not be reduced because it is too low. My friend, Mr. Jamnadas Mehta, has already shown that the cost of living index today has gone up to 103 in the Bombay city and the allowance you pay is only 20 per cent. or less than one-fifth of what it should be. Therefore, there should be no reduction, but the rate of allowance paid to the least paid employée should be increased and all the employées should be paid at the flat rate and they can at least go up as far as the Bombay Government and if they want to be model employers, then a little higher than the Bombay Government.

There is one more point which I would like to touch on this matter. The Rau Committee recommended that for every rise of 5 points in the cost of living an increased allowance of Rs. 1-8-0 should be paid. The Government of India should adopt that and increase the allowances accordingly. What is happening is that the cost of living goes up. Then there are complaints from the employées, sometimes threats of strikes or something unpleasant. Then the Government of India begins to consider: lot of time is wasted; discontent prevails. Therefore, the Government should accept the recommendation of the Rau Committee, in fixing some automatic increase for the allowances, in proportion to the rise in the cost of living. This will prevent or at least reduce a great

[Mr. N. M. Joshi.]

deal of the discontent which exists at present. I would like to draw the attention of the Honourable the Labour Member to one fact. There are some services or some departments of the Government of India which are regarded as essential services. He knows, at least he ought to know, that in the case of departments which are regarded as essential services, special restrictions are placed upon them by the Essential Services Ordinance. And, if the Government of India has placed upon these departments, which are regarded as departments of essential services, special restrictions, then the Government of India should give special consideration to these departments.

Sir, on account of the unsatisfactory policy which is being followed by the Government of India, even in the case of essential services, there is a great deal of discontent. Recently I attended one of the meetings of the postmen in Bombay. These postmen were so much harassed and oppressed by the smallness of the dearness allowance and even on account of the difficulty of getting grains even at a higher price, that they wrote a letter to the Postmaster-General, Bombay, saying that if their grievances were not looked into, they might resort to do something unpleasant. I do not myself like any servants of the Government of India or of Local Governments to give threats of unpleasant things. But although I was presiding over that meeting at that time, I knew the difficulties of these postmen and I did not like to tell them not to use those words. I know the Government of India objected to such threats and they have given them counter-threats. But that is not the right policy for the Government of India to follow. If you refuse to remove the grievances of your employees, even in essential services, for a long time, then, certainly they as human beings, may make a mistake and give you a threat. I would like the Government of India to appreciate the difficulties in which these people are working, and when these poor employees give a threat, the Government of India should not start giving a counter threat. On the other hand, they should be sympathetic and treat them with fairness and justice, if not with generosity.

**Qazi Muhammad Ahmad Kazmi** (Meerut Division: Muhammadan Rural): Mr. President, the lot of the lower paid people in this country at this time of rising prices is really very pitiful. The dearness allowance which has been announced by the Government is really incompatible with the increased cost of living. I have heard with care and serious attention the speeches of Mr. Joshi and Mr. Mehta and I fully agree with the complaint made by Mr. Joshi that the lower paid people are given lower increments and the higher paid staff is given higher increment. This reminds me of an Arabian character commonly known as "*Havannak*": His occupation was rearing of goats. He had some fat goats and some thin and lean goats. He used to give more food to fat goats, but very small quantity of food to the thin ones. Once his friend told him, "Well, you are a fool not to look after the thin and lean goats". He further said, "you should give them more food than you are giving to those fat ones". *Havannak* replied, "Well, I am not fool it is you who are a fool." He enquired, "How?" *Havannak* replied, "Probably you don't know and I believe you don't understand the methods of God. When God made them thin and lean, who am I to make them fat. When God has given them this amount of flesh, what right have I to increase that flesh".

This is an interesting story, no doubt, but this is a very well known character, and people have begun to call a man a *Havannak*, when they consider him to be a foolish person. If the Honourable Members sitting on the Treasury Benches see to their actions so far as the grant of remuneration and increments to the lower paid staff are concerned, I am afraid, they fall in the same category to which that gentleman who lived in Arabia belonged and whom I do not want to name in this connection.

This is a very simple question. Every person has got something in this world. I would not say, that some people have not got a right to live more comfortably than others. If we are allowed to be absolutely free without any Government whatsoever then either we will organise ourselves or perish, but if a Government exists then it is the bounden duty of the Government to see that any person who lives under the Government must be properly fed. This Government, I have no doubt, will continue to feed the fat people, I have no objection to that; but, I feel that the primary function of any Government worth the name is that every person who lives within its dominions must be properly fed and that aspect is not to be overlooked. If the lower paid persons are not properly fed and the fat are over-fed then I am sorry to say that such a Government is *Havannah* Government.

Now, Sir, that is the principle which underlies this adjournment motion, and I have every sympathy with the Mover and I support the motion.

**Maulvi Syed Murtuza Sahib Bahadur** (South Madras: Muhammadan): Mr. President, so far as these hard days are concerned in these days of increased prices, I think, these are much harder than the famine days, though they are not actually famine days. During famine days we could get each and every necessary of life, but so far as these days are concerned, a labourer, who gets very little from his employer, cannot get easily necessities of life, which means an additional hardship to him. Sir there is a saying in Persian:

*"Ke Mazdur-i-Khushdil Kunad Kar-i-besh."*

It means that a labourer who is contented and satisfied with what he gets in the shape of salary or (in the shape of dearness allowance) will turn out greater work. Therefore, every employer should bear in mind that satisfactory work is turned out by the employees when they are better paid. Therefore, Mr. President, I am of the opinion that a very strong case has been made out by the two representatives of labour party, added to it is what my Honourable Friend, Mr. Muhammad Ahmad Kazmi, has said and consequently I do not want to say anything more. I simply associate myself with the previous speakers because I am keenly interested in the welfare of that class.

**Maulvi Muhammad Abdul Ghani** (Tirhut Division: Muhammadan): Sir, all sort of concessions are being made only for the employed and no efforts are going to be made for the maintenance of those who are unemployed. Employed people after all have got some support for their life, but still, they are hankering for more. I do not like to stand in their way. However, I will urge the case of millions of people who are today unemployed and are suffering severely in this country. In other countries people are provided for by the State, but here the case is just the reverse. With these few observations I resume my seat.

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, the motion made by Mr. Mehta raises two points, if I understand it correctly. One point is that the Government failed to consult the representatives of Trade Unions when they last raised the dearness allowance. The second point which is raised in the motion is that the dearness allowances which were announced on the 21st of January last were meagre and inadequate. Sir, I am sorry to say that although I have every sympathy with Mr. Mehta for bringing forward this motion, I am bound to say that the motion has been based upon misunderstanding.

Sir, I will take the first question, namely, that the dearness allowances announced by the Government of India are meagre and inadequate. Sir, with regard to the meagreness of the allowances the point that I would like the House to bear in mind is this, that there is no final decision at which Government have arrived, it cannot be said that the figures that they have announced by the notification of the 23rd February are not to be altered or are not to be increased.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): Is it tentative?

**The Honourable Dr. B. R. Ambedkar:** It may be. There is the case that those figures do not grant adequate dearness allowance. But as I said there is no finality about it. The situation is still fluid and it is a matter for consideration now for the Government as to the form which the dearness allowance should take, whether the dearness allowance should take the form of cash allowance or whether the dearness allowance should take the form of food provision, that is a matter which the Government has to decide before the Government can fix upon any particular pitch at which dearness allowance should be fixed. Therefore my submission on that point is that it cannot be said that Government has taken any decision which can be said to be ir retrievable, irrevocable, unamendable.

**Pandit Lakshmi Kanta Maitra:** Is there a good conduct allowance?

**The Honourable Dr. B. R. Ambedkar:** I think it is in the Postal department that that concession has been given. With regard to meagreness and the inadequacy, the matter, as I say, is still open and it may be considered at the proper time.

Coming to the second accusation, namely, that the Government did not consult the representatives of trade unions, I think it is necessary to bear in mind that in the first place there are some difficulties in the matter of establishing contact with labour. The difficulty is this. As my Honourable friend, Mr. Jamnadas Mehta, knows, so far as the railways are concerned, there are Unions, which Unions have been federated into a single organisation and it makes matters quite easy for the Government to establish contact with workers on the Railways to obtain their opinion and to consult them whenever occasion for consultation arises. That, I think, Mr. Jamnadas Mehta will admit that the Government have been doing. In fact the convention has already been established and has been practised without any departure that the Railway Board and the Railwaymen's Federation meet twice a year to discuss matters of common concern.

Then, Sir, under the Central Government there are employees of the Posts and Telegraph Department. As I understand, there are twelve Unions which represent the posts and telegraph workers of the Central Government. Out of them four are Unions representing the higher officers and eight represent the union of workers. Unfortunately there is no single body, no Federation of the different workers of the Posts and Telegraph Department and consequently it has not been possible to establish the same sort of contact which it is possible for the Railway Board to establish with the Railwaymen's Federation. But I do like to point out the fact that notwithstanding this difficulty the Government had as a matter of fact contact with the posts and telegraph workers before taking action. I should like to read to the House a short paragraph from a magazine called the *Telegraph Review* for January, 1943, which records the attempts made by the Posts and Telegraph Department to establish contact with the workers in the Posts and Telegraphs. This is what the *Review* says:

"During his recent visit to Calcutta, the Director General invited the representatives of the different recognised service Unions and held a joint conference with them on the question of dearness allowance on 10th December, 1942. The representatives could not present a united front on this question at this conference. Subsequently they met together in Tarapad Hall of the Postal Club building, Calcutta on the evening of 12th December, 1942, and drew up on mutual agreement a new scheme of dearness allowance which is published elsewhere in this issue."

**Mr. Jamnadas M. Mehta:** What did they ask in that scheme?

**The Honourable Dr. B. R. Ambedkar:** They saw the Director General again. The representatives met the Director General again in conference on 18th December, 1942 and submitted their scheme to him.

**Mr. Jamnadas M. Mehta:** What did they demand?

**The Honourable Dr. B. R. Ambedkar:** It is a very long thing. I am sorry I have not got the time to read the whole of it. If my Honourable friend wants,

I can pass it on to him for his perusal. The point that I am making is this, that so far as the Posts and Telegraph Department workers are concerned, it cannot be said that there was no consultation between the Government and the workers concerned before the announcement was made.

Then, Sir, there remain what are called the clerical employees of the Central Government. So far as this body of workers is concerned, there is no Union and as there is no Union, there is also no Federation of the employees. What exists is a certain Association. First of all we have the Imperial Secretariat Association, secondly, we have the Daftry and Record Sorters Association and thirdly, there is the General Headquarters Association and the House will be glad to see that far from omitting to consult them, they sent their representatives to the Central Government and they were granted interview by the Honourable the Home Member and the Finance Member before this announcement was made. I think I am justified in saying what I said at the beginning that the allegations made by Mr. Jamnadas Mehta on which his motion was founded were really not correct. The Government have all along maintained the position they have always taken, namely, they consult the workers as far as possible.

**Mr. Jamnadas M. Mehta:** Sir, of the two points which I had raised, one has been answered in a somewhat satisfactory manner. I must say it is a very queer way of doing things. The Honourable Member for Labour said that although he announced the scales of dearness allowance, there was no finality. That means, "I have acted first, I will think afterwards". That is not the right way of doing things. If you want to take any action which affects the fortunes of lakhs of people you do not first announce the action itself and then consider whether it was right or wrong. You must first of all do the thinking and then act. Action first and thinking afterwards is a very wrong way of doing things. Therefore, while it is some satisfaction to me that Government have now admitted that they have acted first without thinking first and that they are prepared to think hereafter, the final solution will take them a lot of time. Having announced a decision, they will be loth to revise it, after the manner of the bureaucrat. They will say, "We have done it, and it must be right". That will be the official mentality and the workers will find it extremely difficult to get a revision of what is admittedly meagre and inadequate—21 per cent. allowance, while the rise in the cost of living is 103 per cent., about one-fifth of what they should have been granted. Now that the facts are known to you, will you now agree to revise the scales without waiting for any further representation? I pause for an answer. Well, I am not getting any reply.

My Honourable friend, Mr. Joshi, referred to essential workers. A large part of the Government employees involved in this motion are essential workers. Therefore, I say that if you are really genuine in what you say that your figures are not final, then you announce on the floor of the House that you are actively considering what further dearness allowance should be given in addition to the one which is admittedly meagre.

**Pandit Lakshmi Kanta Maitra:** Including the postal employees?

**Mr. Jamnadas M. Mehta:** Of course. They are just as good, otherwise it takes us nowhere. You have done this thing in a hurry and as in tradition bound, you will stick to it; you will say that it will be revised, but we do not know when. So much for part first of the Honourable the Labour Member's speech.

The second part is even more curious, because some officers meet some few employees in Calcutta . . . . .

**The Honourable Dr. B. R. Ambedkar:** Representatives of eight Unions.

**Mr. Jamnadas M. Mehta:** But you say they are Calcutta Unions.

**Sir Gurunath Bewoor** (Secretary, Posts and Air Department): They are representatives of the All-India Unions. They were called for this purpose.

**Mr. Jamnadas M. Mehta:** They were not consulted. If they were consulted on the question of dearness allowance, what did they ask for? Can you tell me what amount they asked for as against the seven rupees which you have given.

**Sir Gurunath Bewoor:** Sir, it is a long document, but if you like I will read it. The amount of dearness allowance asked for starts from a cost of living index of 105, rising with it. Both the allowance and the maximum pay limit to which allowance is attached rise with the cost of living index. Starting with Rs. 1-8-0 p.m. for salaries up to Rs. 40 and Rs. 2 for salaries up to Rs. 100 when the index number is 105, the allowance goes up to Rs. 22-8-0, Rs. 30 and Rs. 450 respectively when the index number is 175 and so, it goes on increasing.

**Mr. Jamnadas M. Mehta:** Then the cat is out of the bag: They have asked for Rs. 30 up to a limit of Rs. 450 and you have given Rs. 7. But that is not the whole question. The Post and Telegraph employees are not the only employees concerned in this motion. Have you consulted the chaprasis and clerks of the Accountant General's Office. You have not consulted Government peons. I happen to be the president of the Government Peons' Union, and I can say that you have not consulted me. I beg to be consulted. I ask for consultation. The other day the Honourable the Labour Member told me "Who are you? What do you know?" I know more than you do. Incidentally, he was paying a compliment to himself. I told him that in polite circles it is not considered correct form to pay compliments to oneself.

**The Honourable Mr. M. S. Aney:** Probably the Honourable Member is disclosing things which are of a confidential nature.

**Mr. Jamnadas M. Mehta:** Therefore I am not going to say anything further. He knew the truth about the cost of living and still announced Rs. 7.

*"Janami dharmam na cha me pravrittih."*

The sinner says: "Oh God, I know the truth, but I am unable to act on it". That is the condition of the Honourable the Labour Member. He knew the truth but would not act on it. As I said there are Customs, Accountant General, Income-tax, employees—did he consult the Employees' Unions of these offices? Some years ago I was the President of one of . . . . .

**Sir Cowasjee Jehangir** (Bombay City: Non-Muhammadan Urban): You seem to be working for everybody.

**Mr. Jamnadas M. Mehta:** I am working for every humble man; that is my duty.

**Sir Cowasjee Jehangir:** Including yourself.

**Mr. Jamnadas M. Mehta:** Yes. But you need no work. You were born with a silver spoon in mouth, you cannot appreciate the grievances of the poor who are starving . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Will the Honourable Member address the Chair?

**Mr. Jamnadas M. Mehta:** Therefore my main complaint is that the allowance is meagre. It has further been proved by the demand which my Honourable friend, Sir Gurunath Bewoor, admitted was made in Calcutta by the Post and Telegraph employees. The allowance should have been three times what they are given. And on the cost of living basis it is five times what they are given.

About consultation, they have consulted only one establishment. I say they have not consulted the Income-tax, the Salt, the Excise, the Accountant General's Office, Government peons.

**The Honourable Sir Jeremy Raisman** (Finance Member): Archæology also.

**Mr. Jamnadas M. Mehta:** Happily, for you they have no union yet. But Mint you have not consulted. I am somebody in the Mint of which Mr. S. C. Joshi—the Junior Joshi of Labour—is the President. Therefore, on both the accounts, the Government have behaved badly. First of all, they have given a very meagre and wholly inadequate dearness allowance whereas it should have been five times what it is. Secondly, on the point of consultation, only the Posts and Telegraph Department have been consulted.

**The Honourable Dr. B. R. Ambedkar:** Why? Secretariat staff has been consulted.

**Mr. Jamnadas M. Mehta:** You have not consulted the Customs, nor the Income-tax, nor the Accountant General, nor the Government peons, including the Telegraph peons. I say you have not consulted them.

**Sir Gurunath Bewoor:** Telegraph peons are included in the Post and Telegraph Unions which were represented.

**Mr. Jamnadas M. Mehta:** I happen to be the President of that Union in Bombay. I ought to know. Therefore you cannot say that you have consulted even all the telegraph people.

**The Honourable Sir Jeremy Raisman:** Would it not be simpler if the Honourable Member's motion had been worded "that the Government should not have done this without consulting me"?

**Mr. Jamnadas M. Mehta:** I have not done so, because I am a modest man. But you said the other day last year that you know better than 200 unions. I am a modest man; I cannot say that. But I beg of the House not to take these poor people's fortunes in a hilarious mood. While we may smile at this or that, their children are starving, they are not getting wages enough to keep the body and soul together. The rent in cities other than Bombay and Calcutta have risen from eight annas to Rs. 7-8-0 per month. I have got in my pocket the complaint of workers who were paying annas eight and who are now called upon to pay Rs. 6-8-0 and Rs. 7-8-0 and all your so-called increment will be swallowed only in the rent. Therefore, I beg the House to take this tragedy of the poor more solemnly and more seriously. I am only asking that you should consult them and pay them what is adequate. What they are at present getting is admittedly inadequate.

5 P.M.

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

"That the Assembly do now adjourn."

The Assembly divided.

AYES—27.

Abdul Ghani, Maulvi Muhammad.  
Abdullah, Mr. H. M.  
Azhar Ali, Mr. Muhammad.  
Banerjee, Dr. P. N.  
Chhattopadhyaya, Mr. Amarendra Nath.  
Dam, Mr. Ananga Mohan.  
Das, Pandit Nilakantha.  
Deshmukh, Mr. Govind V.  
Essak Sait, Mr. H. A. Sathar H.  
Fazl-i-Haq Piracha, Khan Bahadur  
Shaikh.  
Ghiasuddin, Mr. M.  
Habibur Rahman, Dr.  
Ismail Khan, Hajee Chowdhury  
Muhammad.

Joshi Mr. N. M.  
Kazmi, Qazi Muhammad Ahmad.  
Krishnamachari, Mr. T. T.  
Lalchand Navalrai, Mr.  
Maitra, Pandit Lakshmi Kanta.  
Manavedan, Raja T.  
Mehta, Mr. Jamnadas M.  
Murtuza Sahib Bahadur, Maulvi Syed.  
Neogy, Mr. K. C.  
Parma Nand, Bhai.  
Siddique Ali Khan, Nawab.  
Yamin Khan, Sir Muhammad.  
Yusuf Abdoola Haroon, Seth.  
Zafar Ali Khan, Maulana.



## NOES—37.

Abdul Hamid, Khan Bahadur Sir  
 Ahmad Nawaz Khan, Major Nawab Sir.  
 Aiyar, Mr. T. S. Sankara.  
 Ambedkar, The Honourable Dr. B. R.  
 Aney, The Honourable Mr. M. S.  
 Benthall, The Honourable Sir Edward.  
 Bewoor, Sir Gurunath.  
 Caroe, Mr. O. K.  
 Chapman-Mortimer, Mr. T.  
 Daga, Seth Sunder Lall.  
 Dalal, Dr. Sir Ratanji Dinshaw.  
 Dalpat Singh, Sardar Bahadur Captain.  
 Gray, Mr. B. L.  
 Gwilt, Mr. E. L. C.  
 Haidar, Khan Bahadur Shamsuddin.  
 Imam, Mr. Saiyid Haidar.  
 Ismaiel Alikhan, Kunwer Hajee.  
 Jawahar Singh, Sardar Bahadur Sardar  
 Sir.

Jehangir, Sir Cowasjee.  
 Kamaluddin Ahmad, Shamsul-Ulema.  
 Lawson, Mr. C. P.  
 Maxwell, The Honourable Sir Reginald.  
 Miller, Mr. C. C.  
 Mody, The Honourable Sir Homi.  
 Pillay, Mr. T. S.  
 Raisman, The Honourable Sir Jeremy.  
 Raper, Sir Hugh.  
 Richardson, Sir Henry.  
 Sarker, The Honourable Mr. N. R.  
 Spear, Dr. T. G. P.  
 Spence, Sir George.  
 Stokes, Mr. H. G.  
 Sultan Ahmed, The Honourable Sir.  
 Symons, Mr. N. V. H.  
 Thakur Singh, Major.  
 Trivedi, Mr. C. M.  
 Tyson, Mr. J. D.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Monday, the 15th February, 1943.