

Thursday, 20th November, 1941

# THE COUNCIL OF STATE DEBATES

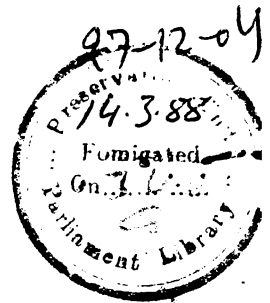
VOLUME II, 1941

*(10th November to 22nd November, 1941)*

TENTH SESSION

OF THE

FOURTH COUNCIL OF STATE, 1941



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1941, Council House in New  
**CORRIGENDA.**

In the Council of State Debates,  
1941, Vol. II,—

(1) On page 4, in the top line,—  
for " India " read " Indian ";

(2) On page 136, in line 3 from the  
top,—  
for " one is at " read " that is,  
with ".

(3) On page 142, in line 5,—

*delete* the words " at the time ";

(4) On page 147, in line 4,—

for " I lay a statement on the  
table " read " A statement  
has been laid on the  
table ".

# COUNCIL OF STATE.

*Thursday, 20th November, 1941.*

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The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

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## STANDING COMMITTEE FOR THE DEPARTMENT OF SUPPLY.

**THE HONOURABLE THE PRESIDENT :** With reference to the announcement made by me on the 19th November, 1941 regarding nomination to the Standing Committee attached to the Department of Supply, I have to announce that the Honourable Mr. P. N. Saprú has been nominated to it. As there is only one candidate for one vacancy I declare him duly elected.

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## INDIAN LIMITATION (AMENDMENT) BILL.

**THE HONOURABLE MR. CHIDAMBARAM CHETTIYAR (Madras : Non-Muhammadan) :** Sir, I rise to move :—

“That the Bill further to amend the Indian Limitation Act, 1908, as reported by the Select Committee, be taken into consideration.”

Sir, the decision of the Judicial Committee of the Privy Council in *Rama Shah v. Lal Chand*, which places a strict interpretation on the words of section 20 of the Indian Limitation Act, has created considerable hardship. Endorsements of payments made by debtors towards a debt do not in all cases specify whether the payment is made towards interest as such or part or the principal. In practice, debtors also do not specify at the time of making payment whether the payment is made towards interest or principal. In many cases, the payments are made towards the debt or legacy due, and the mode of appropriation is left either to the creditor or is regulated in accordance with the course of business between the parties. If the decision of the Privy Council is allowed to stand, several promissory notes and bonds on which endorsements are made without specifying that the payment is made towards interest as such or principal would be held by courts to have become time-barred. It is, therefore, necessary to amend section 20 of the Indian Limitation Act in such a way as to give effect to the intention of the Legislature that a payment made towards a debt will have the effect of saving limitation, for all payments are intended to go either towards principal or interest or partly towards the one and partly towards the other, whether the endorsements so specify or not, provided the acknowledgment of payment appears in the hand-writing of, or in a writing signed by, the person making the payment.

The original Bill as introduced by me has been redrafted by the Select Committee for it was found that the mere omission of the words “as such” from section 20 of the Indian Limitation Act of 1908 would not abolish the distinction of payment of interest from the part payment of principal. It was also found necessary to distinguish part payment of legacies from the part payment of other debts.

[ Mr. Chidambaram Chettiyar. ]

The Select Committee also decided that it was not possible to give retrospective effect as was given by clause 3 of the Bill as originally introduced due to the complications that might further set in.

Sir, I move.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official) : Sir, Government accept the Bill as amended by the Select Committee, and I have no further remarks to make.

THE HONOURABLE THE PRESIDENT : Motion moved :—

“ That the Bill further to amend the Indian Limitation Act, 1908, as reported by the Select Committee, be taken into consideration.”

Question put and Motion adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. CHIDAMBARAM CHETTIYAR : Sir, I move :—

“ That the Bill, as amended, be passed.”

The Motion was adopted.

## RESOLUTION *RE* INDIANIZATION IN THE INDIAN POLICE SERVICE.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadian) : Sir, I beg to move :—

“ That this Council recommends to the Governor General in Council that in order to accelerate the pace of Indianization in the Indian Police Service, he may be pleased to stop recruitment for that Service in England and to fill vacancies, which are at present recruited for in England, by competition in India by (a) direct recruitment and (b) by increasing the number of superior posts reserved for promotion from the Provincial Civil Service from 20 to 30 per cent.”

This Resolution is not in principle dissimilar to the one which I had the honour of moving in March last on the constitution of the Indian Civil Service. I think I moved that Resolution on the 27th February of this year. The Honourable Mr. Conran-Smith, who was the spokesman of Government on that occasion took the line that Government could not accept the proposition that there should be stoppage of recruitment for the Indian Civil Service without consideration of the whole issue, as any such step would amount to going back on the principle underlying the existing composition of the Services ; and that it was not certain that the authorities who would consider and settle the future constitution of India would necessarily reach the conclusion that, at any rate, for some years to come the European element in the Services was not necessary. He, however, indicated his willingness to communicate the substance of the debate to the Secretary of State, and on that assurance I withdrew my Resolution on the Indian Civil Service. Now, Sir, reflecting on the whole position I cannot conceive of a self-governing dominion of India agreeing to the proposition that the recruiting and controlling authority should be a Secretary of State six thousand miles away from the scene of activity. I India is to have dominion status, if India is to have the reality of freedom,

then the Services must be recruited and controlled by the Indian Government of the future. Sir, only this morning I was reading Mr. Amery's speech on the Atlantic Charter, and in that speech he says that the statement of policy that he has made in the Declaration of August 8th is no less far-reaching in its scope, is in fact far more satisfying in the procedure and in the pledge involved, than the Atlantic Charter. If Mr. Amery's interpretation of the Declaration of 8th August is right, if that Declaration is really much more far-reaching in its effects than the Atlantic Charter, he ought to show—

**THE HONOURABLE THE PRESIDENT :** Please do not dilate too much upon it ; it has nothing to do with the Resolution.

**THE HONOURABLE MR. P. N. SAPRU :** You will see the relevancy of it, Sir. In that case he ought to show that in actual administration he is prepared to implement the implications of that Charter. That is to say, here is an opportunity for him and for the Government of India to show that they mean business, and they can show it by stopping recruitment for the Indian Police which is one of the security services in this country. On previous occasions Mr. Amery has stated that there was nothing in the Declaration of August 8th to prevent Indians from attaining maximum power subject to the due fulfilment of certain obligations if they agreed among themselves. Now, in explaining those obligations he referred only to the rights of the existing members of the Services, the implication being that so far as the future is concerned the controlling and the recruiting authority shall be the Government of India of the future.

Now, Sir, I have referred to Mr. Amery's declarations to show that there is a connection between Indianization and the development of responsible or constitutional government in this country. There must be some harmony between the agency that lays down policy and the agency that carries out policy. Therefore the question of Indianization is from our point of view very important, because if we have a rapid Indianization of the Services transition towards dominion status or freedom will be accelerated. It is from this point of view that I would like the House to approach the question raised by this Resolution. Sir, the position at the moment is that the inquiry which was envisaged by the Joint Select Committee five years after the inauguration of provincial autonomy and which should have normally taken place, I believe, in 1942 is not to materialise at all. Mr. Conran-Smith will correct me if I am wrong, but I believe that on account of the war that inquiry will not take place at all. Therefore, Sir, the position is that Indianization is to be delayed indefinitely and the ratio fixed by the Lee Commission is to continue till at any rate the matter has been reconsidered after the war by the authorities who will be responsible for the framing of the new constitution. From our point of view that is a frankly disappointing prospect. The end of the war is not in sight. Neither the Honourable Mr. Conran-Smith, nor I, nor you, Sir, nor any other Member of the House here can predict how long this war will last. We all hope that it may end soon, but we do not know what the period of the war will be and meanwhile the present ratio which was fixed by the Lee Commission will continue and India will have to rest content with the proportions prescribed by the Lee Commission in 1927. This is not an alluring prospect and I would like the new Members of the expanded Executive Council not only to handle big problems of ending the deadlock in the provinces and securing the release of political prisoners, but also to take up what is important from the point of view of acceleration of the pace towards dominion status, *viz.*, the question of the Indianization of the Services. One of the attributes of a sovereign State is the right to regulate the position of its own services and it is for this right for

[ Mr. P. N. Sapru. ]

which I am pleading in this Resolution, and if my Resolution is accepted it will be a clear indication that Britain really intends to transfer power in this country.

Now, Sir, so much for the general issues involved. The position of Indians in the Indian Police Service has always been notoriously unsatisfactory. In contravention of the pledges given in the Charter Act of 1833 and the Queen's Proclamation of 1858, the Police Service was recruited by a competitive examination in England open only to Britishers until 1919. Until 1919 Indians were not permitted to sit for this competitive examination at all. The competition was open only to candidates of European descent, and before a candidate was permitted to sit for the examination he had to satisfy the examiners that his father was a British subject either natural born or naturalised in the United Kingdom. Now, Sir, our British friends say that we are racial in our outlook. I can conceive of no greater instance, of no more unjust instance of racial discrimination perpetrated for a very long period in defiance of the Statute of 1833 and in disregard of the Queen's Proclamation than this rule that Indians should not be permitted to enter the superior Police Service. It is all right to denounce Nazism and Fascism and to describe them as creeds which stand for racialism in its most disgusting form. I hate those creeds myself, but I would ask my British friends just to subject themselves to a process of introspection and I would ask them to consider for themselves this question in this way. Supposing we had been ruling over England and supposing we had discriminated against them in this way, how would they have felt? I cannot forget, Sir, the injustices that the constitution of the Police Service has done to this country. Sir, the whole arrangement, which was condemned by the Maharaja of Darbhanga in the Police Commission Report of 1905, shows the temper and policy of British administration of those days. The composition of the Service was entirely racial in its character. Could it be contended for a moment that in a land of 250 or 300 million people you could not get four, five or six Indians to join the Police Service?

Sir, when I was moving my Resolution on the Indian Civil Service, I had the very sincere pleasure of paying a compliment to the efficiency, the integrity, and the character of the Indian Civil Service. Sir, I do not want to decry the Police Service, but I think, Sir, the Honourable Mr. Conran-Smith will perhaps agree that the Police Service is not the Indian Civil Service. Generally it has been regarded as a Service for the boys of middle class families who cannot get employment in the Indian Civil Service or other good Services in the various parts of the Empire. We have not had the very best type.

**THE HONOURABLE THE PRESIDENT :** You are doing a lot of injustice to that Service.

**THE HONOURABLE MR. P. N. SAPRU :** Sir, I am not doing a lot of injustice. If you will say that I am doing any injustice then I will say many things against it. I may say that an Indian who finds his way through the open competition in India or who finds his way into the Indian Police Service today through nomination from the Provincial Service is infinitely in every respect superior to the people who are running the districts in our Province and other Provinces.

Sir, in 1905, an attempt was made to divide the Police Service according to the Report of the Police Commission into the Imperial Service known as the Indian Police Service and a separate Provincial branch for each Province recruited in India. The Deputy Superintendents, who were to belong to the



Provincial Service, were required to carry on the less important duties of police officers. It was in rare cases, as pointed out by the Islington Commission, that promotion to Superintendentship in the Indian Police was given. Sir, the Islington Commission, at page 298 of their Report, have commented on the fact—in a very mild manner I will admit—that expectations held out to the Provincial Service were not fulfilled. In 1919, there was a change of policy and recruitment to the Police Service was thrown open to Indians.

Sir, the Lee Commission said in their Report :—

“ The recruitment of Indians for the Indian Police Service was fixed in 1919 at 33 per cent. in Provinces, other than the North West Frontier Province and Burma. For the North West Frontier Province the proportion is restricted to 10 per cent., for Burma to 22 per cent. of which at least 15 should be Burmans. These ratios still obtain. In determining the ratios of recruitment to be adopted in future we have taken into account the special circumstances and the internal conditions of India to justify exceptional treatment of Indians in the Police.”

This is what the Lee Commission recommended :—

“ After careful consideration of the facts and evidence laid before us our recommendation is that of every 100 recruits for this Service 50 should be Europeans recruited directly, 30 should be Indians directly recruited and the remaining 20 obtained by promotion from the Provincial Police Service. Assuming a future rate of retirement at not less than 20 per cent. above normal, the corresponding cadre of 50 : 50 would be reached in about 25 years, that is to say, in 1949 from the date on which the new scheme of recruitment comes into operation. In this case also we would leave it to the discretion of the Secretary of State to make any necessary adjustment in the rate of recruitment to attain the above cadre.”

Now, Sir, I had the honour of putting a number of questions in the last session to the Honourable Mr. Conran-Smith about the Indian Police and this is what he said :—

“ The present sanctioned strength of the Indian Police cadre is 652 (*i.e.*, on the 24th of March). The number in service on the 1st January, 1940 was 422 Europeans and 194 Indians.”

That is to say, Indians were not even 50 per cent. of the Police Service ; they did not represent more than one-third of the entire strength of the Police Service.

“ Prior to 1939 recruitment in England was made by competitive examination. In 1939 recruitment in England was made partly by competitive examination and partly by selection. In India recruitment is made by competitive examination and by promotion from among officers of the provincial police service. The prescribed proportion for direct recruitment is 50 Europeans to 40 Indians. Since the war recruitment in England has been made purely by selection. In India no change has been made in the existing methods. 62 till the end of 1939 (*i.e.*, the number of Europeans and Indians directly recruited of three years or less than three years' service in the United Provinces)”. ”

Well, Sir, it will be seen that the position of Indians in this Service is extremely unsatisfactory. Racial considerations have throughout dominated the composition of this Service and, as I have pointed out, until 1919 it was not possible for an Indian even to enter the Indian Police Service. The Islington Commission said that an Indian who had been five years in England might be permitted to sit for the examination but the age was 17 to 19 and therefore that recommendation too was of an illusory character. Sir, it cannot be said in the year 1941 that Indians are not competent for holding posts in the security services. Four of the Provinces, and they are Provinces which are specially dear to Mr. Amery, have been complimented by Mr. Amery on the excellent work that they have done. I do not grudge those Provinces the compliment that they have received from the Secretary of State. If

[ Mr. P. N. Saprú.]

Indian ministers can administer law and order, Indian officers, who know the vernacular; who are acquainted with the life of the people, with the conditions under which they live, with the structure of Indian society, can certainly make good police officers.

It may be said, Sir, that you want an impartial agency in this land of divided communities. Of course, if you push this argument to its logical conclusion it will lead you to the proposition that India must never be a free country but I will make one submission and that is this. In the existing circumstances it is easier for an Indian, Hindu or Muslim, to be impartial than a European. A Hindu officer when he is in a district as Superintendent of Police has to think of the reactions of the policy he adopts on the Muslims. Therefore he tries to be fair because he cannot be always certain of the support of Government. The Muslim officer similarly has to think of the reaction of his policy on Hindus. Therefore he too has to be more impartial. So far as the British officer is concerned, he often creates troubles in districts by policies which are not calculated exactly to promote communal harmony. I do not say that he does it deliberately. Often he does it because of ignorance of the conditions in this country. We are paying our superior police officers a reasonable salary. When we say that our Services are very efficient, I should like to apply certain tests which are applied in normal countries in judging whether a service is efficient or not. One test which I have applied is what is the proportion of crime now to what it was before and has detection of crime improved as a result of the European element that we have in the Service? I could substantiate my argument by references to Administration Reports, but I will make a general statement and that is this, that there is a tendency for crime to increase all over the country. The tendency cannot be attributed solely to political causes or solely to economic causes. In a large number of cases crime goes undetected. When it is detected the evidence needed for a conviction is not forthcoming and the police rely upon the old methods of confessions and approvers. Now, Sir, if this is the contribution that this wonderful British element has made to the Indian Police, I cannot congratulate it on it. In my own province there were last year 1,275 murders and I think nearly two-thirds of these murders went undetected. What are these wonderful Superintendents of Police doing to detect crime, to check crime, to create a more healthy attitude towards law and order in this country on the part of the people of this country? I should say, therefore, that judged by any test the European element in the Police Service at all events has not justified itself and the Indian element has justified itself. I think we are getting a very good class of Indian for the Indian Police. Even in the provincial service we get a very good class of person. He is better educated than the public school boy and he wants to show in actual work that he is not in any way inferior to the Indian Civil Service. Often a man sits for the Indian Civil Service and he just escapes getting into the Indian Civil Service and then he sits for the Indian Police. He is probably the sixth in the list and you want only five. There are communal reservations, etc. This fellow sits for the Indian Police Service; he does exceedingly well and tops the list. Therefore, you are getting today a very good class of Indians for the Indian Police Service. There is, therefore, not the slightest justification for retaining the present ratio.

Sir, I have deliberately moved this Resolution after my experience of the I.C.S. Resolution in March in order that the reorganisation of the Services might be taken up by the new expanded Executive Council. Sir, I want to find out by moving this Resolution whether there has been any real change in the policy of the Government, whether the new members of the Executive

Council are still in the leading strings of the Secretary of State or not. If they cannot accept the Resolution, I should expect the new members of the Executive Council to assert themselves and say that so far as the Official Benches are concerned they will remain neutral on this Resolution. I think, Sir, that many of them have had experience of public life and they have made precisely the criticisms which I have made. My friend the Honourable Dr. Raghavendra Rao, whom we are glad to welcome in this Council, was a very strong Home Member. He had the reputation of being a strong Home Member. He had considerable experience of police administration. He was a very able Governor of the Central Provinces and I know that he is thoroughly nationalist at heart. He cannot be opposed, whatever he may say on the floor of this House, to the spirit of this Resolution, and I would therefore like him and our revered Leader of the House, Sir Akbar Hydari who was a Minister in one of the biggest States in this country, to be firm and to take the line that they will leave the decision of this matter to the non-official Members of the House and that they will communicate the desire of the non-official Members that the pace of Indianization should be accelerated in the Indian Police Service.

Just one word about that part of my Resolution which says that the proportion of the provincial service officers might be increased from 20 to 30 per cent. As I pointed out, the history of this question goes back to 1905. The provincial service has a just grievance. They can give good men and I think that they are entitled to an increase. But that is not the fundamental part of my Resolution. The fundamental part of my Resolution is the Indianization of the Indian Police Service and I hope, Sir, that the spirit of this Resolution will meet with the approval of the House.

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary): Sir, my Honourable friend the Mover of this Resolution clearly has a very tidy mind; he does not like to leave any loose ends lying about. In February of this year he took up the case of the Indian Civil Service and recommended that European recruitment should be stopped during the war. In the course of his speech he indicated that he was quite likely to make a clean sweep of the matter by polishing off the European element of recruitment to the Indian Police as well, and that he was only leaving it as a loose end temporarily. I must confess I had hoped that Mr. Sapru would be content to leave the authorities concerned to apply what he said about the Indian Civil Service to the Indian Police Service. I wish now that he had been.

The debate on the Resolution about the I.C.S. proceeded on lines which were more sober and more worthy of a Member of this House. I feel I cannot say the same on this occasion. The Honourable Member had some harsh things to say about the European element in the Indian Police. What he said left a bad taste behind. I will turn later to the observations he made and to the racial distinction which he drew, but, for the moment, I would like to say that in dealing with the Resolution itself I propose to adopt much the same attitude as I did on the Resolution regarding the I.C.S., and the general observations which I have to offer will follow the same lines.

Sir, there are two differences between the terms of this Resolution and that which was previously moved regarding the I.C.S. In the present Resolution the Mover has been, if I may say so, more honest in that he has not camouflaged his proposal with any suggestion that he intends the stoppage to be temporary for the period of the war. He proposes on the contrary to put an end for all time to the present composition of the Indian Police Service, and he asks for

[Mr. E. Conran Smith.]

the abandonment of the proportions on which the composition of that Service is at present fixed. Secondly, the Resolution asks the Governor General in Council to take a step which under the existing constitution only the Secretary of State can take. I suggest to my Honourable friend that if he desires a copy of the Resolution and of the debate in this House to be forwarded to the Secretary of State, as was done on the occasion of the debate on the I.C.S. Resolution, he should amend his Resolution accordingly.

As I have already observed, the main grounds on which I must take my stand in dealing with the Resolution before the House will in the nature of things be the same as those on which I based my attitude on the last occasion. I said then, and I say now, that from the point of view of practical administration the conditions of the war do not provide an argument for tinkering with service questions and complicated service questions at that. The need is now even more than it was then, in view of the present position of the war, imperative for keeping the organisation of the security services intact and unimpaired. Moreover, what is the urgent necessity for anticipating under these conditions the inquiry which is due to be held at some later date when world conditions make it possible. My Honourable friend brought in references to Mr. Amery's speech and the Atlantic Charter and assumed—and, I think he asked me to confirm his assumption—that there would be no such inquiry. I do not know on what grounds he has made that assumption, nor am I prepared to confirm it. What form the inquiry will take is of course impossible for anyone to say at this moment. What I would suggest to my Honourable friend and to those who think like him is that at a time like this when all that is dear to both his nation and mine is at stake, when all our energies are, or should be, devoted to averting a grave danger, is not the time to say to your partner in the great adventure on which we are together embarked for the salvation of our ideals. "We don't want you here, we prefer to do without you. We care nothing for the common heritage of endeavour which side by side British and Indians have built up in their service to India". My Honourable friend has referred to racialism in the present composition of the Service and, as I said, he had some harsh observations to make about the British element in the Service, and he also made some disparaging remarks about a very fine Service as a whole. But what I would say to him on this question of racialism is this, "Why do you look at it like that? Why not look at it as a partnership in which men of both races are working for the common good? Why do you labour to make out that an Indian is quite capable of discharging the duties of a member of that fine Service, the Indian Police?" Why is it necessary to do that? Does anybody now maintain that he is not? My Honourable friend has been at great pains to quote past history; he has gone back 21 years, he has gone back to old Proclamations and old Reports to prove apparently that someone has said that the Indian does not make a good policeman. I would not follow him back there and I do not wish to follow him. I told this House on the occasion of the debate on the I.C.S. that the intention of the present system is to see that the I.C.S. is composed of recruits of the highest quality available in both England and India. The same is the case with the Indian Police Service.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan): What did the Honourable Member say with regard to the I.C.S. ?

**THE HONOURABLE MR. E. CONRAN-SMITH :** I said that the intention of the present system is to see that the I.C.S. is composed of recruits of the highest quality available both in the United Kingdom and India and I added that the same is the case with the Indian Police Service.

I find it difficult to refer, without generating even more heat than my Honourable friend did, to the disparaging remarks which he made about the work of a very fine Service and a very fine body of men—both Indian and European. He went out of his way to disparage the European element, though why it was necessary to do so I do not understand. He also made some curious remarks about a fortunate Indian in the Indian Police who had escaped getting into the I.C.S. I do not know why he said he was fortunate ?

**THE HONOURABLE MR. P. N. SAPRU :** What I said was that we got a very good class of Indian officers in the Indian Police Service. A man sits for the I.C.S. examination and he fails to get through, then he sits for the Indian Police Service and he gets through, perhaps he was sixth or seventh on the I.C.S. list. All that I wanted to say was that the Indian officers as a class are a very efficient set of men.

**THE HONOURABLE MR. E. CONRAN-SMITH :** I quite agree with my Honourable friend that the Indian officers of the Indian Police are a very efficient set of men. The fact remains he used the word "escaped", and said that occasionally an officer got into the Indian Police who escaped getting into the I.C.S. I will not labour the point. I know the Honourable Member did not mean to be derogatory to the I.C.S. Well, Sir, I would ask Honourable Members in considering this Resolution to consider how unreal is the conflict of interest which superficially appears from its terms and from the speech of my Honourable friend the Mover, just as unreal as much of the surface conflict going on in India today. I suggest to my Honourable friends who are in favour of this Resolution that they should not be in too much of a hurry to destroy a partnership which has—and I say this without fear of contradiction as one who has loved India and been proud to be in her service—worked to the lasting benefit of this country. I would also ask my Honourable friend this question. Is he sure that the Indian members of the Service desire to break up this partnership ? Is he sure that the ordinary simple folk of the country desire it ? Is he sure that if he steps out of the political arena and gets away from catchwords like "Imperialism", a much abused word bandied about to cloud real issues and hide hard facts, is he sure he will find support for his Resolution ? I ask my Honourable friend to consider the effect of what he is proposing from all angles, and not, if I may say so, from the political angle only.

I come now, Sir, to the more practical aspect of what is involved in the Resolution and I would like to say something about the actual facts. I noted that in referring to the figures which I gave for the strength of the I.C.S., that is to say of the European and the Indian elements in it, my Honourable friend carefully omitted to observe that the figures of racial proportions which he quoted from an answer I gave on the floor of this House did not include the figures for listed post holders.

**THE HONOURABLE MR. P. N. SAPRU :** I think I quoted combined figures.

**THE HONOURABLE MR. E. CONRAN-SMITH :** Well, the Honourable Member said that less than a third of the Service was Indian. The actual figures are now 404 Europeans and 202 Indians, including listed post holders.

**THE HONOURABLE MR. P. N. SAPRU :** I was quoting the figures of 1940.

**THE HONOURABLE MR. E. CONRAN-SMITH :** If my Honourable friend will allow me to proceed I can only say that he obviously did not include the listed post holders because the figures are now 404 and 202, including in the latter the figures of holders of listed posts. I should also add for the information of this House, in case any Honourable Member does not know it already, that the ratio has recently been altered to 50 : 40 from 50 : 30 in order to increase the speed of Indianization. That is the figure for direct recruitment of course. Moreover, Honourable Members may, or may not, be aware that in 1940 only three European recruits for the Indian Police were taken, and in 1941 the figure was *nil*. I suggest therefore to my Honourable friend that present factors and the present difficulties of the war situation are contributing automatically to an increase in the proportion of Indians to Europeans in the Indian Police. I know that does not meet his point entirely, because he wants to stop the recruitment of Europeans altogether and completely to disturb the existing composition of the Service, but it does have the effect, as I have said, of hastening the increase in the proportion of Indians to Europeans in the Indian Police. Whether it will be possible for the Secretary of State to recruit any more Europeans during the coming years I do not know. He may or he may not be able to ; but the fact remains that the number of European recruits has fallen owing to the war.

I do not think, Sir, that there is anything further that I can add at this stage. If my Honourable friend Dr. Kunzru or any other speakers raise any additional points, perhaps I shall have an opportunity of dealing with them later. I can only say in conclusion that if the Honourable Member so desires Government are prepared to forward this Resolution together with the speeches made thereon,—as they did on the last occasion with regard to the I.C.S.,—to the Secretary of State.

(At this stage the Honourable the President vacated the Chair, which was taken by the Honourable Sir David Devadoss.)

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan) :** Mr. President, the Home Secretary in dealing with my Honourable friend Mr. Sapru's Resolution complained that Mr. Sapru had had harsh things to say about the European element in the Indian Police which left a bad taste behind. Sir, we who suffer from disabilities of all kinds have longer memories than Mr. Conran-Smith and his countrymen who occupy a privileged position in this land. My Honourable friend asks us to be content with such changes as are taking place in this country and not to bother ourselves too much with the pace at which things are moving. From his point of view he may be quite right. He may be impatient when we point out that the progress is so slow as to make us feel sick. But if he were to put himself for a moment in our position he would see how legitimate our complaint was and how necessary it was that we should ventilate our views from time to time in order that the authorities might know that the rate of change in regard to vital matters was not such as to

satisfy any section of the people of India. In order to enable him, Sir, to appreciate the facts that in our opinion govern the present situation, I will

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ask him to take his mind back to the time when the Islington Commission was taking evidence in this country. I am sure he knows the character of the evidence tendered before it by the European members of the Indian Police. My Honourable friend has spoken of the co-operation between the European and Indian members of the Services, but I am sure he is not unaware of the fact that the European members of the Imperial Services, forgetting the need for Indian co-operation, left no stone unturned to run down the Indians and to make out that they were not fit to be employed in responsible positions in a larger proportion than they were at the time the Islington Commission came to this country. People, like my Honourable friend Mr. Conran-Smith, may be tempted to say when they are confronted with such unpleasant facts as the evidence given by the European members of the Indian Police before the Islington Commission that I am raking up things which have no connection with the present. Well, Sir, let us see then what the present situation is. My experience even at the present time is that, whenever Indians ask for a change in the present state of things they are told that it is not in their own interests that things should move as fast as they desire and that if law and order have been maintained in India and those conditions have been secured which make future progress possible, it is due to the presence of the Britisher in this country. Again, Sir, let us look at the progress that has actually been made in the Indian Police so far as an increase in the Indian element goes. I asked Mr. Conran-Smith yesterday to supply me with figures showing the number of Europeans and Indians in the Indian Police in 1924 and 1941 and it is due to his courtesy that I am able to point out to the House the increase in the number of Indians in the Indian Police during these 17 years. In 1924 their number was 79; today, including listed posts, it is about 200, but taking the Service as a whole the Indians are still only about half of the Europeans. Now, I do not remember the figures with regard to the proportion of Indians and Europeans in the Indian Civil Service but, so far as I remember, the Indian position is better in the Indian Civil Service than it is in the Indian Police. I mention this in order to show that in our opinion it is not enough for any spokesman of the Government to say that things have changed during the last 15 or 20 years. He must adopt some objective standard; he must compare the progress made in one department with that made in other comparable departments. If he does so, he will realise that there is justifiable cause for discontent in India so far as the Indianization of the Indian Police goes.

There is another important fact, Sir, which I think I should draw the attention of the House to in this connection. Till the Government of India Act, 1935, came into force, His Majesty's Government could, by executive order, regulate the proportion of Indians and Europeans to be recruited to the Indian Civil Service and the Indian Police. That position, however, has been radically changed. The White Paper suggested, as my Honourable friend Mr. Sapru has pointed out, that five years after the establishment of provincial autonomy an inquiry should be made into the progress of Indianization in the Indian Civil Service and Indian Police and perhaps other Services.

**THE HONOURABLE MR. E. CONRAN-SMITH :** May I ask my Honourable friend to make his point clear? Does he mean to say that since the Act of 1935 was enacted the Secretary of State has no power to change the ratio? Do I understand him to say that?

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** I will make my position quite clear. I do think that the Government of India Act has changed the position in that respect. It is intended now that before any change in the present methods of recruitment is made the order of the Government should be placed before both Houses of Parliament and, so far as I remember, no change can be made unless both Houses approve of it. I am not quite certain on this point, but an order changing the proportion has, I believe, to be placed before both Houses of Parliament, and I suppose if either House declines to accept the recommendation of the Government, the executive Government will not be in a position to implement its decision. But, even, Sir, if the interpretation that I have placed on the Government of India Act is not accepted, I do think that the conditions in England have changed so vitally that we cannot expect easily to have a Secretary of State like Mr. Montagu, who decided merely by an executive order in 1919 that one-third of the recruitment for the Indian Civil Service should take place annually in India. I have not got the Government of India Act with me, Sir, but my Honourable friend Mr. Sapru has drawn my attention to section 244 of the Government of India Act. Clause (3) of the section reads as follows :—

“ The respective strengths of the said services shall be such as the Secretary of State may from time to time prescribe and the Secretary of State shall in each year cause to be laid before each House of Parliament a statement of the appointments made thereto and the vacancies therein ”.

The Secretary of State has power to fix the strength of the Services, but this is very different from fixing the proportions in which Indians and Europeans are to be recruited. Again, the fact that he has to inform both Houses whether any vacancies have remained unfilled and if they have been filled in what manner they have been filled shows, if I may say so, the trend of the existing constitutional provisions. A Liberal Secretary of State, a Secretary of State, say, belonging either to the Liberal Party or to the Labour Party, will find it very difficult to act as Mr. Montagu did in 1919 and substantially raise the proportion of Indians to be recruited to the Indian Civil Service or the Indian Police Service as the House of Lords may oppose its policy.

Sir, my Honourable friend Mr. Conran-Smith asked us to remember the special conditions prevailing on account of the war and said that they did not allow the Government to tinker with the Services which ought at the present time to be kept intact. He himself, however, gave us figures to show that there was not much force in his argument. He told us that in spite of the present regulations, the Secretary of State had recruited or been able to recruit only three Europeans in 1940 and that in 1941 no Britisher had been recruited. Well, then, if existing conditions make it very difficult or virtually impossible for the Secretary of State to recruit Britishers to the Indian Police, why not accept the Resolution of my Honourable friend Mr. Sapru or ask the Secretary of State for India to do so ? If you have any intention of equalising the proportion of Indians and Europeans in future by appointing Britishers later to the posts for which qualified British candidates cannot be recruited now, then it is a different matter. But if by pointing out the difficulties of recruitment in England at the present time Mr. Conran-Smith meant to say that the number of Indians would rise more rapidly and that of Europeans go down more quickly than it had done in the past, then I say that so far as existing conditions are concerned they ought to induce the Government to accept my Honourable friend's Resolution, because for all practical purposes the situation is such as to compel Government to accept the demand made by the Honourable Mr. Sapru in his Resolution.



There is only one other point that I should like to deal with before I sit down. Mr. Conran-Smith in appealing to us to be reasonable asked us whether we were certain that Indian members of the Indian Police desired to break up the Service. I did not quite understand what he meant by this rhetorical appeal to us. In the first place the Indianization of the Indian Police does not mean its break up. Does my Honourable friend who asked us to free our minds from racial prejudices think that if a service contained a preponderatingly or exclusively Indian element it must be regarded as having been broken up. My Honourable friend Mr. Sapru did not say that the Indian Police should be done away with. He did not suggest that recruitment for it should not take place on the present basis or that the recruitment should not be controlled by the higher authorities. He did not suggest that each province should be able to do what it likes without being subject to the control of the Central Government. All that he suggested was the taking of steps which would bring about a change in the composition of that Service. Again, Sir, while I come from time to time in contact with members of the Indian Police as I do with members of other Services, I confess I have never found that the Indian officers were diffident and wanted the continuance in their own interests of the British element in the Indian Police. I do not really understand what the Honourable Mr. Conran-Smith meant by asking us whether the Indian members of the Service desired to break up the present Service. So far as I know the Indian members desire a more rapid Indianization of the Service. They are not diffident about their ability to maintain law and order in this country and I think they are at one with other sections of their countrymen in wishing that the Indian element should be more largely and more rapidly increased in the Indian Police. Sir, that is all that I wish to say and I do hope that my Honourable friend Mr. Conran-Smith, if he speaks again, will really tell us what the practical difficulty in the way of the acceptance of Mr. Sapru's Resolution is. He has pointed out a technical difficulty. I see the force of that, but if the Government of India themselves make a recommendation to the Secretary of State that this Resolution will be accepted, the purpose of this Resolution will be gained. In any case, Sir, whatever procedure the Government of India may adopt, they have to make it clear to the Secretary of State that nationalist opinion in this country desires the Indianization and the rapid Indianization of the security services. Their own policy in this country has not been such as to give satisfaction to the people. We have become aware during the last few days that almost every appointment which the Government could fill they have filled by Europeans. Mr. Tyson of the *Capital* is selected to write the *History* of the industrial effort made by India in connection with the war up to the present time. A former Defence Secretary, Mr. Mackworth Young, is asked to write the history of the war—

**THE HONOURABLE THE CHAIRMAN** (The Honourable Sir David Devadoss): Order, order. Is that not outside the scope of the Resolution?

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU**: What I am pointing out is that the Government of India should realise the strength of our sentiment, should change their own policy and should recommend to the Secretary of State also the adoption of a more enlightened policy which would give satisfaction to the country. That is the only way in which the purpose that Mr. Conran-Smith and, let me say, I too have in view can be achieved. That is the only way in which we can continue to work together for the victory of those principles which, as he said, are dear not only to his nation, but to mine also.

**THE HONOURABLE MR. E. CONRAN-SMITH :** Sir, I think while the matter is fresh in my mind I should like to deal very briefly with one or two points made by my friend Dr. Kunzru. I could not follow his interpretation of the Government of India Act. He will remember I told the House that the Secretary of State changed the racial proportions so recently as 1939, and the Act was passed in 1935. On a further perusal of section 244 I still find nothing to substantiate what my Honourable friend said. So much for that.

Dr. Kunzru, I am sure not wilfully but very definitely, misrepresented what I said. What I deprecated was not the break-up of the Service but a break-up of the partnership which, I think my Honourable friend will admit, is a very different thing—

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** I tried to note the words of the Honourable Member and what I have written is this : “ Do Indian Members of the Service desire to break up the Service ? ” I may not have heard him very clearly but this is what I wrote down at the time.

**THE HONOURABLE MR. E. CONRAN-SMITH :** I dare say my Honourable friend's hearing was not very good or my articulation was not very good ; but what I definitely said was “ break-up of the partnership ”. There was no point otherwise in my observations. He also referred to a suggestion which apparently he put in my mouth, that the Indian members of the Police were so diffident that they required Europeans to stand by them. I never said that at all, nor suggested it. In fact the trend of my remarks was quite the opposite and I asked what need there was to prove to the House that Indians were quite capable of being efficient members of the Indian Police Service.

There was one other point with which Dr. Kunzru concluded his remarks. He asked me to inform the House what practical difficulties there were in giving effect to this Resolution. I really covered that point when I said that the general observations I offered on the I.C.S. Resolution applied equally to this Resolution regarding the stoppage of European recruitment to the Indian Police ; that is to say, that if you accept this Resolution you are finally disturbing the existing composition and the existing system on which the Police Service is based, and you are therefore anticipating the decision which ought to be taken by authorities after the war. That was the answer I gave in the case of the I.C.S. and it is the answer I must give now to my Honourable friend. Let me say in conclusion that I hope my appeal has not fallen entirely on stony ground. I regard Dr. Kunzru as a very reasonable man and I think I saw slight symptoms of response on his part to the appeal which I made to him.

**THE HONOURABLE MR. P. N. SAPRU :** Sir, the Honourable Mr. Conran-Smith said that I had approached the question raised by this Resolution with a tiny mind—

**THE HONOURABLE MR. E. CONRAN-SMITH :** Sir, I said “ tidy mind ”, not “ tiny ”. I added that my Honourable friend did not apparently like loose ends—

**THE HONOURABLE MR. P. N. SAPRU :** It is quite true that I brought a Resolution of a similar character regarding the Indian Civil Service in March, but then my Honourable friend Mr. Conran-Smith has not been in public life and he does not know the art of agitation. Repetition is agitation and as we wish to achieve certain objectives, we have to bring these questions constantly before the House. That, I take it, is the parliamentary method of

agitation, and that is my excuse for taking up individual services and raising the same question over and over again in a different form. He said that in this Resolution, whatever my other faults might or might not be, I was more honest. I did not talk of suspension of recruitment, I talked of stoppage of recruitment. That is perfectly true. I had experience of what that word "suspension" could lead to in the last debate. Therefore I decided that I would be more direct and straightforward and that I would ask what I really wanted, namely, stoppage of recruitment. The Honourable Mr. Conran-Smith complained that I had attacked the European members of the Police Service. I am not conscious of having attributed to them any bad qualities. I was concerned with building up a case for Indianization and what I said was that the Indian Police Service was not comparable with the Indian Civil Service. I think as a loyal member of his own Service he will readily agree with the view that the Indian Civil Service has a higher tradition and a higher standard of efficiency than the Police Service.

**THE HONOURABLE MR. E. CONRAN-SMITH :** I see no reason for expressing any such invidious preference.

**THE HONOURABLE MR. P. N. SAPRU :** It suits my Honourable friend in debate to say that, but I am quite clear in my own mind, that in his mind he is conscious of his own superiority—

**THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss) :** That is a failing of most people.

**THE HONOURABLE MR. P. N. SAPRU :** I am quite clear in my mind that he is conscious of his superiority. Now, it was not my desire to attack any particular section of the Police force. What I did say was—and what I do maintain is—that the Indians have rendered a very very good account of themselves and that you are getting a better class of persons for the Indian Police now in India than you are getting in England. I had to make this observation. These comparisons were made, as my friend the Honourable Dr. Kunzru pointed out, before the Islington Commission. I have read the evidence—practically a good portion of the evidence—that was tendered before the Islington Commission; I have read a good portion of the evidence that was tendered before the Lee Commission; I have read a good portion of the evidence that was tendered before other Commissions and always the racial issue was raised by our British friends. Indians have no character; they have no initiative; they have no grit; they have a capacity for passing competitive examinations but they do not make good in life. These are the sort of things that even men who rose to be Governors in Provinces said before the Islington Commission.

**THE HONOURABLE MR. E. CONRAN-SMITH :** That was many years ago.

**THE HONOURABLE MR. P. N. SAPRU :** Well, it is possible for my friend to forget these things but it is not possible for us who have suffered to forget everything and therefore our memories cannot be so short as the memories of our British friends. Then, again, he talks in terms of partnership, and I want to be perfectly clear about this word "partnership". What does it mean? Is India to be a free and equal partner in the British Commonwealth of Nations or is this partnership to be a sort of junior partnership with some kind of self-government in an imperialistic structure?

**THE HONOURABLE MR. E. CONRAN-SMITH :** Is that a rhetorical question ?

**THE HONOURABLE MR. P. N. SAPRU :** It is a very relevant question as my Honourable friend will just see. If India is to be fully self-governing then she must have control of her services and it must be for the Indian Government of the future to decide whether it shall have Europeans or whether it shall not have Europeans. It must be for the Indian Government of the future to decide what the proportion of Europeans and Indians shall be. These are fundamental questions and you cannot sort of camouflage issues by talking of partnership. And when did this word "partnership" strike out British friends ? Did they think of partnership before 1919 when no single Indian could be admitted to the Police Service ? I ask the Honourable Mr. Conran-Smith to subject himself to a little introspection. I ask him, if he were an Indian, would he not feel his race insulted by the treatment that was meted out to us until 1919 ? Not even, Sir, Muhammad Yakub, who is such a loyal supporter of the British Government, could have got admission into the Indian Police until 1919.

**THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss) :** You may leave out personalities.

**THE HONOURABLE MR. P. N. SAPRU :** I was just illustrating, Sir. I was, therefore, speaking about a service which had maligned our countrymen. Almost all the police officers were consistently opposed to any Indianization whatever. Therefore, why should I be generous in my estimate of these very wonderful men who have not been able, as far as I can see, to discharge those functions which you expect of a police officer, namely, adequate prevention of crime. I therefore have no regrets for the remarks that I made about the Police Service in general in my first speech. I maintain that the present position in regard to the Police Service is very unsatisfactory. I think I gave the figures correctly. It is not my habit, like Dr. Kunzru, to busy myself with figures, but I had the figures up to 1941, 24th March, and I quoted those figures correctly. The figures that I gave were of the numbers in service on the 1st January, 1940, namely, 422 Europeans and 194 Indians. After the 1st January, 1940 there must have been some change and there probably are 200 Indians now. Therefore the listed posts were included in those figures.

**THE HONOURABLE MR. E. CONRAN-SMITH :** How did you make it less than one-third ?

**THE HONOURABLE MR. P. N. SAPRU :** I said it would be less than one-third of the entire Service. If you put 422 and 194 together, the ratio of Indians is less than 33 per cent. of the entire cadre. That is what I meant.

**THE HONOURABLE MR. E. CONRAN-SMITH :** I am afraid, Sir, it was again a case of faulty hearing or faulty articulation.

**THE HONOURABLE MR. P. N. SAPRU :** Then my Honourable friend Mr. Conran-Smith said that he was not quite sure whether the members of the Service wanted to break up this partnership. Well, I do not know what the members of the Service want. I do know that our members of the Service are conscious of their worth and that on the question of Indianization the Indian members are very strong. I mean if it is a question of a job in the Secretariat and so on and so forth, the Indian member does not bother about his European colleague ; he bothers about himself. And so far as the Indian members of the

Services are concerned their point of view would be naturally that if the Services were entirely Indianized their chances of promotion and selection will be better. Therefore I am not sure that my Honourable friend Mr. Conran-Smith is likely to get any support from the members of the Indian Police. Then he said that he did not know whether the masses wanted this partnership to be broken up. Well, I would only point out to him the results of the elections to the last Provincial Legislatures, and I make to him a challenge. Let him go to the masses and let me go to the masses ; let him select any village, and I assure him that I shall be able to carry 100 per cent. of the votes and he will not be able to carry even one.

**THE HONOURABLE MR. E. CONRAN-SMITH :** I am not a political speaker.

**THE HONOURABLE MR. P. N. SAPRU :** Let him select any political speaker. That is an open challenge. If you think that the policies which we advocate are not in harmony with the policies which commend themselves to the people, hold provincial elections. I send that challenge out. What is the use of saying that you have the masses with you. The fact is that you have not the masses with you. You have part of the intelligentsia with you, because the intelligentsia can think and it is more self-centred than the masses. But you have not the masses with you. Do not be under any delusions.

**THE HONOURABLE MR. E. CONRAN-SMITH :** I asked if you were sure you had the masses behind you.

**THE HONOURABLE MR. P. N. SAPRU :** I am perfectly clear in my mind. I am certain. I have no illusions in regard to this matter, that I have my countrymen behind me.

**THE HONOURABLE LT.-COL. SIE HISSAMUDDIN BAHADUR (Nominated Non-Official) :** In the cities, not in the villages.

**THE HONOURABLE MR. P. N. SAPRU :** I think the villages are better than the cities. Now, Sir, he said that this was not the time for raising these issues. Well, if that is so why is Mr. Amery saying, " Oh, please compose your differences. You all sit down to draft a constitution among yourselves " and so on and so forth. In order to win the support of the working classes statesmen have had to make large promises ?

**THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss) :** You have exceeded your time.

**THE HONOURABLE MR. P. N. SAPRU :** Why should there be a different rule for us ? In this country we all ardently desire a victory for democracies but what we do say is that you must practise also in your own Empire the big professions of democracy that you are making in other parts of the world. We want you to be fair to this country. We do not want to embarrass you, but we do think that nothing must interfere with the assertion of our rights at this supreme moment in our history. Therefore, Sir, I should have been glad if this Resolution had been accepted in some form by Government but knowing the constitution of this House and knowing that, if in defiance of the Government Whip, I challenge a division I shall be defeated, I shall accept the suggestion of Mr. Conran-Smith that he will forward the debate to the Secretary of State.

The Resolution was, by leave of the Council, withdrawn.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Sir, this was not our purpose. I think what Mr. Conran-Smith suggested was that the Resolution should be so amended as to ask the Governor General in Council to forward the debate to the Secretary of State.

**THE HONOURABLE THE CHAIRMAN** (The Honourable Sir David Devadoss) : He did not ask for an amendment.

**THE HONOURABLE MR. E. CONRAN-SMITH :** That was not what was done on the last occasion.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** When he spoke I thought that was what he suggested.

**THE HONOURABLE THE CHAIRMAN** (The Honourable Sir David Devadoss) : I think it is all right.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** I am very sorry, Sir, that the Resolution was not amended. My Honourable friend Mr. Sapru withdrew it.

**THE HONOURABLE MR. P. N. SAPRU :** I said having regard to the temper of the House that was the utmost that I would get and therefore I was prepared for my Resolution to be forwarded to the Secretary of State.

**THE HONOURABLE THE CHAIRMAN** (The Honourable Sir David Devadoss) : That is withdrawing.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** May I take it, Sir, that the Resolution is, by leave of the Council, withdrawn and that the debate will be forwarded to the Secretary of State ?

**THE HONOURABLE THE CHAIRMAN** (The Honourable Sir David Devadoss) : The Honourable Pandit Kunzru.

#### RESOLUTION *RE* PROTECTION OF THE RIGHTS OF INDIANS IN MALAYA.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU** (United Provinces Northern : Non-Muhammadan) : Sir, I beg to move :—

“ That this Council recommends to the Governor General in Council to take adequate steps to protect the legitimate rights of Indian nationals in Malaya and to give his full support in particular to the efforts of the Indian workers on the rubber plantations in Malaya to improve their living conditions and to secure higher wages. ”

This Resolution, Sir, relates to a subject of profound interest to every Indian. Since Mr. Gokhale moved his famous Resolution relating to the stoppage of indentured labour to Natal in the old Imperial Legislative Council in 1909, the treatment of our nationals outside India has been a question which has been causing great anxiety to the public of this country. We have at various times discussed the position of Indians living outside India. I regret that I should have found it necessary to draw the attention of the Government to the situation that prevails in Malaya but, considering the present circumstances, I have no option but to bring up a Resolution in order to inform the Council of the plight in which Indian workers in Malaya find themselves.

Sir, Indian emigration to Malaya began about the commencement of the last century. When exactly indentured emigration began I cannot say, but it was in existence for a long time and was stopped only in 1910. The last indenture expired in 1913. This was, so far as I know, the only positive step taken by the Government of India in the past in order to protect the Indian workers from the hardships which they were suffering from. So far as the wages of the Indian workers are concerned they were not regulated by the Government of India in consultation with the Government of Malaya. I think the regulation of the wages was left to the workers and the employers but the state of things has been such that the workers could not hope to obtain a fair deal and no one would be disposed to deny that. After 1924, however, *i.e.*, soon after the passing of the Indian Emigration Act of 1922, Government, in accordance with the views of the Standing Emigration Committee, took steps to see that the Indian workers were assured of a certain level of wages in Malaya. I need not go, Sir, into the history of this question. It is enough on this occasion to point out that it was agreed between the Governments of India and Malaya in 1928 that the wages of male and female labourers in Malaya in certain areas known as the key areas should be 50 and 40 cents daily, respectively. There were certain other areas which were unhealthy and not easily accessible where a higher rate of wages was fixed but soon after the standard wages had been fixed the rubber industry was overtaken by depression and the Government of Malaya represented to the Government of India that the Government of India should agree to a reduction of 20 per cent. in the standard wages agreed to in 1928. The Government of India gave its consent, assuming that the reduction would only be temporary. This reduction continued in force, however, for a number of years. When Mr. Sastri went to Malaya on behalf of the Government of India in 1937, the wages of both male and female labourers were raised by about 5 cents a day and I think he was given to understand that owing to changed economic conditions and the rise in the price of rubber it would soon be possible to restore the wages of Indian workers to the level at which they were fixed in 1928. This promise, so far as I remember, was carried out; but some time later the planters without waiting to know the views of the Government of India, without giving them even an adequate opportunity of making the necessary representations, by unilateral action alone decided once more to reduce the wages of the Indian workers on the ground that the condition of the rubber industry had deteriorated. The Government of India was forced then both in order to preserve its right to be consulted and to protect the interests of its nationals to put a ban on the emigration of labour to Malaya. There is, however, a difference between the character of the notifications issued with regard to Malaya and Ceylon. While emigration of unskilled workers both assisted and unassisted has been banned in the case of Ceylon, only assisted emigration of unskilled workers has been banned in the case of Malaya. I have referred pointedly to the two notifications in order to draw the attention of the House to the lingering hope in the mind of the Government of India that if they did not take the full action that they were entitled to under the Emigration Act, they might soon be able to arrive at an amicable settlement of the issues in dispute with the Government of Malaya. That hope has, however, been completely falsified by events. So far as I know the Government of Malaya have given no indication of any desire on their part to see that our workers on the rubber plantations were fairly dealt with.

Before I go further, Sir, I should like to point out the character of Indian labour in Malaya, the categories into which it can be divided, the work in which it is employed at the present time and the wages that it draws when

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it is employed under different authorities. I should also like to point out at this stage the total number of Indian workers on rubber plantations and the extent to which the rubber estates are dependent for their prosperity on the Indian worker. The Indian workers in Malaya are not wholly employed on rubber plantations. A very large number of them is so employed, but there is also a fairly large number of them employed under Government and other public authorities. The number of Indian workers on the European estates is about 200,000 and the total number of workers on the estates is a little over 240,000. The House will thus see that 80 per cent. of the labour required by the European estates is provided by Indian workers. Why is it then that these European employers are now thinking of importing labour from Java and are now telling Indians that if they do not yield to their employers they might soon find themselves in a worse position than they are in at the present time. Is Indian labour inefficient? I think this question was gone into by the Right Honourable Srinivasa Sastri and this is the opinion that he has expressed on the subject in his Report:—

“ Indian labour on estates in the long run is the most efficient and the majority of employers realised that it pays them to maintain a contented labour force ”.

The House will thus see that European plantation owners employ Indian workers not because of any sentiment that they may have in favour of the employment of men belonging to the Empire but because Indians are in the long run more efficient and therefore more economic workers than say the Chinese or the Javanese.

Now, I will pass on to the other point to which I wish to draw the attention of the House. I have already told the House the number of Indian workers on European estates. I should like now to tell them what is the number of Indian workers employed in the Government and other Public Departments. In the year 1939 it amounted to a little over 49,000. But these people, *i.e.*, the Indian labourers who are working under Government and Public Departments are in a better position with regard to wages and the receipt of cost of living allowances than the workers on European plantations. I have already informed the House of the ban on the emigration of Indian labour which the

1 P.M. Government of India was compelled to impose in 1938. The rising prosperity of the rubber industry, however, and the growing discontent of Indian workers compelled even the short-sighted and recalcitrant employers of Indian labour in Malaya to recognise that things could not continue as before, and that the wages of Indian workers had to be raised. Some time ago, therefore, the wages were raised again to the standard figure, and a little later, owing to the discontent that prevailed among Indian workers, they were further raised by five cents. Before the recent strike in some parts of Malaya, of which I shall speak very soon, the wages were I believe 55 cents for male workers, and 45 cents for female workers. After the first strike this year they were further raised, and the wages for male workers are now 60 cents a day, and for female workers 50 cents a day. Government and the public bodies acted more wisely than the planters and their workers. They were not treated, to begin with, in the way in which the workers on the plantations were treated. The Government of Malaya while, for some reason which I cannot understand, supporting the European plantation managers, did not themselves go so far as to reduce the wages of Indian workers in the way that the European estates did. Apart from this owing to the rise in the cost of living, the Government have fixed cost of living allowances for their workers about which I shall presently inform the House. According to the latest decision of the



Government of Malaya, Indian workers in receipt of wages comparable to those received by Indian plantation workers are to receive 5 dollars and 30 cents a month. Now, if a month is to be taken to consist of 24 working days, as it does in the case of labourers, then the daily increase in wages amount to about 22 cents. The European employers of Indian labour have, however, increased Indian wages, or if you so like to put it, given a cost of living allowance to Indian workers, which is less than half of what Government have given. While the Government of Malaya are allowing about 22 cents a day more to their workers, the European employers are giving their labourers only about 10 cents a day more. I do not know what this difference is due to. One would have thought that the Government of Malaya having adopted an enlightened attitude themselves would also bring pressure to bear on the European employers of labour to adopt a similar attitude. It is a matter, however, of great disappointment and dissatisfaction to us that the Malayan Government which seemed disposed to take up the cause of Indian workers some time ago has now succumbed completely to the influence of the European employers.

Now, Sir, the disparity between the lot of the Indian workers in Government and other public departments and those employed on the rubber estates could not but be productive of discontent, deep and acute, among the Indian workers on the estates. There was in consequence of it a strike some time ago, but before I deal with it, I should like to point out that there is disparity not merely between the wages of the estate worker on the one side and the worker in a Government or other public department on the other, but also between the wages of the Indian workers on the estates and the Chinese workers on the estates. I asked Government the other day to let me know what the daily wages of a Chinese worker in Malaya were, and so far as I remember, my friend Mr. Bozman told me that the average daily wages of a Chinese amounted to a dollar a day. From the information that I have received from Malaya, it appears that in a fair proportion of the cases, the Chinese worker receives as much as a dollar and 20 cents a day. The contrast thus between the 50 cents paid to the Indian worker and the 100 or 120 cents paid to the Chinese workers becomes glaring. We need not, therefore, be surprised if the Indian workers taking heart from the example of the Chinese thought of organizing themselves and bringing pressure to bear on their employers. They had first asked that they should be given an increase of 20 cents in their wages. The Controller of Labour and the Under Secretary to the Malaya Government to whom they had applied at the same time as they had done to their employers, informed them that they could not interfere. Becoming desperate then and seeing no other hope, they took the only step that promised them a redress of their grievances. They went on strike. The Reports of the Agent of the Government of India in Malaya for past years will show that Indian workers had been uncommonly quiet. They had given no cause for dissatisfaction to their employers. Honourable Members can, therefore, easily realise how grave must have been the dissatisfaction among them which compelled a fairly large number of them to go on strike. The Government of Malaya issued a communiqué in which they charged the Indian workers with having been guilty of violence. They gave certain illustrations showing that the workers had not been quite law abiding; but there is another side to the question. When the strike spread and the Government of Malaya threatened to take serious steps against Indian workers, some members of the Central Indian Association of Malaya, notably its President, Mr. Ragnavan, who is one of the most responsible Indians in Malaya, and whose capacity and honesty of purpose are admitted not merely by the Indians, but also by the Europeans, made personal investigations into the causes of the strike by visiting the

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estates with the permission of the Government and the planters. And I understand that these people came to the conclusion that the Indian workers had in some cases been harshly treated. In one or two estates, if not in more, they had been deprived of light. In some other estates the water supply was stopped. Explanations of these were offered afterwards by the employers, but having had an opportunity of discussing it with Mr. Raghavan who was lately in this country, I feel that undue pressure was brought to bear on the Indian workers by their employers and that this was one of the reasons why the Indian worker did not remain as quiet as he might otherwise have been. The House must not however suppose that I accept the allegations of the Government of Malaya against the Indian workers. We do not as yet know the full facts. There has been no judicial inquiry into the matter. Such facts as have come to light have been placed before the public by the few Indians who inquired into the causes of the strikes.

Sir, the Indian workers have gone back to work and listened to the advice of their leaders, but there are one or two things in connection with the strike which the House should take serious notice of. When the strike was going on a battalion of Indian soldiers with an armoured car unit was brought into the district where the strike was going on on the ground that it was necessary to use force to prevent violence being done by the Indian workers. Now, Sir, without prejudging this question, I should like to ask why it was that an Indian battalion was selected to deal with the strike. We have sent our soldiers to Malaya not to quell strikes and not to fire on their countrymen there but to take part in fighting the enemy should war break out. We have sent our forces to Malaya in defence of the Empire but not in order to have our own countrymen shot down. Whatever the Indian workers might have done the Government of Malaya ought to have used the volunteers or other forces belonging to Malaya. By using Indian soldiers to fire on Indian workers they have exhibited a spirit of unexampled arrogance and have insulted every Indian, not merely in Malaya but also in this country.

THE HONOURABLE THE CHAIRMAN (Sir David Devadoss) : Will you be much longer ?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I will take about 15 minutes more.

THE HONOURABLE THE CHAIRMAN (Sir David Devadoss) : Then this will be a convenient time to adjourn.

The Council then adjourned for Lunch till a Quarter to Three of the Clock

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable Sir David Devadoss in the Chair.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I was referring, when the House adjourned, to certain very unpleasant facts connected with the strike that took place in Malaya a few months ago. I pointed out that on the plea that Indian labourers had resorted to violence, the Government of Malaya used force against them and further that it used an Indian

unit to fire on them. I objected strongly to the course of action taken by the Malayan Government. As I pointed out, our troops had been sent there for the defence of Malaya, not for the defence of the capitalists of Malaya. We had sent them for the protection of the Empire and not for the destruction of Indian life and property. It is, Sir, extremely humiliating that our troops should have been used to fire on our men. I do not know what the casualties were—perhaps my Honourable friend Mr. Bozman will enlighten me on the point later on—but, whatever the number of the killed and wounded, I trust every Member of this House strongly objects to and resents the improper use, the highly improper use, made of the Indian troops by the Malayan Government. Apart from this, Sir, I understand that, after the riot, a number of people were taken into custody. I do not know the exact number involved, but I understand that it was between 200 and 300. Again, Sir, an order was served on two persons, who were, I believe, returning to India, that they should not go back to Malaya, and I have been given to understand that both of them are under surveillance in this country. I should like to know what steps the Government of India took when they came to know that Indian workers had been fired on and that Indian troops had been used virtually to draw a cordon round the places where the strike was going on, to convert the estates into so many detention camps. Considering the past attitude of the Government of India, I hope that a satisfactory answer will be given on this point, but I should like to know definitely whether the Government of India protested against the manner in which the Malayan Government had acted. I should further like to know whether they demanded a judicial inquiry into the circumstances attending the firing and into the causes of the strike. I have already explained to the House the serious difference of opinion that exists between Indian leaders on one side and the Government of Malaya on the other. It behoves the Malayan Government, therefore, to order a judicial inquiry into the causes of the strike and the firing on the strikers. Had such an event occurred in this country, I am pretty certain that the Government would have had to order an inquiry. In asking for such an inquiry in the case of Malaya we shall not, therefore, be asking for anything which the Government of India themselves would not be prepared to grant. The least that can be done at the present time is that an impartial body should be appointed to investigate the matter fully. Lastly, I should like to know how the people, who were arrested after the strike, have been dealt with and what is their exact number. Have they been tried in a Court of law or have they been dealt with by the executive Government according to its pleasure? If they have been dealt with by executive order, I should like to know whether the Government of India asked that they should be consulted before any steps were taken against them, or that their Agent should be given an opportunity of making representations before the cases of these people were finally disposed of. The matter is a very serious one. The charges of violence that have been brought against the Indian workers cannot be accepted at their face value. There is an uneasy suspicion among the Indian community of Malaya and among its sober leaders that the development of the Trade Union movement among Indian workers is not looked upon with favour by the capitalists of Malaya. It is necessary, therefore, Sir, from every point of view that the matter should be fully inquired into and that the Government of India should use all their power and influence to secure justice for our helpless countrymen whose only crime is that they are docile and work quietly for the development of a country which is not prepared to give them a fair deal. I hope, Sir, that when my Honourable friend Mr. Bozman speaks he will also be able to tell me what has happened to the two men who were not allowed to go back to Malaya and who I understand are being watched by the police.

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Sir, however deplorable the incidents connected with the strike may be, we have to think beyond them and to take such steps as would create contentment among the Indian workers. To do so it is necessary to settle the question of the wages that should be paid to Indian workers as early as possible. I have already informed the House that the European employers were unwilling to pay the Indian workers in accordance with the standard of wages fixed in 1928. Circumstances have compelled them to go beyond that standard. Nevertheless, the increase that has been made in the standard wages is still less than what is allowed by the Malayan Government to Indian workers in Government and other Public Departments. Now, in dealing with this matter, Sir, I should like to say at the very outset that I consider the basis on which standard wages were fixed in 1928 to have been unsatisfactory. I cannot go into the details of this question, but there are two or three points in connection with the budget that deserve to be considered by the House. In the first place, the cost of living for the family excluding children, was fixed at 9 dollars. This seems to me to have provided for a totally inadequate standard. Perhaps when the wages were fixed all that was desired was that the Indian worker should get just a little more than he would have done had he remained in India. Now, I know that in pointing out the inadequacy of the standard I am not saying anything which the Government of India are not aware of. I believe that when negotiations took place between them and the Malayan Delegation to India in 1939 they themselves took the view that the old basis of the standard wages stood in need of revision. I do not know what detailed consideration they gave to the matter, but I believe that they were in favour of providing a higher sum for the cost of living. Another item that I should like to draw attention to is the provision for dependants. Now it has been assumed that the cost of a minor dependant will not be more than 14 cents per dollar of the cost of living allowed for adults. It has further been assumed that there will be only one child per family. Now I personally think that neither of these assumptions is in accordance with facts. The Malayan Government have said that the number of children in Malaya shows that there is less than one child per family there. But we all know the size of Indian families. We shall, I think, be erring on the side of caution if we assume that a family consists of two adults and not less than two children. All the children may not be in Malaya but they will have to be supported by their parents all the same. Again, an allowance of 14 cents per dollar for minor children making a total of a dollar and 26 cents for the whole month is again much less than what it should be. I have been told that a child may fairly be supposed to cost about one-third of the sum provided for an adult in the budget fixed in 1928. If this is done, a much greater provision would have to be made for dependants than has yet been made. There is just one other point also that requires to be considered and that is the provision of passages once in three years. I understand that these passages are provided only for actual workers, for people who are working on the estates. This is obviously inadequate. When the bread-winners return to India, they cannot obviously leave any of their dependants in Malaya. If therefore passages are to be provided for, they must be provided for the whole family and not merely for one or two people in it who may actually be workers on the estates. These are the main points that I think I should draw the attention of the Government and the House to in connection with the settlement of new standard wages. I know, let me say once more, that the Government of India are fully alive to the importance of these points and that they have urged them on the Malayan Government. I should only like to ask what success has attended their efforts.

and what further steps they propose to take in case a satisfactory settlement is not arrived at. I should further like them to bear in mind that the minimum wages which they fixed in 1928 have virtually become the maximum wages for the Indian workers and this state of things will continue so long as emigration is uncontrolled. I know that it has been controlled. I further know that although unassisted emigration is not controlled the number of unassisted emigrants to Malaya in the year 1940 has fallen considerably below what it was in the previous two years. It must have had a detrimental effect on the position of the Indian workers, in those years but it is satisfactory to know that in the year 1940 the number of unassisted emigrants was less than a thousand. But the Government of India must in future follow a more positive

3-5 P. M. policy in this respect than they have done in the past. They must take care to see that they allow only so many workers to emigrate to Malaya as would enable them to enforce the standard of wages agreed upon between them and the Malayan Government. Further the Indian workers should have full freedom to organise themselves and to agitate for further improvements in their wages.

Sir, I have so far spoken of the standard on which wages should be fixed in future and the principles regarding the emigration of Indian labour which the Government of India have in mind. I will just say one or two words more with regard to the general conditions under which both the estate and the non-estate Indian population in Malaya live.

THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss) : The Honourable Member has exceeded his time.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The questions which I should like to refer to very briefly are those of education and the general rights of citizenship. The Report of the Agent of the Government of India in Malaya for 1939 shows that the condition of the schools maintained for the children of the workers stands in need of considerable improvement. I feel, and many other Indians who are better acquainted with the state of Indian education feel, that, whatever cess the Malaya Government might take from the planters for the education of the children of Indian workers, it should directly assume the responsibility of providing schools both for the estate and non-estate children. So long as the education of Indian children on the estates remains the responsibility of the employers, I am afraid it will continue to be unsatisfactory. Besides, if the Government of Malaya are asked, and very justly asked, to assume the responsibility of providing sufficient schools for Indian children of all classes, the children of the non-estate population also will be able to receive that education which they are hardly able to get at the present time. This is an important point which bears vitally on the future development of the Indian population of Malaya, and particularly on that section of the Indian population which lives on the estates. Surely, it is not our desire that they and their children should for ever continue as manual workers. We recognise the dignity of labour, but they should not be forced for want of education to continue in their present condition. Again, Sir, the general rights of citizenship are no less important than the increased facilities for the education of Indian children. What these rights are is well known to the Government, because this again is a matter the importance of which they understand and which I believe have been urged by them on the Government of Malaya. If I mention them today, it is only in order to point out that there is a close and vital connection between the status of Indian workers and the status of the general Indian population in Malaya. Unless

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Government take steps to secure for the Indian workers in the estates, both in the Federated and Unfederated Malaya, a proper status as citizens of those States, and, unless further they make a determined effort to raise the status of the Indian community in general, the questions which I am dealing with, and which doubtless they have during the last twenty years been taking a keen interest in, will not be satisfactorily solved.

Sir, I have done. I have, I believe, dealt both with the questions requiring the immediate attention of the Government of India and other questions which must be settled if the rights of Indian workers and of the Indian community in general are to be fully recognised by the Government of Malaya and the planters. I should only like to say in conclusion that it is necessary that the Government of India should adopt a firm policy. I understand that the Government of Malaya have asked them to allow 500 labourers to emigrate to Malaya. The Government of India must set their face sternly against this proposal. We would regard any permission given by them for the emigration of Indian workers as asked for by the Malayan Government as a betrayal of Indian interests. I would further draw their attention to the use that the Malayan Government proposes to make of the Immigration Fund. A question was put to my Honourable friend the other day on the subject, but I hope he will be able to throw a little more light on it than he was able to do then. These questions should receive the early consideration of the Government of India. Unless they maintain an attitude of firmness and refuse to allow themselves to be influenced by the self-interested cry raised by the planters that, if they do not get more Indian labour, the effort that they are making in connection with the war will be impeded, the lot of Indian workers will not be improved for a long time to come.

THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss): The Honourable Member had better wind up.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: In view of the general attitude of the Government of India and also of the fact that the Emigration Department is presided over by my Honourable friend Mr. Aney, who is well acquainted with both the principles and the details relating to this question, I hope that the Government of India will tell the Malayan Government that they can expect no concession from them unless the Indian workers already in Malaya are given that treatment which they are entitled to, both from the material and the moral point of view.

The HONOURABLE MR. V. V. KALIKAR (Central Provinces: General): I rise to support the Resolution so ably moved by my Honourable friend Pandit Hirday Nath Kunzru. I want to confine my remarks to one particular point to which reference was made by my Honourable friend, and that is about the Immigration Fund. The Immigration Fund which has been in existence for a very long time in Malaya is, I understand, now to be used by the Malayan Government for importing Javanese labour. The purposes for which the fund was built are as follows. It is to be used, according to the Labour Code, only for the use of Indian labour and it has up till now been used for the grant of free passages to Indian labourers and their families, for general expenses incurred in the recruitment of Indian workers, for their free detention in quarantine camps and for transportation after arrival in Malaya and for the maintenance of unemployed labourers. This fund was subscribed by the employers for a particular purpose and now, when the employers find that Indian labour

is not acting up to their instructions they want to put down Indian labour in Malaya by various methods, amongst which is the diversion of this fund for importing Javanese labour. I want to know whether the Javanese labour is cheaper than Indian labour, and even if it is cheaper is it right that this fund should be diverted from the purpose for which it was built up? The result of this will be that legitimate and just demands of Indian labourers will be threatened and there will be rivalry between Indian and Javanese labour. Moreover, my Honourable friend Dr. Kunzru has just now referred to the strike and the firing. I understand from the Report that has been supplied to us by the Agent of the Government of India in Malaya that the Malayan Government was going to institute a committee of inquiry to go into the grievances of the labourers and also into the question of firing with an Indian High Court judge as its Chairman. But so far as my information goes and judging from reports in the press, no committee has been appointed up till now. One gentleman, Major Brown, Labour Adviser to the Colonial Office has arrived in Malaya and he is making an inquiry. He himself stated officially that he was not asked to make inquiries from the representatives of labour, but he is making certain inquiries. Sir, the Government of India must bring pressure on the Malayan Government to redress the just and legitimate grievances of the Indian labourers. The employers must know that they cannot treat Indian labour so unjustly, labour which has built up their estates and which is responsible for their prosperity. If their just grievances are not redressed Indian labour will have a right to protest. My Honourable friend has just said that Indian labourers are not allowed to form their own unions and I understand from the Report that has been submitted to us that an attempt was made to form a Labour Union in Klang district, but that union was also dissolved by the orders of the Government under the pretext that it was taking part in subversive activities. Owing to these conditions under which Indian labour is living in Malaya, I think the Government of India ought to take a very strong attitude, to see that the grievances of the labourers are redressed and to take steps to see that their interests are guarded. Sir, it is a very unfortunate thing at this time when the British Empire is involved in a life and death struggle that the subjects of one part of that Empire should be treated by the white races and by the Malayan Government in such a despotic manner. We know the Government of India share our feeling in this matter and we hope under the able guidance of the present Honourable Member in charge the legitimate grievances of our nationals in Malaya will be redressed and that all possible precautions will be taken to see that our nationals reside there as human beings and not as cattle.

With these words, Sir, I support the Resolution.

**THE HONOURABLE MR. P. N. SAPRU** (United Provinces Southern: Non-Muhammadan): Sir, I do not think I should be justified in inflicting a long speech upon this House after the very exhaustive treatment of the subject by the Honourable Dr. Kunzru, but I should like to give this Resolution my very strong support. The Honourable Mr. Aney who has had considerable experience of public life and who has been one of the leaders of public opinion in this country know how strong the feeling in the country in regard to the treatment of Indian nationals abroad is, and I can only express the hope that he will be firm in dealing with this question of Malaya and other Colonial countries. Sir, we know that there has been a good deal of labour unrest in Malaya owing to the failure of the Government and the planters there to give to the Indian workers adequate wages. There were some strikes in Malaya

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and what we now know is that the Government of Malaya used force against the Indian workers. Now, not only did they use force against the Indian workers but Indian troops were employed to shoot down Indian labourers. Now, Sir, Indian troops were sent to Malaya for a different object. They were sent there for purposes of defence of the British Commonwealth as a whole. They were not sent there to be at the disposal of the Malayan government for shooting down their own countrymen. If there were a public opinion in the world I should indict this wretched Malayan Government before the bar of that public opinion and if the Government of India were an independent State it would know how to deal with this most rotten of all governments imaginable, this Malayan Government. Why should their own countrymen be asked to shoot down Indians? Is it imaginable that they would have used these troops in the manner they have done if India were an independent or a free country? We do not want, Sir, our troops to be used for suppressing legitimate labour movements in the Malayan peninsula. They are prepared to pay to the Chinese heavier wages, higher wages. They have been exploiting the Indian worker for all these years. Now the Indian worker wants a little more in wages. Why should he be shot down? I hope, Sir, that the Honourable Mr. Aney will insist upon an impartial inquiry and that the Government of India will appoint its own men as commissioners to inquire into the whole incident. We wish to know exactly what happened, how things happened and what the condition of these labourers is.

Sir, reference has been made by the Honourable Dr. Kunzru to the fact that there is an effort on the part of the Malayan Government to suppress the Trade Union movement among Indians in Malaya. Of course, capitalists do not like the Trade Union movement—they dislike it intensely everywhere—but the Malayan European capitalists who have found Indians very docile so far do not like the sense of awakening among them. They do not like them to organise themselves and it is quite clear that labour cannot compete on equal terms with capital unless it organizes itself. Healthy growth of the Trade Union movement in Malaya is very necessary and I hope that the Honourable Mr. Aney will see to it that nothing is done to make it difficult for the Indian workers to organize themselves into Trade Unions. Of course, there are some people who see Red everywhere; I think, even in their sleep they see Red, but I am pretty confident that Mr. Aney is not of that class and we may be certain that he will be able to view this question in its proper perspective.

Then, Sir, I should like to say that pending a settlement of these big issues, time has come when we must take a firm stand on the question of further immigration of Indian workers into Malaya. I think this immigration should be stopped and stopped immediately.

Then I should like also, Sir, to associate myself with the observations of the Honourable Dr. Kunzru in regard to the education of Indian nationals in all its stages in the Malayan peninsula. I think the Government of India should press that the State in Malaya should take over the primary schools and should provide adequate funds for the secondary education of Indian children.

The other important question, to which reference was made by Dr. Kunzru, is that of citizenship rights in the Malaya States. Sir, there can be no bargaining on this fundamental issue so far as we are concerned. We cannot use the emigration question as a bargaining counter for citizenship rights. The question of citizenship rights is one of fundamental importance and unless



citizenship rights are granted to Indian nationals I should not, speaking for myself, permit any emigration at all. I am not interested in the rubber plantations. Let them go to hell. It does not matter to me. So far as I am concerned, what matters is the honour, the dignity and the status of this country and I hope that the reconstructed Government of India will act as a national Government and assert the self-respect of the Indian people. We have been having this trouble with the Malayan Government for a number of years. They have not been just to our workers. They have been shooting down our workers; they have been employing our troops to shoot down our workers. It is difficult to negotiate with a Government of this character. Malaya may be part of the British Empire but we cannot look upon this part as we would look upon a brother. We have therefore to tell them plainly, straight forwardly, clearly that our national pride, our national self-respect, our interests are directly involved in all that they have been doing and that unless they change, our relations with them are bound to worsen, and we shall have to think of drastic action against them.

With these words, Sir, I should like to give strong support to the Honourable Dr. Kunzru's Resolution.

THE HONOURABLE MR. G. S. BOZMAN (Secretary, Indians Overseas Department): Sir, I think the House will be grateful to my Honourable friend Pandit Kunzru for the objective survey which he made of conditions in Malaya as they affect Indians. In the course of my reply I hope I shall remain equally objective, and I should like to preface my remarks by saying that where I appear to be meeting arguments which he has advanced I am, in the main, reproducing the arguments of those who at the moment are not prepared to go so far as the Government of India would wish. Now, I think I had better deal with the individual points which have been raised in this debate, and probably it will be most convenient if I take up first the recent strikes. Those Members who have spoken have spoken with considerable feeling and I believe that some information I can give will be of interest to them. There were really two sets of strikes in Malaya. The first set of strikes occurred in March of this year. They were directed almost entirely to obtaining a betterment in wages. It was in the course of these strikes that Mr. Raghavan, to whom my Honourable friend referred, representing the Central Indian Association in Malaya offered his services to the Malayan authorities, that those services were accepted and a settlement of the strike was procured. The strike was settled on the basis of an increase of pay, though not so large an increase as was originally demanded by the strikers. Those strikes were really over by about the first week in April. There were two or three individual estates on which the workers did not go back to work, the principal reason being, I understand, that on those particular estates there were one or two workers who had been dismissed and not been reinstated. But the strikes recurred shortly afterwards in May. During the course of the last week or so in April and the first week in May, on a number of estates the workers made complaints about various matters to the Superintendents of the estates and to the Malayan Labour Department. I think I shall not be unjust if I say that such evidence as we have indicates that those complaints were treated too lightly. But whatever the reason, the fact remains that Indian labour was then extremely disturbed and the second set of strikes was precipitated by the arrest of a gentleman called Mr. Nathan on May the 6th, who was President of the Klang District Union. On the 7th or 8th strikes occurred on a large number of estates and there were on the 9th, I think I am right in saying, 7,000 labourers on strike in the Selangor district. On the 10th a number of clashes were reported between the police and the strikers, and military assistance was called

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out. The strikes were virtually over by the 17th of May and on the 26th of May the military forces were withdrawn. In the course of the strikes five labourers were killed and approximately 60 received more or less severe injuries. From the information that is available to me, the injuries inflicted upon the police or the military were negligible. I believe one officer sustained a broken ankle. After the strikes the Malayan Government took action under their Emergency Regulations which are in many respects comparable to our Defence Rules. Warrants were issued under that Regulation because the rubber industry is under that Regulation an essential service. 404 warrants were issued and 393 were executed, and the latest figures that I have as to the results of the deliberations of the Advisory Committee, which is constituted under the Emergency Regulation to deal with cases of this kind, are as follows : 196 were released on condition that they would not return to the same district ; 26 were released unconditionally ; 51 were detained after trial ; 21 were deported ; 97 were repatriated to India, that is to say, an offer was made to them that if they accepted repatriation deportation proceedings would be dropped ; one was acquitted and one case is still pending. My Honourable friend asked me what the authority was that dealt with these cases. It was this Advisory Committee presided over by a High Court judge or, in his absence, by a first class magistrate. The Committee consisted of a number of gentlemen nominated by the Governor and I think I am right in saying that during the course of these investigations one Indian was appointed to that Committee.

Now, I think the House would like to know what action the Government of India took with regard to these strikes. We received reports from our Agent very early that there was grave unrest and the possibility of a great deal of further trouble. We thereupon made representations to the Colonial authorities and we suggested to them that any action taken by them to deport Indian labourers in large numbers would require convincing justification. We were at that time receiving reports almost daily from the Agent as to the numbers that had been arrested, the numbers that were likely to be put up for trial and so on. We have since then made repeated requests to the Colonial authorities for a full, open, judicial inquiry into the course which the strikes took and the cause of the strikes and I must express the Government's keen regret and disappointment that the Colonial authorities have not hitherto seen their way to accept our proposal. I should add that throughout this correspondence we have stressed the need for the appointment of such an inquiry urgently, the reason being that the longer such an inquiry is delayed the less the evidence finally available. Apart from the action taken by the Government of India, we have also brought to the notice of the Colonial authorities the extreme resentment felt in India at the use of Indian troops to crush strikes of Indian labourers. I feel that the Colonial authorities should be in no doubt of Indian public opinion upon that point. Now, in the course of the strikes themselves, we did a little more. Our Agent was able to go round the affected areas himself and where circumstances permitted to give advice to labourers, to persuade them so far as possible to avoid violence, and at a later stage he requested the permission of the Government of India to engage legal assistance for those labourers who were put up before the Advisory Committee. The Government of India's agreement was forthcoming at once and in fact in 195 cases the labourers were represented by an Indian Advocate engaged by our Agent in Malaya. We have had suggestions made in the course of the debate that the strikes themselves were largely due to the attitude adopted by the employers. I think we should bear in mind that in the first strikes the employers came to a compromise. In the second strikes they did not come

to a compromise. But it must be, and must remain, a matter of opinion whether the particular grievances which gave rise to the second outbreak of strikes did or did not justify the measures that the labourers decided to take. I am not suggesting that the Government of India have concluded that the strikes were not justified.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** What is the view of the Government of India ?

**THE HONOURABLE MR. G. S. BOZMAN :** I am not implying that it is the view of the Government of India that these strikes were not justified. All I am saying is that on the information available, without any public inquiry, it must remain a matter of opinion.

Now, Sir, I think I can turn from the strikes to the question of wages in Malaya, which is in a sense more fundamental. Members of this House, I think, are aware that when the Malayan Delegation visited India at the end of 1938 or the beginning of 1939, the Government of India took the position that the basis of calculation of the standard wage required complete revision, and the basis that we put forward was that in calculating the wage to be paid to a man or to a woman you should consider the whole family and not the individual. My Honourable friend Pandit Kunzru has made a specific suggestion on that point and I may say that it is extremely close to the specific suggestion which the Government of India themselves made. We went a little further and at one stage we were attempting to make calculations in fractions of a child. The House, I think, will appreciate that when you are making calculations of this kind which are likely to affect the standard of wages for a considerable time to come, there are a large number of details which have to be taken into account, the items in daily use in an Indian family, the quantity of each item, the quantity required for children, and so on. It was while these calculations were in progress that the war broke out and the immediate effect was, of course, that all our calculations became upset. I am sorry to say that they remain upset, and I believe it will be appreciated that with prices varying as they now do and supplies being difficult to obtain, shipping freight being uncertain, and so on, the present is possibly the most difficult time in which to arrive at a reasonable standard which you can convert into rupees, annas and pies. There is another point with regard to that also. We have talked in the past of a standard wage, a wage which is intended to meet the normal requirements of a normal labourer. Well, that normal, on which we operated before the war, has of course disappeared. At the moment, it would probably be correct to say there is no normal. In the future, many people, I hope a great many people, believe that the new normal will be something quite different from the old normal, at least in its relation to the normal for the non-labouring classes. I therefore suggest that if the Government were now to attempt to fix a figure which would be binding in any sense either upon them or upon the Malayan Governments, it would be a work of supererogation. We should have to do it all over again as soon as the war ended. We have therefore suspended the investigations into the exact details of the family budget for the time being and we have devoted our attention to rather more immediate problems, and that brings me to the point which my Honourable friend raised, namely, the cost of living allowance. Now, here, I should like to safeguard myself very carefully. I shall say what the arguments are against giving the same cost of living allowance to estate labourers as to Government employees. The House will not, I am sure, assume therefrom that I accept those arguments. There are two differences between the Government employees and estate employees. In the first place the budget upon which

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the cost of living allowance for Government employees is calculated is a different budget from that upon which wages for Indian estate labour is calculated. I regret to say that I have not yet been able to obtain the details of the budget upon which the Government cost of living allowance is calculated. I can only say that there is a difference. To what extent that influences the difference in the allowance, I am not able to say. The second point is of more general application and it is a point to which attention was drawn by one whom it was my privilege to accompany to Malaya, Mr. Srinivasa Sastri. It is this, that generally speaking on estates husbands, wives and not infrequently children, are all earning. In Government employ it is unusual for the wife and the children to be earning also. That is to say, the total earnings of a man in Government employ may very well be less than the total earnings of a man on an estate when the family earnings are taken into account. Mr. Sastri, I remember, made a special plea to the Malayan Governments to provide work for the wives and children, so far as possible, of Government employees and the Malayan Governments returned a sympathetic reply and said that they would do so, as far as it lay in their power. I am not aware that very much progress has been made in that respect and here again I must say that I am not in a position to say to what extent the difference between the earnings of a Government employee and an estate employee warrant a difference in the cost of living allowance. But I may say at once that the Government of India have already addressed the Malayan Governments upon this point and that they are not yet convinced that there are sufficient grounds for the large apparent discrepancy to which my Honourable friend has drawn attention.

Now, Sir, I think I might turn to some other points that were raised in the course of the discussion. The suggestion was made that the Malayan Governments are at any rate obstructive with regard to the formation of trade unions among estate labourers. That is not in accord with our information. Major Orde-Browne, to whom an Honourable Member has referred, has conducted an inquiry in Malaya and so far as I know is likely to be back in England by now. But one of the points to which he gave special attention was the possibility of forming trade unions. Further, as some Members may be aware, the Malayan Governments have recently introduced a Trade Unions Ordinance and an Industrial Disputes Ordinance. Before these Ordinances were introduced, they asked us, I mean the Government of India, to offer certain comments which we did. All our comments were not acceptable but we did bear one thing in mind in making suggestions to the Malayan Governments. That is, that with the years of experience of trade unions and their working which have now been gained in Great Britain, in America and elsewhere, any country now initiating a trade union movement has an exceptional opportunity to start it on the right lines. I need hardly say that where labour is organizing itself opposition is bound to come from the employers, but given a real and earnest attempt on the part of the Government concerned to organize the movement in such a way as to avoid mistakes which have already been made elsewhere, I cannot myself see any reason why the movement should not rapidly become a successful one and ultimately yield the greatest benefit not only to the labourers but to the Government also.

We have not hitherto had any account of Major Orde-Browne's Report, if any report there is. Our Agent, however, was in touch with him while in Malaya and gave him to the best of his ability such information as he could regarding the requirements of Indian labour. Major Orde-Browne also visited estates and had discussions with labourers themselves and later with leaders of the Indian community in Kuala Lumpur and Singapore.

Then we have been asked what is being done with regard to education. Again it was Mr. Sastri who drew attention to the need for a great improvement in the level as well as the quantity of education available for Indians in Malaya. The need was recognised by the Malayan Governments and the last report I had, which is about a year ago, states specifically that the Inspector of Tamil schools, whom Mr. Sastri recommended, has been appointed and is now working, and that his task has been to improve inspection and supervision. But I am glad to say he has gone a little further than that, and he is now organizing training classes for teachers and refresher courses for trained teachers. In the meantime the numbers of estate schools have risen from 714 in 1938 to 790 in 1940.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** What is the quality of the schools ?

**THE HONOURABLE MR. G. S. BOZMAN :** I am suggesting that the quality of the teachers is now being improved, and if my Honourable friend will refer to Mr. Sastri's Report he will see that Mr. Sastri himself recognised that the measures that the Malayan Governments were then taking would take two or three years to produce any visible effects.

Then I have been asked to give some information about what has been called in the press the "Raid on the Immigration Fund". My Honourable friend Mr. Kalikar read out some of the purposes for which the Immigration Fund was instituted, and the proposal now is to amend the definition of the word "Indian", with regard to the Immigration Fund, so as to include an Indian from the Netherlands East Indies, in other words, Javanese. Now, Sir, the matter with which the Government of India are most closely concerned with regard to the fund is this, that no use should be made of that fund which might adversely affect claims made upon it on behalf of Indian labour. I have received information from Malaya that an official statement was made in the Legislative Council to the effect that any funds now taken from the Indian Immigration Fund to assist the recruitment of Javanese labour will be replaced.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Why is the definition of Indian being changed then ?

**THE HONOURABLE MR. G. S. BOZMAN :** Sir, in order to use the fund and the organization for the purpose of assisting the recruitment of Javanese labour. The exact implication of the change I cannot at present tell the House, because we have recently made an approach to the Malayan Government to let us know exactly what the position is. But we feel that, provided Indian labour in Malaya is not deprived of any opportunity that it should have to use that fund for its own benefit, that is to say for the maintenance of the sick and decrepit, for passages where repatriation takes place and the other objects for which the fund was created then the main practical thing has been safeguarded. With regard to the sentimental objection to Javanese being assisted from a fund which was originally intended for the benefit of Indian labour, the position is that, so far as I can judge, under the Labour Ordinance itself the Malayan Governments have the right to use the fund for such purposes as they may decide. But the sentimental objection remains and we may hope perhaps that if in fact Javanese labour is recruited on any considerable scale a separate Javanese immigration fund will be instituted and the Indian Immigration Fund left as it is.

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Then, Sir, we were asked to use our best endeavours to protect or assure the citizenship rights of Indians in Malaya. I find myself in some difficulty on that matter as I am not at all sure what citizenship rights there are in Malaya. There is no franchise, and that normally would be looked upon as the basis of citizenship rights. But I assume that it means opportunities for public service. It means an equal share in social services. It means virtually no discrimination in any matter in which Government have control.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I add to this one thing ? Government should also bear in mind the position of the workers in the States. They may live there for years and years and enrich the States and yet they cannot be regarded as citizens of those States.

THE HONOURABLE MR. G. S. BOZMAN : The Honourable Member has reminded me of a point that I left out, that is that no outsider, if I may put it that way, can become naturalised in one of the Malaya States. Well, so far as the question of discrimination is concerned I believe my Honourable friend

Pandit Kunzru who was in Malaya more recently than I was myself, will bear me out in saying that social discrimination is not rampant, I should perhaps say not seriously apparent. There is, needless to say, some division of interests between people of different races but in Malaya it is largely on a voluntary basis. But there is discrimination with regard to what are known as the superior services. In the local Services posts are open to all local-born people, whether Indian, Malayan or Chinese, but as a matter of policy the Government have declared their preference for the appointment of Malaysians. In the superior services, posts are open only to Malaysians and Europeans but here recently, that is to say within the last year or two, some improvement has been made and posts in the higher branches of what they call the technical and professional services are now open to all local-born Malaysians.

Now, Sir, the main question obviously is, what is it that Government propose to do in future with regard firstly to the question of wages and secondly the question of citizenship or political status or whatever you like to call it. Now with regard to wages I have already explained I think that we feel difficulty with regard to the standard wage under war conditions, but I should make it quite clear that the Government have not abandoned in any respect the stand they took up when the Malayan Delegation was here in 1939, and that as soon as circumstances make it possible they propose again to use their utmost endeavours to provide a better standard wage and better conditions of work for Indian labour in Malaya. In the meantime, as I have already mentioned, we are still not satisfied with regard to the cost of living allowance now being paid and it is a point to which we have drawn the attention of the Malayan Governments.

With regard to education and citizenship it is our intention—at least when I say it is our intention it was our intention at the time of our negotiations before the war—to link these various things to our communications with regard to the question of wages and that was done. The Malayan Governments have returned a sympathetic reply to the principles that we have enunciated, but all that really can be done in the practical field is for our Agent in Malaya to watch most carefully how things progress and report to us, and for us, on the basis of his reports, to make specific suggestions to the Malayan Governments. We get a monthly report from our Agent in Malaya and where improvement is required he is always ready, to let us know what that improvement should be.

And now, Sir, finally with regard to the present Resolution. As I hope the House will believe, virtually it states what the policy of the Government is and it states what the policy of the Government has been. I am in a position to give an assurance that it states what the policy of the Government of India will be and on that basis perhaps my Honourable friend would consider not pressing his Resolution to a division.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Mr. President, I welcome heartily the statement made by Mr. Bozman on behalf of Government. Although I did not agree wholly with what he said it was clear that the general policy and outlook of the Government of India were such as to commend themselves to Indian Nationalists. There are, however, certain points which I consider it necessary to advert to in order to make it clear that we cannot wholly agree with what Mr. Bozman has said with regard to the second strike, or with regard to the differences between the budgets of workers under Government and those on plantations. With regard to the strike I would only point out to him what the Agent of the Government of India has himself written on the subject. In his latest Report he says :—

“ One of the grievances of the labourers which led to the strikes in April and May was in connection with the recognition of their rights to associate in Unions. The Klang District Union whose membership consisted mostly of the labourers of the Klang District has since been dissolved under the orders of the British Resident on the ground that it was a body subversive of law and order in the country ”.

The Indian leaders who, as Mr. Bozman knows, are very responsible people, have not been able to see eye to eye with the British Resident in this matter and feel that the establishment of trade unions is not welcomed by the planters. The organ of Indian public opinion in Malaya has protested against the dissolution of this Union and I think it is a matter to which the Government of India ought to direct their attention. My Honourable friend dealt with the development of the Trade Union movement in Malaya and hoped because of its ultimate beneficent influence that it would be developed on healthy lines. I am sure he is aware, as well as I am or even better than I am, that the Indian leaders have no access to the quarters of Indian workers who live on the estates. If the Trade Union movement is to flourish it is necessary that the workers should be assisted by their educated countrymen, but, if the quarters of the workers, or the road leading to the quarters of the workers, which is part of the estates, is regarded as private property, and non-officials going there without the permission of the estates are treated as trespassers, how is the Trade Union movement to develop on those healthy lines to which my Honourable friend referred.

There is only one thing more in the remarks of the Honourable Member that I shall refer to. He said that the Government of India did not know what was the basis on which the Malayan Government had proceeded in fixing the wages of its workers. Whatever the basis may be, the fact remains that they are paying them a higher cost of living allowance. Perhaps my Honourable friend was thinking that while the plantations provided quarters for the workers the Government of Malaya were under no obligation to do so.

**THE HONOURABLE MR. G. S. BOZMAN :** May I explain, Sir, that what I intended to convey was this. The budget upon which an Indian estate labourer's cost of living is calculated is a budget known to us. It was calculated by agreement between the Malayan Government and the Government of India. We know exactly what the items are that are in it. What I meant to say was that I do not know what the items are that are in the budget upon which the Malayan Government has calculated the cost of living to their employees.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Whatever the basis may be, we can see that the standard wages paid by Government to their employees are not less than those paid on the rubber plantations and that the cost of living allowance paid by the Government is higher than that paid by the employers. My Honourable friend was perhaps thinking of the benefits promised to Indian workers on the estates. Now, the Government of Malaya may not definitely have promised these benefits, but he knows as well as I do that the Government of Malaya have provided quarters for their workers and are trying to provide more quarters for such of them as have not been provided for. The quarters that Government have built seem to me to be better than those on the estates. At any rate I saw no quarters on the estates that I visited which compare favourably with the new quarters built by Government for their labour.

Mr. President, I do not wish to prolong this debate any further. If I have referred to some of the points which Mr. Bozman dealt with in his speech, it is only to make it clear that while I appreciate the tone and temper of Mr. Bozman's speech and welcome the information which he gave us and which was in a large measure reassuring, we can not on some material points accept the validity of the views which he was giving expression to on behalf of those who do not see eye to eye with the Government of India.

As regards his request for a withdrawal of the Resolution, it places me in a difficulty. I should have thought that as the Government of India were in general agreement with us and were trying to secure for the Indian labourers what we are asking, they would gladly accept my Resolution as it would strengthen their hands. My Honourable friend's advice to withdraw the Resolution is rather difficult to understand. Perhaps he thought that a Resolution of this kind might be regarded as a censure on the Government of India which would of course be most undeserved. It was not my intention at all to cast any reflection on the Government of India, but I am prepared to recognise that the position of my Honourable friend Mr. Aney who has very recently assumed charge of the Overseas Portfolio is a rather difficult one. I should not like to embarrass him in the least and if this Resolution makes his position in any way difficult or if he feels that he would be in a better position to give attention to the questions that I have raised if it is withdrawn, I am prepared to withdraw it. I therefore ask for the leave of the Council to withdraw the Resolution.

The Resolution was, by leave of the Council, withdrawn.

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#### STATEMENT OF BUSINESS.

**THE RIGHT HONOURABLE SIR AKBAR HYDARI (Leader of the House) :** Sir, the only item of business which now remains to be disposed of is the consideration of the Joint Report by the Delegations from India and Ceylon and I suggest that we meet on Saturday, the 22nd for that purpose.

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The Council then adjourned till Eleven of the Clock on Saturday, the 22nd November, 1941.

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