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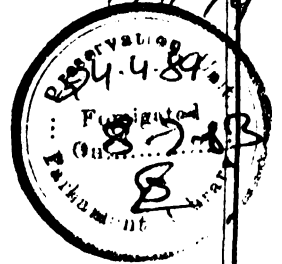
TO
THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume III, 1943

(26th July to 25th August, 1943)

EIGHTEENTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1943



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LEGISLATIVE ASSEMBLY.

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Deputy President:

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[From 27th July to 19th August, 1943.]

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Mr. HOOSEINBOY A. LALLJEE, M.L.A.

Sir HENRY RICHARDSON, M.L.A.

[From 20th August, 1943.]

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

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LEGISLATIVE ASSEMBLY.

Monday, 2nd August, 1943.

HIS EXCELLENCY THE GOVERNOR GENERAL'S ADDRESS TO THE COUNCIL OF STATE AND THE LEGISLATIVE ASSEMBLY.

His Excellency the Governor General, having arrived in procession with the Presidents of the Council of State and the Legislative Assembly, took his seat on the Dais at Eleven of the Clock.

His Excellency the Governor General: Gentlemen, it is a great pleasure to me to meet you again today, though I am sorry that it should be for the last time. You and I have been through difficult times together, and I shall always remember with gratitude the help and consideration that, through seven and a half years of my Viceroyalty, I have had from the Central Legislature: and the guidance that its members have given me on so many critical issues. It is a happiness for me to think that if we have been through bad days together in the earlier years of the war, I should be leaving India at a time when the skies are beginning to brighten; when the success of the Allied arms in so many fields is becoming increasingly manifest; and when we are encouraged by the fall of one of the greatest of the Axis leaders, and by the collapse of a system which was responsible for bringing Italy into the war against us.

The seven and a half years of my Viceroyalty have lain in momentous times. Through the whole period we have been faced by political issues of the first importance. For the last four years there has been the dominating need to concentrate on India's defence against hostile attack; on the expansion and the training of our armed forces, whether Naval, Military or Air; on the organising of our war effort in terms of men, of money and of supplies. India's response to every call made upon her throughout the war has been magnificent. She may well be proud of the superb contribution that she has made to the victories of the Allies, and to the triumph of the United Nations.

Gentlemen, I do not propose today to weary you with any lengthy or detailed review of the great developments that have taken place in India in so many fields since I assumed office. The tale would be a very long one. Rather would I propose to speak of India's war effort, to touch very briefly on certain major problems which are of immediate concern to all of us today, and in particular food, inflation, post-war planning; to say a word about the political situation, and in taking leave of you to thank you, and through you India, for consistent, ungrudging and invaluable support through so many dark days and so many critical situations.

When the war began India's armed forces were designed neither in numbers nor in equipment to bear the direct shock of attack of the large, highly trained and well-equipped forces at the disposal of the Axis powers. But, with the full knowledge that the safety of India lay in the defence of its outer bastions, we sent overseas what troops we could spare. Experience has more than justified our decision. Today we can feel that, save for sporadic and ineffective air raids, India has been spared the horrors of war as, God willing, she will continue so to be.

Our armed forces today total two million men. Naval personnel has increased tenfold. The Indian Air Force is expanding rapidly into a formidable weapon. That great total has been reached by voluntary recruitment, recruitment too from a wider variety of sources than ever before. The equipment and the training of these large masses of men has been an immense task all the more so given the need to keep pace with new arms and new methods; to create new formations—I need only mention the Indian Armoured Corps, the Corps of Indian Electrical and Mechanical Engineers, the Indian Army Medical Corps;—to bring into being the formations of airborne troops, and of airborne surgical

units, which have been so successfully developed in this country. In the air the Indian Air Force has expanded from the single squadron that was all its strength when I first came to India to ten Indian squadrons, fully equipped with modern aircraft. The essential, but highly complex ground organisation required by a national air force to provide its own maintenance and training units is rapidly being perfected. Its pilots have done admirable work in Europe: the Indian Squadron which took part in the Burma campaign has rightly won the highest praise. And the work of expansion and development goes on apace.

The Indian Navy has steadily grown through the whole of this period. There have been great and rapid increases in personnel, in ship construction, in shore establishments, in the development of specialist schools, and of specialist training. And recruitment has been extended to areas that never in the past sent men to serve at sea. The actions fought against Japanese aircraft by the "Sutlej" and the "Jumna"; the superb fight of the "Bengal" against surface raiders, have shown the fighting quality of the Royal Indian Navy. And our ships have been in action not only in Indian waters, but in the Red Sea, the Mediterranean, and the Atlantic, and, in the last few days, in the invasion of Sicily.

The fighting record of the Indian Army is known to you all. Indian troops played a glorious part in the North and East African campaigns. Their superb fighting qualities, their courage, determination, discipline and training have been demonstrated time and again in the campaigns that have resulted in the overthrow of the Italian Empire in Africa. The great victory of the 8th Army, in which the 4th Indian Division added still further honours to what was already an imperishable fame, is in the minds of all of us. In the Far East, in Burma, and in Singapore our troops faced, like their comrades from the other parts of the British Commonwealth, superior forces; and they fought a series of delaying actions in a type of warfare that makes the highest demand on the quality of troops. Those actions, fought with stubborn courage against grievous odds, gave India time to perfect her own defences against invasion. And the experience gained in the difficult and exhausting jungle warfare in which we have recently been engaged will be put to good use when the time comes for that full dress attack upon the Japanese to which we all look forward. The exploits of Brigadier Wingate's mixed force of Indian, British, Gurkha, and Burmese troops, have struck the imagination of the world, and have shown what good soldiering, discipline, and brotherhood in arms can achieve under conditions peculiarly favourable to the enemy.

The picture I have painted is but a pale reflection of the faith, the courage and the endurance of tens of thousands of humble men; courage that has won for the Indian Army no less than six awards of the Victoria Cross. No words of mine can express our thanks to them for what they have achieved, to the Princes and people of India, who have poured out their treasures of money and labour and of precious lives in the allied cause. But this I know,—whatever may be the tasks which lie ahead; however long and arduous the road we still have to traverse, that faith, that courage, that sacrifice will lead to victory.

Since I last addressed you, Gentlemen, the relations of my Government with the foreign States on India's frontiers have, I am glad to say, remained cordial. Indian troops have served with distinction in Persia. The Government of Afghanistan have well upheld their policy of neutrality as against all belligerents and have not suffered the Axis influences due to the presence of enemy Legations in their capital to disturb the common peace of the Indo-Afghan frontier. The tribes of the North-West Frontier have throughout the war maintained the peace, and I was glad on my recent visit to that famous region to be able to recognise their service to the common end by a permanent enhancement of the allowances of one of the leading tribes, the Orakzais. Of the unstinted help which the cause of the United Nations as a whole and India in particular has received from our well-trying and trusted friends, the

Prime Minister and the Government of Nepal, I cannot speak in terms of too high gratitude. The Gurkha soldiers of the Indian Army continue to maintain the highest traditions of their service. Their bravery and hardihood have contributed in no small degree to the security of India throughout the war, and I need not remind you that the Nepalese Government's own regiments remain in India for the war to assist us in building up our common strength. The relations of India with our great Ally, the Republic of China, have been drawn closer than ever before in history. The mutual esteem and knowledge won during the visit of the Generalissimo and Madame Chiang Kai Shek in February 1942 has broadened to an understanding which bodes well for the future relations of our countries. The presence, which we have so warmly welcomed, of American and Chinese Missions in our midst; the comradeship in the common task and on our own soil with the gallant forces of our American and Chinese allies all contribute most materially to cordial relations and international good fellowship.

Recent legislation in South Africa affecting the status of Indians in that country has been a matter of profound regret to my Government, and the situation which results from it is under active consideration.

Many of the essential nation-building activities are, under the present constitution, the responsibility primarily or wholly of the Provinces. But I have been anxious, during the time I have spent here, to ensure that the Centre should give every help that it properly can in regard to them, and there is much to show in the way of achievement. The revival of the Central Advisory Board of Education; the establishment of the Central Board of Health; the lavish grant made before the war from central revenues for Rural Development; the work of the Imperial Council of Agricultural Research, the establishment of which, as I am proud to recall, was recommended by the Royal Commission on Agriculture, over which I had the honour to preside, and which has proved itself so elastic and effective an instrument for promoting technical progress; the institution of the All-India Cattle Show Society, which has done so much to encourage the most important matter of care and breeding of cattle throughout the country; the active prosecution of nutritional research; the great campaign against tuberculosis, organised by my wife, which has had as striking a response from all over India—these are all examples of the numerous activities in the nation-building field which have been of concern to my Government and to myself during the time that I have been here. India has reason, too, to be proud of the work that has been done in Animal Husbandry, in Dairy Research, by the Agricultural Marketing Department, by the Forest Service, and by the Survey of India. The war inevitably has interfered with certain of our plans for the development of many of these most important activities. But the war has also shown their vital significance, and we have good reason to be thankful that so much had been done in the way of preparation before hostilities began.

I may be forgiven for touching on one matter which, though it is of immediate local interest to the Central Legislature, is of concern to the country as a whole. When I assumed office in 1936 I determined that during my tenure of the Viceroyalty I would do everything in my power to make Delhi worthy of its place as the capital city of India. Today, I am glad to think that that ambition has been so largely realised. Delhi is a model so far as the anti-malaria campaign, up-to-date arrangements for the disposal of sewage, the active work of an energetic and soundly-based Improvement Trust, the development of open spaces and of amenities, are concerned. Those amenities and the layout of the capital city have inevitably suffered owing to war conditions. But it is the policy of my Government, on the conclusion of the war, to remove without delay the temporary buildings that war has rendered necessary, and to restore the appearance of the Capital of India to the high level which we had been able to achieve for it.

I would like to say one word about the transport situation, and the position of the Railways in particular. The vital importance of an efficient and adequate transport system, both for the war effort and for the maintenance of civil life, has been brought very sharply home to us in these last few years. The Railways are working under very great strain. Great strain because of shortage of certain materials in wartime; because of the immense burdens placed on the staff by war conditions. We owe a real debt to the Railway staff for the contribution they have made, and the excellent work they have done in circumstances sometimes of much difficulty. My Government are fully alive to the importance of co-ordinating transport by road, rail, and river, and no pains are being spared to turn to the best use possible any additional capacity that can be made available, and to strike a just balance between military and essential civil needs.

Activities in the field of war supplies have expanded enormously since I last addressed you. The value of orders handled by the Supply Department increased steadily from 85 crores in the first 16 months of the war, to 118 crores in 1941, 223 crores in 1942 and to 142 crores for the first five months of the present year. Nor is this the whole tale of India's effort in the field of supply. For the figures which I have given take no account of the orders which the Supply Department placed overseas, the orders placed in India for war purposes through trade channels, or the value of the finished output of the Ordnance Factories. The total value of India's contribution to war supplies is thereby immeasurably increased.

In order to deal with this growing mass of war orders the capacity of Indian industry has been greatly expanded both by the carrying out of carefully considered Government schemes for the establishment of new factories or the expansion of existing ones, and by the operation of private enterprise. In particular the Chatfield and Ministry of Supply Mission Projects for new Ordnance Factories and expansion of the old ones are now either completed or nearly complete. I may also mention the great expansions in the steel industry, in the manufacture of machine tools, in the chemical industry, and in the capacity of the rubber manufacturing industry, especially for making tyres.

Those results have not been easy to achieve in the face of the difficulties, known to all of you, which arose and still arise from the growing claims on the shipping resources of the Allies, from the closure of certain sources of raw material by the tide of Japanese aggression, and from the pressure on India's internal transport system arising from the greatly increased burden of war production and military movements. In solving these difficulties, and in maintaining its war effort despite them, India has received and is receiving the greatest help from the other allied nations, especially from His Majesty's Government and from the United States of America. The Technical Mission which our American Allies sent us last year, and the Lease/Lend Mission now with us, have been of the greatest assistance to us. We have lately had a Joint Anglo-American Steel Mission which gave valuable advice and help in connection with the production and distribution of steel. And I must pay a cordial tribute to the admirable work of the Eastern Group Supply Council, itself the outcome of the Eastern Group Conference for the initiation of which India was so largely responsible, and which did such invaluable work.

This vast expansion in the field of war production has not been achieved without material sacrifice of the goods ordinarily available to the agriculturist and the townsman. I will refer later to certain aspects of that problem. But I am glad to think that many of the industries engaged in the manufacture of vital war supplies are now better equipped to produce goods for ordinary internal consumption than they were before; the experience gained in manufacture under the stress of war adds materially to our knowledge of modern skill and technique; and we are extracting and putting to use in India more and more of our own raw materials. Over and above this, realising the importance of providing for essential civil needs, we are now endeavouring to release for civil consumption a larger share of the industrial output of our own resources. The steps we have

already taken in this direction will be steadily pursued, consistently with our responsibility for supplying the Armed Forces in India.

For the present, and for some time to come, our energies must be devoted to exploiting all available resources for the waging of war. But a moment will arrive when this process must be reversed and our efforts directed again towards the normal activities of peace, and the use and development of those resources for the rehabilitation of our economy, and the maintenance and—wherever possible—the improvement of the standards of living of our people.

Post-war reconstruction is a phrase familiar today in every continent. But the nature of this reconstruction must depend upon local conditions and the vicissitudes of battle.

In some countries the rebuilding of the bomb-shattered homes of the people, and of the factories in which they earn their livelihood, must be the first stage of recovery. Then again a nation the greater part of whose adult population of both sexes has been conscripted into the fighting services, or war industry, has to face problems vastly different, at least in degree, from those which confront us here in India where, despite the magnitude of our war effort, large sections of the population still pursue their customary avocations more or less undisturbed by the tides of war, save in so far as changes in the price level may have affected their lot for better or for worse. Our own problems in this field, vital though they are, are of a different order. War has brought to India a marked and significant increase in industrial activity, and an even more important increment in the number of persons skilled in mechanical and industrial work of all kinds. Evidently the problem is to carry forward after the war as much as we may of this enhanced industrial activity, transmuted betimes from its present warlike shape into forms capable of producing the needs of a world at peace. Certain of our industries, some of them highly important, have come through the past four years with few changes of a technical character, and for such the problems to be solved will be mainly of a commercial character.

Closely linked with industrial expansion are the problems of agricultural improvement. The best hope of permanent progress, whether in town or countryside, lies in the maintenance of a sound balance between field and factory. For the farmer, a steady and profitable market for his own produce and the opportunity to buy the products of the factory at reasonable prices; for the factory, a copious supply of raw material and a vast market for the finished product. The careful fostering of this natural, healthy and resilient partnership which is the foundation of our economic strength, and the firm base or platform from which we may develop our overseas trade, must be the first care of governments and of all concerned with industry or with agriculture. Agriculture, including agricultural education and research, and animal husbandry, is as I have already reminded you, a provincial subject. So also is irrigation. But in so far as it lies within the power and within the proper of my Government to contribute towards agricultural improvement, they are most anxious to do their utmost in that direction.

The desire for improvement, agricultural and industrial, has evidently received a marked stimulus from the circumstances of war. This manifestation will certainly derive a fresh and powerful impulse by the demobilisation in due time of the great armies upon whose valour India at present depends for her security. Many of our soldiers have become mechanically-minded as a result of their training and some may well look to industry for a livelihood in the days of peace. But the greater number will wish to return to the land. Many of those men have seen the world beyond these shores. They will wish to enjoy the best that the business of farming can provide, and they will be found receptive of new ideas and improved practices. Their return to their villages offers a unique opportunity to press forward with agricultural improvement and rural betterment. These two purposes are bound indissolubly together. "Of all the factors making for prosperous agriculture, by far the most important is the outlook of

the peasant himself.' So wrote the Agricultural Commission in 1928, and all that I have seen or learned since that time confirms the correctness of that opinion.

My Government are fully alive to the urgency and the vital importance of these issues. For some considerable time past they have been closely concerned with the essential business of post-war planning. They realise the necessity of being well prepared in advance for the questions that will face India, like the rest of the world, on the termination of hostilities. You may be certain, Gentlemen, that they will spare no effort to clear the ground and to plan wisely for the future, and that their deliberations will be informed by the anxious desire to assist in all those matters to which I have just referred, even where the function is not primarily theirs.

The war has brought great industrial and commercial prosperity to India. But it has laid grievous burdens on the common man and woman in this country in the procurement of their daily needs. And the disabilities which war must bring to the civil population of any belligerent country have in India been greatly accentuated by the anti-social activities of individuals who have misused conditions of scarcity, artificially created in the case of some commodities, for their own profit. During the last few months, second only to the problem of how to feed the inhabitant of this country has come the problem of how to clothe him at a cost within his means. It was therefore to the problem of cloth that the Department of Industries and Civil Supplies, which I constituted in April last, first devoted its attention. Thanks to public support, thanks also to the co-operation of the Indian Cotton Textile industry, a scheme of control was launched on the 17th June which is being worked by Government and the industry in a friendly spirit. The Indian States are also in line with us, and I welcome this opportunity of acknowledging their co-operation. The prices of cloth of all kinds have fallen, not only in the wholesale, but also in the retail markets. In some of the retail markets they have fallen by more than 40 per cent. Cloth which has been hoarded is coming into the market; and under the new scheme for Standard or Utility cloth my Government has arranged the procurement of this at the rate of 150 million yards per month, to be distributed, on a basis of population, among all the Provinces and States of India till a total of 2,000 million yards has been reached. It is hoped that cloth now coming out of hoards, and Standard Cloth, will fill the breach while the Control gradually establishes itself over the whole field of Cotton Textiles with, as a result, increased production and a substantial reduction in prices below present levels. When that stage is reached it will not be necessary to continue the Standard Cloth scheme.

But cloth is not the only commodity in regard to which advantage has been taken—and unmercifully taken—of the consumer in India by unscrupulous men. Over practically the whole range of consumers' goods, which are so necessary in the day-to-day life of the people, the two-fold blight of exorbitant prices and inequitable distribution has fallen. Measures are now well under way which will I hope, before many months have passed, bring about improvement in this respect. These measures are aimed not only at hitting the hoarder and the profiteer, but also at making consumers' goods of the commoner varieties available in greater quantities to the people of this country.

Probably the most grave and insistent problem which faces my Government today is that of ensuring an adequate distribution of foodstuffs throughout India. Early in July a Conference fully representative of the Provinces and the Indian States, discussed in close detail with my Government the difficulties of the past and plans for the immediate future. My Government have accepted the conclusions of the Conference, and they are being implemented. As I speak, an expert planning committee is at work on the evolution of a long term food policy, and its Report is expected in the immediate future. I cannot anticipate its recommendations. Nor do I wish to dwell overmuch on the past. But I would

like briefly to recall to you some of the difficulties which have had to be faced during the past four years and to state in broad outline the essentials, as I see them, for the success of any future policy.

Certain limiting factors have to be recognised, even in normal times, when considering the economy of food production and distribution in India. The size of the country, with its demands on transport; a total production of foodgrains only just sufficient in wheat and less than sufficient in rice, made up of the small margins of millions of small farmers; the variety and at the same time the rigidity of local diet habits; the administrative divisions throughout the country. In normal times, these factors do not give rise to any great difficulty, for the normal operations of trade can ordinarily be relied upon to satisfy all requirements and to come effectively to the rescue, without official intervention, if for any reason local scarcity should occur. But war throws normal trade movements out of gear. Imports are restricted or cut off; transport is limited; there is a bullish tendency in the markets; prices rise and profits are high; the producer or distributor hoards for gain or consumes more of his produce; the consumer hoards from fear.

In such circumstances it is the duty of Government to step in and regulate the operations of trade so as to secure economy and fair distribution. In the United Kingdom great success has been achieved by drastic measures involving legal sanctions and the most detailed interference with private lives and private enterprise, but made effective largely by the willing co-operation of the people. In India our problem has been less compact and uniform, and control in consequence more difficult to impose. The series of Price Control Conferences instituted as soon as war broke out proved most valuable for the exchange of ideas and experience, and made recommendations which were acted on by Government. But you will recall that for the first two years of the war there was no great demand for controls. A moderate rise in prices after a lean period was welcomed. It is only since the entry of Japan into the war, and the loss of imports from Malaya and Burma, that the problem of supplies and prices has assumed serious proportions in India. Since then Governments throughout the country have had to adapt their methods to a rapidly developing situation, and to counter the cupidity and lack of confidence that have unhappily shown themselves in so many areas.

The Grow More Food campaign has led to an immense increase in the area under food crops, and a vastly-increased production of foodgrains. It is being urged on with the utmost vigour. Financial aid of well over a crore and a half of rupees has been made available from central revenues, and every possible help has been given to Provincial Governments and to the Indian States by way of technical advice. You may be certain, Gentlemen, that no pains are being, or will be, spared to get the very maximum of output that we possibly can.

To strike at the root of the causes of our difficulties which I have just mentioned my Government decided, early in this year, to remove the control price of wheat, and to import wheat from Australia. They also devised a scheme for the distribution under central control of surplus foodgrains to deficit areas. For various reasons this scheme appeared likely, at first, to fall short of the success that was hoped for. But, drastically modified in the light of experience, it remains in being. And it will hold the field as an "austerity" plan, until, having secured physical control of all available surpluses of foodgrains administrations throughout India are in a position to control their distribution, through rationing or otherwise.

That task is no light one. But it is vital that it should be successfully performed. And full and willing co-operation by every Government and every individual is essential if its achievement is to be ensured.

The policy behind it will be a policy based on the considered views of representatives of every part of India, and I would most earnestly appeal today to

all concerned to help in giving effect to it. To the solution of the common problem, to the easing of the hardships of the poor, and the difficulties of the deficit areas in particular, there is an obligation on every one of us to lend our influence, our example, and our ready support. I am confident that in appealing for that general co-operation, and for the spirit of self-sacrifice, in a matter that touches every man and woman in this country, I shall not do so in vain.

One of the main problems which has to be faced by a country at war is the control of inflationary tendencies. In the switch over from a peace economy to a war economy the mounting scale of Government expenditure inevitably increases the volume of incomes, while the goods and services available for civilian consumption inevitably contract. To accentuate the resultant loss of equilibrium between free purchasing power and the opportunities for its use, the possibilities of import become gravely restricted by the scarcity of shipping and reduced transport facilities. In any country a situation of this kind calls for the maximum effort of vigilance and control, if chaos is to be avoided. In India there are various factors, notably the magnitude of the country and the exiguous scale of administrative services in relation to a huge and largely un-instructed population, which render close controls peculiarly difficult. The position first began to deteriorate sharply when the consequences of the war with Japan became palpable, in the latter half of 1942. By the spring of this year there were many signs of wide-spread hoarding and profiteering and of the emergence of a spirit of reckless speculation which gave a vicious stimulus to the factors making for a general rise in prices. The course of prices in consequence took an alarming upward turn, and it became clear that drastic action was called for and in every sphere of Government authority if this disastrous tendency was to be checked and reversed.

The Government of India are determined to do everything in their power to achieve this object and to stabilise economic conditions at tolerable levels. The drive against inflation is being pursued simultaneously in the monetary and the commodity fields. On the one hand an intensive effort is being directed to the mopping up of surplus purchasing power by taxation and borrowing, whether Central or Provincial, including a country-wide savings drive, and the Indian States have also been urged to co-operate in this programme for the benefit of the whole country. I am glad in that connection to be able to tell you, Gentlemen, that during the six weeks ending on 17th July, no less than 50 crores of rupees were invested, including 12½ crores by conversion from the 4 per cent. 1943 bonds—a most encouraging and heartening achievement. On the other hand, various forms of commodity control have been adopted, the most important, because of its effect on the cost of living, being the cloth and yarn control scheme to which I have already referred.

I have already spoken too of our efforts to deal with the various aspects of the food problem, which of course has an enormously important bearing on the tendencies we are determined to bring under control. The Government of India are also resolved to check speculation and profiteering in every sphere which affects the life of the nation, and to repress and penalize all cognate anti-social activity. I am glad to say that the measures already taken are beginning to have a most salutary effect. Not only has the vicious upward trend been checked, but several important indices have moved sharply downwards, with a beneficial effect on the whole price-structure. But there is no room for complacency, and we do not delude ourselves that this battle is over. On the contrary the campaign has only begun and we are determined to maintain the pressure and to fight relentlessly on every part of the anti-inflationary front. The stake is nothing less than the economic safety of the country; it demands the co-operation of all of us, and no effort can be relaxed until this insidious danger has been removed.

It is perhaps unnecessary for me to enlarge on the more obvious aspects of the impact of the war upon India's economy. The imperious needs of the

emergency have, as might be expected, called forth a tremendous intensification and diversification of India's industrial activity. This has involved the fullest use of our resources of raw materials, labour, transport and productive capacity. It has led to many new efforts in fields hitherto hardly explored and to expanding schemes for the training of personnel. All this would in itself have produced a notable transformation of India's economic outlook. But there has in addition supervened a factor which in my opinion is bound to have the greatest significance for India's economic future. It is by now a familiar fact that the war has led not only to the extinction of India's external public debt but to a change in her international position from a debtor to a creditor status. This fact is bound to have a profound influence on the course and character of India's international trade in future. I would suggest that this is a subject which might well engage the careful attention and study of Indian economists and research workers. For I am convinced that it is a sphere in which there cannot fail to be scope for constructive thinking. It is not merely the outward aspect of our foreign trade which must inevitably be transformed, but I would anticipate the most far-reaching effects upon the structure of India's whole economy. When it is remembered that India's export trade in the past rested largely upon the necessity of making remittances for the service of her overseas debt, that henceforth not only will this factor be absent but on the contrary India will have to accommodate an excess of imports in order to receive the payments due to her, it will be realised that the change which has occurred is one of the deepest significance.

I turn now to the political field. As Chairman of the Joint Parliamentary Committee I had been most closely associated with the discussions leading up to the Act of 1935. I came out here in 1936 following on the passing of that Act. My object, when I accepted this great responsibility, was in the first place to see Provincial Autonomy introduced, and to give it every help in my power to work smoothly and successfully. In the second place, to secure the introduction of Federation. I was confident that in no way could the interests of India's constitutional development or the achievement of all her aspirations better be forwarded than by these two successive stages that were contemplated in the constitution Act of 1935. Nothing has happened since 1935 to shake me in that view.

The scheme of Provincial Autonomy has been tested by experience now over many years. It is a workable scheme and a sound scheme. Today it is in operation in six Provinces out of eleven. Where it is not in operation, that is because those to whom it gave great power, great authority and great responsibility have not been willing to carry that responsibility. That there may be difficulties from time to time, that the machine may fail under certain stresses can surprise no one with experience of public life. But taking it all in all, the scheme has fully justified itself. I can think of no way in which, consistently with safeguarding the rights and the legitimate claims of all parties, the devolution of power to popularly elected Ministers, supported by a majority in the Legislature and willing to carry the burdens of the time, could better have been made.

At the Centre, as I have often said in recent years, I have felt with increasing force as the war has gone on, that the federal scheme, for all the imperfections that it may have contained, would have solved the bulk of India's problems had it been possible to bring it into being. No scheme is perfect: no scheme will satisfy everyone; every scheme admits of being improved on by experience. And I know well that on various grounds the federal scheme has been the target of attacks. But, as in the case of the provincial scheme, I have no doubt as to its essential soundness. Parties, interests, individuals, all have to be prepared to make some sacrifice when it comes to matters such as this. No one in any modern State can hope to have a hundred per cent. of what he wants or what he thinks he ought to have. Compromise, adjustment, reasonable regard for the legitimate claims of other parties, is the only basis on which

progress can be made. Federation, had we achieved it, based as it was on the maximum measure of agreement that could be realised when the scheme was framed, would have welded together for matters of common interest the Indian States and British India. It would have secured balanced and reasonable representation of parties and interests at the Centre. It would have achieved the desire of His Majesty's Government to transfer to Indian hands those great powers at the Centre the transfer of which is provided for in the Act of 1935. And India would have participated in the War under the leadership of her own Federal Government, and her prestige and the prestige of that Government would thereby have been enhanced still further for the future.

Well, Gentlemen, the outbreak of the war and the absence of agreement between those concerned in India, made the postponement of Federation at that time inevitable. His Majesty's Government in those circumstances could not, in that way, give the early effect that they desired to their intentions. It was my duty and my happiness in those circumstances to try to find in what other way Indian public opinion, Indian public men, the great parties, could, pending the achievement of a final solution, best and most closely be associated with the government of the country and the management of the war.

If I have not been able to achieve the measure of success I hoped for, I have at any rate during the time of the war been able to bring into being changes of great significance and far-reaching importance. It is true that I have not been able to persuade the great political parties to take their share in the government of the country. But the Government of India, a body of seven, of whom the majority were officials, has been expanded into a body of fourteen, eleven of whom are non-officials, and four only (including the Commander-in-Chief) Europeans. Of its broad basis, of the representation it gives to communities and interests, of the quality of its Members, there can be no question whatever. The National Defence Council, a body representative of the Indian States and of British India, has met regularly under my chairmanship since October 1941. It has established its reputation throughout India; it has constituted a most valuable liaison between the Centre, the Provinces of British India and the Indian States, and its importance from the point of view of the war effort has been very real indeed.

In other fields India's international status has been enhanced in a variety of ways. She is represented at Washington and at Chungking. China and the President of the U. S. A. are represented here. For over a year now she has had representation at the War Cabinet. She has been most closely associated with all developments of importance in connection with the war. The splendid work of her fighting men, whether by sea, by land or in the air, has added to her renown throughout the world; the magnitude of her contribution to the war effort of the Allies is known to everyone.

I regret the more that at a time when India's contribution has been so great; when in so many ways her stature has been so enhanced, greater progress should not have been possible in the constitutional field during these years of war. That there should have been no greater progress is due to no lack of effort, or enthusiasm, or goodwill on the part of His Majesty's Government or of myself. From the very beginning of the war I have done everything that man could do to bring the parties and their leaders together; to remove doubts as to the intentions of His Majesty's Government; to achieve that sufficiency of common agreement among the parties and communities in this country, and that necessary preliminary acceptance of the legitimate claims of all, that must be the pre-condition of any constitutional advance that is worth having or that can hope for permanence. It will always be a sharp disappointment to me that these four years of war should, for all that effort, have seen us no nearer to our goal, and that, as I speak today, these internal divisions, these communal rivalries, that reluctance to place India first and to subordinate sectional ambitions and jealousies to the common interest of the country, should still stand in the way of progress.

As I have said elsewhere, those divisions, that lack of agreement, are due not to the reluctance of His Majesty's Government to transfer power to Indian hands, but to their very readiness to do so. But the fact, the lamentable fact, remains that to the grief of all of us, those divisions exist. Nor, during all that time, has a single constructive proposition—and I deeply regret to say it—been put forward by any Indian party. The whole burden of framing constructive proposals in relation either to the interim or the final solution has been left to His Majesty's Government and to myself. We, for our part, most anxious to give all the help we could, have tried one proposal after another, and we have done our best to harmonise the sharply conflicting claims that have faced us. The best that we can devise, informed as we are by centuries of experience of Parliamentary Government, has been freely offered. Yet, while one endeavour after another by His Majesty's Government to find a solution, fair to all parties and communities in India and acceptable to India as a whole, has been rejected by one party or the other, not one such practicable alternative proposal has been put forward by any one in this country.

Yet it is India herself, if India wants a change, that must find the solution to this problem. I sometimes think that public interest and discussion in this country has, in the past, centred too much on interim constitutional changes which, in the nature of things, must be transitory. Such changes cannot be a substitute for a constitution determined by ordinary processes and agreement; processes which cannot be completed under the stress of war. Short cuts can only be a danger alike to present unity and post-war solutions. At the stage now reached the real problem to be faced is the future problem; we must look forward and not backward.

And it is the need for India herself to find the solution that, in all friendliness and sincerity, I would most earnestly commend, Gentlemen, to your consideration today. I have said it before, and I say it again quite plainly, that the path to full and honourable co-operation with the Government of the country has always been open to those who desire it for its own sake. His Majesty's Government and the Viceroy can try to help, as they have tried in the past. But the burden is on India, on her leaders, on the principal elements in her national life. It is the discordance between those principal elements, the lack of trust, the lack of readiness to accept the legitimate claims of the minorities, or of parties, or of interests, that stand in the way. Those are obstacles that only Indians can remove.

And it is most important, and I would most earnestly urge this on you, that if there is to be any progress, Indian public men should without delay start to get together and to clear the way for it. The post-war phase is drawing rapidly nearer. His Majesty's Government, as you will remember, have voiced the hope that on the conclusion of the war Indians themselves may sit round a table and hammer out a constitution having the general support of all the principal elements in India's national life. Is India, are India's leaders, to be found unprepared when the day comes for those discussions? Is it not the course of wisdom to set to work at once, without wasting a day, to try, by discussion among themselves, to find in readiness for those discussions an accommodation of the differences that prevent progress at the moment, and to build a bridge over the profound gulfs that divide party from party and community from community? They alone can do it. The burden is on them, and not on His Majesty's Government.

And the whole field is open to them. If the proposals which His Majesty's Government have at one time or other put forward, in default of any proposals from the Indian leaders, are unacceptable to India as a whole, there is nothing to stop India's leaders from considering and devising an alternative, whatever its nature, or from trying by private negotiation with other parties in this country to secure their support for any such alternative. All I would say—and I say it again as a friend of India, and as one concerned to see her progress in

whatever manner is best suited to her national genius and to the interests of all within her borders—is this—that whatever alternative and whatever scheme is devised must take account of practical considerations; must have the general support of all the important elements in India's national life. No scheme, however good it may look on paper, that ignores important elements or interests, that overlooks the essential necessity for substantial agreement inside India as its basis, has any hope of surviving for long. A national Government can be a reality only if it is generally representative, if it has the general support of the major parties and of the people as a whole, if its establishment leads to the assuaging of communal and other bitterness and rivalry, and to the harmonising of all the many divergent points of view that a country such as India, with its great range of climate, of races, its different historical traditions, must always present.

I would like to take this occasion to say a word of warm thanks to the Indian Press for all the help that it has given me during my time in India. Occasions there may have been when there were differences of view on matters connected with the Press; misunderstandings there may have been from time to time. But I remain deeply grateful to this great institution for its fairness; its eager anxiety to serve the public; its concern to observe, and if possible to improve, the best traditions of journalism. And I would not like to leave India without paying this public tribute to it, and to that hard working body of intelligent and able men by whom India is so well served in the Press.

In a few weeks now I shall hand over the reins of office to my successor. In Field-Marshal Viscount Wavell India will have as Viceroy one who has proved himself through a long and glorious career one of the great leaders of men in the field; and one of the outstanding soldiers of our time. But you will find in him also, and this I can say from personal experience of two years of close, intimate and most friendly collaboration, an understanding, wise and sagacious statesman; a man of sound political sense and judgment; a leader of courage and tenacity, whose wide human sympathy, whose affection for India and whose profound interest in her problems is well-known. In the difficult days that lie ahead—for the problems of peace are no less exhausting and complex than the problems we have had to face in the war—his ripe experience, his fresh and up-to-date knowledge of India and his sincerity and openness of mind will be of a value to this country that cannot be overstated.

I cannot leave you today, Gentlemen, without in conclusion paying a tribute to the spirit of the people of India, whether British India or the Indian States; to the confidence, enthusiasm and courage which they have shown through four years of a devastating and exhausting war, and to the cheerful readiness with which they have borne the many burdens that total war involves and the privations and hardships inseparable from it. There has been a great achievement on the home front, as well as in the field, and one on which India will look back with pride and the world with admiration.

I would like, too, to say a word of sincere and heartfelt thanks to the personnel of all the Services in this country. To them is due great credit for all that they have done to maintain law and order, to deal with the innumerable problems of administration that war throws up, to grapple with the vital tasks that fall to be discharged by them in the interests of the people of India as a whole. Without their loyal, unflinching, and self-sacrificing public work, the administration of the country could not have been carried on, or India have made the contribution that she has so proudly and so gladly made to the victory of the Allied cause.

Gentlemen, I will keep you no longer. I thank you most warmly for the attention with which you have listened to me today. My best good wishes go to you, both individually, and as a Central Legislature, for the future, and my most cordial gratitude for all the work that I have been privileged to see you perform during my term of office, and for that public spirit that has so consistently marked your conduct of affairs.

The Assembly met in the Assembly Chamber of the Council House at Half Past Two of the Clock, Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

MEMBER SWORN:

Mr. John Philip Sargent, C.I.E., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

FAILURE OF THE FOOD DEPARTMENT IN CHECKING HIGH PRICES OF RICE IN BENGAL.

125. *Mr. Amarendra Nath Chattopadhyaya: (a) Is the Honourable the Food Member aware of the tense situation created by the abnormally high price of rice in Bengal since last August and the tendency to rise further at present? If so, what steps does he propose to take to ease the situation within a short time?

(b) Is it not a fact that the Food Department has not succeeded in bringing down the price of rice in Bengal within the last three months by taking the steps they had thought would make them successful? If the present staff is not found efficient, does the Honourable Member propose to reorganise the Department?

(c) Is it a fact that Mr. Vigor, the newly appointed Food Adviser to the Government of India, in a Press Conference said that there was no real deficiency of food in India, and that there was no cause for alarm? In spite of such statement, why is this continuous high price prevailing?

(d) What efficiency has been added to the Department by the appointment of Regional Commissioners on high salaries? What is their function, and if they have failed to remedy the situation, what is the necessity for continuing the officers? Is it not a fact that the Provincial Government in Bengal in many cases did not see eye to eye with the Central Government in the past, *vide Modern Review*, April, page 244?

(e) Is it not a fact that the Government of the United Provinces succeeded in coping with the situation by setting up Consumers Co-operative? If so, why should not that system be followed in Bengal where the situation is so trying and tense?

(f) Is it a fact that hoarding and profiteering are the two factors which have created this situation in Bengal? If so, does the Honourable Member intend taking drastic steps to find out the culprits? If so, when?

(g) Does the Honourable Member propose to allot at least three days for a complete debate on the subject of food supply during this session and to convene a meeting of the Standing Commerce Committee of the Assembly?

The Honourable Sir M. Azizul Huque: (a) The price of rice has been abnormally high in Bengal for some time. On the introduction of 'free trade' in the Eastern Region prices came down slightly and have recently steadied. Measures have been in hand and are continuing for the export of considerable quantities of foodgrains to Bengal from other provinces and the Bengal Government have already launched an anti-hoarding drive whose scope is likely to be expanded.

(b) The price of rice in Bengal is in no way connected with the efficiency of the Food Department.

(c) Yes, Sir, that statement was made 5 months ago. The actual deficiency this year was estimated at not more than 4 per cent. of the normal production of foodgrains, which is not a serious deficiency and less than has been experienced in several recent years. High prices have been due as much to difficulties of distribution, excessive holding of stocks by producers and others, as to actual physical shortage.

(d) The functions of the Regional Food Commissioners are co-ordination and liaison generally, between the Government of India and the Provincial Governments, and they have discharged their duties efficiently. As regards the second part of the question, there is always room for honest difference of opinion between the Central Government and a Provincial Government.

(e) The Government of India have no information on the first part of the subject and the second part, therefore, does not arise.

(f) Yes; certain measures have already been taken by the Government of Bengal and more will be taken soon.

(g) I have already agreed to a two-day debate on the subject.

Dr. Sir Zia Uddin Ahmad: If a Member of the Legislative Assembly is prepared to sell in Calcutta any quantity of wheat that Calcutta may require for consumption, will the Honourable Member give him this permission?

The Honourable Sir M. Azizul Huque: I think that is a purely problematic question, and if I am asked about it departmentally I will reply departmentally.

†126.*

SCHEME OF SICKNESS INSURANCE FOR INDUSTRIAL WORKERS.

127. ***Mr. Nabi Baksh Illahi Baksh Bhutto:** (a) Will the Honourable Member for Labour be pleased to state if the Scheme of Sickness Insurance for Industrial Workers has been completed?

(b) When is the Scheme expected to come into operation?

(c) Does the Honourable Member propose to lay on the table a copy of the Scheme?

(d) Is it also proposed to lay on the table the opinions expressed by Provincial Governments on the Scheme?

The Honourable Dr. B. R. Ambedkar: (a) No.

(b) The Government of India have appointed a Special Officer to prepare a draft scheme of Sickness Insurance for workers in selected industries. The scheme is now under preparation but it is not possible at this stage to say when it will come into operation.

(c) and (d). These points will be considered later on. Legislation will be necessary, and the House will of course be fully informed of the details of the scheme.

Mr. Lalchand Navalrai: How far has the scheme been completed?

The Honourable Dr. B. R. Ambedkar: A preliminary report has been received.

Mr. Lalchand Navalrai: When approximately is this going to be completed?

The Honourable Dr. B. R. Ambedkar: I cannot say anything about it.

Mr. Lalchand Navalrai: Say two years or one year?

The Honourable Dr. B. R. Ambedkar: Within two months' time.

Mr. Lalchand Navalrai: Thank you.

SERVING OF *Jhatka* AND *Halal* MEAT TO STUDENTS OF RANGERS FOREST COLLEGE, DEHRA DUN.

†128. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Secretary for Education, Health and Lands please state if it is or it is not a fact that the students of the Rangers Forest College, Dehra Dun, formerly used to make private arrangements for their messing and for the last two or three years a common mess has been started?

(b) Is it or is it not a fact that for a considerable time after the common mess was started *Halal* meat (i.e., the meat of the animals slaughtered according to Muslim rites) was served to all students without any objection by anybody?

(c) Is it or is it not a fact that about ten months ago *Jhatka* meat which is prohibited according to the Muslim conception began to be served in the mess without any notice being given to the Muslim students?

*This question was withdrawn by the questioner.

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

(d) Is it or is it not a fact that on the leaking out of this information the Muslim students protested so much so that one student went on hunger strike for about 72 hours?

(e) Is it or is it not a fact that even now the *Jhatka* meat is served in the mess and the Muslim students who are not even allowed to make their own arrangements for messing had to take to vegetables?

(f) In view of the fact that meat is the normal and staple diet of Muslims, do Government propose to consider the advisability of having *Halal* meat served in the common mess or permitting the Muslim students to make their own arrangements for their food?

Mr. J. D. Tyson: (a) A common mess has existed since April 1941.

(b) and (c). During the first year of the mess *halal* meat almost exclusively was served. Two Sikh students objected and became vegetarians. From the outset *Jhatka* has also occasionally been cooked, but separately, and it has not been served to Muslim students.

(d) Many months after his admission to the College one student refused for some time to take food in the mess. He subsequently returned to the mess and took his meals there as a vegetarian.

(e) and (f). *Halal* meat is served in the mess to those who wish to have it. *Jhatka* meat is also served to those who require it and vegetarian diet to the vegetarians. The three kinds of diet are cooked and served separately and care is taken to see that there is no contact between them. Under the College rules the students must take their meals in the College mess but all are free to eat according to their inclination and in conformity with their religious beliefs.

REPAIRS TO THE TAJ MAHAL, AGRA.

†129. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Secretary for Education, Health and Lands please state at what stage the preparations are for effecting the repairs to the dome of the Taj at Agra?

(b) What is the estimate of the repairs to the dome?

(c) Is it or is it not a fact that the wooden and bamboo structures raised around the dome of the Taj for effecting repairs were made more than a year ago? If not, when were they made?

(d) What was the cost incurred thereon?

(e) Is it or is it not a fact that by the passage of hot weather and the rainy season the wooden and bamboo structures are deteriorating day by day?

(f) Is it or is it not a fact that the presence of this superstructure is likely to prove a dangerous factor in case of fire and bombing?

(g) Have Government been negotiating for the sale and removal of this superstructure? If so, to what effect?

(h) In view of the likely damage to the dome by the presence of this superstructure and the likelihood of its deterioration by the lapse of time, do Government propose to consider the advisability of either effecting the repairs at an early date or, in case it is not possible, to take down the superstructure for the present and to raise it again when there is any likelihood of the repairs?

Mr. J. D. Tyson: (a) and (b). The attention of the Honourable Member is invited to my answer to his starred question No. 70 of the 28th July, 1943.

(c) Yes. In 1940.

(d) Rs. 44,886.

(e) The materials used for the scaffolding have naturally undergone some deterioration owing to the action of the weather.

(f) Yes, but the use of combustible material in making the scaffolding was unavoidable.

(g) Tenders were called for by the Public Works Department for the sale and removal of the scaffolding and the cost of dismantling is estimated at Rs. 12,180 less Rs. 5,000 to be recovered by sale of the material.

(h) The scaffolding will be removed as early as practicable after certain minor repairs which are now in progress are completed and after the newly appointed Committee has inspected the dome.

LEAPING PROMOTIONS TO A SOUTH INDIAN ASSISTANT.

130. *Sardar Sant Singh: (a) Will the Secretary for Education, Health and Lands please state if a South Indian Assistant was sent to England on study leave and on his return was given leaping promotions? If so, why?

(b) What was the subject of his thesis for Ph.D.? Where was it published, and what was the date on which parchment was given to that South Indian for Ph.D.?

(c) Is it a fact that this gentleman had training in Bee-Keeping? If so, what benefit has the Department accrued from that training?

Mr. J. D. Tyson: (a) Study leave combined with other leave was granted in 1937 to a South Indian Assistant at the Imperial Agricultural Research Institute, to enable him to study (1) bee-keeping in England and (2) Biological Control methods. He returned from leave in August 1940 and was appointed in March 1941 to officiate in a class II post of 2nd Assistant Entomologist at the Institute. The post was simultaneously advertised for recruitment through the Federal Public Service Commission. In accordance with the advice of the Commission he was appointed substantively to the post in August 1941. He has since then officiated and is now again officiating, in a Class I post of Biological Control Research Officer which has fallen vacant temporarily by the deputation of the permanent incumbent for work in connection with the anti-locust campaign. This is not a permanent promotion.

(b) The title of this officer's thesis was "Factors affecting the rate of reproduction in *Nemeritis canescens* (Grab.): Hymenoptera: Ichneumonidae". It has not been published nor has the author yet received "parchment".

(c) Yes. The training is useful for answering the numerous enquiries on apiculture received at the Institute from all parts of India.

Sardar Sant Singh: May I know if this gentleman has been granted the degree of Ph.D.?

Mr. J. D. Tyson: Not yet. He has been addressed as "Doctor" in letters to his own Professor in the English University that he attended and I understand he has been congratulated by the Professor.

Sardar Sant Singh: May I know if any official information has been received by the department if this gentleman has actually passed and is entitled to the Ph.D. degree?

Mr. J. D. Tyson: No official information has been received as the buildings of the University to which he submitted the thesis were very badly bombed and I believe that not even the examination results have been sent to India since then.

Sardar Sant Singh: Is it a fact that Dr. H. S. Prithi of the Agricultural Department has received his degree and a provisional certificate has been sent to him, though it was subsequent to this?

Mr. J. D. Tyson: I have no information.

Sardar Sant Singh: Will the Honourable gentleman inquire?

Mr. Lalchand Navalrai: Why was no Punjabi sent to England?

(No answer.)

FORFEITURE OF THE INCREMENT OF A SIKH BY THE DIRECTOR, IMPERIAL AGRICULTURAL RESEARCH INSTITUTE.

131. *Sardar Sant Singh: Will the Secretary for Education, Health and Lands please state the facts of the case in which the Director, Imperial Agricultural Research Institute, permanently forfeited the increment of one Sikh fieldman and did not agree to stop the increment of a South Indian Artist while the two cases were similar?

Mr. J. D. Tyson: As will presently appear, the two cases were not similar.

The increment of a Sikh fieldman (as also of a Muslim fieldman) was stopped by his immediate superior, the Imperial Entomologist, for gross neglect of duty in the field when employed on locust control work. The punishment was not inflicted by the Director.

In the case of the Artist—a South Indian—the officer under whom he was working advised, on a routine reference, that the annual increment should be withheld for six months as a warning against laziness. When it was brought to his notice by the Director that in the Artist's 27 years service there was no record of punishment or warning and that he had twice been promoted within the previous four years on the advice of the reporting officer himself, the latter recommended "a stiff warning" and the Director accepted the recommendation and passed orders accordingly.

Sardar Sant Singh: Is it a fact that in the department there is a feeling of South Indian *versus* the Punjabi and this feeling has been accentuated by the action of my Honourable friend himself.

Mr. J. D. Tyson: I am not aware of that.

Sardar Sant Singh: Will the Honourable Member make inquiry into this matter?

Mr. J. D. Tyson: No, Sir.

Sardar Sant Singh: Why are you not making any inquiry about it?

FIXING RENTS LOWER THAN PRE-WAR RENTAL VALUE IN BABAR ROAD AREA.

132. *Sardar Sant Singh: (a) Is the Honourable the Labour Member aware:

(i) that rents for middle class tenement houses in the Babar Road Area have been fixed by the Rent Controller at Rs. 42-8-0 per mensem from the 1st July, 1942; and

(ii) that this rent is less than the rental value of Rs. 560 per annum assessed by the New Delhi Municipal Committee for levying house-tax on these houses ever since 1938-39?

(b) What are the grounds for fixing the rents lower than the pre-war rental value as assessed by the New Delhi Municipal Committee in 1938-39?

(c) How do Government justify the levy of house-tax at an excessive rate for all these years?

(d) If the assessment was not excessive, how do Government justify the order of the Rent Controller?

(e) Is he aware that the house-owners in this area are mostly middle class people who have been hit hard by this arbitrary decision of the Rent Controller?

(f) What rents are fixed by the Rent Controller for houses having approximately a similar residential accommodation near the Pusa Road in Qarol Bagh Area, and in any other composite area in New Delhi?

(g) Is he aware that while controlling rents of houses in Calcutta, the Bengal Government have allowed an increase of ten per cent. in rents over the rents prevailing in 1941?

(h) Does he propose to allow a similar increase in rents in New Delhi? If not, why?

The Honourable Dr. B. B. Ambedkar: (a) (i). There are several different classes of tenements in the Babar Road Area carrying different rents. The rent of Rs. 42-8-0 is for one class tenements only.

(ii) Yes.

(b) The rents are fixed under clause 8 of the Delhi House Rent Control Order, 1939, under which the Rent Controller has to fix the fair rent of a house having regard to the prevailing rates of rents for the same or similar accommodation in similar circumstances during the twelve months prior to the 1st September, 1939.

(c) This is not a matter for Government.

(d) In view of the reply to part (b) above, the question does not arise.

(e) Yes, but Government have no reason to believe that the house-owners have been hit hard.

(f) There are no houses in Qarol Bagh having the same or similar accommodation.

(g) I have no official information on the point.

(h) No, Government do not see any justification for it.

Sardar Sant Singh: Will the Honourable Member make inquiries as to the difference in rental value assessed by the New Delhi Municipal Committee and the rent which is allowed to the owner and see that some justice is done to the landlords and the rents are increased?

The Honourable Dr. B. R. Ambedkar: I cannot do that, because the fair rent is fixed by the officer. There is no reason to suppose that his judgment is in any way miscarried by any circumstances which he ought not to take into account.

FISHING INDUSTRY IN THE SIND SEA COAST.

133. *Seth Yusuf Abdoola Haroon: Will the Honourable the Commerce Member be pleased to state:

(a) the number of small fishing ports on the Sind Sea Coast line;

(b) the total population of fishermen residing and dependent on the Fish Industry in all such ports, including the Karachi Port;

(c) the total quantity of cured and preserved dry salted fish and fish manure exported from Karachi to Ceylon and other ports in India and abroad in each year from 1939 onwards; and

(d) the total quantity of the duty free industrial coloured salt consumed by the Fish Industry in Sind in each year since 1939 to the 31st March, 1943?

The Honourable Sir M. Asif-ul-Huque: (a) and (b). Fisheries within territorial waters being an exclusively Provincial subject, the Government of India are not in a position to furnish the desired information.

(c) and (d). The information asked for is not readily available.

POST-WAR RECONSTRUCTION IN EDUCATION.

134. *Dr. Sir Zia Uddin Ahmad: (a) Will the Secretary for Education, Health and Lands please state if Government have drafted any scheme on the post-war reconstruction in education? If so, does he propose to lay the scheme on the table?

(b) Does the Honourable Member contemplate appointing a special Committee for devising a scheme of reconstruction in education after the war?

Mr. J. D. Tyson: (a) A scheme is under preparation. The Honourable Member's suggestion that, when ready, it should be laid on the table of the House has been noted for consideration.

(b) No. There is already in existence a fully representative body called the Central Advisory Board of Education before which it is proposed to lay the scheme for consideration in the first instance.

Dr. Sir Zia Uddin Ahmad: Is the Honourable Member aware that the progress of the work done by the Central Advisory Board is so slow that if this work is entrusted to them it will not be ready till ten years after the end of the war?

Mr. J. D. Tyson: I think it is proposed to call a special meeting of the Central Advisory Board with the idea that it would refer special aspects of this case to special committees. There is no reason, therefore, why the usual leisurely procedure should be followed.

Dr. Sir Zia Uddin Ahmad: Will the Honourable Member please ask the Central Advisory Board to present the report at least within two years from now?

Mr. J. D. Tyson: I will pass on the request.

Mr. Muhammad Azhar Ali: Will the Honourable Member state whether the universities of India will be consulted on this scheme?

Mr. J. D. Tyson: I will make a note of that suggestion.

Maulvi Muhammad Abdul Ghani: What are the special expert committees appointed by the Central Advisory Board?

Mr. J. D. Tyson: I shall require notice of that question.

Dr. Sir Zia Uddin Ahmad: Is it a fact that the Educational Commissioner has already prepared a scheme, and if so, will the Honourable Member lay it on the table?

Mr. J. D. Tyson: No, Sir. I said that the scheme is under preparation.

Sardar Sant Singh: What is the personnel of this advisory body?

Mr. J. D. Tyson: I should require notice of that; but I can say briefly that it has among its members the Education Minister or the Adviser in charge of Education in all the provinces. Then there are representatives of this House and from another place and a certain number of gentlemen from the States and a certain number of non-officials.

Dr. Sir Zia Uddin Ahmad: Is the Honourable Member aware that this Advisory Committee meets only once a year and whenever there is some business they appoint a sub-committee which takes two years to report, and then they take another year to consider that report and in the fourth year it is circulated among the provinces; and the process is so long that unless the matter is simplified there is no chance of getting anything done there?

Mr. J. D. Tyson: I think I have answered that before; it is intended to call a special meeting of the Central Advisory Board of Education and to set up committees which would immediately examine it.

PROHIBITION OF CONSTRUCTIONS INVOLVING USE OF CEMENT, STEEL AND TIMBER.

135. *Sir Abdul Halim Ghuznavi: (a) In view of the Government order announced in some places by beat of drums prohibiting constructions of all descriptions involving the use of cement, steel and timber, will the Honourable Member for Labour be pleased to state whether this order applies to constructions which are nearing completion and do not require cement, steel and teak wood?

(b) If the answer to (a) is in the negative, will the owners of such premises be granted permission for making and fitting the requisite panels for doors and wood-sashes for windows out of mango wood and other materials already in their possession, provided that the authorities are satisfied after verification that all the materials required are already in their stock?

(c) If the answer to (b) is in the affirmative, do Government propose to issue instructions to that effect to all provinces? If not, will all constructions, irrespective of whether they involve the use of cement, steel and timber, be kept in abeyance now?

The Honourable Dr. B. R. Ambedkar: (a) to (c). In order to curtail the demand for labour and materials and to check inflationary tendencies, the Government of India have asked the Provincial Governments to do what they can to discourage the construction of buildings, etc., by local bodies and private persons. These are general instructions and the Provincial Governments are at liberty to give effect to them in whatever manner they consider suitable having regard to the conditions prevailing in the Province. I would therefore suggest that the Member approaches the Provincial Government whose orders he desires to have clarified.

Mr. Lalchand Navalrai: May I know if these things have been prohibited because they are being supplied for war purposes or they have been prohibited for some other reason?

The Honourable Dr. B. R. Ambedkar: For war purposes.

Sir Abdul Halim Ghuznavi: May I inform the Honourable Member that the District Magistrate of Mathra has refused permission to an Honourable Member of this House to complete his house. He wanted to put in only 22 panels of mango wood and 22 panels for doors. That was the only thing to be done, but the District Magistrate refused to give the permission.

Mr. Ohairman (Syed Ghulam Bhik Nairang): That is a statement of facts and not a question.

The Honourable Dr. B. R. Ambedkar: I am glad to receive the information.

Sir Abdul Halim Ghuznavi: Is it a fact that the Commissioner of Agra Division was approached in this connection and he said that if the gentleman concerned could convince the District Magistrate that he already had in his possession the necessary wood to complete the house, he would give him the sanction. He convinced the District Magistrate that he had the necessary wood in his possession and yet he refused to give him the permission.

Mr. Chairman (Syed Ghulam Bhik Nairang): Again it is a statement and not a question.

Mr. Lalchand Navalrai: May I know if the half-completed houses or three-fourths completed houses have also been prohibited from being built?

The Honourable Dr. B. R. Ambedkar: I have no information on the point.

Mr. Lalchand Navalrai: Have any exceptions been made in this matter?

The Honourable Dr. B. R. Ambedkar: We have given general instructions to the provinces.

Mr. Lalchand Navalrai: They have not been given any discretion?

The Honourable Dr. B. R. Ambedkar: I am sure the discretion will be exercised with due care.

Mr. Lalchand Navalrai: Then the Central Government has not given any instructions yet?

The Honourable Dr. B. R. Ambedkar: I cannot say at this stage.

MANUFACTURE AND DISTRIBUTION OF STANDARD CLOTH.

136. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable Member for Industries and Civil Supplies be pleased to give an account of the progress made in the manufacture and distribution of standard cloth during the last six months?

(b) Does he propose to exhibit specimen of standard cloth with their prices in one of the rooms of the Council House during the Session of the Assembly?

The Honourable Sir M. Azizul Huque: (a) As I said in reply to a question on the 28th of July, the total quantity of Standard Cloth actually despatched to Provinces and States as at 25th July was 28·6 million yards.

(b) Specimens of Standard Cloth with prices are on exhibition in my room.

Maulvi Muhammad Abdul Ghani: May I know the quantity of special cloth sent to Bihar?

The Honourable Sir M. Azizul Huque: I cannot say anything more as to the actual quantity, but we propose to send exactly according to the population figure of the different provinces.

WHEAT AND RICE PRICES.

137. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Food Member be pleased to lay on the table a statement giving the price index of rice at import centres in the months of April, May, June and July?

(b) What were the prices of wheat at Hapur, Chandausi, Lyallpur, Bahawalpur and Bombay on the 20th July, 1943?

The Honourable Sir M. Azizul Huque: (a) and (b). Two statements are placed on the table—one giving the wholesale prices of rice prevailing in important centres during the months April to July 1943 and the other the wholesale prices of wheat on the 20th of July 1943 at the centres named by the Honourable Member.

Statement showing the index numbers of monthly wholesale prices of rice as far as available.

(Base : August and September 1939-100)

Name of centres.	April 1943.	May 1943.	June 1943.	Up to 2nd week of July 1943.
Bombay	259	321	321	358
Calcutta* (Bengal)	567	787	813	840
Raipur (C. P. and Berar)	335	340	340	340
Delhi	386	597	542	569
Coconada (Madras)	211	232	250	261
Bezwada (Madras)	198	206	216	219
Cuttack (Orissa)	144	144	211	244
Larkana (Sind)	179	179	243	243

* Taken from the statement issued by the Economic Adviser's office. (Kalama ordinary).

Statement showing the wholesale prices of wheat prevailing in the following stations on the 20th July, 1943.

(In rupees per maund.)

	Rs.	A.	P.		Rs.	A.	P.
Hapur	14	1	0	Bahawalpur			Not available.
Chandausi	14	6	9				13 1 0
Lyallpur	10	0	0	Bombay			

Statement showing the wholesale prices of Rice (Coarse) prevailing in important Centres during the months April 1943 to mid-July 1943.

(In rupees per maund.)

Name of Centre.	Name of Province.	April 1943.	May 1943.	June 1943.	July 1943.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Bombay	Bombay	8 11 10	10 5 3	10 5 3	11 8 0
Nagpur	C. P. and Berar	12 0 0	17 2 0	19 12 0	19 6 0
Raipur	Do.	8 6 0	8 8 0	8 8 0	8 8 0
Calcutta *	Bengal	21 14 0	30 0 0	30 0 0	30 0 0
(24-Parganas).					
Midnapur	Do.	20 8 0	27 8 0	30 8 0	28 8 0
Dinajpur	Do.	20 12 0	29 4 0	28 8 0	30 0 0
Chandpur	Do.	25 15 0	30 0 0	30 3 0	31 10 0
(Puranbazar).					
Delhi	Delhi	14 4 0	22 0 0	20 0 0	21 0 0
Cuttack	Orissa	6 8 0	6 8 0	9 8 0	11 0 0
Mercara	Coorg	8 0 0	8 0 0	9 8 0	9 8 0
Purnea	Bihar	13 0 0	19 0 0	23 0 0	23 0 0
Darbhanga	Do.	9 3 0	10 11 0	24 0 0	24 0 0
Coconada	Madras	7 6 5	8 2 5	8 12 8	9 2 6
Berwada	Do.	7 11 1	8 0 5	8 5 10	8 8 6
Larkana †	Sind	6 4 0	6 4 0	8 8 0	8 8 0
Khari-Lakhimpur	U. P.	12 0 0	15 0 0	16 0 0	16 0 0

STATEMENT MADE BY SECRETARY OF STATE FOR INDIA IN THE HOUSE OF COMMONS
RE FOOD SITUATION IN INDIA.

138. *Mr. K. C. Neogy: (a) With reference to the statement made by the Secretary of State for India in the House of Commons, as reported in the Reuter's message, dated the 14th July, to the effect that the present difficult situation in India was due to the widespread tendency of cultivators to withhold foodgrains from the market, and to larger consumption per head as a result of the increased family income, etc., will the Honourable Member for Food be pleased to state whether this statement is based upon any authoritative information in the possession of the Government of India in respect of each province?

(b) What is the proportion of cultivators in each Province, according to the information of Government, who cultivate what are known as economic holdings, and what proportion of them are in a position to withhold their agricultural produce such as foodgrains, being surplus to their own family requirements, from the market?

(c) What proportion of families in each Province has according to the information of Government benefited from an "increased family income" as stated by the Secretary of State, so as to be able to go in for a larger consumption of food?

(d) If the above statement is based on the facts supplied by the Government of India, or the individual Provincial Governments, is it proposed to lay on the table the reports of any enquiry from which the above mentioned conclusions can be drawn?

(e) Is the Honourable Member aware of a statement made by Mr. Suhrawardy, Minister in charge of Civil Supplies, Bengal, in the Bengal Legislative Assembly, on the 12th July last, with reference to an "anti-hoarding drive" which was confined in its operation to all the rural areas and all the towns of Bengal, excluding the city of Calcutta and the town of

Howrah, to the effect that practically in all places and districts deficits had been reported as a result of the aforesaid drive? Has this fact been reported to the Secretary of State for India in order to enable him to correct his aforesaid statement, so far at least as Bengal is concerned?

The Honourable Sir M. Azizul Huque: (a) The statement is based on reports received from time to time from Provincial Governments.

(b) The information is not readily available.

(c) Government have no information as to the exact proportion but, as the Honourable Member is no doubt aware, prices of foodstuffs have risen and war conditions have led to considerable increase in employment in all classes of the community in consequence of which the money income of producers has increased.

(d) No special enquiry was made.

(e) Yes. The general position in Bengal has been reported to the Secretary of State.

Mr. K. C. Neogy: With reference to the Honourable Member's answer to part (b) of the question, may I know whether his attention has been drawn to a statement made in a book called "The man behind the plough" by M. Azizul Huque, ex-Speaker, Bengal Legislative Assembly and Vice-Chancellor, Calcutta University? He goes into very great details and then he states on page 195:

"The conclusion is irresistible that the ordinary Bengal peasant is in possession of a holding which is definitely uneconomic."

The Honourable Sir M. Azizul Huque: Sir, I do not understand the relevancy of that question to part (b).

Mr. K. C. Neogy: When the Honourable Member gave the reply to part (b), did he have an opportunity of remembering what was written in that book by his name-sake?

The Honourable Sir M. Azizul Huque: I think I did remember but I thought that my friend required much later information than what that book presented and he wanted information with reference to the present conditions. It is only from that point of view that answer is given. But if the ex-Speaker of the Bengal Legislative Assembly again writes on that subject this year, I will certainly get an edition of that book.

Mr. K. C. Neogy: Do I take it that he takes that statement to be correct so far as Bengal is concerned?

The Honourable Sir M. Azizul Huque: It was correct according to his information available at that time and in those conditions.

Mr. K. C. Neogy: Has he any reason to suppose since he has assumed office that the statement made in that book was not quite accurate and needs revision in the next edition?

The Honourable Sir M. Azizul Huque: Certainly I feel there is much in that book which requires revision.

Mr. K. C. Neogy: Meanwhile, will the Government of India draw the attention of the Secretary of State to this particular statement in this book?

The Honourable Sir M. Azizul Huque: I do not understand the relevancy of this question.

Sardar Sant Singh: With reference to part (a) of the question, may I ask the Honourable Member if it is a fact that Sir Chotu Ram, a Minister of the Punjab, in a public meeting at Lyallpur openly exhorted the cultivators not to bring their stocks to the market against the orders of the Government of India?

The Honourable Sir M. Azizul Huque: I have no official information on the subject.

Sardar Sant Singh: Was this matter talked in the Food Conference which the Honourable Member had some days ago?

The Honourable Sir M. Azizul Huque: I should like to have more specific question to be put

Sardar Sant Singh: The more specific question is that Sir Chotu Ram, while speaking

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member has asked for notice of that question.

Mr. K. C. Neogy: May I have one more question with reference to part (e). My question was whether a particular statement made by the Minister in charge of Civil Supplies had been reported to the Secretary of State. The answer, as far as I can recollect, was that the general position is being reported to the Secretary of State. My question is specific as to whether this particular statement has been reported to the Secretary of State so that he may be more careful in making propagandist statements in the House of Commons hereafter?

The Honourable Sir M. Azizul Huque: I believe the Honourable Member is referring to the statement of Mr. Suhrawardy on the 12th July. I do not think it is the practice to refer to the Secretary of State the different statements that are made in the different provinces, but from time to time information of a general character is being sent.

Mr. K. C. Neogy: In answer to the first part of my question the Honourable Member stated that the statement made by the Secretary of State is based upon reports of the Provincial Governments from time to time. Now, the question arises in this way. Has this very important statement made by the responsible Minister in Bengal been brought to the notice of the Secretary of State because it definitely goes against the statement made by the Secretary of State on this very subject?

The Honourable Sir M. Azizul Huque: As I said, no individual statement of a Minister is ordinarily reported to the Secretary of State.

Mr. Chairman (Syed Ghulam Bhik Nairang): Next question.

REPORTS RE DEATHS FROM STARVATION, ETC., IN BENGAL.

139. ***Mr. K. C. Neogy:** (a) Has the attention of the Honourable the Food Member been drawn to—

(i) the Parliamentary Secretary's statement in the Orissa Legislative Assembly on the 3rd July last that "there had been cases of death due to starvation in the province";

(ii) the telegrams from Pleaders' and Mukhtars' Bars of Bhola in the district of Backergunge in Bengal to the Press (published in the Calcutta newspapers on the 10th July) that "many deaths from starvation in Bhola Sub-Division. Numbers increasing daily; situation extremely critical";

(iii) Khan Bahadur Abdul Wahed Khan's statement in the Bengal Legislative Assembly on the 13th July that "it was a fact that girls and women were being taken to Patuakhali side for being sold. Not few were eating unedibles and meat of dead cows"; and

(iv) Mr. Kiran Sanker Roy's statement in the Bengal Legislative Assembly on the 14th July that "People sold their utensils, cattle and even were now prepared to sell away their children. They had starved and were now dying"?

(b) Do the Government of India propose to hold enquiries, or to ask the Provincial Governments concerned to make enquiries, to satisfy themselves about the accuracy or otherwise of these reports? Is the Secretary of State's attention being drawn to these reports?

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

(b) It is understood that the Orissa Government have already made some enquiries and that further enquiries will be made. The Government of Bengal have also instituted enquiries to verify the accuracy of the reports. The Secretary of State is kept regularly informed of the situation and if the veracity of these reports is established he will certainly be informed.

Mr. K. C. Neogy: Is it a fact that censorship is being exercised on the publication of news of this character in the press?

The Honourable Sir M. Azizul Huque: I do not think that is a question which I can answer.

Mr. K. C. Neogy: Is the Honourable Member in possession of all the reports regarding deaths from starvation in Bengal, Orissa and other provinces? Is he expected to be kept regularly informed by the provincial authorities in this particular matter?

The Honourable Sir M. Azizul Huque: I cannot say that the Government of India is in possession of all the reports on the subject; so many of them appear in so many places. Whenever there is a question, we make enquiry from the Provincial Governments and are informed of the situation. Otherwise the general situation is fairly well known.

Mr. K. C. Neogy: Is the matter not of sufficient importance to merit a sort of general instruction being issued from the Government of India that all reports regarding deaths from starvation which may happen in any part of the country should be reported promptly to the Government of India?

The Honourable Sir M. Azizul Huque: I will consider that suggestion. No doubt, if the matter is really of such a character as it should be communicated to the Government of India, then the Provincial Governments will no doubt do so.

Mr. K. C. Neogy: Is the Honourable Member aware of very many other reports of such incidents that have appeared in the Press since I gave notice of this question? Is he aware of a statement that appeared very recently that on a single day 27 dead bodies were taken out from the pavements of Calcutta by one single philanthropic body not to mention of the activities of other philanthropic bodies?

The Honourable Sir M. Azizul Huque: I have seen the reports.

Mr. Lalchand Navalrai: May I ask the Honourable Member whether the conditions in Bengal and Bihar have reached the famine situation?

The Honourable Sir M. Azizul Huque: I think I will not be able to answer such general questions. I certainly propose to give a survey of the whole situation during the food debate.

Sardar Sant Singh: Can the Honourable Member give the House an assurance that food grains will be rushed to Bengal and the affected areas before the Food debate takes place in this House?

The Honourable Sir M. Azizul Huque: We are trying our level best in the matter not merely to Bengal but to every part of India which is in need. But there are a great many limiting factors which it is impossible for me to discuss in reply to a question and which I propose to say during the food debate. With all good wishes, you cannot do as much as you can. For example, just at the time when we arranged to send 120 wagons of wheat a day from the Punjab, the Damodar floods came and the railway lines were breached; just at the time when two ships were loaded, one went wrong and had to be sent to port. Factors like these are there.

Mr. Lalchand Navalrai: Are not the conditions in Bengal and Bihar worse than in other places?

Mr. Chairman (Syed Ghulam Bhik Nairang): Questions like these should stand over till the Food debate.

Dr. Sir Zia Uddin Ahmad: Is the Honourable Member prepared to enquire of every person about the stock in his possession, and is he prepared to promulgate an ordinance forcing these people to send out foodstuffs?

Mr. Chairman (Syed Ghulam Bhik Nairang): That does not lie within the four corners of this question.

THE "EMERGENCY PLAN" RE SUPPLY OF RICE TO BENGAL.

140. ***Mr. K. C. Neogy:** (a) Has the attention of the Honourable Member for Food been drawn to the following statement made by Mr. Suhrawardy, Minister in charge of Civil Supplies, Bengal, in the Bengal Legislative Assembly on the 14th July, when replying to a debate on the food position:

"The Government of India found itself unable even to send rice according to the emergency plan, and although it has sent us wheat and wheat products.

continuously from the Punjab, it always fell short of the programme on the basis of which I had organised the distribution of food within Bengal”?

(b) Does the Honourable Member propose to make a detailed statement giving statistical figures and explaining what is referred to by Mr. Suhrawardy as the “emergency plan”, and to what extent was it carried out so far as the Government of India was concerned, and to what extent did the actual action taken by the Government of India fall short of the programme as stated by Mr. Suhrawardy?

(c) When was the “emergency plan” drawn up, what was expected to be its duration, and to what factors was the failure to implement it due?

(d) With reference to the statement made by Major General Wood at a Press Conference in Calcutta, on the 13th May, last, that foodgrains including rice and its substitutes, wheat and grams, to the extent of 793,000 tons were “being provided by the Central Government”, was this programme in any way connected with the emergency plan referred to above? How much of this quantity has been actually supplied by the Central Government since the statement was made?

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

(b) and (c). In order to cover the period after the removal of restrictions on the movement of foodgrains in the Eastern Region until supplies should move freely into Bengal from neighbouring provinces, emergency arrangements were made by the Government of India last May for the despatch to Bengal of foodgrains between 30,000 and 40,000 tons from areas outside the Eastern Region, over a period of about a month. 27,000 tons were despatched including 14,155 tons of rice. The plan was not fully implemented owing to the inability of local Governments to procure the required amounts in time.

(d) No Sir; 39,968 tons has so far been delivered to Bengal out of the basic plan quota.

FREE TRADE POLICY AND AN “ANTI-HOARDING” DRIVE IN BENGAL AS REGARDS FOODGRAINS.

141. *Mr. K. O. Neogy: (a) Will the Honourable Member for Food be pleased to refer to the Press Communiqué, dated the 17th May, 1948, in which it was announced that all restrictions on the free trade of foodgrains in Bengal, Bihar, Orissa and Eastern States, excluding certain areas in the Eastern States and Assam, were removed?

(b) What were the specific areas in Assam and the Eastern States which were excluded from the operation of this decision, and what were the reasons for such exclusion in each case?

(c) Is it a fact that the Government of India absolved themselves of the responsibility for sending supplies to Bengal as a concomitant of the introduction of “free trade” within the “Eastern Zone”?

(d) Is it a fact that the undertaking of an “anti-hoarding” drive in Bengal by the Government of Bengal was a condition implicit in the new “free trade” policy? If so, was it understood by the Government of India that the city of Calcutta and the town of Howrah would be excluded from the operation of the anti-hoarding drive, and, if so, what were the reasons for excluding Calcutta and Howrah from the scope of this action?

(e) Has the attention of the Honourable Member been drawn to the allegations made by the non-official members in the course of a recent debate in the Bengal Legislative Assembly that, as a result of the exclusion of Calcutta and Howrah from the scope of the “anti-hoarding drive”, considerable quantities of rice were purchased in the districts by the licensed whole-sale dealers from Calcutta and Howrah and removed to these two places?

(f) What are the reasons for deciding upon a reversal of the aforesaid “free trade” policy in the “Eastern Zone” as announced at the Food Conference at Delhi on the 8th July last?

(g) Has the desire of the Honourable Member, as expressed in his speech at the Food Conference on the 8th July last, that the Government of Bengal will, without further delay, take a similar "anti-hoarding" drive in unearthing the hoards of foodgrains in the "greater Calcutta area" been carried into effect?

(h) In what sense has the "anti-hoarding" drive been "an unquestioned success" as stated by the Honourable Member at the Food Conference on the 8th July? Are Government fully aware of the results of the drive?

(i) What was the effect of the operation of the aforesaid "free trade" policy on prices and supplies of foodgrains in the provinces of Orissa, Bihar and Assam and the Eastern States, separately, and has any complaint been received from these Provinces and States regarding the practical operation of the said "free trade" policy?

(j) Have Government any information regarding the rise in the prices of foodgrains in these Provinces and States, week by week, since the introduction of the "free trade" policy?

(k) What quantities of foodgrains did actually move into Bengal from these Provinces and States as a result of the "free trade" during the total period of its operation?

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

(b) The Assam Valley and the States of Kanker, Bastar, Patna, Kalahandi, Nandgaon, Khairagarh, Chhukhadan and Kawertha. The former was excluded as its surpluses were already earmarked intended to be acquired for the requirements of the Defence Services and tea garden labour and latter for geographical reasons.

(c) Yes, to the extent that Bengal was to receive supplies from the Eastern Region, but special supplies were arranged from outside the Region for a limited period.

(d) The answer to the first part of the question is in the affirmative. We understand a simultaneous drive throughout Bengal including Calcutta and Howrah could not be undertaken owing to shortage of necessary staff.

(e) Yes.

(f) The decision was in accordance with the recommendations of the Conference which have been accepted by the Government of India.

(g) It is understood that the drive in the greater Calcutta area will be started very shortly and preliminary steps to ring off the areas concerned have already been taken.

(h) It is understood that as a result of the drive stocks of foodgrains to the extent of 80 lakhs of maunds have been set free.

(i) Prices rose in those areas and occasioned some protests from the Governments concerned.

(j) Yes.

(k) Full information is not yet available.

Mr. K. C. Neogy: With reference to part (d), is the Honourable Member aware that in making a statement at the Press conference, the Honourable Minister in charge, Bengal, stated that the reason why Calcutta and Howrah would be for the present left out of the scheme was that these two places were trading centres and that they do not wish to kill trade because trading ought to go on?

The Honourable Sir M. Azizul Huque: I am not aware. But that is what we understood when we made enquiries.

Mr. K. C. Neogy: With regard to the statement made by the Honourable Member that certain areas were excluded from the operation of this particular scheme on the ground that their surplus stocks were earmarked for defence purposes and for supply to tea garden labourers, do I take it that the policy of the Government at the present moment is to treat the requirements of tea gardens on the same footing as the requirements for the purpose of war?

The Honourable Sir M. Azizul Huque: I think, the conclusion which the Honourable Member is taking is quite wrong.

Mr. K. C. Neogy: Because the Honourable Member coupled these two; I want a statement on this point?

The Honourable Sir M. Azizul Huque: Sometimes members from two different parties sit side by side.

Mr. Abdur Rasheed Choudhury: Is it a fact that the restrictions removed have since been restored?

The Honourable Sir M. Azizul Huque: I think so.

Mr. Abdur Rasheed Choudhury: What is the reason?

The Honourable Sir M. Azizul Huque: It is very difficult for me to give an explanation of the reasons in the course of a reply.

' BASIC QUOTAS ' AS REGARDS FOODGRAINS OF DIFFERENT DEFICIT PROVINCES AND STATES.

142. *Mr. K. C. Neogy: (a) With reference to the statement made by the Honourable Member for Food at the Food Conference on the 8th July last to the effect that deficit Provinces and States would be free within the limits of their "basic quota" to make direct approach to the surplus areas for the purchase of foodgrains and wherever possible to make direct transport arrangements, will he be pleased to make a statement showing the "basic quotas" in respect of the different deficit Provinces and States, explaining the considerations on which the said "basic quota" has been fixed in each case?

(b) Is the Honourable Member aware of a statement made in the Bengal Council (Upper House) by the Minister for Agriculture on the 24th February, 1943, that the deficit in foodgrains for the current year in Bengal as then estimated was 2,328,000 tons, and of another statement made by a Parliamentary Secretary of the Bengal Government in the said Council on the 15th July last that the extent of the shortage was estimated at 25 to 30 per cent. of the annual output which amounted to 20 to 24 lakhs of tons? Is the quota for Bengal based on these estimates?

The Honourable Sir M. Azizul Huque: (a) It is not in the public interest to give the figures of the basic quotas. The quotas have been fixed on a consideration of the availability of supplies and the requirements stated by each deficit area.

(b) I am aware of the statements referred to by the Honourable Member. The basis on which the quota for Bengal has been fixed has been explained in answer to the first part of the Honourable Member's question.

AUTHORITY GRANTED TO PROVINCIAL GOVERNMENTS FOR FIXING AMOUNTS OF FOOD GRAINS WHICH COULD BE STORED BY LABOUR EMPLOYERS.

†143. *Mr. K. C. Neogy: (a) Will the Honourable Member for Food please state what the disability had been of the Provincial Governments in the matter of fixing amounts of foodgrains which could be stored by the employers of labour for supply to their workmen which had to be removed by the recent amendment to the Foodgrains Control Order? Had such disability been connected in any way with the condition referred to by Mr. Justice Braund, Regional Commissioner for the Eastern Zone, in his broadcast of the 8th April that Provincial Governments "were to see that essential services necessary to win the war for India were kept going", or with the special "needs of Calcutta" to which reference was made in the Secretary of State's statement in the House of Commons on the 14th July?

(b) Is the authority granted to Provincial Governments for the aforesaid fixation needed as a preliminary to the initiation of the "anti-hoarding" drive in Calcutta and Howrah where, according to the allegations made by the several non-official members in the course of the recent food debate in the Bengal Legislature, large stocks have been accumulated by certain powerful interests, such as British employers of labour, and certain other favoured individuals? Is the order recently passed by the Regional Commissioner, Eastern Region, prohibiting export of rice, paddy, *dals*, wheat and wheat products from Calcutta and the Industrial area, except under permits, intended as a long-term arrangement or

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

only as a temporary measure for the period of the anti-hoarding drive in Calcutta?

The Honourable Sir M. Azizul Huque: (a) Before the recent amendment of the Foodgrains Control Order employers were not required to take out licenses for the storage of foodgrains or to submit returns. In the absence of such a provision, proper control over and information about such stocks would be difficult to secure. This amendment had been under consideration for some time on general grounds and had nothing to do with the condition referred to by Mr. Justice Braund or to the special needs of Calcutta,

(b) The answer to the first part of this sub-paragraph is in the negative, though the powers now available to the Provincial Government would undoubtedly facilitate the anti-hoarding drive. As regards the Regional Commissioner's order referred to, it is not directly concerned with the anti-hoarding drive, and, having been necessitated by the difficult supply position in Calcutta is likely to continue in full as long as the supply position does not improve substantially.

COST OF RAISING BUILDINGS IN NEW DELHI AND SIMLA CONNECTED WITH WAR ACTIVITIES.

144. *Sardar Sant Singh: Will the Honourable the Labour Member please state the total cost incurred by the Government of India in raising buildings in New Delhi and Simla, separately, connected with the War activities since September 1939? Was any expense incurred on behalf of Americans? If so, how much, and who met it?

The Honourable Dr. B. R. Ambedkar: The following expenditure had been incurred up to the end of March 1943:

(i) New Delhi—Rs. 1,55,14,629.

(ii) Simla—Rs. 24,65,137.

(iii) On behalf of Americans—Rs. 38,47,916.

(This has been debited to Defence Services Estimates under Reciprocal Lease/Lend arrangements.)

Maulana Zafar Ali Khan: May I know if after the war all these temporary buildings will be demolished?

The Honourable Dr. B. R. Ambedkar: Yes.

Sardar Sant Singh: Which Government meets the expenditure of Rs. 38,47,916 on Americans?

The Honourable Dr. B. R. Ambedkar: The Government of India under the reciprocal Lease/Lend arrangements.

Sardar Sant Singh: Will this expenditure on the taxpayers of India be later on debited to the accounts?

The Honourable Dr. B. R. Ambedkar: Notice.

SIKHS IN NEW POSTS CREATED IN THE COMMERCE, INDUSTRIES AND CIVIL SUPPLIES AND FOOD DEPARTMENTS.

145. *Sardar Sant Singh: (a) Will the Honourable the Commerce Member please state the number, separately, of posts carrying salaries of Rs. 300 per mensem and over in the Commerce, Industries and Civil Supplies and Food Departments?

(b) How many new posts were created in these Departments since the beginning of the war? How many Sikhs were employed on these posts? What is the maximum salary paid to a Sikh, and in what Department or Section of the Department such maximum salary is paid?

The Honourable Sir M. Azizul Huque: I lay on the table a statement furnishing the information asked for by the Honourable Member.

Statement giving particulars of posts carrying salary of Rs. 300 per mensem and over, etc., in the Departments of (1) Commerce, (2) Industries and Civil Supplies and (3) Food.

	Commerce Department (Secretariat).	Industries and Civil Supplies Department (Secretariat).	Food Department (Secretariat and D. G. Food). Directorate General of Food.
Part (a) Posts carrying minimum pay of Rs. 300 and over.	24	18	13
Part (b) (i) Number of new posts created since the beginning of War (Officers and Ministerial).	164	136	133
(ii) Number of Sikhs employed on posts mentioned in (b) (i).	19	6	7
(iii) Maximum monthly salary paid to a Sikh.	Rs. 210	Rs. 262-8-0	Rs. 240
			Rs. 800

SIKHS IN HIGH-SALARIED POSTS OF CERTAIN DEPARTMENTS.

†146. *Sardar Sant Singh: (a) Will the Honourable the Leader of the House please state the number of posts carrying salaries of Rs. 400 a month or over in the Federal Court, Legislative Assembly Department, Political Department, Secretariat of the Governor General (Personal), and Secretariat of the Governor General (Reforms)?

(b) How many such posts are held by Sikhs, and what is the approximate emoluments of each incumbent?

The Honourable Sir Sultan Ahmed: The required information is as follows:

- | | | |
|---|---------|--|
| (1) Federal Court | (a) 1. | (b) Nil. |
| (2) Legislative Assembly Department | (a) 33. | (b) 1. Pay Rs. 305 in the scale of Rs. 200—15—500. |
| (3) Political Department | (a) 24. | (b) 1. Pay Rs. 400. |
| (4) Secretariat of the Governor General (Personal). | (a) 7. | (b) Nil. |
| (5) Secretariat of the Governor General (Reforms). | (a) 3. | (b) Nil. |

TRAINING ON THE I. M. M. T. S. "DUFFERIN".

†147. *Sardar Sant Singh: (a) Will the Honourable the Commerce Member please state when training on the I.M.M.T.S. "Dufferin" was first started?

(b) Is it a fact that no particular educational qualifications were required of the candidates for admission and that a written test was prescribed?

(c) Is it a fact that the standard of such tests was generally that of Matriculation Examination of the Indian Universities?

(d) How many candidates admitted to the ship during the first three years had passed the Matriculation or an equivalent examination?

(e) Is it a fact that the Dufferin Passing Out Examination has been held equivalent to the Matriculation Examination of an Indian University? If so, on what grounds?

The Honourable Sir M. Azizul Huque: (a) Training on the I.M.M.T.S. "Dufferin" was first started on the 1st December, 1927.

(b) and (c). Information is not readily available regarding the procedure adopted in the case of the first admissions on the Training Ship but at present the minimum standard of education required of candidates is three standards below Matriculation and they are required to pass a qualifying examination based on that standard.

(d) The information asked for is not readily available.

(e) The reply to the first portion is in the affirmative. As regards the second portion, in view of the standard of education imparted and the number of years of training, the Dufferin Passing Out Certificate has been recognised as equivalent to the Matriculation or High School Examination.

TRAINING ON THE I. M. M. T. S. "DUFFERIN".

†148. *Sardar Sant Singh: (a) Will the Honourable the Commerce Member please state the number of Matriculates or those having passed an equivalent

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

examination who were admitted to the I.M.M.T.S. "Dufferin" during the last years? How do these figures compare with those of the first three years of the ship? Is it a fact that the number of such candidates is on the increase? What is the percentage of such candidates to the total admission?

(b) Is it a fact that training on the ship lasts for three years, and that after passing out the final examination a candidate is deemed to have passed the Matriculation Examination?

(c) Is it a fact that the standard of the books prescribed for training on "Dufferin" is in most cases equivalent to those of the Intermediate Examination of the Indian Universities generally?

(d) Is it a fact that some of the books prescribed for academic subjects have been or are prescribed for the Intermediate or B.A. Classes of certain Universities?

(e) Is it not a fact that the standard books prescribed for the vocational subject is not lower than that of degree courses in similar or allied (e.g., Mechanical Engineering, etc.) subjects in the Indian Colleges?

(f) Have Government examined the question that the D.F.P.O.E. should be deemed equivalent to B.Sc. of the Indian Universities? If not, do Government propose to examine this early, with a view to seeing that the D.F.P.O.E. is declared equivalent to the B.Sc.? If not, why not?

(g) Are Government aware that by doing so they will have a better and bigger field of selection for entry to the ship?

The Honourable Sir M. Azizul Huque: (a) The number of Matriculates who were admitted to the Training Ship "Dufferin" during the years 1941 to 1943 are as under: 1941.....14, 1942.....10, 1943.....14.

The figures for the first three years are not readily available and it is not possible therefore to state whether the number of Matriculates is on the increase. The percentage of such candidates to the total admission during the years mentioned above was: 1941.....25.45, 1942.....18.51, 1943.....31.81.

(b) Yes.

(c) to (e). The curriculum laid down for the cadets on the Training Ship combines the requirements of the sea with those of the Universities in India up to the Matriculation standard only. The curriculum for the three years' course is given on pages 36-40 of the Prospectus of the I.M.M.T.S. "Dufferin", a copy of which is in the library of the Legislature.

(f) No. Specially because the qualifying examination is three standards below Matric and the training on the ship lasts only for three years.

(g) No.

DESIRABILITY OF GRANTING SCHOLARSHIPS TO ALL ENGINEERING CADETS FROM I. M. M. T. S. "DUFFERIN"

†149. *Sardar Sant Singh: (a) Will the Honourable the Commerce Member please state whether only the first fifteen Engineering Cadets from the I.M.M.T.S. "Dufferin" are granted Government scholarship of Rs. 50 each for the period of the three years' apprenticeship in workshops on sea-ports?

(b) Is it a fact that in the case of remaining cadets who do not receive any Government scholarship, the workshops pay only eight annas to Re. 1/2/- per day?

(c) Are Government aware that these rates are too low for one's living in sea-port towns, particularly now on account of the rise in prices?

(d) Do Government propose to grant scholarship to all the Engineering Cadets who pass the D.F.P.O. Examination? If not, why not?

(e) Do Government propose to see that all the cadets (Engineering and Executive) get a living wage in accordance with their standard of living on the ship during their apprenticeship period as well?

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

(b) The workshops pay a small wage varying from 8 annas a day in the first year to about Rs. 1/8/- a day in the last year to all the apprentices, whether they are scholarship holders or not.

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

(c) and (e). The wages paid by the workshops to the apprentices is a matter for settlement between the apprentices and the Shipping Companies.

(d) The reply to the first portion is in the negative. The object of granting scholarships will be defeated if the scholarships are to be awarded to all.

DEMOLITION OF MUSLIM GRAVES ON BAIRD ROAD, NEW DELHI.

150. *Maulvi Muhammad Abdul Ghani: (a) Will the Secretary for Education, Health and Lands, please state whether the attention of the Government of India has been drawn to an article published on page 4 of the *Daily Payam*, of Delhi, dated the 24th May, 1943, regarding demolition or digging out of a number of Muslim graves by a Hindu Contractor on the Baird Road, New Delhi, near the temple of 'Kali'? If so, what action has been taken by the Provincial or the Central Government, and with what result?

(b) What is the number of graves so dug out?

Mr. J. D. Tyson: (a) and (b). While the foundations for certain new quarters were being dug up, graves were discovered by the workmen employed by the Contractor, who is a Muslim and not a Hindu. The work was immediately stopped under the orders of the senior officers of the Central Public Works Department and no graves have been dug out or demolished.

FACTORIES ADVERSELY AFFECTED BY THE FORMER STANDARD TIME.

†**151. *Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable the Labour Member please state which factories (and in which part of the country) were adversely affected by the former standard time which used to be observed in India?

(b) What is the number of such factories, and what is the estimated amount of loss to those factories caused by the keeping up of the standard time?

(c) Do Government propose to consider the advisability of restoring the old standard time? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) Government have no information that factories in any part of India were adversely affected by the former standard time.

(b) Does not arise.

(c) The reply to the first part is in the negative. The reasons for the advance of time have been explained by Government in a Press communiqué a copy of which is laid on the table of the House. No grounds have been shown for a restoration of the old standard time.

Press Communiqué.

The existence of two different standards of time in India is for purposes of defence undesirable and since the 15th May this year a uniform standard time has been observed throughout the country. In deciding what that standard should be the Government have had to consider on the one hand the convenience of that portion of India which lies to the West of meridian 82½ and already enjoys sufficient daylight saving and on the other the requirements of the eastern Provinces where it is essential to avoid any electricity overload due to overlap of factory demands with those of domestic, office and street lighting and where extra daylight may be needed to mitigate the effect of obscuration. Since in the summer months there is an adequate margin of daylight in the eastern areas, it was considered that by an adjustment of office and factory hours the requirements of those areas during the summer could be adequately met if Standard Time were fixed at 5½ hours ahead of Greenwich Mean Time throughout India and a uniform time was introduced accordingly as from the 15th May. The Government of India undertook, however, to consider the question of a further change before the winter season commenced. It has now been decided that to ensure the continuance of sufficient daylight in the eastern Provinces it is necessary to make such a change in the near future, and that Indian Standard Time throughout the country should be 6½ hours ahead of Greenwich Mean Time. The change will take effect from midnight of the 31st August—1st September from which date clocks will be advanced by one hour. It is fully realised that the advance of clocks by one hour must inevitably cause some inconvenience to areas lying west of meridian 82½ but it is believed that by an adjustment of hours of work, this inconvenience can be overcome and that when the public becomes accustomed to the new time no great difficulty will be experienced.

Home Department.

New Delhi, the 31st July 1942.

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

UNSTARRED QUESTIONS AND ANSWERS.

SHORTAGE OF RICE SUPPLY IN BENGAL.

27. Mr. K. O. Neogy: Will the Honourable Member for Food be pleased to state when Government first realised that there was an actual or threatened shortage of supply of rice for consumption in Bengal, and what quantities of it were allowed to be exported from Bengal out of India after that date?

The Honourable Sir M. Azizul Huque: Bengal expressed inability to spare any surplus of rice for other provinces at the first Food Conference held in December 1942 as they feared that shortage might develop later in the year but it was only at the beginning of March 1943 that the rice situation in Bengal became difficult. Since that period there have been no exports of rice from Bengal.

FALL IN OUTPUT OF COAL.

28. Mr. K. O. Neogy: (a) Will the Honourable Member for Labour please state if it is a fact that since January, 1943, the output of coal in British India has gone down? If so, did Government make any enquiry about the reason for this fall in output, and what practical steps do Government propose to take to improve the situation?

(b) Is it a fact that the stock of coal was much less at collieries in British India on the 31st of May, 1943, than the stock that was reported to exist on the 31st of December, 1942? If so, what are the reasons for such a deterioration?

(c) Is it a fact that sufficient number of wagons was not available between the 1st of January, 1943, and 31st of May, 1943, even to carry away the raisings of that particular period? If so, what is the explanation for the reduction in the stock?

(d) Is it a fact that about 30 collieries in the Kajora field in the Province of Bengal with a raising of approximately over ten lakhs of tons a year, are going to be shut down for want of wagon facilities due to the military authorities using the portion of the line serving these collieries, although it is possible to carry the military goods from the Ondal Junction by the military lorries?

The Honourable Dr. B. B. Ambedkar: (a) No. The second part of the question does not arise.

(b) The stock figures reported to exist on the 31st December, 1942, are not reliable. Improved methods of collecting figures of stocks have since been introduced. It is believed that stocks have not deteriorated but increased between 31st December, 1942, and 31st May, 1943.

(c) Answer to the first part is in the affirmative. Answer to the second part is in the negative.

(d) No. Kajora field is worked by several pilots. It is presumed that the question refers particularly to the area worked by Okhra Nos. 1 and 2 Pilots. Approximately 30 collieries are worked by these two Pilots. The capacity for coal of these two Pilots is 100 wagons which represents approximately 2,000 tons of coal per day or 7,20,000 tons per annum. Both these Pilots have been getting preferential supplies of wagons as they have large orders from B and A Railway. With the wagon position as at present prevailing in the Bengal and Bihar fields, it is extremely unlikely that even if the capacities of these Pilots were increased the collieries would get more than 100 wagons a day. For the Military Depot 20 wagons in the capacity of Okhra No. 2 Pilots have been provided, but as explained above this arrangement is not likely to cause these collieries to shut down. The Government of India are not aware whether the military can carry goods from Ondal Junction by military lorries.

RECENT IMPORTS OF WHEAT AND OTHER FOODGRAINS.

29. Mr. K. G. Neogy: (a) With reference to the statement made by the Secretary of State for India in the House of Commons, as reported in Reuter's message, dated the 21st January, 1943, to the effect that the question of shipping wheat to India from overseas to tide over before the crop was available in April, was being urgently considered, will the Honourable Member for Food be pleased to make a statement showing, month by month, the quantities of wheat or other foodgrains that may have been imported into India from abroad since this statement was made, indicating the quantities thereof supplied to the different Provinces?

(b) Was any part of the abovementioned shipments diverted for military purposes or earmarked for being utilised in any particular manner?

(c) Has the attention of Government been drawn to a published Associated Press message, dated Karachi, the 11th June last, to the effect that some of the wheat-ships from Australia that were unloaded at Bombay and Calcutta some time ago carried wheat for destinations beyond the shores of India, that they were diverted to India in order to relieve the acute shortage of food that these two cities were experiencing at the time, and that the borrowed wheat had been returned by the Government of India to those for whom it was originally intended, from the new crop?

(d) Is this report substantially correct? If so, what quantities were thus returned, and to which countries?

(e) What were the detailed terms on which this arrangement was entered into with Australia or any other country concerned?

The Honourable Sir M. Azizul Huque: (a) and (b). It is not in the public interest to furnish this information.

(c) Yes.

(d) The report is not correct.

(e) Does not arise.

CONCESSIONS *re* OIL RESOURCES IN BRITISH INDIA TO BRITISH OR AMERICAN FIRMS.

30. Mr. K. G. Neogy: Will the Honourable Member for Labour be pleased to refer to starred question No. 441, dated the 30th March, 1943, and lay on the table a statement giving the names of British or American firms that may have secured concessions (including exploration or prospecting licences) in respect of the potential oil sources in any part of British India, together with a summary of the principal terms and conditions thereof in each case?

The Honourable Dr. B. R. Ambedkar: The attention of the Honourable Member is invited to the statement placed on the table of the House today giving the information promised in answer to the supplementaries on question No. 441, dated the 30th March, 1943.

IMPORTS FROM AND EXPORTS TO THE UNION OF SOUTH AFRICA OF CERTAIN ARTICLES.

31. Mr. K. G. Neogy: Will the Honourable the Commerce Member be pleased to furnish—

(a) the available statistics of exports from India to the Union of South Africa in respect of jute and gunny cloth, vegetable oils, paraffin wax, provisions, rice (not in the husk), textiles and piece-goods, and other articles for the years 1939-40, 1940-41, 1941-42 and 1942-43; and

(b) the available statistics of imports into India from the Union of South Africa in respect of barks for tanning and other articles for the above years?

The Honourable Sir M. Azizul Huque: (a) and (b). A statement showing India's exports to and imports from the Union of South Africa during the four years ending 1942-43 is laid on the table.

Statement showing India's export and import trades with the Union of South Africa during the four years ending with 1942-43, relating to certain specified articles.

Articles.		Quantity.				Value (Rs. 000).			
		1939-40.	1940-41.	1941-42.	1942-43.	1939-40.	1940-41.	1941-42.	1942-43.
<i>Exports thereto (Indian merchandise).</i>									
Jute—									
Raw	tons	100	...	12	...	29	...	4	...
Twist and yarn	lbs. (000)	580	678	1,590	657	1,22	1,47	3,33	1,63
Manufactures—									
Canvas	yds. (000)	15	103	187	218	6	66	92	1,18
Gunny bags	Nos. (000)	38,496	35,918	53,251	79,659	1,48,63	1,27,88	1,76,45	2,95,23
Gunny cloth	yds. (000)	19,259	13,362	170,019	22,493	34,63	29,09	37,36	52,39
Rope and twine	cwt.	7,488	4,803	5,302	12,563	1,68	1,10	1,37	3,48
Other kinds	value	...	...	...	...	58	58	78	55
Vegetable, non-essential oils	gals. (000)	296	643	1,216	843	5,93	15,23	28,15	23,45
Paraffin wax	tons	347	...	...	765	1,21	...	...	6,07
Provisions and oilman's stores	value	...	...	...	...	42	66	2,27	1,51
Rice (not in the husk)	tons	31,498	24,293	41,193	8,515	38,82	34,43	70,89	16,43
Textiles other than cotton piece-goods and jute and jute manufactures	value	...	...	...	...	4,21	16,50	60,50	1,53,41
Other articles	...	...	...	...	...	66,11	75,21	2,06,48	4,79,71
Total exports	value	...	...	...	...	3,03,79	3,02,81	5,88,49	10,84,99
<i>Imports therefrom.</i>									
Barks for tanning	cwt.	698,231	658,236	665,229	718,793	44,38	44,23	46,48	51,96
All other articles	value	...	...	...	...	16,12	33,42	77,39	1,73,02
Total imports	value	...	...	...	...	60,50	77,65	1,23,87	2,24,97

STATEMENT LAID ON THE TABLE.

Information promised in reply to supplementaries to starred question No. 441 asked by Mr. K. C. Neogy on the 30th March, 1943.

LICENCES FOR EXPLORATION AND SCIENTIFIC PROSPECTING OF POTENTIAL OIL SOURCES.

I. Statement of mineral concessions (including exploratory and prospecting licences) granted to British and American firms in respect of potential oil sources in British India—N. B. (Returns are available up to end of 1941.)

Grantee.	Nature of grant.	Term.	Date of commencement.	Locality.
A. PUNJAB.				
1. The Attock Oil Co.	Mining lease	30 yrs.	1-1-20	....
2. " "	Prospecting licence	1 yr.	25-7-40	....
3. The Burma Oil Co.	" "	2 yrs.	27-11-39	....
B. ASSAM.				
1. The Burma Oil Co.	Prospecting licence (Renewal)	1 yr.	6-4-40	Sylhet and Kachar.
2. " "	" "	2 yrs.	4-7-40	Sibsagar District.
3. The Assam Oil Co.	" "	1 yr.	1940	Lakhimpur District.
4. " "	Mining lease	30 yrs.	1938	....

II. Principal terms and conditions:—The prospecting licences and mining leases mentioned above were granted by the Punjab and Assam Governments under their respective rules. Information regarding the principal terms and conditions of these licences and leases is not available and is being collected.

DECLARATIONS OF EXEMPTION AND NOTIFICATIONS UNDER THE
REGISTRATION OF FOREIGNERS ACT.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table a copy each of—

- (a) the Declarations of Exemption:
- (i) No. 1/9/43-Poll(E), dated the 10th April, 1943;
 - (ii) No. 1/11/43-Poll(E), dated the 2nd March, 1943;
 - (iii) No. 1/12/43-Poll(E), dated the 26th March, 1943;
 - (iv) No. 1/12/43-Poll(E), dated the 16th April, 1943;
 - (v) No. 1/12/43-Poll(E), dated the 29th May, 1943;
 - (vi) No. 1/20/43-Poll(E), dated the 4th May, 1943;
 - (vii) No. 1/22/43-Poll(E), dated the 10th May, 1943;
 - (viii) No. 1/23/43-Poll(E), dated the 15th May, 1943; and
 - (ix) No. 1/26/43-Poll(E), dated the 11th June, 1943; and
- (b) Notifications:
- (i) No. 1/17/43-Poll(E), dated the 1st May, 1943;
 - (ii) No. 1/26/42-Poll(E), dated the 6th May, 1943; and
 - (iii) No. 1/30/43-Poll(E), dated the 7th July, 1943.

No. 1/9/43-Political (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 10th April, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8, shall not apply to, or in relation to, technical representatives and civil service employees of the American, Chinese, Dutch, Free French or other Allied naval, military or air Forces in India who are subject to naval or military discipline and are in possession of a certificate in the form prescribed in the Schedule hereto annexed and issued by an officer of the appropriate Forces not below the rank of Brigadier.

B. R. PANDEY,

Under Secretary to the Government of India.

SCHEDULE.

Certificate of eligibility for exemption from the provisions of the Registration Act, 1939.

This is to certify that Mr..... is a technical representative/civil service employee of the..... Forces in India and is thereby entitled to the benefit of the notification, No. 1/9/43-Political (E), dated the 10th April, 1943 issued by the Government of India in the Home Department.

No. 1/11/43-Political (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 2nd March, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners shall not apply to, or in relation to, Mr. L. Brooke-Edwards, representative in India of the United States Office of Lend Lease Administration, so long as he continues to hold that post.

B. R. PANDEY,

for Joint Secretary to the Government of India.

LEGISLATIVE ASSEMBLY
No. 1/12/43-Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

[2ND AUG., 1948.]

Simla, the 26th March, 1948.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors shall not apply to, or in relation to,

- (1) Mr. Frederick W. Ecker, Head of the United States Lend-Lease Mission in India, and
(2) Mr. Winthrop Brown, his assistant.

B. R. PANDEY,

for Joint Secretary to the Government of India.

No. 1/12/43-Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 16th April, 1948.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Messrs. Frank W. Fetter and Francis R. Titcomb, members of the United States Lease and Lend Mission, so long as they remain in the mission.

B. R. PANDEY,

Under Secretary to the Government of India.

No. 1/12/43-Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 20th May, 1948.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Messrs. Milton Newman and Gilbert Jones, Members of the United States Lend-Lease Mission, so long as they remain in the mission.

B. R. PANDEY,

Under Secretary to the Government of India.

No. 1/20/43-Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 4th May, 1948.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners shall not apply to, or in relation to, Miss Anne Logan Fouche, employed as a clerk in the American Consulate at Bombay, so long as she continues to hold her present post.

B. R. PANDEY,

Under Secretary to the Government of India.

No. 1/22/43-Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 10th May, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of Rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to Mr. Tung Tsung-Shan (Michael Tung), third secretary to the Commissioner of China to India for so long as he holds that post.

B. R. PANDEY,

Under Secretary to the Government of India.

No. 1/23/43-Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 15th May, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15, and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Ben Schaberg, representative of the United States Lend-Lease Administration, so long as he remains in that Administration.

B. R. PANDEY,

Under Secretary to the Government of India.

No. 1/26/43-Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 11th June, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Alexander Nikitich Elshin, purchasing agent in India of the Union of Soviet Socialist Republic so long as he remains in his present post.

B. R. PANDEY,

Under Secretary to the Government of India.

COPY OF THE HOME DEPARTMENT NOTIFICATION No. 1/17/43-POLITICAL (E), DATED THE 1ST MAY, 1943.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Declarations set out in the Registration of Foreigners (Exemption) Order, 1939, namely:—

For paragraph (e) of Declaration 3 of the said Declarations, the following paragraph shall be substituted, namely:

"(e) Any person of Asiatic birth who by any law for the time being in force is not required to obtain a visa for the purpose of entering British India and who is a subject of any State having sovereignty over any territory of which the boundaries are co-terminous with the boundaries, external or internal, of India; or,"

COPY OF THE HOME DEPARTMENT NOTIFICATION No. 1/26/42-POLITICAL (E), DATED THE 6TH MAY 1943.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), and in supersession of the Declaration published with the notification of the Government of India in the Home Department No. 1/26/42-Political (E), dated the 10th October 1942, the Central Government is pleased to direct that the following further amendment shall be made in the Declarations published with the notification of the Government of India in the Home Department, No. 21/32/39-Political, dated the 21st June 1939, namely :—

In Declaration 3 of the said Declarations—

- (1) in clause (e), the word "or" shall be omitted;
 - (2) after clause (f) the following clause shall be inserted, namely :—
“(g) any British subject who—”
 - (i) has acquired British nationality by marriage or has been granted a certificate of naturalisation as a British subject under any law for the time being in force in British India, and
 - (ii) has been a British subject for not less than fifteen years, and
 - (iii) save when he has been a British subject for not less than twenty-five years, has obtained from the Registration Officer a certificate to the effect that he has furnished a statement of all visits made by him since the year 1926 to any foreign territory.
- Provided that the Central Government may, by an order in writing served on any person, direct that the exemption conferred by this clause shall cease to extend to that person.

No. 1/30/43-Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 7th July, 1943.

NOTIFICATION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), and in supersession of the Declarations of the Government of India in the Home Department, No. 1/3/42-Political (E), dated the 12th June 1942, and No. 1/9/43-Political (E), dated the 10th April 1943, the Central Government is pleased to direct that the following further amendment shall be made in the Declarations published with the notification of the Government of India in the Home Department No. 21/32/39-Political, dated the 21st June 1939, namely :—

After clause (g), the following clauses shall be inserted :

“(h) any member of the naval, military or air force of the United States of America, Chinese, Dutch, Free French or any other Allied nation arriving in India in the discharge of his official duties; and

(i) any technical representative or civil service employee of the United States of America, Chinese, Dutch, Free French or other Allied naval, military or air force in India who is subject to naval, military or air force discipline and is in possession of a certificate in the form prescribed in the schedule hereto annexed and issued by an officer of the appropriate force not below the rank of a Captain in the Navy, a Brigadier or an Air Commodore

B. R. PANDEY,

Joint Secretary to the Government of India.

SCHEDULE.

Certificate of eligibility for exemption from the provisions of the Registration of Foreigners Rules, 1939.

This is to certify that Mr. is a Technical Representative/Civil Service Employee of the..... forces in India and is thereby entitled to the benefit of clause (i) of Declaration 3 of the Declarations contained in the Registration of Foreigners (Exemption) Order, 1939.

SUMMARY OF PROCEEDINGS OF THE THIRD MEETING OF THE STANDING LABOUR COMMITTEE.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I lay on the table a copy* of the Summary of Proceedings of the third meeting of the Standing Labour Committee held on the 7th and 8th May, 1948.

*Not included in these Debates, but a copy has been placed in the Library of the House.—*Ed. of D.*

THE RECIPROCITY (AMENDMENT) BILL—*contd.*

Mr. Chairman (Syed Ghulam Bhik Nairang): The House will now resume consideration of the Reciprocity (Amendment) Bill.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I move:

"That after clause 1 of the Bill the following clause be inserted and clauses 2 to 6 be re-numbered 3 to 7:

2. *Amendment of section 1, Act IX of 1943.*—For sub-section (3) of section 1 of the Reciprocity Act, 1943 (hereinafter referred to as the said Act), the following sub-section shall be substituted, namely:

"(3) It shall come into force on the 1st day of September, 1943."

Sir, as will be gathered from what has been discussed so far about the Reciprocity (Amendment) Bill, the House is very keen in giving effect to the Reciprocity Act which is on the anvil, and it is the desire of the House that the present Bill be given effect to as early as possible. As the Bill which was brought before this House did not contain any clause as to when it shall come into force, I have put that in this amendment. I hope it will be accepted.

Mr. Chairman (Syed Ghulam Bhik Nairang): Amendment moved:

"That after clause 1 of the Bill the following clause be inserted and clauses 2 to 6 be re-numbered 3 to 7:

2. *Amendment of section 1, Act IX of 1943.*—For sub-section (3) of section 1 of the Reciprocity Act, 1943 (hereinafter referred to as the said Act), the following sub-section shall be substituted, namely:

"(3) It shall come into force on the 1st day of September, 1943."

The Honourable Dr. N. B. Khare (Member for Indians Overseas): Sir, as the Act stands, it can be brought into force at any time the Government wishes to do so, and I do not see any point in this amendment at all. Besides, it will be impossible to put it into force before the 1st of September, if the Government wishes to do so. Yet if it is the desire of the House, I accept the amendment.

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

"That after clause 1 of the Bill the following clause be inserted and clauses 2 to 6 be re-numbered 3 to 7:

2. *Amendment of section 1, Act IX of 1943.*—For sub-section (3) of section 1 of the Reciprocity Act, 1943 (hereinafter referred to as the said Act), the following sub-section shall be substituted, namely:

"(3) It shall come into force on the 1st day of September, 1943."

The motion was adopted.

Mr. Govind V. Deshmukh: Sir, I move:

"That in clause 2 (renumbered clause 3) of the Bill the brackets and words '(hereinafter referred to as the said Act' be omitted."

Mr. Chairman (Syed Ghulam Bhik Nairang): Amendment moved:

"That in clause 2 (renumbered clause 3) of the Bill the brackets and words '(hereinafter referred to as the said Act' be omitted."

The Honourable Dr. N. B. Khare: As it is a consequential amendment to the first, I accept it.

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

"That in clause 2 (renumbered clause 3) of the Bill the brackets and words '(hereinafter referred to as the said Act' be omitted."

The motion was adopted.

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

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 was added to the Bill.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I move:

"That in clause 4 of the Bill, in the proposed section 5 for the words 'one year' the words 'six months' be substituted."

Sir, this is not a very important point, still it has bearing on what is happening in South Africa. The original section, which is sought to be amended by the Amending Bill, refers to the armed forces of a possession against which India proposes to take action being allowed to remain in India for a year after the termination of the present hostilities, *i.e.*, section 3 of the Bill

[Sir Syed Raza Ali.]

that was passed by this House during the last Session. I believe, in pursuance of that the Government of India have fixed the same period with reference to the action they propose to take under clause 4 of the present Bill. Generally, one year has been fixed under certain provisions of the law for enabling the Executive Government to take action after the close of the war. I admit at once that, generally speaking, a period of one year is given to the Government for winding up the proceedings after the close of the war, but here the facts are very different. I do not want to repeat those facts; every Honourable Member knows that, namely, here we are so patient, so docile as to give the Government a period of one year for enabling it to arrange for the departure of the armed forces of any offending possession of His Majesty against which the Government and this House may choose to take action. On the other hand, here is Field Marshal Smuts who, in the thick of war, when Indian forces were fighting for South Africa, has taken action of a very drastic nature indeed and placed a discriminatory Act of the most objectionable character on the Statute Book of the Union. My point is simply this: In South Africa there is a feeling that so far as the European Community in India is concerned—and let Sir Henry Richardson pay some heed to this—it has no sympathy with our demands. It simply says ditto to what the other Members of the Assembly say in order to purchase its peace and in order to continue its harmonious relations with the other Members of the Assembly. That is the impression there; I don't say that is a correct impression. Let me tell my Honourable friend, Dr. Khare, that the impression in South Africa again is that the Government of India have no very serious quarrel with the Union Government. But the Government of India are powerless because part of the nominal responsibility has been transferred into the hands of Indians and it won't do for the Executive Government to quarrel with the representatives of the people. Therefore, the Government also half-heartedly and unwillingly say ditto to anything coming from the Assembly. That is the erroneous impression in South Africa. Let the Government and the European Group take a serious note of these two things. Let South Africans know that, though for reasons obtaining in this country we have not decided to say that we do not want any armed forces of the Union to defend us against foreign aggression there is a large volume of public opinion that would not be prepared to endorse that opinion. Yet, I would not be justified in raising this question. But I want to curtail this period of one year to six months so that the people of South Africa—that white population which is made up of Britishers and the Dutch population—should know that we are in right earnest, and whereas in dealing with other portions of the Empire we are prepared to give them a period of one year, in the case of South Africa, because of the action taken by the South African Parliament, we are purposely cutting down the period from one year to six months. It may be the plea of the official spokesmen that if this period is one year in the case of other parts of the Empire, why should it be six months in the case of South Africa and that it might not be practicable to wind up affairs in the course of six months. I think that that would be a very lame excuse. If the Government of India are really with the people and this House, then they should certainly find it possible to wind up all the affairs within six months instead of one year. Here is Field Marshal Smuts introducing a Bill in the first week of April and then having it passed on the 14th or 15th April—within a space of about 10 days. If the Government of India cannot do a much less important thing even in six months, then I believe this Government will be showing the stuff of which it is made.

My assumption is that six months is ample time and it is the touch-stone of Government's sincerity. I do not know what attitude Government is going to adopt. Generally they adopt an attitude which might be called halting or one based on indifference. Government have committed themselves to a very serious matter. Let me tell my Honourable friend, Dr. Khare, that by

accepting the date on which this Bill is to come into force, he has tacitly consented to making the rules under this Bill even before that date. So this is going to be another touch-stone of Government's sincerity. I therefore move, Sir.

Mr. Chairman (Syed Ghulam Bhik Nairang): Amendment moved:

"That in clause 4 of the Bill, in the proposed section 5 for the words 'one year' the words 'six months' be substituted."

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I support the amendment of my friend. Another reason which I would place before the House—and I hope the reason which I do place would appeal to the House and also to the Government—is that we know that we may meet again in November. That will be soon. The next time that we meet will be in February, 1914. That means six months after the period which has been proposed by my friend Sir Raza Ali. Then we shall be in a better position to know exactly whether the Government of India was in earnest, was serious and had a mind to do exactly what we on this side of the House at present think that the Government intend to do. So, Sir, six months' time is proposed not for the sake of opposition but only to give this House an opportunity to know the sincerity of the Government and their intentions. With these words, I support the amendment.

Sir F. E. James (Madras: European): Sir, I oppose this amendment. The Select Committee which sat on the Bill and which had a sudden, unhappy and premature demise, discussed this and came to the conclusion that one year was a fairly safe compromise. I do not think really that any question of principle is involved.

Sir Syed Raza Ali: That is true.

Sir F. E. James: The purpose really is to exempt, on account of the war, from the operations of any direction which may be made under the Act, members of the armed forces coming from any of the possessions with regard to which those directions may be made. Actually, in practice members of the armed forces may be coming through India on their way back to their own country more than six months after the cessation of hostilities. We do not know exactly how the war will progress, but quite obviously there may be members of the armed forces coming from China or from Burma or even from Japan, passing through India on their way to their own homes, and it would be very unfortunate if any of those came under the operation of directions entered into by the Central Government. Nobody in this House wants any kind of that inconvenience imposed upon those members of the armed forces, who might quite inadvertently be passing through India more than six months after the cessation of hostilities having come from a possession in regard to which these directions had been issued.

Sir Syed Raza Ali: May I know what my Honourable friend's difficulty is? If they are on their way to South Africa say from China, they should stay in the ships just as our people do in Capetown.

Sir F. E. James: My friend has probably never heard of troops passing through a country by train.

Sir Syed Raza Ali: We shall not let them do this.

Sir F. E. James: My point is that there is no difference of opinion on the principle. We are agreed on the main clause: the only question is whether six months or twelve

Mr. K. O. Neogy (Dacca Division: Non-Muhammadan Rural): We want to make it as difficult as possible for them to pass through India: Sir Frederick James wants to make it as easy as possible!

Sir F. E. James: My Honourable friend misrepresents me. I am saying it is purely of practical matter. Once you admit the principle that members of the armed forces should be exempted on account of the war from the application of any direction for any period, that period should not be less than twelve months. That is the only issue, and I shall very much regret it if the House accepts a period shorter than that.

The Honourable Dr. N. B. Khare: This amendment cuts down the period provided in the Bill from one year to six months. One year is the least which will be required to wind up affairs after the cessation of hostilities. It does not involve any principle at all. It only concerns entry, travel and residence, and so far as other things are concerned, they do not apply to this at all. I appeal to the Honourable Member to withdraw the amendment.

Mr. Hooseinbhoj A. Lalljee (Bombay Central Division: Muhammadan Rural): I rise to support the amendment that has been moved. I am surprised that my Honourable friend, Sir Frederick James, should have referred to the last Bill and the Select Committee. That Select Committee and all the work that we did on that Select Committee have been pronounced by the Government as unworkable, and I am very glad that at least as regards this period it has become unworkable. My Honourable friend, Sir Frederick James, feels that it will cause very great inconvenience to the South African people to pass through this country after the war with these handicaps. May I ask what is the condition of thousands of people every day suffering and undergoing those handicaps and humiliations in South Africa? Can you not think a little bit of the Indian people in that country? I am asking my Honourable friend, is that the logic that he wants to apply, is that the fairness that he wants to see? I am very sorry, that Sir Syed Raza Ali said, well, the armed forces of South Africans may be useful to us. Has it ever been? Are they ever going to do that? In fact, we have got a few officers forced upon us and they are ruling over us, and over our people who have been left to the tender care of these South African officers. Such considerations, after the experience we have had, are, to say the least, unfair. I do feel that we are entitled to ask the Government to move in this matter as fast as they can and as strictly as they can. Now, we have come to this position that in one part of the Empire in the midst of the great war, a great Field Marshal does not think that the sympathy of 40 crores of people is essential for the war. And still we are asked to show consideration and sympathy for a few of those South Africans out of 15 lakhs of people out to humiliate us. That is going too far. I have in my hand a speech delivered by Sir Shafaat Ahmad Khan, High Commissioner for South Africa, only on the 28th June last and it has been received by air mail. There he has practically said this:

"India has never been united on any other issue during the last 25 years and it has also attracted the attention of the Allies who are fighting a ruthless war for the sanctity of human rights and preservation of spiritual principle in man. It has also played into the hands of our enemies, and Germans and Tokyo utilise it in their propaganda against those democracies."

My demand is that let also Germans and Japanese feel that we will not tolerate humiliation of this sort and as a part of the Empire we will not tolerate inhuman action and help in the war effort of that other part of the Empire which ill-treats us.

Mr. Kailash Bihari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): I was feeling indifferent to this Act itself, but as I heard the debate and listened to the arguments, I am tempted to support this amendment on two grounds. I realise the soft corner that Sir Frederick James has for those people who may pass through this country after their war service. There is no intention of any inhuman treatment to anybody so far as we are concerned in this country, but in order to make this very purpose of retaliation effective, I suggest that Sir Frederick James should consider that a retaliatory measure itself is of no value when it is a question of only a few persons, say, 100 persons in this country after the war is over, as against so many thousands in that country. This retaliatory measure is of no value except that we console ourselves that we do the same as they are doing to us. For that purpose, if we shorten the period according to this amendment, at least those persons who will pass through our country will carry the news to their country about the treatment to them, because that will be an additional opportunity to the people of

this country to show their retaliation even by that means. This is an opportunity to show that if we have any intention of retaliation we can bring it into effect by this means; otherwise it will be ineffective.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): May I remind the House that soon after the war broke out a Bill was brought in this House for the purpose of recruiting forcibly all the Europeans and non-Asiatic people who were His Majesty's subjects? When that Bill came here I raised an objection that the subjects of those Dominions who do not give equal treatment to Indians should not be allowed to hold any rank of officer in any Indian regiment and if they want, they should join as soldiers and not as officers. To that the reply was given by Mr. Williams, who was the Secretary of the Defence Department at the time, that it was inopportune. He asked, was it right when the war had just started, when feelings could easily be made friendly, that we should start with this unfriendly gesture from this House, and he asked, was it not right that we should postpone these things till after the war, and let us wait and see that these things were removed during the war. He also said, when our soldiers will come in contact with each other, all these things will disappear. This view was at that time supported by the Group to which Sir Frederick James has the honour to belong. But I was apprehensive that this will never happen and I felt that was the best opportune moment to show that we wanted to treat them in the same manner as they wanted to treat us. Now, after three years of war, when Indians have shed their blood side by side with South Africans, when we showed all generosity to them in every manner possible, even to the extent of allowing the South Africans to become officers in the Indian regiments, we are given this treatment, we are given this kick. I think the South Africans have made themselves a disgraceful partner in the British Empire. I whole-heartedly endorse the words of my Deputy Leader that those people who do not give equal treatment to each other in the Dominions do not deserve to remain in the Dominions. I think that we should show as much resentment as we can and we should not postpone the date. We are still very gentlemanly with those people who do not know what gentlemanliness is. Therefore, Sir, I support this amendment.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I rise to support the amendment which has been moved by Sir Syed Raza Ali. My Honourable friend, Sir Frederick James said that the Select Committee reported that the period should be one year but it has to be remembered that the Select Committee reported in the month of January. Since then a new situation has arisen and it is in order to meet the new situation that this amendment has been brought forward. The Select Committee report has been completely washed out now. Time is an essential factor in the present situation, and I strongly urge that the amendment of Sir Raza Ali should be adopted by the House.

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

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): I lend my strong support to the amendment moved by my friend Sir Syed Raza Ali. This question of the treatment of Indians in South Africa has been exercising the minds of people in this country for a long long time. Throughout this period, the European element in this country has shown more sympathy with their compatriots in South Africa than with those with whom they live in this country. I remember during the course of the discussion on this Bill my friend Sir F. E. James said that retaliation in any form or shape against the South Africans will not do. We must have recourse to methods of persuasion and reconciliation. It is all very well to say so. Everybody knows that two millions of Indian soldiers are fighting the battles of the British Empire. Empire—that is a strange word. We must use the word Commonwealth or use both, Empire and Commonwealth at the same time. We are shedding every drop of our blood to maintain the supremacy of Britain throughout the world. We are fighting

[Maulana Zafar Ali Khan.]
 in North Africa, in the Middle East and we have done everything to show that we are for maintaining this system of rule in the world which is known as the British Empire or the British Commonwealth. What do we get for that. We get the Pegging Act. Our people, nearly two lakhs, went there, spent their money, raised it socially to the status of a well governed country but for all that they get this Pegging Act. They cannot buy property in the quarters where the Europeans reside and racial discrimination of the worst form has shown itself there. I thought Field Marshal Smuts was a gentleman. I thought he had some sympathy

The Honourable Dr. N. B. Khare: How is all this relevant to the amendment?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is going into matters which do not arise out of this amendment. He must confine himself to the amendment.

Maulana Zafar Ali Khan: All I have to say is that the least we can expect from this Government is to reduce the number of months.

Mr. President (The Honourable Sir Abdur Rahim): We have had all this before.

Maulana Zafar Ali Khan: The amendment says that the period of one year should be reduced to six months. This is only small mercy. If we cannot get even this, what more can we expect. With these few words, I support the amendment.

Mr. Govind V. Deshmukh: My friend the Honourable Member in charge of the Bill had the chance of stating why one year was necessary and why in six months the forces coming from the several British possessions could not be cleared out of India. He did not give any reasons. A reference was made to what happened in the Select Committee on the last Bill. In those days times were different. The tide of war has now changed in favour of the Allies. It will be apparent therefore that in those days we could not think of transports being so very easily available for clearing out the forces from India. (An Honourable Member: "Not all the forces.") All the forces that came from the possessions of Great Britain. This time is more than sufficient. I was saying that the means of transport could be collected by their respective Governments to call their forces back. It seems to me that the Government of India thinks that every Government is as slow as this Government is. That is not so. If those Governments were to know that the forces from their countries would be prosecuted in this country and serious sentences would be given to them, they would be very prompt to remove their own men. They would not be callous or indifferent to their own men. I should, therefore, say that as soon as the war is over all these forces that come from the different colonies should be made to clear at once; but my friend has taken a lenient view. He is hospitable to them. Although they do not deserve any hospitality from us, we say that we exempt you from the operation of this Act for a period of six months. How on earth can you refuse to accept this amendment. I cannot understand the attitude of the Government. Other Governments are not like the Government here. They will look to the interest of their own people here better than this Government. This Government does not deserve any congratulations from us if they are going to behave in such a slow fashion. They had better be prompt to see that India is free from these forces who remind us of the loss of self-respect, who remind us of the ill-treatment that is given to our people in South Africa. Sir, I support the amendment.

The Honourable Malik Sir Feroz Khan Noon (Defence Member): Sir, I only wish to say a few words being in charge of demobilization and for that reason I am interested in this amendment. Let me say at the very beginning that so far as the principles of this Bill are concerned and so far as the wishes of the non-official Members of this House are concerned, I as an Indian am with

them whole-heartedly. The only question is with regard to this amendment whether after the war you allow these gentlemen from all the dominions a period of one year for clearing out or six months.

Sir Syed Raza Ali: Not from these other Colonies but from the offending Dominion only, namely, South Africa.

The Honourable Malik Sir Feroz Khan Noon: This Bill does not apply only to South Africa. It will apply to other British Dominions or Colonies also, Colonies in which we suffer disabilities as we suffer in South Africa. What I am suggesting is that so far as this Bill is concerned, it is not enacted only for South Africa. It applies to all the Dominions and you cannot say that we suffer disabilities only in South Africa. We suffer disabilities in other Dominions and Colonies also. Therefore, when we are in a very unhappy mood with regard to South Africa, do not let us forget that this Bill is not meant only for South Africa.

The second point that I should like the House to remember is this that we are fighting a war and when this war is over—and we do not know when it will be over—the taking away of troops cannot be done overnight. It may take two years or three years to disperse the troops from war areas back into their countries. In the last war there were several people who were stranded away from their countries for some years before they could get back. It is all a question of transport and I fear after the war it will be quite a long time before these troops can go back to their home countries. One thing is quite clear. As soon as the war is over, there will not be a single soldier who will not want to rush home as quickly as possible. Therefore, there is no justification for us to be afraid that these men who have been fighting in the war for a good few years away from their home will be anxious to stay here in order to enjoy the privileges of a country which does not need them. We must not forget that this Bill does not say that all these men are going to be kept here for a whole year. It may be that the Government may be able to clear them away within three months, leave alone six months. Nobody will be more happy than we to do it as expeditiously as possible. We as a Government only want time up to one year to be able to clear these people away in a reasonable manner. What is the use of enacting a law which we know may have to be breached in a large number of cases simply because of lack of transport. Therefore, I wish that the House should not press this point of one year and six months. So far as the Government are concerned, they are with you, namely, that these gentlemen should go from this country as soon as possible, but it is a question of transport. With this assurance from the Government that no time will be lost in getting them out of this country, I hope the House will not force this amendment because there is no difference in principle between your views and those of the Government.

Mr. Govind V. Deshmukh: May I ask, Sir, one question?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already made his speech.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I had thought that the period referred to was the time after the passing of this Act, but it appears that it will come into operation only after the war. However, we all agree that the feeling in this country is very high against the South African Government and its people who are treating the Indians very badly. It is in the interests of the Government of India itself that instead of waiting till the end of the war, they should transfer all these soldiers and officers to the other fronts of war. There should be no delay because sometimes there may be occasions where the Indian and South African soldiers may come to blows. So, I think it is in the interests of the Government of India to transfer such persons from Indian fronts to other fronts. They may be sent to the other theatres of the war, say, England or elsewhere. The Honourable the Mover of the amendment has a very soft corner in his heart for these people and has moved a very modest amendment and I hope the House will accept it. The Government is not going to lose anything by its acceptance.

Sir Vithal N. Chandavarkar (Bombay Millowners' Association: Indian Commerce): Sir, those who value the most precious treasure of any human being, self-respect, ought to support this amendment. If I had any doubt as to what attitude I should take, it has been dispelled by the speech made by the Honourable Member in charge of Defence. He was thinking of the inconvenience arising out of the difficulties of transport. Did General Smuts think of the difficulties of the Government of India in regard to this matter? God alone knows the difficulties the Government of India has to face in India as a result of the war situation. Did General Smuts think of the difficulties which will be added to the difficulties that already exist and which have been created by the political situation in India as a result of the Act that has been passed there? I do not know why my European friends who are with us should speak in an apologetic tone on this subject. If anybody ought to be indignant about this matter, I say it ought to be the non-official Europeans in this country. The whole future of British connection with India depends upon the attitude which the Europeans in this country adopt in regard to all matters of Indians overseas, especially in the Dominions. If they want us to feel that they are with us, that there is a future for us in the British Commonwealth, as I said once before when speaking on the Burma question, whenever a question like this arises they ought to say without any mental reservation and without any qualification, and whatever the consequences may be, that they are with us. That is the only way in which they can ensure our connection with Great Britain. From all these points of view, I support this amendment and I do hope Government will reconsider their attitude and accept the amendment without any hesitation.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, while speaking on this Bill, I said that it was merely a gesture of resentment. What I meant by saying that was that whatever this Bill may be and however stringent the rules may be, the South Africans can afford to laugh at it because the number of South Africans in this country is so small compared to the number of Indians in South Africa. What I meant to convey was that this Bill could never be strong enough. This Bill could never be effective enough to make the South Africans feel the enormity of their actions during the war.

Mr. Hoosenbhoy A. Lalljee: On a point of order, Sir. How does this arise on this amendment?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to confine himself to the amendment.

Sir Cowasjee Jehangir: Any amendment moved that would make South Africa feel that India is hitting her back will have my support. If the South Africans feel that they have got to leave this country immediately the war is over and if it causes them any inconvenience to do so, the more pleased I will be. It will make them feel that there is legislation in India which puts them to some inconvenience. That exactly the point that ought to be stressed. The effect of this Bill ought to be that it should make the shoe pinch at least

4 P.M. in some direction. I am quite sure that no Honourable Member wants to cause any inconvenience to any other Dominion which has not insulted India during the war, such as South Africa. That not being the intention, I would suggest an amendment to this amendment moved by my Honourable friend.

Mr. President (The Honourable Sir Abdur Rahim): It is too late now.

Sir Cowasjee Jehangir: As a compromise I suggest something.

Mr. President (The Honourable Sir Abdur Rahim): You cannot do so now.

Sir Cowasjee Jehangir: I am only suggesting that six months should be made to apply to South Africa alone.

Sir Syed Raza Ali: That would be done under the rules made by the Government of India. That is quite clear.

Sir Cowasjee Jehangir: If that can be done by the rules, my point has been gained. My point is only to cause some inconvenience to South Africa. If you can cause more inconvenience by reducing the period to three months, so much the better, by all means do it. But I do not desire, nor does any Honourable Member desire that troops from any other part of the world should be inconvenienced who have fought on the side of the Allies. Therefore I suggest that some sort of amendment is necessary which should make it apply only to South Africa and the period should be six months or less. In these circumstances, I would like the advice of the Government of India as to how this can be done. If an amendment to this clause can be moved somewhat to this effect, it would be a compromise.

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member given notice of any amendment?

Sir Cowasjee Jehangir: I am only suggesting it as a compromise. Otherwise, I would vote for this amendment.

Mr. N. M. Joshi (Nominated Non-Official): Sir, I feel that the Government of India have made out no case at all for not accepting this amendment. After all they have not told us how many South African troops there are in India. The Honourable the Defence Member said that this Bill may apply or will apply to all Colonies. That may be true, but the application of the Bill depends upon the Government of India. They have to issue directions. If the Government of India find that the directions relating to all the Colonies cannot be issued, they can issue directions as regards South Africa within six months. No amendment is necessary as was suggested by my Honourable friend Sir Cowasjee Jehangir. So long as the Government of India do not issue any directions as regards other Colonies, there is nothing to be done. As far as South Africa is concerned, the number of troops affected are perhaps nil, and the number of officers affected may be 100 or less. I therefore feel that the Government of India should accept the amendment.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I do not want to take up much of the time of the House on an amendment which is rather so innocent from our point of view. The Honourable the Defence Member also agreed that his feelings are quite the same as ours, except that the position which he is making out is a little different from ours. But in the end we may come to the same decision. What we want is this. As Sir Cowasjee Jehangir pointed out to the House, that it should be specifically pointed out to the South African Government that they will be treated in a stricter manner in comparison to other Dominions, and at the moment the question is not of gesture only. That is why, I think, the present amendment which is specifically proposed in connection with South Africans should be accepted by the Government. I hope the Government would take into consideration not only the general feeling, more or less the unanimous feeling of the elected section of this House, but also that section of Indians who form the Treasury Benches today. Government should appreciate the fact that what we are trying to point out is just to make South Africans feel that we want to give them less time than others to quit India. With these few remarks, I support the amendment.

Mr. K. C. Neogy: Sir, if my Honourable friend Sir Cowasjee Jehangir fell into an error on this particular point, I am afraid the responsibility lies on an Honourable Member of the Government. Because, while the Honourable the Defence Member was speaking, he tried to create the impression that the measure applied to all the Colonies wherever Indians may suffer from any disabilities. But we are considering an amending measure at the present moment. Let us not forget the original Act to which this Bill seeks to provide certain amendments. The original Act, I am afraid, has been forgotten by my Honourable friend the Defence Member. The original Act provides that retaliatory action, or action by way of reciprocity, could be taken with reference to a specific British possession, only when a specific notification extending the operation of this particular measure to that possession were issued by the

[Mr. K. C. Neogy.]

Government of India. We are merely arming the executive Government of India with certain powers to be put into operation against the offending Colony as and when the necessity arises. Therefore, let us not confuse the issues by trying to bring in elements of difficulty which do not exist. We are not considering South Africa, we are not considering any particular British possession at the present moment. We are concerned with an enabling measure. The whole question is, if and when a notification of such a character is issued by the Government of India enforcing the provisions of this Act as well as the rules to be framed thereunder, what will be the time limit that will be allowed for any troops belonging to that particular colony to remain in India without having to suffer from the operation of this particular enactment. Of course by way of illustration, we have taken up the case of South Africa because that is a recent case which we very much have in mind at the moment. I think the issues are definitely plain, and six months should in all conscience be considered to be a very reasonable period in which the troops of the offending colony should be expected to clear out bag and baggage from this country. I should think that even six months is too long a period for the purpose of dealing with a colony of this type. I do hope that Government will reconsider their attitude. I am very much hopeful that Government will in the end support this amendment, particularly in view of what fell from the Honourable the Defence Member.

The Honourable Dr. N. B. Khare: Sir, I want to end this agony. In view of the strong feelings expressed in this House, I will be prepared to accept the amendment.

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

"That in clause 4 of the Bill, in the proposed section 5 for the words 'one year' the words 'six months' be substituted."

The motion was adopted.

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

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Clause 5.

Mr. Govind V. Deshmukh: Sir, I move:

"That in clause 5 of the Bill in sub-section (1) of the proposed section 6, for the word 'may' the word 'shall' be substituted, and after the word 'notification' the words 'before the end of August, 1943' be inserted."

Sir, the object of this amendment is to make the Government of India move in the matter as quickly as we possibly can make them do so. Sir, there is a history behind this amendment. In 1924, an Act was passed called the Immigration into India Act. At that time the discontent among Indians was very great over what South Africa and Kenya were doing and so this Act called the Immigration into India Act was passed which provided for the making of rules to carry out the objects of the Act. In 1938 I put a question to the then Secretary in charge, Sir Girja Shankar Bajpai, as to whether rules had been framed under that Act to prohibit immigration from other colonies into this country and the answer was in the negative. When we find that no period is fixed for the making of rules the Government of India sleep over the matter. We want to awaken them and pinch them so that they may see the need for putting this Act into force as soon as possible. (An Honourable Member: "Lash them.") We may lash them into action provided no bodily injury is caused but unfortunately they have neither a body to lash or kick nor a soul to be damned. The purpose of my amendment is to quicken the procedure and put this Act into force and I hope due notice of the past will be taken by this House as to how Government sleep when no period is fixed for making rules and the whole thing is forgotten. I hope in this particular case the Government of India will not forget their duty but will move in the matter as early as possible.

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

"That in clause 5 of the bill in sub-section (1) of the proposed section 6, for the word 'may' the word 'shall' be substituted, and after the word 'notification' the words 'before the end of August, 1943' be inserted."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, it is a good augury that the Honourable Member in charge has accepted two amendments and I hope he will realise that this amendment also is moved in order to strengthen his hands and with no other object. The Honourable Member says "Wait and see", by which he probably means that he is going to manage the business himself without being asked or forced by us to do it. What is asked now is justified on account of what has happened before, because the framing of rules and bringing them into force has been ignored in the past; and this amendment would not have been necessary if the rules were so framed under the earlier Act. But they made no rules whatever and that is why the Mover of this amendment is so sceptical about the intentions of Government about the framing of these rules. We have got bitter experience and therefore he asks for the making of these rules to be provided by statute. I think Government should accept this amendment.

Secondly, time is given within which this should be done. That is also because the previous Government did not do anything within a particular time. The rules may be held up indefinitely and then we may be told that there were imperfections in the Act. We therefore want to see that there are no imperfections. It is to bring this Act early into force that this amendment is proposed and I think the Honourable Member who has accepted two other amendments will accept this one also.

The Honourable Dr. N. B. Khare: Sir, I should have been very glad to accept this amendment as I have accepted two others but I regret I cannot do so. This amendment is very unreasonable; it compels Government to make rules before the end of August, 1943, which is utterly impossible. The rules will have to go into great details; all kinds of inquiries will have to be made and we have to provide against all possible things which may happen. It is impossible to give any assurance that Government shall make rules before August and if the amendment is passed it will take away the power of Government to make rules after the end of August. I shall of course proceed as soon as I can but it is quite impossible to accept the amendment.

Sir Syed Raza Ali: Sir, I wish to say a few words on this amendment. So far as the word "may" is concerned, I am surprised that the Overseas Member is not prepared to accept the amendment that the word "shall" be substituted for "may". I believe the Honourable Member is sufficiently interested in law to know that at times "may" and "shall", on a correct interpretation, mean the same thing. And there can be no harm in accepting the amendment. But the more substantial point is this. The Government will have to make inquiries and this question may take more time than is stipulated in the amendment. But there are two things which should be carefully borne in mind. I would ask my Honourable friend to remember that the first Bill on the subject was passed by the Legislative Assembly in 1924 but no rules were ever made under that Act. Government went to sleep for 19 years and did nothing. That shows that if there is any suspicion on this side of the House about the conduct of Government it is wholly justified. My Honourable friend took shelter behind the plea that they have to make inquiries into the laws of so many possessions and colonies and dominions, etc. If he proposes to do that let me tell him that he would be doing a very wrong thing because he is not required to embark on such a laborious and elaborate inquiry at this stage. His business is to inquire about the laws of South Africa against Indians. And he can find out 90 per cent. of our disabilities without going to South Africa. If he had consultations with some people who are interested in South Africa they would tell him everything. Then he has a High Commissioner there,—a very grandiloquent name,—and if he sends him a cable today he will receive

[Sir Syed Reza Ali.]

a reply in three or four days. Therefore I think the suspicion of my Honourable friend Mr. Deshmukh is well founded if the speech of the Honourable Dr. Khare is a sufficient index of what the Government of India propose to do. It would be very wrong for Government to inquire into the laws of Fiji and Kenya and British Guiana and other British possessions. If Government want to kill the Bill they can of course defer action by not making any rules at all. But if he wants to take action, I would give him this humble advice: Let him proceed in the first instance against South Africa alone. With reference to all other colonies, possessions and dominions, he can make rules afterwards when he has gathered the necessary information. But it would be a very wrong thing to wait indefinitely and allow this Bill to be killed in order to gather information with reference to all the areas and territories of His Majesty's Government which covers about 1/4th of this planet of ours, namely the Earth.

I think the Government position has not been sufficiently elucidated. We, on this side of the House, do not want this matter to be pressed to a division, because, after all, there is no serious difference between the Government of India and ourselves, but surely we must know what is passing in the mind of the Government. If I could know that the Government propose to take action with reference to South Africa and to make general rules applicable to South Africa only within the next two months instead of one month, I do not think we on this side would be inclined to press this amendment to a division. But if my Honourable friend is going to embark on an ambitious and elaborate scheme which will cover all the colonies, possessions and dominions, which are part of the British Commonwealth of Nations, that would take five years and in that case it would be the solemn duty of Members on this side of the House to press this amendment to a division. Therefore, all depends on the attitude of the Government, which I must say, if my Honourable friend, Dr. Khare, will excuse me, has not been sufficiently elucidated by him. Let him say clearly whether he is prepared to make rules with reference to South Africa alone and publish those rules within the next two months.

The Honourable Dr. N. B. Khare: Sir, I am prepared to assure the House that we shall make rules as quickly as possible without losing any time whatever, but do so within one month is physically impossible.

Sir Syed Reza Ali: Do it in two months or three months, but say so.

Dr. P. N. Banerjee: So far as South Africa is concerned, two months will be enough.

The Honourable Dr. N. B. Khare: Sir, I can only say that we shall make rules as quickly as possible.

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

"That in clause 5 of the Bill in sub-section (1) of the proposed section 6, for the word 'may' the word 'shall' be substituted, and after the word 'notification' the words 'before the end of August, 1943' be inserted."

The Assembly divided:

AYES—30

Abdel Ghani, Maulvi Muhammad.
Azhar Ali, Mr. Muhammad.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Chattopadhyaya, Mr. Amarendra Nath.
Choudhury, Mr. Abdur Rasheed.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Ghiasuddin, Mr. M.
Joshi, Mr. N. M.
Kaifash Bihari Lall, Mr.
Kamaluddin Ahmad, Shams-ul-Ulema.
Krishnamachari, Mr. T. T.
Lalchand Navalrai, Mr.

Lalljee, Mr. Hooseinbhoy A.
Liaquat Ali Khan, Nawabzada Muhammad.
Murtuza Sahib Bahadur, Maulvi Syed
Nairang, Syed Ghulam Bhik.
Nauman, Mr. Muhammad.
Neogy, Mr. K. C.
Parma Nand, Bhai.
Raza Ali, Sir Syed
Sant Singh, Sardar.
Siddique Ali Khan, Nawab.
Umar Alvi Shah, Mr.
Yamin Khan, Sir Muhammad.
Yusuf Abdoola Haroon, Seth.
Zafar Ali Khan, Maulana.
Zia Uddin Ahmad, Dr. Sir.

[Sir Syed Raza Ali.]

Government or designated by the Central Government. In all likelihood those officers will be appointed or designated, as the case may be, by the Department of Indians Overseas. I do not want to deprive them of their power. Secondly, in order to secure that the accused persons have a fair trial, I have provided in this amendment that the case should not be tried by any but a Magistrate of the First Class. That safeguards the interests of the accused person or persons.

Lastly comes the question of punishment. The punishment here is imprisonment of either description for a term which may extend to one year or fine which may extend to one thousand rupees or both. At this late hour I do not want to go into the merits of prescribing maximum punishment. That is what Lord Maucalay did in his original draft of the Indian Penal Code and that is what has been followed ever since in India. But my amendment prescribes the maximum punishment and leaves out the minimum punishment. No one would think that a Magistrate would impose a fine of Rs. 1,000 or a rigorous imprisonment for one year or both straight away. Of course, the Magistrate will deal with the case according to the circumstances.

But there is a little plea open to the Government of India. Unfortunately pleas are always open to the Government of India. They may be good, bad or indifferent, but those pleas are available. In this case, perhaps what is passing in the minds of the Government of India is this: How can you call it a Reciprocity Bill unless we know by facts and figures what are the punishments prescribed by the laws of the offending Dominion, Possession or Colony? We must know the punishment prescribed by every Dominion, Colony and Possession before we can prescribe the punishment here. But that is a very lame excuse. It is the same story of delay, procrastination and a discrimination to come to grips with the question. Let the question be delayed as long as possible. I believe my Honourable friend will say that he proposes to make enquiries into the punishments that are inflicted on Indians in Fiji, or in Mauritius, and so on. All that is not at all necessary. This is the proper place for it. As a matter of fact, I can say as one belonging to the legal profession that there is nothing against giving power to Government to make rules prescribing punishments. But on juristic principles it is always better for the Legislature to provide such punishment instead of giving that power to the executive Government. That is the principle of jurisprudence. It is not solely because that principle is sanctioned by jurisprudence that I want to emphasise that. What I want the House and the people outside to know is that we are in right earnest . . .

Sir Cowasjee Jehangir: We must pass the Bill today to show it to them.

Sir Syed Raza Ali: Quite right. My Honourable friend seems to be in a light hearted mood. But I take him at his word, I entirely agree with him. In fact, we must make it clear to them that we are quite serious about the matter. It may be that we are a powerless people, that we are a helpless people. We are living under a subordinate Government which cannot do anything. The position of Government is this. A long list of protests was read but by the Honourable Dr. Khare the other day, but he did not say that even acknowledgment was given to those representations made by the Government of India to the Union Government. (Interruption.) I am referring to the list of representations made by the Government of India.

The Honourable Dr. N. B. Khare: May I ask how it is in order on this question—the list?

Sir Syed Raza Ali: It is the most material thing. I say, in these circumstances if you give the power to this subordinate Government, this subordinate Government will not do anything at all. Therefore, pass this punishment clause yourself. They are so terribly afraid of any country; even they are afraid of the country of Ravana, of Burma. Of all these countries South Africa is the most powerful. Therefore, I say we are living under a subordinate Government which, at times, does not know its own mind. If it does, it does not know how

to put it into practice, and if it decides to put it into practice, then it alleges that even if the thing is done, it will have no effect and therefore it serves as an excuse for not taking any action at all. Therefore, for all these reasons it is best for this House that we should put this clause prescribing punishment, in the Act itself, instead of giving power to the Central Government, which power may not be exercised by the Central Government for another 19 years. Sir, I move.

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

"That after clause 5 of the Bill, the following new clause be inserted and the subsequent clause be re-numbered accordingly:

'6. After section 6 of the said Act, as substituted by the foregoing section, the following section shall be added, namely:

7. Any person guilty of disobeying a rule made by the Central Government under section 6, sub-section (2) part (c) shall, on the complaint of an officer appointed or designated by the Central Government in this behalf, be punished, on conviction by a Magistrate of the First Class, with imprisonment of either description for a term which may extend to one year or with fine which may extend to one thousand rupees or with both."

The Honourable Dr. N. B. Khare: This amendment takes away from the Government the power of prescribing the punishment under the rule-making powers and also of varying the actual punishment itself if necessary. A perusal of the Bill will show, and it is evident to everybody, that the Bill is enacted on the basis of reciprocity, and this amendment, if passed, would strike at the very root of that reciprocity.

Sir Syed Raza Ali: Why?

The Honourable Dr. N. B. Khare: It is not a plea, it is a substantive argument. It will tie down the hands of Government, because, supposing this amendment is passed, it will limit the punishment only to one year and a fine of Rs. 1,000. (Interruption.) Supposing there is a colony or territory which punishes such delinquents with a punishment of five years or 10 years, we cannot be reciprocal to them; we shall have to stick to this punishment of one year and Rs. 1,000 fine.

Sir Syed Raza Ali: Come to us then and we shall raise the punishment to five years.

The Honourable Dr. N. B. Khare: Supposing some Dominion takes it into its head to deport our nationals, then we cannot deport their nationals, we shall be tied down by this punishment. This amendment is very vicious. It takes off the effect of the Bill. Although it is brought with a very good motive, the result would be contrary to what the Honourable Member expects. Sir, I oppose the amendment.

Mr. Lalchand Navalrai: The object is that it should be sufficiently retaliatory. If we are not going to provide any punishment in this Act and leave it to the rules to be made hereafter, the Honourable Member says that he may propose 10 years or five years. Or he might propose till the rising of the Court and fine. In the Indian Penal Code we find that punishment has been provided for every offence, and neither under that Code nor in any other Act is punishment left to be provided for by rules to be made. It is very rarely that it happens. No doubt there are the Defence of India rules. But they are very exceptional. We know now how these rules are worked, and how we think that we have made a mistake in giving the power to the Government to make rules prescribing punishments. We should have provided punishments in the Act itself, but now we are not going to follow the example of the Defence of India Act. The Honourable Member in charge should tell us whether the punishment should be one year or less or more, and it should be incorporated in the Act itself accordingly, and he should not ask that all this should be left to the rules to be made and that he will provide the punishment there. We may take it that his inclinations are that he will not make this Bill null and void or make it so ineffective that it will not retaliate at all. But we should not

[Mr. Lalchand Navalrai.]

allow the punishment to be left to the rule-making power, unless the Honourable Member agrees to placing the rules before the House. If he places the rules before this House, then in that case we shall have no objection, but otherwise we will not leave it to the Government to make rules for providing punishments. I therefore support this amendment.

Mr. Hoeseinhoy A. Lalljee: I am not at all surprised at the reply we have had from the Honourable Member in charge. You know very well, Sir, how we feel with regard to the treatment of India and we know very well also that he is more anxious than some of ourselves to move in the matter as soon as possible and to inflict as hard a punishment as anybody else could do, but, Sir, we have invariably seen the effect of the company. We have invariably seen that something more than a personal desire always plays an important part and who can deny that when we passed the Act in 1924 the Member in charge was not as serious as our friend Dr. Khare but still we find that 19 years have passed. Who can believe that the Honourable Mr. Aney was not serious the other day when he got this Reciprocity Bill passed. My friend the Leader of the House agreed that the Bill that was passed was an unworkable Bill. There are therefore other elements besides the Honourable Member himself which he has to take into consideration. He was once on this side. He knows that this side is not always wrong and if he is going to rely upon the new company that he has got in his new office, then I tell him with all due deference that he will be only able to do precious little. I tell him: Please take our help and our advice. I support the amendment.

Mr. K. C. Neogy: A good deal can be said against the extension of the practice of entrusting the formulation of important rules to the executive Government, because it is in a sense legislation by the executive and a lot has been said on this subject in other countries, but I should not, on the present occasion, like to dwell on that broad aspect of the matter. When the executive Government wants power to implement a legislative measure passed by the Legislature, we must be very careful not to give too much of power to the executive Government in this matter. Normally speaking, the provision of penalties is considered to be of a sufficiently serious character to merit specific provision by the Legislature itself. It is on exceptional occasions only, like the Defence of India Rules, that we find that penalties also have been prescribed by the executive Government. That should definitely be treated as an exception, not the rule.

I should in this connection like to correct a misapprehension which seems to be lurking in the mind of the Honourable Member in charge. The Honourable Member said that prescribing a specific penalty in the Act itself would militate against the reciprocal character of the measure that we are passing. Now, Sir, what is the reciprocity that is emphasized in this measure? If disabilities of a particular kind are imposed on Indian nationals in any particular colony, the Government in India would be entitled to impose similar disabilities on the nationals of that particular colony. That is the gist of the main provision of this enactment. Then the rule-making power is to be exercised for the purpose of laying down detailed provisions for setting up a machinery to ascertain the disabilities, for the establishment of a suitable agency to administer the rules and so on and so forth. Now, when we come to sub-clause (d) of the rule-making clause, as proposed in the amending Bill, we find that the Government want to have the power to prescribe penalties by way of imprisonment or fine or both. The imposition of a disability is one factor. The imposition of a penalty for having disobeyed any rule is a matter of quite a different character. I submit there is no element of reciprocity in the fixation of a penalty which may be imposed on the infringement of any rules which may be prescribed as a measure of reciprocity by way of retaliation. Then again I could not really understand the Honourable Member when he said that

“you are not giving us sufficient powers: we may prescribe deportation”. But where is that power asked for in the amendment which he himself is proposing? The penalty that he contemplates is imprisonment or fine or both. Deportation would come in as a measure to be justified on grounds of reciprocity, that is to say, if a disability is attached to the residence of an Indian national in a particular colony by way of liability to be deported from that country,—if such a disability were to be found with reference to any particular colony, a similar disability could be imposed by us under this Act. If a person defies an order of deportation, what is the Honourable Member going to do? He must provide for the imposition of a specific penalty, and that penalty he seeks to prescribe by way of rules under clause (d); and deportation is not one of the penalties prescribed there. Therefore, I say that there is absolutely no substance in the objection that has been urged by the Honourable Member on this particular point. The amendment that has been proposed by Sir Raza Ali is merely for the purpose of virtually taking away the power to frame rules under clause (d) of the amending Bill. Let there be no misapprehension about it. We say ‘we should prescribe the penalty’. Government say ‘leave the power to us’. That is the only point of difference. I suggest that the House would be well advised in passing Sir Raza Ali’s amendment.

Dr. P. N. Banerjee: I support the amendment moved by Sir Syed Raza Ali. The difference between us on this side and my Honourable friend Dr. Khare and his friends on the other is on this point, namely, whether the penalty should be prescribed by the legislature or by the executive. My Honourable friend Mr. Neogy has pointed out the disadvantage of entrusting the executive with legislative powers and he perhaps intended to quote the dictum of Chief Justice Hewart who wrote a book known as ‘The New Despotism’. In that book, he pointed out the various difficulties which had arisen in regard to the investing of the executive with legislative powers. That is an important point. On fundamental principle, we should not entrust the executive with legislative powers and, as has been pointed out, the Defence of India Rules made by the executive under the power given by the Legislature have not been properly made. We regret now that the Legislature did not prescribe the rules.

Then, Sir, there is another advantage in having the penalty provided in the Act itself. That would make the Act self-contained. A further advantage will be this, that when this Act is published, everybody will know that this is the view of the Legislature. We do not know when the rules will be made. The rules will not be read by anybody. They may not be read in South Africa. They won’t perhaps be read in any other Colonies. But if we make the rules here, that would emphasise our determination.

Lastly, I should like to say that there is no suspicion on our part with regard to the intentions of the Honourable Dr. Khare. But we do not know how long he will grace those benches by his presence. He may not be here after a few months (*An Honourable Member*: “Not even after a few days”) or even after a few days; after his departure the rules will be made. They may not be made at all; and if they are made, they may be made by the Secretary of the Department or other administrative officers. That would be a great disadvantage. I, therefore, hope that the Honourable Dr. Khare will accept this amendment which has been moved by Sir Syed Raza Ali.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 3rd August, 1948.