

20th March 1942

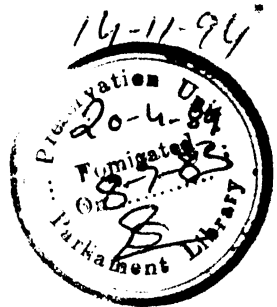
**THE  
LEGISLATIVE ASSEMBLY DEBATES**

**Official Report**

**Volume II, 1942**

*(11th March to 2nd April, 1942)*

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



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# LEGISLATIVE ASSEMBLY.

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

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# LEGISLATIVE ASSEMBLY

Friday, 20th March, 1942.

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

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

#### BRAHMIN PHOTOGRAPHER-DRAFTSMAN IN THE OFFICE OF THE DIRECTOR GENERAL OF ARCHÆOLOGY.

217. \*Maulana Zafar Ali Khan: (a) With reference to the reply given to starred question No. 168 asked by Sir Syed Raza Ali on the 26th February, 1941, will the Honourable the Education Member please state whether the Brahmin Photographer-Draftsman is still employed in the Office of the Director General of Archæology or his appointment has since been cancelled? If so, from what date his appointment has been cancelled?

(b) Did the Honourable Member examine the work done by him and satisfy himself that he was not up to the mark? Is it a fact that the negatives, slides, etc., prepared by him were all worthless and that his appointment resulted in considerable loss to Government?

The Honourable Mr. N. R. Sarker: (a) The appointment of the Photographer-Draftsman referred to was cancelled with effect from the 28th February, 1941.

(b) The answer to both parts of the question is in the negative.

#### LITERARY WORKS BY CERTAIN OFFICERS OF THE ARCHÆOLOGICAL DEPARTMENT.

218. \*Maulana Zafar Ali Khan: Will the Honourable the Education Member please state what literary works such as Memoirs, Guide Books and Catalogues have been published by the following officers of the Archæological Department since their appointment in the Department:

- (1) Mr. G. C. Chandra, (2) Mr. Vats, (3) Dr. Chakravarty, (4) Mr. Srivastava, (5) Dr. Nazim, (6) Mr. Moneer, (7) Mr. Ramchandran, (8) Mr. Ghosh, (9) Mr. Waddington?

The Honourable Mr. N. R. Sarker: A statement is laid on the table.

*Literary Works published by the Officers.*

Mr. M. S. Vate	‘Excavations at Harappa’ in the Annual Bibliography of Indian Archæology for 1937.
Mr. Q. M. Monser	Articles on Muslim monuments of Western India in “Revealing India’s past”.
Mr. T. N. Ramachandran	(1) Tirumalaipuram Cave Temples and their paintings published in the Journal of the Indian Society of Oriental Art, Calcutta. (2) Copper Coin of the Salankayana King Chandaverman published in the D. R. Bhandarkar Commemoration Volume. (3) Short Guide to the Indian Museum, Archæological Section, published by the Trustees.
Dr. M. Nazim	Selections from the Peshwa’s Daftar published by the Government of Bombay. 2. An epigraphical memoir on the Bijapur inscriptions.
Mr. A. Ghosh	Guide to Nalanda.
Dr. Chakrabarty	1. L’Udanavarga Sanskrit, Texte, Sanscrit en Transcription, Avec Traduction et Annotations, Suivi d’une Etude Critique et de Planches Part II (Publication delayed due to war). 2. India and Java—Part II (Inscription). 3. James Prinsep (His life and works.)
Mr. H. L. Srivastava	‘Lahore Fort—History and Restoration’—Annual Bibliography of Indian Archæology, 1935.

CANCELLATION OF A MUSLIM’S APPOINTMENT IN THE WESTERN CIRCLE,  
ARCHÆOLOGICAL SURVEY.

219. \***Maulana Zafar Ali Khan:** (a) Will the Honourable the Education Member please state if it is a fact that the Superintendent, Western Circle, Archæological Survey, made two appointments of Muslims, clerical and technical in his own office but the Director General of Archæology ordered him to appoint one Muslim only and to cancel the appointment of the other?

(b) Was this interference on the part of the Director General justified especially when the Superintendent had made the appointments several months before the orders were given to him by the Director General?

(c) Is it also a fact that three ministerial vacancies of long duration occurred in the Office of the Director General of Archæology and in all these three vacancies Hindus were taken?

**The Honourable Mr. N. R. Sarker:** (a) The Director General ordered that one of the vacancies should be treated as unreserved and the appointment of a Muslim to that vacancy was accordingly cancelled.

(b) The head of a Department is responsible for seeing that the orders relating to communal representation are carried out and has power to cancel any appointment made contrary to the orders when it comes to his notice.

(c) Yes.

**Mr. Govind V. Deshmukh:** May I know the name of the Superintendent, Western Circle?



**The Honourable Mr. N. E. Sarker:** Dr. Munair.

**Mr. Govind V. Deshmukh:** Was this appointment made in contravention of the roster laid down by Government?

**The Honourable Mr. N. E. Sarker:** I think so.

#### APPEALS AND PETITIONS BY STAFF OF THE ARCHÆOLOGICAL DEPARTMENT.

†220. **\*Mr. Muhammad Azhar Ali:** Will the Honourable the Education Member please furnish the following particulars in respect of appeals and petitions submitted by gazetted, non-gazetted and inferior staff of the Archaeological Department against the orders of the Government of India, Director General of Archæology, and Circle Superintendents since the present Director General of Archæology assumed charge?

Name and community of the appellant or petitioner.	Authority who passed the orders under appeal.	Brief subject of the orders passed or punishment awarded.	Grounds of appeal.	Orders passed by appellate or reviewing authority with reason in brief.

**The Honourable Mr. N. E. Sarker:** The information is being collected and will be laid on the table when compiled.

#### POSTPONEMENT OF THE REORGANISATION OF THE ARCHÆOLOGICAL DEPARTMENT.

†221. **\*Mr. Muhammad Azhar Ali:** With reference to his answer to part (b) of starred question No. 136, asked by Maulvi Abdur Rasheed Chaudhury in the Legislative Assembly on the 11th November, 1941, will the Honourable the Education Member please state if it is a fact that the consideration of the reorganisation of the Department which necessitated the provisional appointment of the present Epigraphist to the post of the Deputy Director General of Archæology has been indefinitely shelved?

**The Honourable Mr. N. E. Sarker:** No. The matter is still under the consideration of Government, but in view of the financial considerations involved it is not possible to give effect to any reorganization scheme during the period of the war. Further consideration of the matter will be resumed as soon as the emergency is over.

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

**LITERARY WORKS BY THE DEPUTY DIRECTOR GENERAL OF ARCHÆOLOGY.**

†222. \*Mr. Muhammad Azhar Ali: (a) With reference to the reply given to starred question No. 166, asked by Sir Syed Raza Ali in the Legislative Assembly on the 26th February, 1941, in connection with the appointment of Government Epigraphist as officiating Deputy Director General of Archæology, will the Honourable the Education Member please state, if it is a fact that the Annual Reports of the Archæological Survey of India, Memoirs and Guide books form the chief literary work done by the headquarters staff of the Director General of Archæology?

(b) If so, will he please lay on the table a list of the literary work done by the present Deputy Director General of Archæology since his appointment (for which he was specially removed from the Epigraphical Branch and transferred to the headquarters office)?

**The Honourable Mr. N. R. Sarker:** (a) No. The literary work falling within the ordinary duties of the headquarters staff of the Archæological Survey consists mainly of the revision and preparation for the Press of publications issued by the Archæological Survey.

(b) A statement of publications which have been prepared for the Press by the present Deputy Director of Archæology is laid on the table.

*Statement.*

1. Annual Report of the Archæological Survey of India, Part I—1937-38.
2. Annual Report of the Archæological Survey of India, Part II.
3. Memoir on Panshalas and their Capital Ahichabatra by Dr. R. C. Law.
4. Memoir on the Manley Collection of Stone Age Tools by Dr. A. Aiyappan.
5. Memoir on the Technique of Casting Coins by Dr. Birbal Sahni, F.R.S.
6. Memoir on Early Indian Terracottas by Col. D. H. Gordon.
7. Memoir on the Historical Sculptures of the Vaikantaperumal Temple at Kashi by Dr. C. Minakshi.
8. Memoir on Excavations in Swat and Explorations in the Oxus Territories of Afghanistan by Wright and Berger.
9. Memoir on the Beads from Taxila by Mr. N. C. Beck.
10. Memoir on the Nalanda and its Epigraphical material by Dr. Virananda Shastri.
11. Memoir on Central Asian fragments of Ashtadasaboork Prajnaparamite by Dr. Sten Koenig.
12. Annual Report on South Indian Epigraphy for 1937-38.

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

†223. \*Mr. Muhammad Azhar Ali: (a) Will the Honourable the Education Member be pleased to furnish information showing the number, designation, pay and duration of appointment of temporary and work-charged superior staff employed by the Archæological Department in connection with excavations at Taxila and Harappa during each year from 1927 to 1931?

(b) Will he also furnish similar information in respect of such staff employed during 1940-41 and 1942 at Ramnagar?

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

**The Honourable Mr. N. R. Sarker:** (a) The records relating to temporary and work-charged establishment employed at Taxila have been destroyed. The particulars of establishment employed at Harappa are being collected and will be laid on the table of the House when received.

(b) A statement showing the staff employed at Ramnagar is laid on the table.

*Temporary and Work-charged Establishment employed in connection with Excavations at Ramnagar.*

No.	Designation.	Pay.	From	To	Temporary or Work charged.	Total.
1940-41.						
Rs.						
1	Draftsman . . . . .	70	1-3-40	28-2-41	Work-charged	} 5
1	Do. . . . .	60	1-3-41	15-3-41	Do. . . . .	
1	Supervisor of Excavations.	75	2-12-40	28-2-41	Do. . . . .	
1	Surveyor . . . . .	60	7-2-41	28-2-41	Do. . . . .	
1	Do. . . . .	60	1-3-41	15-5-41	Do. . . . .	
1941-42.						
1	Draftsman . . . . .	75	1-3-41	30-6-41	Do. . . . .	} 14
1	Do. . . . .	100	2-7-41	28-2-42	Do. . . . .	
1	Do. . . . .	60	16-7-41	Do. . . . .	Do. . . . .	
1	Do. . . . .	60	17-7-41	Do. . . . .	Do. . . . .	
1	Do. . . . .	60	30-7-41	Do. . . . .	Do. . . . .	
1	Do. . . . .	60	5-12-41	Do. . . . .	Do. . . . .	
1	Supervisor of Excavations.	75	1-3-41	20-5-41	Do. . . . .	
1	Surveyor . . . . .	60	Do. . . . .	30-10-41	Do. . . . .	
1	Do. . . . .	80	19-12-41	28-2-42	Do. . . . .	
1	Systematic Assistant	60	25-8-41	28-2-42	Do. . . . .	
1	Pottery sorter . . . . .	35	16-8-41	Do. . . . .	Do. . . . .	
2	Pupil Draftsmen . . . . .	30	25-11-41	Do. . . . .	Do. . . . .	
1	Marksman . . . . .	40	8-12-41	Do. . . . .	Do. . . . .	

LITERARY WORKS OF DR. N. P. CHAKRAVARTI.

†224. \*Mr. Muhammad Azhar Ali: (a) With reference to the statement showing the major literary works of Dr. N. P. Chakravarti placed on the table of the House in answer to starred question No. 136, asked on the 11th November, 1941, will the Honourable the Education Member please state which items of the list relate to the work done by the Doctor before his appointment in the Archaeological Department and which of them relate to his work done by him after his appointment?

(b) Will he please state whether contributions to the *Epigraphia Indica* or the editing of that journal form part of his official duties? If so has he other publications of importance dealing with Archaeology to his credit?

**The Honourable Mr. N. R. Sarker:** (a) A statement is laid on the table.

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

(b) The editing of the *Epigraphia Indica* forms part of the duties of the Government Epigraphist and he is expected to make contributions to it as far as his other duties permit. The publications by Dr. Chakravarti of archæological importance which were published separately and not as contributions to the *Epigraphia Indica* are indicated in the Statement laid on the table.

*Statement showing the Works by Dr. N. P. Chakravarti.*

**(a) Before his appointment in the Archl. Deptt.**

1. L'Udanavarga Sanskrit. Texte Sanscrit en Transcription, Avec Traduction et Annotations, Suivi d'une Etude Critique et de Planches. Part I.
2. India and Central Asia.
3. Thesis for Ph.D. degree at Cambridge, discussing the historical linguistic and epigraphical value of the Kharoshthi documents discovered by Sir Aurel Stein in Central Asia.
4. Sanskrit Udanavarga and its Prakrit Originals.
5. Les Mots Bhasha dans le Commentaire de Sarvananda Sur l'Amarakosha.

**(b) After his appointment in the Archl. Deptt.**

\*1 L'Udanavarga Sanskrit Texte Sanscrit en Transcription Avec Traduction et Annotations, Suivi d'une Etude Critique et de Planches: Part II (Publication delayed due to war).

- \*2. India and Java—Part II (Inscription).
3. Nivina Copper-plate grant of Dharmarajadeva.
4. Kharod Inscription of Ratnadeva III—Chedi Samvati 933.
5. Two brick Inscriptions from Nalanda.
6. A Buddhist Inscription from Kara.
7. Bhopal plates of Mahakumara Harishchandra-deva.
8. Lucknow Museum plate of Jaychandra-deva, V.S. 1237.
9. Rewah plates of the time of Trailoyamalladeva (Kalachuri), year 963.
10. A note on the Halayudha stotra in the Amareavara Temple.
11. Rajaprasasti.
12. James Prinsep (His life and works).
13. Since 1934, edited *Epigraphia Indica*, Volume XX, Part VII, (July 1932) to Volume XXVI, Part IV (October 1941).

**ATTA GRINDING MACHINES IN GOLE MARKET, NEW DELHI.**

†225. \***Mr. Muhammed Azhar Ali:** Will the Honourable Member for Education, Health and Lands kindly state:

- (a) if it is a fact that *atta* grinding machines are not allowed to be set up in the Gole Market, New Delhi;
- (b) whether it is a fact that one or two such machines once worked in the Gole Market; if so, when; and
- (c) whether it is a fact that an *atta* grinding machine has recently been set up in Baber Lane, New Delhi?

**The Honourable Mr. N. B. Sarker:** (a) No. Flour Mills are permitted in New Delhi by the New Delhi Municipal Committee on suitable conditions after considering the advice of the Medical Officer of Health.

(b) Yes. One from 1st August, 1928 to 31st March, 1930, and the other from 23rd August, 1930 to 31st March, 1932.

(c) Yes.

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

\*Published separately.

## GRAZING GROUND FOR CATTLE IN NEW DELHI.

†226. \*Mr. Muhammad Azhar Ali: Will the Honourable Member for Education, Health and Lands be pleased to state:

- (a) if any provision for a grazing ground for cattle in New Delhi has been or is going to be made; if not, why not;
- (b) whether it is a fact that there used to be some grazing ground in New Delhi some time back but it has been abandoned; if so, since when and why; and
- (c) if he is prepared to consider the desirability of having a grazing ground in New Delhi?

**The Honourable Mr. N. E. Sarker:** (a) and (b). Adequate facilities for the grazing of cattle already exist in and near New Delhi. Government are not aware of the abandonment of any grazing ground.

(c) Does not arise.

## MUNICIPAL COMMITTEE FOR DELHI SHAHDARA.

227. \*Sardar Sant Singh: (a) Will the Honourable Member for Education, Health and Lands please state if he has received any representations from Delhi Shahdara public to constitute a Municipal Committee at Delhi Shahdara? If so, what steps have been taken in this direction?

(b) If Government have decided to establish a Municipal Committee at Shahdara, what is the proposed strength of the Committee and how many of the proposed members will be elected by popular vote?

**The Honourable Mr. N. E. Sarker:** (a) Copies of resolutions passed at two meetings of residents of Shahdara, urging *inter alia* the establishment of a Municipal Committee for that town have been received. The Chief Commissioner is considering this question.

(b) As no decision has yet been taken the question of the strength of elected and nominated members does not arise.

**Maulana Zafar Ali Khan:** Is it a fact that the Shahdara notified area was assured by the Chief Commissioner of Delhi that as soon as the population of Shahdara goes beyond ten thousand, a municipality will be constituted in that place?

**The Honourable Mr. N. E. Sarker:** I have no information.

## MOTION FOR ADJOURNMENT.

## ALLEGED ROWDYISM BY SOLDIERS AT BAREILLY.

**Mr. President** (The Honourable Sir Abdur Rahim): I have received notice of a motion of adjournment from Mr. Kazmi who wants to discuss a definite matter of urgent public importance, namely, the rowdyism committed by soldiers at Bareilly who went in a drunken state to the bazar, attacked pedestrians and a policeman and created a serious disturbance as reported in the *Hindustan Times* dated the 19th March, 1942, page 8.

Was there a riot?

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

**Qazi Muhammad Ahmad Kasmi** (Meerut Division: Muhammadan Rural): Yes, Sir. It was the timely action of the police that averted a more serious situation.

**Mr. President** (The Honourable Sir Abdur Rahim): How many soldiers were involved?

**Qazi Muhammad Ahmad Kasmi**: There were two incidents, in the first of which there were 18 or 19 soldiers, and in the other there were four.

**Mr. President** (The Honourable Sir Abdur Rahim): How many pedestrians were attacked?

**Qazi Muhammad Ahmad Kasmi**: That is not known.

**Mr. President** (The Honourable Sir Abdur Rahim): I should like to know what the facts are.

**Sir Gurunath Bewoor** (Government of India: Nominated Official): Sir, this matter has only just come to my notice, and I have just read this in the *Hindustan Times*. It appears from this that 18 or 19 soldiers alleged to have been dead drunk caused trouble and that is followed up by saying that the police came and took these soldiers to the police station. In the second instance also four soldiers are alleged to have created trouble and the police arrested them. Beyond that I have no information whatever about this matter.

**Mr. President** (The Honourable Sir Abdur Rahim): Has any case been instituted?

**Sir Gurunath Bewoor**: I have no information. The general question was discussed the other day, but as regards this particular incident, which is alleged to have occurred on the 17th March, I have no information whatever.

**Mr. President** (The Honourable Sir Abdur Rahim): There have been frequent complaints about the behaviour of soldiers recently. Will the Honourable Member get the information today?

**Sir Gurunath Bewoor**: I will try; by Monday I hope to be able to get the information.

**Mr. President** (The Honourable Sir Abdur Rahim): Does that suit the Honourable the Mover?

**Qazi Muhammad Ahmad Kasmi**: Yes Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Then the matter will stand over till Monday next.

## THE INDIAN FINANCE BILL—contd.

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Indian Finance Bill. Schedule I is before the House. Mr. Kazmi.

**Qazi Muhammad Ahmad Kazmi** (Meerut Division: Muhammadan Rural): Sir, I was saying yesterday that the Postal Department is a commercial as well as a public utility department; and pledges have been given that as soon as it is on a firm basis, it will pay its own way and help the taxpayer to get the taxation reduced. This has been admitted by the Finance Member, but he says that, on account of the present crisis, they had to use this Department also as a revenue raising department. I fully appreciate the spirit of the Finance Member, but at the same time I would say that out of the profits made by this department, a particular percentage, say, 50 per cent. may be contributed to the war efforts; but there also must be something done to relieve the situation and to fulfil the pledges and promises that have been given by Government time and again. Sacrifice is required to be made by all for this war, not only people with low earning capacity, but also those who are more highly placed. There is no reason why poor people should not be helped, and particularly those who have gone to the battle-field. Are Government prepared to reduce the rate of postcards for soldiers only? Will it not be a measure of relief for them? If they cannot give relief to the public in general, let us see how far they can consider the convenience of the soldiers and give them help by reducing the rate of postcards for them. Then, in addition to that we have also to look to the people on whom the post office depends. It is well known that it is a commercial department, and we have to see the general principles on which any ordinary commercial business is run. First of all, the business must provide for the maintenance of its own staff, and maintenance of proper accommodation for persons who work in their office. Just as was pointed out yesterday by my friend, Pandit Lakshmi Kanta Maitra, there is a regular complaint that the staff in this Department is not adequately paid . . .

**The Honourable Sir Andrew Olow** (Member for Railways and Communications): Sir, may I ask if this is relevant to the subject under discussion? We are dealing with a proposal to reduce the postcard rate.

**Mr. President** (The Honourable Sir Abdur Rahim): Yes, there will be no end to the discussion if the Honourable Member goes on like that. He must confine himself to the subject of the amendment—reduction of postal rates.

**Qazi Muhammad Ahmad Kazmi**: We are considering the question of the postal employees . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That does not arise out of this amendment. It is very different.

**Qazi Muhammad Ahmad Kazmi**: It arises only in this connection . . .

**Mr. President** (The Honourable Sir Abdur Rahim): It does not. The Honourable Member must abide by my ruling.

**Qazi Muhammad Ahmad Kasmi**: My only submission is as to the way the profits from this Department are utilized. They are to be utilized on the basis of business, and I would not touch the details of that as you have been kind enough to give your ruling that this should not be discussed at this stage. But this is a well-known fact, which I think the Honourable the Finance Member would not also deny, that conditions of the working of the Posts and Telegraphs Department are not what they ought to be—the staff requires further protection, the buildings require . . .

**Mr. President** (The Honourable Sir Abdur Rahim): All that does not arise out of this amendment. The Honourable Member is giving arguments for increasing the rates.

**Qazi Muhammad Ahmad Kasmi**: I am giving arguments for utilizing the profits.

**Mr. President** (The Honourable Sir Abdur Rahim): That is a very different question.

**Qazi Muhammad Ahmad Kasmi**: That is what I was submitting. The disposal of profits ought to be in that direction .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is again arguing on that subject. He must accept my ruling.

**Qazi Muhammad Ahmad Kasmi**: And they must at least utilize . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I ask the Honourable Member to obey my ruling. If the Honourable Member cannot abide by my ruling he shall have to discontinue.

**Qazi Muhammad Ahmad Kasmi**: I am obeying your ruling, Sir. My point relates to the reduction of the price of postcard. They must utilize . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): This is absolutely irrelevant, and the Honourable Member is in fact defying the ruling of the Chair.

**Qazi Muhammad Ahmad Kasmi**: Sir, I am only talking of the price of postcards. That is the amendment I have moved and I say that the profits that they have obtained from this Department ought to be utilized for reduction . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That has nothing to do with it. I have told the Honourable Member a number of times, that that has nothing to do with this question.

**Qazi Muhammad Ahmad Kasmi**: Sir, it is for the reduction of the price of postcards . . . .



**Mr. President** (The Honourable Sir Abdur Rahim): I have told the Honourable Member that he had better accept my ruling.

**Qazi Muhammad Ahmad Kazmi**: I perfectly admit, but my submission is that the amendment which I have moved is that the price of the postcard should be reduced . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): If the Honourable Member insists on talking on irrelevant matters, I shall have to ask him to discontinue his speech.

**Qazi Muhammad Ahmad Kazmi**: Then I would finish. I only moved that the price of the postcard should be reduced from three pice to two pice and if that is considered irrelevant I have nothing more to say.

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

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1938, for the existing entries under the head 'Postcards' the following be substituted:

'Single.....six pies

Reply.....one anna'."

**Mr. Ananga Mohan Dam** (Surma Valley *cum* Shillong: Non-Muhammadan): Sir I rise to support the motion moved by my Honourable friend, Mr. Kazmi.

**Mr. President** (The Honourable Sir Abdur Rahim): Will the Honourable Member speak up please?

**Mr. Ananga Mohan Dam**: Sir, it is a pity that the Government of India should have deviated from a time honoured principle. They have converted this public utility concern of the Government into a revenue-earning Department. Sir, the poor people of the villages—agriculturists and others—have been taxed in so many ways. They have been compelled to pay a tax on salt; they have been compelled to pay an enhanced rate on kerosene oil. Now they should be given a relief. I suggest, Sir, that the poor agriculturists should not be penalized in this way and that a reduction should be made in the rates as has been suggested by my Honourable friend.

From the perusal of the debates in the Legislative Assembly for the last six or seven years, I see that there has been a persistent demand for the reduction of postal rates, and it is really a public demand. People of the villages can hardly spare anything for these postal expenses; they live from hand to month. But they are the people who alone can help the Government in their "more food" campaign and who can supply labour for the prosecution of the war. So I request the Honourable the Finance Member to give these people as much relief as the Government possibly can. People have already been over-taxed, and it is only desirable that they should be given some measure of relief. Government have agreed this time to give some relief to the middle-class people by agreeing to our proposal to reduce the income-tax rate, and now I request them to reduce the postal rate in order to give relief to the poor agriculturist. Sir, the

[Mr. Anenga Mohan Dam.]

soldiers who are fighting in the front have been given the advantage of sending letters to their relatives and friends without paying anything for postage. We do not grudge it. But these people who are helping in the war effort by supplying food to the soldiers also deserve some relief which should be given by reducing these postal rates. Sir, with these few words, I support the motion of my Honourable friend, Mr. Kazmi.

**Mr. K. O. Neogy** (Dacca Division : Non-Muhammadan Rural) : Sir, I desire to accord my support to this amendment in so far as it seeks to carry out what can be called the accepted governing principle of postal finance. The Honourable the Finance Member in replying to the debate on a previous motion yesterday pointed out that in England the postal fund had been abolished and that such a measure was certainly justified by the war conditions. Now, Sir, what I want to emphasise is that the principle which governs the postal system in England is fundamentally different from the principle that has been declared to govern the administration of the Post Offices in this country. It is well known that the exchequer gets a regular contribution from the postal earnings . . . . .

**The Honourable Sir Jeremy Raisman** (Finance Member) : Fixed contribution.

**Mr. K. O. Neogy** : Fixed at the instance of what is known as the Bridgeman Committee, and the amount that the exchequer gets from the postal administration is something of the order of ten million pounds a year. The arrangement bears some resemblance to the Convention under which railway finance has been separated from general finance in this country. It is true that about three years ago the net earnings of the Post Office were not sufficient to meet this annual exchequer contribution, and they had to dip their hands into what is called the Postal Fund for the purpose of making up the deficit. In that year too a proposal for enhancing the postal rates came up. I admit it was also a war measure.

**Sir Cowasji Jehangir** (Bombay City : Non-Muhammadan Urban) : When was this?

**Mr. K. O. Neogy** : 1939-40 Finance Act of England; but I desire to emphasise that the principle that has always governed the administration of postal finance in England has been different from the one that has been declared to be the governing principle of postal finance in India; and, therefore, the analogy which my Honourable friend sought to draw from the action taken in Great Britain is not of much help to him. Apart from that, I expressed the disappointment of this House that not a word of explanation, not a word of apology was given to this House for making such a violent departure from the accepted principle of the Government in regard to the administration of postal finance . . . . .

**The Honourable Sir Jeremy Raisman** : I would point out to the Honourable Member that in the budget speech, I think it was of last year, I dealt fairly fully with this point.

**Mr. K. C. Neogy:** I have a recollection of my Honourable friend's reference to this point in the last year's budget speech, but that related merely to the point dealing with the non-payment of interest on the postal balances held with the Government . . . . .

**The Honourable Sir Jeremy Raisman:** It involves the same principle.

**Mr. K. C. Neogy:** That is to say, for the time being the Postal Department would not be entitled to any interest on the balances that might remain with the Government out of the surplus Postal Funds; that was all that was referred to last year, and I am entitled to complain that when a departure of this kind is made the Government should in the first instance make a clear declaration as regards their intention . . . . .

**The Honourable Sir Andrew Clow:** I would not contest the Honourable Member's right to complain of that, but I would contest his right to complain on this amendment: we are dealing with the question of the price of the postcard and that has not been altered.

**Mr. K. C. Neogy:** As I said, if you accept the governing principle of postal finance, this amendment is fully justified because you are committed to expansion of the postal facilities on the basis of increased earnings of the Postal Department. Now, I say that not merely did the Honourable Member not point out to this House that a serious departure was being made, but even now they have not made it clear that such a departure is being made merely because of present day war conditions and that nothing that we are being asked to agree to will affect the operation of this principle as soon as normal times return.

**Mr. Amarendra Nath Chattopadhyaya** (Burdwan Division: Non-Muhammadan Rural): Sir, I rise to support this motion. This Finance Bill contains three ideas, first, that there is a war on and it must have money; second, the purchasing power of the people has increased; and third, there must be some savings by the poor. These are the three ideas which have led the Honourable the Finance Member to draw up his schedule of taxation, and any amendment moved in this House will not be carried to the full. That we know. But we as representatives of the people have a duty to perform here with regard to the taxation that falls upon the poor. The Postal Department has been doing good business from the business point of view. The financial condition of the Postal Department for the past four years has been continuously giving a good surplus; but at the same time the Postal Department has not been improved in any proportion. It is found to have gone down in efficiency . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot go into that.

**Mr. Amarendra Nath Chattopadhyaya:** With regard to public complaints . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot go into all that.

**Mr. Amarendra Nath Chattopadhyaya:** All right, Sir. But generally speaking, when there is a surplus the people have a right to demand certain concessions in regard to postal rates. I, therefore, request the Honourable the Finance Member, having found that the rates with regard to postage are really high, so far as the poor agriculturists are concerned, he may consider this question from the point of view of the people and not from the point of view of the Government which requires money from any and everybody because there is a war. He can find out any other means if he considers a little about other resources which may be taxed; but to give relief, when the Postal Department has a continuity of surpluses, in the matter of postal rates is, I think, justified, and he should agree to a reduction in the price of the postcard. With these words I appeal to him to accept the amendment.

**Sir Cowasji Jehangir:** Mr. President, we seem to be living in the past and not in the present. I think the House is perfectly aware of the principles enunciated by my Honourable friend, Mr. Neogy. The Posts and Telegraphs Department is a service Department and a commercial Department and has to make both ends meet and should not make a profit. That was the principle enunciated over and over again. When there were losses in this Department, my Honourable friends will remember that there was a great deal of criticism in this Honourable House and a retrenchment committee and a finance committee, specially for the Postal Department, had to be appointed and there was from the financial point of view a fairly good overhaul of the whole Department and the late Director General who now sits on these Benches in another capacity is well aware of all the proceedings, the laborious proceedings, that were gone through in those days. The deficits were then met by incurring debts by the Department which have now been paid off. But, in war time, my Honourable friends cannot expect the same principles to be applied as they did in peace time. We have been reminded that there are surpluses in the Department and those surpluses should now go to give greater facilities to the people on whose behalf this Department works. But there is just one point that my Honourable friend, Mr. Neogy, and others forget, as to the cause of these surpluses. They cannot but admit that the war has been one of the reasons why we have had these surpluses . . . .

**An Honourable Member:** How?

**Sir Cowasji Jehangir:** Greater traffic and greater demand. The result has been that the war has brought a windfall to this Department, just as it has brought to some others; and my Honourable friend, the Finance Member, whenever the windfall comes to others, dips his hands into their pockets as far as he possibly can. And my friend's idea is that he should get 100 per cent. of those war profits as he called them. Well, if he applies those principles to others, I don't see why he should not apply them to the Postal and Telegraph Department which happens to be a Government Department. If those profits had been derived from the war, I think it is our bounden duty to see that he puts his hands into the pockets of that Department and takes out as much as he can in war time. Sir, I would advocate changing that principle during the war. After all, as I stated yesterday, I was in favour of the burden of the war being spread over all shoulders in the country. This is one method of doing it. If

Honourable Members grumble at every method that is proposed to finance the war; then how is the war going to be financed? I grumble because the income-tax goes up . . . . .

**Mr. Husenbhai Abdullabhai Laljee** (Bombay Central Division : Muhammadan Rural) : A rich man does it.

**Sir Cowasji Jehangir** : My friend, Mr. Husenbhai Laljee, grumbles if he does not get enough out of his contracts. We all have a grumble in one way or another, but this is war time, and if you are not going to finance the war, then give it up. . . . .

**Maulvi Muhammad Abdul Ghani** (Tirhut Division : Muhammadan) : Everything is fair in love and war.

**Sir Cowasji Jehangir** : All is fair in love and war, and, therefore, I would suggest to my friends that we cannot stick to old principles which we ourselves have advocated in this House. Sir, I was one of those who were on that Retrenchment Committee,—I was the Chairman of it, and also of the Finance Committee. We sat for many laborious months in the Secretariat to cut down the expenditure. These are war times, and if there are profits, my friend, the Finance Member, has every right . . . . .

**Sir Muhammad Yamin Khan** (Agra Division : Muhammadan Rural) : I hope that the Retrenchment Committee did not recommend nine pies for the postcard, I was a member of that Committee.

**Sir Cowasji Jehangir** : I am glad that the Honourable Member has intervened. I am glad he makes an exception to the principal of his party. At any rate, we were not asked by our terms of reference to decide as to how revenue should be raised. We were asked to ascertain how costs could be cut down, and that is what we did. Now that the finances have been placed on a fairly sound basis and the profits that accrue are due to the war, the Honourable the Finance Member has a right to get them. Let us not talk of old principles continually. If I am alive I will talk of those principles after the war, and I trust, as in the past, I will try and see that the great public that supports this Department gets value for money, but this is not the time to consider these questions.

**The Honourable Sir Jeremy Raisman** : Sir, I am afraid that Mr. Neogy, owing to the fact that he has not been a Member of this House since the war, is unaware of much that has happened. I have been able to put my finger on at least one of the statements, but I am sure it is not the only one which indicated our attitude in regard to the change of policy. It was in November, 1940, when moving the consideration motion on the Supplementary Finance Bill that I used these words.

"The provisions relating to the increase in postage rates are of a simple and self-explanatory character. It is, of course, the case that in normal times our policy in regard to postal rates has been to produce a state of affairs over a sufficient period of time in which this public service results neither in a profit nor a loss, and it is true that the present proposed increase is, in effect, a proposal to use the posts and telegraphs as the vehicle for an indirect tax. But, I think, that action of that kind is defensible in certain circumstances, and that the present emergency is one which justifies the levy of an indirect tax of this character."

[Sir Jeremy Raisman.]

There are other statements—I am grateful for the support of my friend, Sir Cowasji Jehangir,—but I did in at least one budget speech also refer to the analogy with businesses which were prospering on account of the war, and which were asked to give up a large part of their excess profits to the relief of the general taxpayer.

On the merits of the amendment, Sir, I must point out to the House that having yesterday adopted the increase in the letter rate from  $1\frac{1}{2}$  annas to  $1\frac{3}{4}$  annas in order to secure an increase of revenue of the order of about 85 lakhs, they would now completely stultify themselves if they reduced the postcard rate from three pice to half an anna because that would not only neutralise the effect of the increase in the letter rate, but would impose on us a much heavier loss. We calculate that the loss will be well over a crore. It depends on the amount of diversion which you expect, but with letters at  $1\frac{3}{4}$  annas and postcards at half an anna, it is probable that the diversion would be of a very serious character. For this reason, Sir, in view of the imperative necessity for raising more revenue at this time, I must oppose the amendment.

(Some Honourable Members rose to speak.)

**Sir George Spence** (Secretary, Legislative Department): The question be now put.

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

“That the question be now put.”

The motion was adopted.

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

“That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the existing entries under the head ‘Postcards’ the following be substituted:

‘Single.....six pies

Repl:.....one anna.’”

(When the motion was put, there were cries of “Ayes” and “Noes.”)

**Mr. President** (The Honourable Sir Abdur Rahim): Will Honourable Members who are in favour rise in their seats?

(Ten Honourable Members rose in their places.)

**Mr. Husenbhai Abdullabhai Laljee**: Our names should be recorded, Sir.

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): The names should be recorded.

**Mr. President** (The Honourable Sir Abdur Rahim): It is not necessary at all.

**Mr. M. Ghasuddin** (Punjab: Landholders): Sir, on the 1st April, 1937, the Congress were absent, because the question of Provincial Autonomy had been taken up and there was a certain voting taken on it, and my friend, Mr. Lalchand Navalrai, and myself and two others voted, and our names were recorded . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I have had occasion to reconsider that practice, and I have decided to follow the parliamentary practice by which no names are recorded. Those who are for "Noes" will rise in their seats now.

(More than ten Members stood up.)

The motion was negatived.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is: "That Schedule I stand part of the Bill."

The motion was adopted.

Schedule I was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Sir Jeremy Raisman**: Sir, I move:

"That the Bill, as amended, be passed."

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

"That the Bill, as amended, be passed."

**Mr. M. Ghasuddin**: Mr. President, I rise to appeal to members of all Parties in this House to lend their support to this Bill, so that it may be passed unanimously. Sir, I make this appeal, because I consider that by passing this Bill unanimously, we will be lending our moral support to our soldiers who are fighting our battles in all theatres of war, because most of this money is required for the successful prosecution of the war. If we go through the division lists, the division that took place on the general consideration stage shows that about 16 or 18 Members had voted against the consideration. As most of those Honourable Members belong to the Muslim League Party, I want very briefly to go through the reasons which have actuated them to vote against the consideration, and I would try to convince them, if I may, to change their attitude at this stage. The case of that Party was very ably put by Nawabzada Liaquat Ali Khan, the chief spokesman of that Party, and I hope he will not consider it any patronising on my part if I say that it was one of the most eloquent and from the debating point of view one of the best speeches that I have ever heard on the floor of this House. I will go through his reasons. He says that they will not vote money . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must remember that this is the third reading of the Bill, and all that the Honourable Member is entitled to at this stage is to give his opinion as regards clauses that have been amended or accepted by the House. The general consideration stage is over and we have had six days' discussion on that.

**Mr. M. Ghasuddin:** I will not take more than five minutes, Sir. I am just giving the reasons why they should change their attitude now.

**Mr. President** (The Honourable Sir Abdur Rahim): I am afraid, if I allow the Honourable Member to give his reasons why they should change their attitude, Honourable Members on that side may get up and give reasons why they should not change their attitude. The Honourable Member had better confine himself to the third reading.

**Mr. M. Ghasuddin:** The only reason that they have voted against is because they are asked to join as slaves and camp followers. The difference between being a slave and camp follower and a free man and equal partner is very narrowed down because both slavery and camp followership on the one hand and freedom and equal partnership on the other . . .

**Mr. Husenbhai Abdullabhai Laljee:** On a point of order, Sir . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member (Mr. Ghasuddin) had better not go on with that topic.

**Mr. Husenbhai Abdullabhai Laljee:** May I ask, Sir, on what clause is the Honourable Member speaking, which has been altered or amended?

**Mr. President** (The Honourable Sir Abdur Rahim): I am pointing out that what he is saying is not relevant.

**Mr. M. Ghasuddin:** Let me say this. This money is required for the prosecution of the war and our soldiers are making the most magnificent sacrifices. They are in the trenches giving up all that is near and dear and they are giving their lives and shedding their blood, and the least we can do is to give them our willing and unanimous support by passing this Bill.

**Mr. Husenbhai Abdullabhai Laljee:** I must say, while I am opposing many of the proposals, I concede and most willingly concede that in the circumstances in which we are placed the budget that has been presented by the Honourable the Finance Member is one against which we have not much to say. We also admit that people did expect a lot more direct and indirect taxation than what the Honourable the Finance Member has imposed. However, I must say that certain of his proposals he could have very well avoided. For instance, with regard to the kerosene oil and with regard to the postal affair, I think he could have very well avoided them, and the question that will arise then is, how could you have made up the gap? It is well-known that when we need monies for a purpose which is intended not only for the present generation but for the future, the borrowing principle is the best to be adopted. In fact, a lot has been said now a few minutes ago with regard to hardship and generally the postal affair. Sir Cowasji Jehangir spoke about Postal retrenchments and that was with the intention of seeing that the people were not taxed more—he said that retrenchments . . .

**Mr. M. Ghasuddin:** Sir, I think that stage is over now.



**Mr. President** (The Honourable Sir Abdur Rahim): These are very good arguments for second reading and not for third reading. The House having accepted the clauses and the amendments, it is not now open to any Honourable Member to go back upon that and go over the arguments already advanced and criticise the decision of the House.

**Mr. Husenbhai Abdullabhai Laljee:** I am only criticising it . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot criticise a decision of the House.

**Mr. Husenbhai Abdullabhai Laljee:** The position that arises is this. I am in a very awkward position. (Interruption.) I am only taking up the points on which the proposals as placed before this House have undergone changes in the second reading or were proposed to undergo changes in the second reading, and the justification for those who in the third reading will not support fully or may not support at all the third reading. I am only touching those points and giving, in particular, the reason why one has to come to a certain conclusion if the Honourable the Finance Member in his reply on the third reading does not meet the wishes of certain constituencies.

**Mr. President** (The Honourable Sir Abdur Rahim): What is the conclusion that the Honourable Member is referring to?

**Mr. Husenbhai Abdullabhai Laljee:** With regard to the postal affair. We have got Rs. 35 lakhs already by more tax put upon us.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member can appeal to the Honourable the Finance Member, if he chooses, now that the House has adopted the proposal.

**Mr. Husenbhai Abdullabhai Laljee:** That is exactly what I am doing. I am appealing in the sense . . .

**Mr. President** (The Honourable Sir Abdur Rahim): But you cannot argue the whole question.

**Mr. Husenbhai Abdullabhai Laljee:** I want to give short reasons. You have now taken Rs. 35 lakhs by enhancing the letter rate, and this may be put down against the postcards which are used by the public. In justification of that I want to say that we have done our best, as Sir Cowasji Jehangir has pointed out, by retrenchments and at the cost of the public in those years. Now, fortunately, there is a profit and that should go to the people. It is fairness and, further more, it will not affect adversely the finances so much more, we can have money by borrowing if needed badly.

**Mr. President** (The Honourable Sir Abdur Rahim): All that has been said hundreds of times. The Honourable Member is not justified in repeating all that.

**Sardar Sant Singh** (West Punjab: Sikh): The practice of this House has been for the last 12 years that I have had the privilege of being a Member of this House, that in the third reading Members had the right to discuss all questions relating to the administration of the Central Government.

In the second reading we expect Government to meet these objections which are raised during the debate and if they have not been met or the administration has not been promised to be reformed on the lines . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member should only state his point.

**Sardar Sant Singh**: My point is that in the third reading the House has to judge Government and as such is entitled to discuss and go over the wider field than is covered by the amended Finance Bill. I want your ruling on this.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is entirely wrong. I have been also in this House for a very long time and I know also the practice in the House of Commons. In the third reading you cannot make the same sort of speeches as in the second reading.

**Mr. Husenbhai Abdullabhai Laljee**: I was only pointing out that we have increased the price of the postcard from half an anna to three-fourths of an anna. At that time it was necessary and it is continuing . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is repeating this argument on the merits; that he cannot do.

**Mr. Husenbhai Abdullabhai Laljee**: I have voted against it and I must justify it.

**Dr. P. N. Banerjee**: Sir, on a point of order. At the last stage, it is the custom in this House to allow Members to say things on the Finance Bill as it has been amended. Whether the amendments have been proper or not can also be discussed. It has been allowed in the past.

**Mr. President** (The Honourable Sir Abdur Rahim): If the Honourable Members want to say that certain amendments that have been made are not acceptable, they can give their reasons.

**Mr. Husenbhai Abdullabhai Laljee**: That is just what I am saying. I want to say why we voted and I still want the House to vote against it.

**Mr. President** (The Honourable Sir Abdur Rahim): Honourable Members can certainly give their reasons for their vote one way or the other.

**Mr. Husenbhai Abdullahhai Laljee:** Then I suggested to the Finance Member that with regard to the deficit in kerosene and postal, if after due inquiry,—not like the inquiry in the Development department at Bombay,—he feels that there is shortage of money he should borrow it in these times. In fact that has been the principle advocated long before by many civilised countries now and the Finance Member knows it. And I am glad he recognised that all classes of people have been over-taxed and they are not able to bear any more.

**Mr. President** (The Honourable Sir Abdur Rahim): In the last seven days everything has been said.

**Mr. Husenbhai Abdullahhai Laljee:** I admit that. The Honourable the Finance Member expected it to be finished in three days on account of the empty benches, but I am glad the Chair allowed six days.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must also remember that whatever is said now in criticism of the Bill is at the risk of repeating what has been said before.

**Mr. Husenbhai Abdullahhai Laljee:** I will not repeat what has been said before. Sir, at the instance of my Honourable friend, Mr. Deshmukh, the duty on machinery has been reduced, and I give the Finance Member due credit.

(Interruption from Mr. Ghiasuddin.)

Sir, I hope you will help me by stopping these interruptions.

**Mr. President** (The Honourable Sir Abdur Rahim): Everyone seems to think he has a right to interrupt.

**Mr. Husenbhai Abdullahhai Laljee:** We have reduced the duty on machinery which is badly needed, and on behalf of the industrialists and the general public I must say that the Finance Member has done the right thing in acceding to our request. In fact, when I spoke about tools also it was not my intention to say that Government have not done all they could. But I must still say that there were other sources like works in our industrial concerns which they could make use of and the Industrialist and the public would not object but would be glad. But unfortunately the Finance Member did not agree with me and this side so far as posts and telegraphs department and poor public were concerned. He has agreed on the important question of machinery as he thinks these things only are necessary for the war. I admit they are very necessary but not the only ones because in these days the poor people also must be helped at this stage of the war; people who cannot pay income-tax,—they must get relief. Postcards will not affect the Bombay Baronet and such because they do not touch them but it must not be forgotten that mostly they are used by these poor people and instead of 85 lakhs thus to be got by the Finance Member let him borrow 85 crores, plus this small sum. There is also a lot to be said with regard to income-tax.

**Mr. President** (The Honourable Sir Abdur Rahim): A lot has been said already.

**Mr. Husenbhai Abdullabhai Laljee**: I will then if you want say very little about it now. With regard to the amendment that has been accepted I say the right thing has been done and all praise is due to the Treasury Benches; and I hope that in assessing people of these classes they will show the same consideration as Mr. Sheehy tried to explain. I believe that is sincerely meant and they will not be forced to produce their account books. I had made one interruption about auditors. We have heard a lot about these auditors. I hope the Finance Member will not make it a principle that accounts with audited report is only to be accepted. Only big men can get their help; and the officers of the department should not therefore only go into the accounts books of the poor people. I hope in only rare cases they will go into the accounts on incomes of Rs. 1,500.

Then, I will say that we have been having a large revenue out of matches. We have got nearly 3½ crores and I do feel that 12 NOON. in the administration of that the Finance Member will look for advice to the other people who are in the trade besides the one foreign syndicate, and help other concerns with wood chemicals, etc., as much, if not more than this syndicate, to be able to carry on this industry. I have nothing to say against the high opinion that the Honourable the Finance Member may have of this foreign firm but in these days we cannot rely entirely for a large portion of our revenue of 3½ crores on a foreign firm which has acquired nearly 80 per cent. of our trade. The syndicate or this foreign firm really and in substance belongs to a foreign nation, I mean Swedish and it has now been found out and openly announced that they are supplying all that is required for the German armies. Only two or three days ago I read in the newspapers that all important Swedish concerns are working for German munitions. Now, we are getting as much as 3½ crores from public in the shape of excise duty from the activities of this one firm, because they have captured so much of our business. This House would have liked to move an amendment with regard to this position and for due help to Indian concerns producing matches. The amendments that I moved last time were not accepted by the Government and I withdraw them on the assurances given by the Honourable the Finance Member that he would consult trade and do hopeful and now effect has been given to them and I am glad. But I do hope that in the case of such a big revenue as Rs. 3½ crores that comes from the excise on matches which is next almost to salt our Indian concerns would be encouraged and Government will take proper precautions to watch this concern and supervise its activities and also to realise it, always remembering that this concern is manned from top to bottom by a foreign nation whose nationals are almost within the activities of enemies in the war and are willingly or unwillingly working for the enemy in their country.

In this connection, you have got to consider very seriously another aspect of the question. We require chemicals very badly for various purposes and for various reasons we have to guard the use of chemicals and this firm has got an enormous quantity of the chemicals. They are

at present in possession of those chemicals. If something happens to the foreign managed factories, then not only the poor and the whole country and our soldiers will not have matches and the Government will lose its revenue of 3½ crores but it may be that this public utility industry and the chemicals may be lost during these times and for sometime which we want the most. Only yesterday, after the little speech of my friend, the Finance Member, I purchased from the market two match boxes to find out whether they contained 50 sticks and if what quality they were made to be sold at half an anna. I do not want to make any remarks about them but make a present of them to the Honourable the Finance Member here in this House so that he may see them and get examined for himself. I only wish to say this that I am anxious that this excise duty of 3½ crores which is mostly taken from the poor people is now in the hands of a party which, in our opinion, does require a very careful and controlled supervision. On last Saturday a communiqué was issued that 50 sticks would be continued instead of 40, and today you find in the Delhi market the stuff that I have already presented and which is marked 'War Service' in which there is very little phosphorus. You have also got the price control and yet we find that the quality of these match sticks has been reduced by at least 50 per cent . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Where is the question of price control here?

**Mr. Huseinbhai Abdullabhai Laljee**: Sir, I am not quite satisfied with the way in which the excise finances of our country with regard to matches are being looked after. Praises are in course of being showered, and I join in it, on the third reading of the Finance Bill about the way in which generally the finances are being managed by the Honourable the Finance Member. His attention has also to be drawn to the fact that because he will have to handle much larger sums of money that we are making available to a few suggestions here and there as to how he should try to save those resources and the large sums which he is taking even now from the people for the benefit of the war or for the benefit of the people. I do not wish to be long; I am only mentioning some of the points in which the finances may be looked into, when he has succeeded in getting so much money.

So far as the Supply Department is concerned, I have very little to say, but I have already said before now that there is a lot of financial control and to my friend, the Baronet, and others let me tell them that I have never got a single order without a tender and probably the lowest tender. Finally I think that having regard to the circumstances in which we are living at present, we cannot make any serious complaint about the budget that the Finance Member has presented and is getting passed. In fact, both he and the Treasury Benches have shown that they realise that the people of this country cannot be taxed any more and, therefore, it is good he has adopted this time borrowing principle to a good extent and I say to him to get as much more money as he requires for the war by borrowing. I hope he will be able to borrow a little more money. I repeat the prosperity, good will and equality that will result from the successful carrying out of this war will be not only enjoyed by the present generation but much more by the future

[Mr. Husenbhai Abdullabhai Laljee.]

generations. The other day he said that we are moving through such changing times that he may have to alter the budget figures at a moment's notice. There he is quite right. Every day some radical change or other is being made. But my request to him is that it is a well-known fact that this country cannot bear any more taxation, and he must do his best to avoid taxing and creating bitterness among the poor and middle class people who are really the backbone of this country. He can go on borrowing if he must require and I shall be glad if he imposes more sur-tax, super-tax and then excess profits tax, if borrowing cannot be done otherwise borrowing is the only and right and just thing to do.

**Dr. P. N. Banerjee:** Sir, there is a feeling among the Members of my Party that the powers of this House have been restricted with regard to the discussion at this stage.

**Mr. President** (The Honourable Sir Abdur Rahim): I do not quite follow the Honourable Member.

**Dr. P. N. Banerjee:** Sir, it has been felt that according to the usual procedure the debate has not been allowed to proceed in the manner . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is not entitled to say that. He must accept my ruling. There are other ways of setting matters right if the Honourable Member is not satisfied with the conduct of business by the Chair. But so long as I am in the Chair, the Honourable Member must accept my ruling.

**Dr. P. N. Banerjee:** Sir, I submit to the ruling of the Chair, but in view of the feeling . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): No, the Honourable Member cannot reflect on the ruling of the Chair.

**Dr. P. N. Banerjee:** I am not discussing it, but in order to make our attitude quite clear I say that we shall refrain from participation in the debate on the third reading of the Bill and will also abstain from voting on the motion before the House.

**Qazi Muhammad Ahmad Kazmi:** Mr. President, I rise to thank the Honourable the Finance Member for the little spirit of responsiveness he has shown in accepting one of the amendments, and I also thank Sir Cowaeji Jehangir whose appeal was probably the most effective one. I also congratulate him on the fact that the number of his voters will not be increased. Though I feel that it is not in the interests of the Party to which I belong, still by the help he has rendered to us, he has brought a little comfort to the people whose incomes are below Rs. 1,500. To this extent I and they must be thankful to him. As to the whole Bill, I am of the opinion that it is a bad measure. There is no doubt that we are all quite in favour of fighting this war to a successful end. This budget is intended to bring revenue for that purpose. But the

main objection that we have got to the Bill is that the finances are not in our hands. We have got no effective control, we cannot do anything in the matter. We are merely passive agents and, as such, it is useless for us to support any measure of this kind. That will be the reason for my opposing this measure. Sir, I oppose the motion.

**Syed Ghulam Bhik Nairang** (East Punjab: Muhammadan): Sir, the attitude of my Party towards the Finance Bill has already been made clear by the speeches that were made during the consideration stage. Nothing has since transpired, Sir, to effect any change in that attitude and I simply say that we are still opposed to the Finance Bill.

**The Honourable Sir Jeremy Raisman:** I do not intend to say anything.

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

"That the Bill, as amended, be passed."

The Assembly divided:

AYES—44.

Abdul Hamid, Khan Bahadur Sir.  
Ahmad Nawaz Khan, Major Nawab Sir.

Aiyar, Mr. T. S. Sankara.

Ayers, Mr. C. W.

Bewoor, Sir Gurunath.

Caroe, Mr. O. K.

Chandavarkar, Sir Vithal Narayan.

Chettiar, Dr. Rajah Sir S. R. M.

Annamalai.

Clow, The Honourable Sir Andrew.

Daga, Seth Sunderlal.

Dalal, Dr. Sir Ratanji Dinshaw.

Dalpat Singh, Sardar Bahadur Captain.

Dehejia, Mr. V. T.

Ghiasuddin, Mr. M.

Ghuznavi, Sir Abdul Halim.

Gopaldaswami, Mr. B. A.

Gwilt, Mr. E. L. C.

Imam, Mr. Saiyid Haider.

Ismail Ali Khan, Kunwar Hajee.

Jehangir, Sir Cowasji.

Kamaluddin Ahmed, Shams-ul-Ulema.

Khurshid, Mr. M.

Kushalpal Singh, Raja Bahadur.

Laljee, Mr. Husenbhai Abdullahai.

Manavedan, Raja T.

Maxwell, The Honourable Sir Reginald.

Miller, Mr. C. C.

Mody, The Honourable Sir Homi.

Muazzam Sahib Bahadur, Mr.

Muhammat.

Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.

Pillay, Mr. T. S. S.

Prior, Mr. H. C.

Raisman, The Honourable Sir Jeremy.

Richardson, Sir Henry.

Sarker, The Honourable Mr. N. R.

Scott, Mr. J. Ramsay.

Shams-ud-Din Haider, Khan Bahadur.

Sheehy, Mr. J. F.

Sivaraj, Rao Sahib N.

Spence, Sir George.

Stokes, Mr. H. G.

Sultan Ahmed, The Honourable Sir.

Symons, Mr. N. V. H.

Thakur Singh, Captain.

NOES—14.

Abdoola Haroon, Seth Haji Sir.

Abdul Ghani, Maulvi Muhammad.

Bhutto, Mr. Nabi Baksh Illahi Baksh.

Eesak Sait, Mr. H. A. Sathar H.

Ghulam Bhik Nairang, Syed.

Ismail Khan, Haji Chaudhury Muhammad.

Liaquat Ali Khan, Nawabzada Muhammad.

Muhammad Ahmad Kazmi, Qasi.

Murtuza Sahib Bahadur, Maulvi Syed.

Nauman, Mr. Muhammad.

Siddique Ali Khan, Nawab.

Umar Alv Shah, Mr.

Yamin Khan, Sir Muhammad.

Zafar Ali Khan, Maulana.

The motion was adopted.

## RESOLUTION *RE* MORATORIUM ON THE PAYMENT OF ARREARS FROM THE RAILWAY REVENUES.

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

"That this Assembly recommends to the Governor General in Council that the railway revenues be declared not liable before the 1st April, 1943, to repay to the depreciation reserve fund maintained for Indian State-owned railways, the balance outstanding on the 1st April, 1937, of loans taken from the fund to meet railway deficits or to pay to general revenues any contribution or deficiency in contribution due under the resolution of this Assembly of the 20th September, 1924, in respect of the period beginning on the 1st April, 1931, and ending on the 31st March, 1939."

I do not intend to make a long speech on this motion for the simple reason that the House having now adopted both the Railway Budget and the General Budget has in effect already approved the action which is to be formally sanctioned by this Resolution. In fact, I consider that this Resolution merely puts the formal seal of the House on the arrangements which they have already accepted and which were explained in full in the Budget speech of my Honourable Colleague, the Railway Member. It is not necessary, I think, for me to remind the House of the grounds on which the previous moratorium Resolutions were approved by them. In paragraphs 8, 16 and 17 of the Railway Budget Speech, the details of what we propose to do with the railway surplus in the Budget year, 1942-43, have been explained and it is clear that these necessitate a continuance of the moratorium. The House has also approved Demand No. 9-A for 1942-43 for the repayment of about 7½ crores to the depreciation fund in return of a portion of the loan taken from it to meet deficits in certain past years and the implication of this grant is that no larger sum than this is being voted to the Depreciation Fund. In short, Sir, the position about the moratorium may be said to be that unlike the usual kind of moratorium which is intended to protect the debtor from the necessity of meeting his dues to his creditors, the object of this moratorium has all along been to facilitate the payment by the Railways of certain monies to the general revenues which are, of course, the main creditor. It is because under the Railway Convention the Depreciation Fund would have had the first claim on these monies that it was necessary to adopt a moratorium. The position may be said to be somewhat similar to that of a debtor who owed money to his wife and also owed money to a lot of outside people and the moratorium is declared in order to prevent him from applying the monies at his disposal to pay the debt to his wife instead of paying them towards the debts which he owes to outsiders. Well, Sir, I said I would not make a long speech. I think the House is familiar with the main facts and they have already approved the arrangements in the two Budgets which are based on the continuance of the moratorium for one more year. Sir, I move.

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

"That this Assembly recommends to the Governor General in Council that the railway revenues, be declared not liable before the 1st April, 1943, to repay to the depreciation reserve fund maintained for Indian State-owned railways, the balance outstanding on the 1st April, 1937, of loans taken from the fund to meet railway deficits or to pay to general revenues any contribution or deficiency in contribution due under the resolution of this Assembly of the 20th September, 1924, in respect of the period beginning on the 1st April, 1931, and ending on the 31st March, 1939."



**Mr. President** (The Honourable Sir Abdur Rahim): There is an amendment in the name of Sir Ziauddin Ahmad.

**Dr. Sir Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not want to move the amendment in my name, but I want to speak on the main Resolution.

Sir, this question of the Convention of 1924 had been under discussion ever since the war broke out. I would just draw the attention of the Assembly to the history of this Convention. When the Railway Budget was proposed, it was suggested that the Railway Budget should be separated from the General Budget and then Sir Malcolm Hailey, in 1924, suggested and the Governor General in Council accepted the suggestion that it should be done by means of a Convention and the Convention should be laid before the Legislative Assembly in the form of a Resolution and the Assembly should be required to vote. Now, a Resolution was drafted by the Government, and Sir Charles Innes laid it before the Assembly on the 23rd March, 1924. Then that Resolution was referred to a Committee. I tried to find out from the proceedings whether the Resolution could be referred to a Committee and I was told that this cannot be done now. It is only in the case of a Bill that that could be done but at any rate that Resolution was referred to a Committee and the Committee modified that Convention in some details and, ultimately, it was accepted. Now, this Convention worked all right from 1924 onwards and even in the time of scarcity when the Railway income was not sufficient to discharge its obligations, we continued to abide by the Convention. Now, when the war broke out the situation changed and there has been a reference often from the European Group and also from other sides that that Convention should now be revised, at least during the war time and now, especially, it is necessary for this reason that most of the money that the Railway Department is now getting comes from the general revenues. It is right and correct that we should modify the Convention and pay larger share to the general revenues from which the Railway derives most of its income.

Now, the Honourable the Finance Member no doubt has laid before us a moratorium which, of course, is very necessary, because it is really an improvement on the existing chaotic conditions and because the position will be worse if we do not accept it but I do beseech him not to take this reform piecemeal. Let him sit down quietly and modify the Convention of 1924 for war time. As regards the substance of it, there will be very little difference of opinion in principle between the Government and ourselves. The only thing is that it should be done and done really not for one year or two years but it should be done for the war period. If the Honourable the Finance Member is very busy just at present for other reasons, let him bring forward a new Convention which may be a modification of the 1924 Convention, which should work during the war period. I am quite prepared to draft a new Convention, if the Government would permit a non-official Resolution. I said, for the war period, because nobody can foresee just at present what would be the conditions after the war. But, at any rate, we are pretty sure as to what is happening now and what would continue to happen so long as the war continues. Therefore, I do beseech him that we should not be asked to extend this arrangement which I consider to be exceedingly unsatisfactory

[Dr. Sir Ziauddin Ahmad.]

to be extended year after year. I will tell later on how it is unsatisfactory to us. I suggest that you should not have a casual resolution, you should quietly sit down, work out the details, then take this Assembly into confidence, and ask the House to appoint a Committee to examine the draft of the new Convention which should remain in operation during the war.

Now, I tell you how it is working unsatisfactorily; that is, as far as their contribution to the general revenue is concerned they are not making any contribution at all. In the first instance, if you refer to the explanatory memorandum issued by the Railway Board at the time of the Railway Budget, you will see that in the first instance they paid off our arrears of the past year, even they gave us back our arrears for 1941-42 and now, whenever any further contribution was given, they did not call it a contribution but they called it an 'advance payment' for the year 1942-43. Therefore, any sum which will be paid will be supposed to be an advance payment for future years so that we will be able to get nothing after the war, if the war continues for several years.

**The Honourable Sir Andrew Clow** (Member for Railways and Communications): I must correct the Honourable Member. We have not reached the position of making advance payments. We were paying off previous contributions.

**Dr. Sir Ziauddin Ahmad**: I refer you to the Explanatory Memorandum a copy of which I can get from the Library and in that Memorandum it is put down: "advance payment due in 1943-44, Rs. 4 crores". When I finish my speech I will show the page of the Explanatory Memorandum. So this money which they have been paying to us is not a kind of contribution for the war purposes. It is just like the Lease-Lend arrangement which we have with America. What we should do is to very carefully consider our Convention of 1924 and find out how it should be modified keeping in view the war conditions. But we should not forget that the income of the Railways is really derived from the general revenues and it is just and fair that they ought to make a substantial contribution for war purposes. It seems desirable that the major portion of this ought to be subscribed to the general revenue and they ought to put as little as possible in what they call the 'Depreciation Reserve' and 'Reserve', because these are the two names given to the same thing. And, I think, we should also consider how much we ought to put down under the Reserve so that we may make up the shortcomings of our repairs and renewals as soon as the war is over. Therefore, I do beseech the Honourable the Finance Member that although we accept his suggestion at present so that it may keep the things going, it is very desirable that we should now draft a revised Convention to replace the Convention of 1924.

With these words, I support the motion and I repeat my request that the Convention of 1924 ought to be revised.

**Mr. Jannadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural): Sir, the Resolution, as it stands, is on the whole unobjectionable. But I want to make certain reservations on account of the fact that the Railways have begun to earn not merely as a result of the war but from

heavier and ever-heavier rates and fares, income from which runs into ten crores of rupees. It is not, therefore, that the Railway Board are now in any impecunious condition. And if it is the wish of the Railway Board that we should at the end of the next year make good whatever deficits may be due either to the Depreciation Fund or to the general revenues, I am prepared to consider that on merits. In the course of the year a comprehensive resolution is to be brought forward for the purpose of reviewing the Convention of 1924. At this stage, therefore, I am not going to offer any elaborate criticism except to say that if eventually a revision of a right kind is going to take place, I am prepared to forget what has happened in the past. I only wish to invite attention that at present it is neither necessary to pay back to the Depreciation Fund even after a year, nor to the reserves if any remaining, but to devote all surpluses to three things, and that after making a one per cent. payment to the general revenues, the rest of the surplus should be spent not in adding to the depreciation reserves nor in creating heavy general reserves but to three things. The House is aware that under the Niemeyer Award the Railway was to have certain income before the assignment of Income-tax under the Government of India Act, 1935, was to be made to the Provinces. Now that railway revenues should be the basis of payment to the Provinces is not a fair proposition. So long as the Railway has not put its house in order, so long as its own employees have not got any approach even to a minimum wage and the tendency has always been to cut their wages, the policy should be to repair the wrongs done to the workers during the last ten years.

I think, the Honourable the Communications Member will remember that the Inchcape Committee had pointed out that in Railways, capital was being favoured at the expense of revenue, which means that what are capital charges are being defrayed from revenue, that what is a capital burden becomes a burden on the customer of the Railway, instead of being a burden spread over a number of years. In many other ways, as I pointed out during the general discussion on the Railway Budget, Railway revenues are being diverted to channels and the net result of that is that both the rates and fares are being kept high and the railway worker, who is the backbone of the railway transport service, has not yet been restored to the position in which he was before the depression. I can recall, Sir, that, in 1929, Sir George Schuster promised that 50 lakhs of rupees will be laid aside for increasing the wages of the poor people. This was also later on a recommendation of the Royal Commission on Labour. Nothing of that kind has been done. What has been done is in the negative direction. The progress has been in the direction of the tail, and I shall suggest for the consideration of the Railway Board that before they pay anything either to the Depreciation Fund or to the reserves anything in excess of one per cent. to the general revenues, they must first put their own house in order.

Since the last post-war depression set in, so far as I remember nearly 118,000 workers were retrenched. Most of them were thrown to the wolves; several thousands were demoted. Now, Sir, the word 'demotion', so far as I knew it, came into existence only in 1931. Demotion meant that a worker who was earning Rs. 60 today will not be discharged but he will be asked to take, say, Rs. 34 or get out. The higher officers, if there is a ten per cent. cut for one year even, combine to raise such a

[Mr. Jamnadas M. Mehta.]

clamour that even the Secretary of State is afraid. But the poor worker in his thousands can be brought down to a much lower scale of living when the original scale of living itself was not sufficient, without anybody shedding a tear. The working classes on the railways have not been treated fairly, and until that is done, any question of repayment to the depreciation fund or the reserves must be held in abeyance. The other day, I tried to bring to the notice of this House the lunatic action, if I may say so, of an officer in the Railway Board who denied even elementary sanitary amenities to 700 clerks in the Clearing Accounts Office. The Chair was pleased to rule that it was not of sufficient importance to deserve an adjournment of the House, but the Chair was also pleased to declare that it was a very important matter. When they are earning Rs. 30 crores as surplus, look at the condition of the clerks in this city of Delhi, in this imperial town, in the Clearing Accounts Office you have a most unhappy spectacle of 700 clerks being refused elementary sanitary amenities. Can you imagine anything more horrible than that 700 clerks should be kept waiting in a queue for releasing themselves in response to a natural call? And yet when my motion of adjournment was read out, I found the Treasury Benches enjoying a laughter at my expense. What a tragedy! I could also laugh. It has its comic side, I agree; but the tragedy is greater. In this House we are barely 140, but the sanitary amenities are one latrine to 18. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is going beyond the scope of this Resolution. He must speak to the Resolution itself.

**Mr. Jamnadas M. Mehta:** I am trying to describe—this is a mere illustration . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): It is too far-fetched.

**Mr. Jamnadas M. Mehta:** I would only draw attention to the mentality which votes away crores to the central revenues but which denies elementary amenities to its own employees. I shall leave it at that. I was also describing that since 1929 the worker in the railways, while the railways are getting flooded with crores of rupees, is suffering an economic depression. . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Today being Friday the House will now adjourn and meet again at 2-15 P.M.

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

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

**Mr. Jamnadas M. Mehta:** Sir, I was submitting that I had no objection to the postponement of the payments either to the Depreciation Fund or to the central revenues of the Government even at the end of the next

year, but my point was that before you made these payments, you should take into consideration the various points I have mentioned, namely, that you cannot pay to general revenues or to any other interest anything from the railway revenues until you have done your duty to your own employees, particularly at a time when the cost of living is mounting up beyond reasonable levels. I was also submitting that, since 1929, when the railway worker was promised an increment of wages by 50 lakhs, he has steadily suffered by the shrinkage of his income, and, therefore, these claims of other funds have no right to have priority over the minimum requirement of the railway worker. These 50 lakhs were not given in 1929, but soon after a retrenchment of one lakh 18,000 men was made, demonstrations which reduced sometimes the incomes of workers to 40 per cent. took place, and, thereafter, a wage cut of 10 per cent. was levied for two years, and, thereafter, a permanent reduction in wages of the so-called new entrants was carried out which reduced their income from 10 to 30 per cent. The total loss which the railway wage earner has suffered in the course of the last 12 years is somewhere in the neighbourhood of seven crores; not that the railways had no money, not that the railways even in the time of depression had not sufficient resources to treat the workers fairly, but it was a policy to conceal the revenues, to divert revenues to deny the railway worker the minimum due to him. I, therefore, urge at this stage that even at the end of next year no payment should be made until these considerations are borne in mind. And today these considerations are such that they must keep a close watch on the rising price level, and according to the Committee which the Government themselves appointed,—and here I want the assistance of the Labour Department itself which had appointed the Committee,—which has recommended that as from 1940 any 5 per cent. rise in the cost of living should be followed by a neutralisation of its effect on the workers' scanty income.

Now, Sir, I say that since the Rau Committee reported, the rise in the cost of living has become not 11 per cent., but 51 per cent., and, therefore, until Government make it good, they have no right to consider these surpluses as really surpluses. They are not surpluses until you have discharged your duty to the worker and while I am wholly in favour of what is being given to provinces, I must also say that this bounty to the provinces, much as it is welcome, should also run parallel to the duty which the Railways owe to their employees. In addition to this, new problems have arisen during the war, and they have particularly become acute during the last few months, and before any attempt to pay back to Depreciation Fund is thought of, they should first see that their employees in all danger zones are treated fairly and justly and that their position is not worsened. Remember, Sir, that the railway workshops and the railway employees today are as important as the soldier. Please read the advertisements in the press, and what is very properly referred to the soldiers would apply, including the high salary given, ample food, clothing or any other facilities, to the soldier, and the railway worker should be given all those amenities. I say that the railway worker is a soldier, if not in the fighting line, but behind the fighting line, and he is as important and as essential as the soldier in the fighting line. Unless this soldier behind the fighting line gets what the soldier gets in the front line, the war cannot be carried on efficiently. What is happening today on the East Coast? There are rumours, there is menace, there is need for evacuation.

[Mr. Jamnadas M. Mehta.]

and railway representatives have come to Delhi to ask for facilities. All sorts of rumours are afloat. The head office of the East Indian Railway Administration is breaking up at Calcutta and going to Lucknow. A large number of staff will be taken from Calcutta to Lucknow, and all I wish to say is, when they are being asked to leave Calcutta and join at Lucknow, they should be put in the same position, if not better, in which they were when they were at Calcutta. That is absolutely essential. For love or money they are not getting housing accommodation, and without housing accommodation what can they do? They may be ordered to go to Lucknow, but where are they to go? They are in a worse position than refugees. Refugees naturally attract sympathy, while these people who go from Calcutta to Lucknow are not merely in the position of refugees, but they are required to do certain duties; they must be cared for with solicitude and sympathy, and, therefore, I wish that four things should be done by the Railway Board before passing over even at the end of the next year the so-called overdue debts to the Depreciation Fund or to the general revenues. My first suggestion is that they must restore to the Railway worker what he has lost during the last 13 years; they should take note of the mounting price level. In the last 13 years I estimate that the railway worker has lost seven crores of rupees of his remuneration per year as a result of refusing to give 50 lakhs which was promised in 1929, retrenchments in 1931-32, wage cut in 1933-34, new rates of wages from 1934-35, and the mounting cost of living today. In addition there are these Provident Fund extensions which are expected to cost 72 lakhs, which I do maintain are a flea bite, compared to 30 crores surplus which the Railways have. With these submissions, I say that I have no objection whatever to the postponement of the so called arrears, but when they are paid, the points I have made must be first taken into consideration and the wrongs done to the worker should be righted, his financial position should not be worsened as a result of the war, and for any mounting price level in the cost of living he must be fully compensated.

**The Honourable Sir Andrew Clow:** Sir, we seem to be continuing some of the old discussions. The question of the convention to which my friend, Dr. Sir Ziauddin Ahmad, alluded was raised by a cut motion on the Railway Budget, and the question of what should be done for labour, I think, was also raised in the general discussion on the Railway Budget, and I would suggest that it is not strictly germane to the motion moved by my Honourable Colleague. I do not propose, therefore, to discuss the question of latrines at the Railway Clearing Office, as I feel that that these are matters which Mr. Jamnadas Mehta would have done much better to refer to the Controller of Railway Accounts who had never heard of them, than to attempt to adjourn the House during the consideration of the most important Bill of the year. I will only say as regards his general remarks on labour, that if the record of the Railway Board is examined over the 13 years or over any other period he cares to choose, he will find that it is a very creditable one indeed. In fact, in discussing the Convention—I do not think the Honourable Member was present here—on the cut motion moved by Sir Frederick James, I indicated that one of the reasons why, in my view, in peace time the convention's provisions were no longer appropriate was that that we were taking a more generous view of the needs of labour than had been taken at the time when the

Convention was passed and had in consequence incurred expenditure on a scale that was not at that time envisaged.

As regards the point made by the Honourable Doctor, I must admit that in one respect the memorandum from which he was quoting is perhaps a little misleading, because it does allude to advance payments, which looks as if some advance payment was being made. But actually, the conclusion reached is that no surplus accrues until the arrears of one per cent. contribution have been paid off, and the payments we are making this year and next year are going to pay our past debts in that respect. We have not yet reached a position when our debts are wiped out, and when it will be necessary to consider how payments which are surplus to obligations are to be treated for purposes of finance. That position may or may not be reached next year, and as I suggested in the debate on the cut motion, the question that has been raised by Dr. Sir Ziauddin Ahmad is one that can more conveniently be considered when we know a little more about the financial progress of this year. It will be time then to consider whether you want a permanent revision of the Convention or whether you require another interim arrangement. I have already expressed my purely personal opinion that the devising of a system which may meet both the needs of war and of peace, is likely to prove rather difficult. But if the estimates which I put forward in connection with the railway budget are fulfilled, obviously a position will be reached when some fresh arrangement will be essential, and at that time it can be considered.

**Dr. Sir Ziauddin Ahmad:** I have now got a copy of the Explanatory Memorandum, and may I draw the Honourable Member's attention to page 6, item (iii) where it says:

"... Advance payment of the amount due in 1943-44 on account of the one-fifth of the surplus on the working of commercial lines. . . ."

This is really very confusing, and I thought that the amount was really going to be paid in advance. For that reason I suggested that the convention of 1924 required revision for war time, and I hope that the Honourable Member will take it up.

**The Honourable Sir Andrew Clow:** If we were making a definite payment, that would be quite correct. I must express my regret to the Honourable Member that this is not put in a very clear fashion, but the fact is that we reached a certain calculation last year on the basis of certain assumptions, and although we have now abandoned the assumptions we have continued the method of calculation. I explained that in some detail in my original budget speech and I would particularly draw attention to paragraph 3 of that speech. In framing the budget for the preceding year we did include these payments and then regarded them as advance payments. We have since been advised that we have no right to regard these as advance payments until we have repaid the dues which were owing to the general revenues, so that the payments we are making are being taken by my Honourable Colleague in satisfaction of the debt owed to general revenues on account of the fact that over a considerable number of years the railways were not even able to pay the one per cent. contribution.

[Sir Andrew Clow.]

As this may be the last time on which I have the honour of addressing this House, I would just like to express my regret at leaving it, and also my thanks for the consideration which the House has consistently shown to me.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:

"That this Assembly recommends to the Governor General in Council that the railway revenues be declared not liable before the 1st April, 1943, to repay to the depreciation reserve fund maintained for Indian State-owned railways, the balance outstanding on the 1st April, 1937, of loans taken from the fund to meet railway deficits or to pay to general revenues any contribution or deficiency in contribution due under the resolution of this Assembly of the 20th September, 1924, in respect of the period beginning on the 1st April, 1931, and ending on the 31st March, 1939."

The motion was adopted.

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**Mr. Chairman** (Syed Ghulam Bhik Nairang): Mr. Prior.

(Mr. Prior being absent.)

**Sir George Spence** (Secretary Legislative Department): Sir, Mr. Prior is not moving this motion (*re* Weekly Holidays Bill).

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#### THE AGRICULTURAL PRODUCE (GRADING AND MARKING) AMENDMENT BILL.

**The Honourable Mr. N. E. Sarker** (Member for Education, Health and Lands): Sir, I move:

"That the Bill to amend the Agricultural Produce (Grading and Marking) Act, 1937, be taken into consideration."

Sir, the Bill is a very short and simple one. The object of the Bill has been clearly stated in the Statement of Objects and Reasons which has been circulated to Honourable Members. At this stage, I do not want to make any long speech justifying my motion. Sir, I move.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:

"That the Bill to amend the Agricultural Produce (Grading and Marking) Act, 1937, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Mr. N. E. Sarker**: Sir, I move:

"That the Bill be passed."



**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:  
"That the Bill be passed."  
The motion was adopted.

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THE INDIAN TOLLS (ARMY) AMENDMENT BILL.

**Sir Gurunath Bewoor** (Government of India: Nominated Official): Sir, I move:

"That the Bill further to amend the Indian Tolls (Army) Act, 1901, be taken into consideration."

This is a small amending Bill. The Act was passed as long ago as 1901 and the only amendment that was made was in 1927 to include the Air Force in addition to the army. Having been passed as long ago as 1901, the terminology of sections 2 and 3 are very much out of date and has been occasioning some difficulty in interpretation under modern conditions. The main object of the Bill is therefore to clarify certain expressions and to bring the terminology in consonance with present conditions. There is no question of the introduction of any new principle. Sir, I move.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:

"That the Bill further to amend the Indian Tolls (Army) Act, 1901, be taken into consideration."

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**Sir Gurunath Bewoor**: Sir, I move:

"That the Bill be passed."

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:

"That the Bill be passed."

The motion was adopted.

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THE CANTONMENTS (AMENDMENT) BILL.

**Sir Gurunath Bewoor** (Government of India: Nominated Official): Sir, I move:

"That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

Since the Cantonments Act was last amended about a year ago, many practical difficulties have come to notice in the working of the Act. The amendments concerned are miscellaneous and range over various provisions of the Act. The purport of each of these amendments is explained

[Sir Gurunath Bewoor.]

in the Notes on Clauses and as none of them are really of serious importance, I do not think they call for any comment at this stage. I, therefore, move that the Bill be taken into consideration.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:

"That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**Sir Gurunath Bewoor**: Sir, I move:

"That the Bill be passed."

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:

"That the Bill be passed."

The motion was adopted.

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#### STATEMENT OF BUSINESS.

**The Honourable Mr. M. S. Aney** (Leader of the House): Sir, for the three official days next week, the business will be the voting of supplementary demands, the disposal of the Bill outstanding from the current list, and the consideration and passing of the Statistics Bill as reported by the Select Committee. The only remaining item of business for the current Session is the Motor Vehicles Bill on which the Report of the Select Committee is expected to be presented early next week in time to admit of the Bill being disposed of on Tuesday, the 31st March, which is the last official day of the Session.

The Assembly then adjourned till Eleven of the Clock, on Monday, the 23rd March, 1942.