

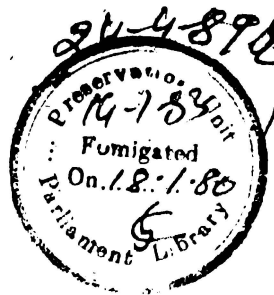
13th March 1944

THE
LEGISLATIVE ASSEMBLY DEBATES
Official Report

Volume II, 1944

(29th February to 27th March, 1944)

TWENTIETH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY
1944



LEGISLATIVE ASSEMBLY

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LEGISLATIVE ASSEMBLY

Monday, 13th March 1944.

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

MEMBER SWORN :

Sir Charles MacIvor Grant Ogilvie, C.S.I., C.B.E., M.L.A. (Secretary, Defence Department).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS.

DETERIORATED ENGINES ON NORTH WESTERN RAILWAY.

337. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that most of the locomotives on the North Western Railway are not in good condition, and that the coal supplied contains a lot of dust?

(b) Is it a fact that on the Karachi Division of the North Western Railway engine crew are generally punished for not keeping time or other failures or mishaps, due to causes mentioned in part (a) above? Does the Honourable Member propose to lay a statement on the table of the House on such punishments during the calendar years 1939 and 1948?

(c) Is it a fact that a large number of engines have run their guaranteed mileage, and that further running is likely to cause trouble?

(d) Is it also a fact that material and parts for repair of engines are not available in sheds and shops, owing to lack of imports during the war?

(e) What steps do Government propose to take to ensure that until better conditions in the matter of coal supply and repairs prevail on railways, the employees are spared punishments? If not, why not?

The Honourable Sir Edward Benthall: (a) No.

(b) 1st part—No; 2nd part—No.

(c) Engines are regularly completing the mileage for which their boilers have been certified; further running is not permitted unless, after examination, the boilers are certified as fit.

(d) Since the outbreak of War, difficulties have arisen in obtaining parts which have to be imported; deliveries of such parts are improving.

(e) Full allowance is made for the quality of coal and the state of repair of locomotives when the question of punishing staff is under consideration.

Mr. Lalchand Navalrai: May I know from the Honourable Member with regard to clause (a) if most of the locomotives are in good condition? If they are, may I know how many of them are in such a condition which do not require any repairs?

The Honourable Sir Edward Benthall: Obviously I should require notice of that question. Generally speaking they are in good condition.

Mr. Lalchand Navalrai: May I know from the Honourable Member how many locomotives have got headaches and how many of them have got stomach aches?

(No answer.)

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

ALL-INDIA RAILWAY ROUTINE INSTITUTE, DELHI.

338. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if his attention has been drawn to the advertisement in press by the All-India Railway Routine Institute, Delhi?

(b) Is the Institute recognised by the Government or any Railway administration?

(c) Are the candidates who qualify from this Institute given Railway appointments? If so, on what Railways?

(d) Who pays the scholarship and railway fare to the candidates?

The Honourable Sir Edward Benthall: (a) Yes, by the Honourable Member. (b) Government have not recognised it, nor is it likely that any Railway has. (c) and (d). I have no information.

Mr. Lalchand Navalrai: Is it a private concern?

The Honourable Sir Edward Benthall: I do not know anything about it. It is presumably so.

Mr. Lalchand Navalrai: Is there any control of the railways upon it?

The Honourable Sir Edward Benthall: The railways have nothing to do with it.

Mr. Muhammad Nauman: Why have the people got the impression that it has something to do with the railways?

The Honourable Sir Edward Benthall: The railways have nothing whatever to do with it. This is a private advertisement.

Mr. Muhammad Nauman: Will the Honourable Member note that a wrong impression is being created in the country?

The Honourable Sir Edward Benthall: This is to my mind a flat-catching advertisement and it appears to have caught some flats!

" RAILWAY ADVISORY COMMITTEE FOR JODHPUR RAILWAY.

339. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether a Railway Advisory Committee exists on the Jodhpur Railway? If not, why not?

(b) Is it proposed to have such an Advisory Committee for at least the British portion of the Jodhpur Railway? If not, why not?

The Honourable Sir Edward Benthall: (a) and (b). No local Advisory Committee exists, and the Administration do not consider there is justification for such a Committee for the Railway as a whole or for the small British-owned Section.

Mr. Lalchand Navalrai: Reference the British portion of this railway, are there no grievances of those people to be brought before the Committee by the public or by the staff?

The Honourable Sir Edward Benthall: There are other channels by which grievances can be brought.

Mr. Lalchand Navalrai: Then, where can they lodge their complaints?

The Honourable Sir Edward Benthall: To the management.

Mr. Lalchand Navalrai: To the management alone or assisted by another Committee?

The Honourable Sir Edward Benthall: No, to the management alone.

(Mr. Lalchand Navalrai again asked the same question.)

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

UNFILLED QUOTA FOR GAZETTED MUSLIM OFFICERS IN KARACHI DIVISION, NORTH WESTERN RAILWAY.

340. *Seth Yusuf Abdoola Haroon: (a) Will the Honourable Member for Railways please state if it is a fact that quota fixed for Gazetted Muslim officers was a minimum of 25 per cent., and that statistics for the years 1934 to 1943 show that only 6 per cent. Muslims have been taken in so far? If so, what are the reasons for not keeping up this percentage and what measures do Government propose to adopt to fill up the gap?

(b) How many Muslim Assistant and Divisional Personnel Officers have been posted to the Karachi Division from 1932 to 1943? If none, why was no Muslim officer posted to safeguard Muslim interests in view of the fact that Muslims were in a minority?

(c) Is it a fact that in the recent selection for two posts of Grade III Depot Clerks, Food Section, Karachi Division, no Muslim was taken, and that both the posts went to Hindus, one to a most junior officiating office Clerk in Grade

II and the other to a night-vision-failed retired Assistant Station Master working as Goods Clerk in Grade I? If so, what special qualifications were observed in the Selection Board, in view of the fact that in the Office Circular no special conditions regarding the tenure of service or any qualifications were specified?

(d) What was the number of Muslims taken in the selection of T-five, T-seven, A.T.I.s., Rates Clerks and Food Section on Karachi Division? If the Muslims in the abovementioned cadres are already in minority, why was no special consideration given to those who were available in the selection?

(e) Is it a fact that from Sub-Head right up to D. P. O., there is no Muslim but all Hindus in the Establishment Branch of the office of the Divisional Superintendent, Karachi? If so, what measures are proposed to be adopted to provide Muslims?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the affirmative, as far as recruitment goes. As regards the second part, the Honourable Member is presumably referring to the composition of the service. As regards the third part, Muslims have actually obtained 23 per cent. of the recruitment made in India in the period 1934-35 to 1942-43, the deficiency of two per cent. being due only to the lack of duly qualified Muslim candidates, particularly in certain technical branches. As regards the fourth part, Government consider no special measures are necessary.

(b) There were two Muslim Assistant Personnel Officers for short periods and a Muslim Divisional Personnel Officer for about 3½ years. The second part does not arise.

(c) Yes, but the claims of no volunteers were ignored. The qualifications required were specified in the Circular which was sent out calling for volunteers and the Selection Board, on which there was a Muslim officer, unanimously considered that the persons who were appointed were the most suitable.

(d) In the last selection made in the Karachi Division one, five, one, one and Nil Muslims, respectively, were selected in the categories referred to. Such selections are not made on communal grounds, nor do Government consider that it would be just to do so.

(e) The reply to the first part is in the affirmative. As regards the second part, the Railway is aware of Government's policy in the matter and will take action when a suitable opportunity occurs.

LOCOMOTIVES AND WAGONS SENT ABROAD.

341. *Sir Abdul Halim Ghuznavi: (a) Will the Honourable the Railway Member please state the number of locomotives and wagons, both broad and meter gauge, sent abroad either to the Middle East or to other areas, since the out-break of the war?

(b) How many of them have been returned?

(c) What is the amount of money received by the Government of India in lieu of the locomotives and wagons transferred abroad?

(d) What is the amount of money the Government of India spent in importing locomotives and wagons till now, since the outbreak of the war?

The Honourable Sir Edward Benthall: (a) B. G. Locomotives—Nil; M. G. Locomotives—206; B. G. Wagons—1,418; M. G. Wagons—7,858.

(b) M. G. Locomotives—24; M. G. Wagons—92.

Arrangements have been made for the return of a further 60 locomotives and 1,000 wagons.

(c) Provisional adjustments have been made but the question of final debits on this account is still under examination.

(d) It is regretted that figures are not readily available. No wagons have, however, been imported on Railway Department Account.

DISMANTLED RAILWAY MILEAGE.

342. *Sir Abdul Halim Ghuznavi: (a) Will the Honourable the Railway Member please state the total mileage of railways dismantled in India since the outbreak of the war till date?

(b) What is the total mileage of railways sent abroad either to the Middle East or elsewhere since the outbreak of the war?

(c) Has any money been recovered by the Government of India from His Majesty's Government for handing over these railways for export abroad? If so, how much credit did the Government of India obtain therefrom? What was the basis of fixing the value of these railways when transferred abroad? Does the price cover replacement cost of the railways which will most certainly be higher than the price recovered, in view of the present high prices?

The Honourable Sir Edward Benthall: (a) 958 track miles.

(b) 1,205 track miles. This consists of 591 track miles of rails released from dismantled lines and 614 track miles from railways' stocks and renewals.

(c) The reply to the first part is in the affirmative. With regard to the second part, credits obtained for the rails exported have been shown in the statements compiled of credits realised from time to time from His Majesty's Government for all the items under the head—Transportation Stores. The labour now involved in sorting the credits for the rails out of the various statements mentioned above would not be commensurate with the value of the results achieved. As regards the third part, the price of the rails dismantled has been charged according to a formula evolved on the principle that the Railway Department should neither make a profit nor suffer a loss on transactions of this nature, and based on the age and estimated life of the rails. With regard to the fourth part the dismantled branch lines will generally be relayed with second-hand rails released from relays on main lines and important branches, after the war. It is therefore difficult at this stage to estimate even approximately the price of these released rails or to compare it with the value of the rails dismantled.

COAL PRODUCTION AND EXPORT.

343. *Mr. H. A. Sathar H. Essak Sait: Will the Honourable Member for War Transport be pleased to state:

(a) the average yearly production of coal in India for the three pre-war years in all the coal mines and collieries;

(b) the total production last year;

(c) the average export of Indian coal from India during the three pre-war years; and

(d) the total export of Indian coal last year?

The Honourable Sir Edward Benthall: (a) The average of the 3 calendar years 1936—1938 was 25,830,000 tons.

(b) It is not in the public interest to publish the figures for 1943 at present.

(c) 858,873 tons. In this case the figures are those of the 3 financial years ending March 1939.

(d) For security reasons it is not desirable to publish the figures for the whole of the year at present, but I would refer the Honourable Member to my speech on the 26th February on his cut motion on the Railway Budget, in which figures of exports for a period of six months were given.

Mr. H. A. Sathar H. Essak Sait: With reference to part (b) may I draw the attention of the Honourable Member to a statement that appears in this morning's newspapers by Mr. Bhutt wherein he states that coal shortage is due to exports only, and because he does not give any figures, can the Honourable Member make a categorical statement in this House that exports are not really responsible for this shortage?

The Honourable Sir Edward Benthall: I can categorically say that they are not responsible. The responsibility for the shortage is due mainly to low-railings in recent months.

Maulana Zafar Ali Khan: Was coal exported to Ceylon which is outside India?

The Honourable Sir Edward Benthall: Yes, Sir. I have mentioned the figures in the speech referred to.

Mr. H. A. Sathar H. Essak Salt: With reference to part (d), do I understand the Honourable Member to say that it is not desirable to publish the figures for security reasons? May I point out that in the Railway Board's Report for 1942-43 the figures have been given for previous years, and where is the harm in publishing now?

The Honourable Sir Edward Benthall: That is so for the previous year, but it is not desirable to publish them for the current year just at present. They will be published in due course.

MUSLIMS IN METEOROLOGICAL DEPARTMENT.

344. *Maulvi Muhammad Abdul Ghani: Will the Secretary for Posts and Air be pleased to state:

(a) the total number of persons in permanent and temporary services as (i) Superintending Meteorologists, (ii) Meteorologists, (iii) Assistant Meteorologists, (iv) Meteorological Assistants, (v) Professional Assistants, (vi) Senior Observers, and (vii) Observers, and the number of Muslims serving under each head;

(b) the number of vacancies under each head as mentioned in (a), and the number of vacancies, if any, reserved for Muslims;

(c) the places where the persons referred to in part (a) (iii) to (vii) are trained;

(d) the designations of Instructors at every centre;

(e) the system of examination;

(f) whether the Instructors or persons other than Instructors examine the trainees under every item of services as mentioned in part (c) of the question;

(g) how many batches of Assistant Meteorologists have been trained at Poona, since its creation as a training centre;

(h) the minimum standard to be declared as passed; and

(i) the number of Assistant Meteorologists who have secured less than 40 marks in each of the both kinds of examinations, i.e., practical and theory and have been declared as passed?

Sir Gurunath Bewoor: (a) and (b). I lay on the table a statement giving the information required.

(c) Recruits to all cadres are trained at Poona; Senior Observers and Observers are trained at New Delhi also. From January 1944, a course in Forecasting has been opened for Assistant Meteorologists and Professional Assistants at the Karachi Meteorological Office.

(d) A statement is laid on the table.

(e) At the end of the course, all candidates undergo examinations, theoretical and practical, and, in addition, undergo a *viva voce* test. In addition, a careful watch is kept on the progress of each recruit throughout the course. Fortnightly reports on backward candidates are prepared and suitable action is taken to bring them up to standard.

(f) The written examination is conducted by the Officer-in-charge of the Training Section and the Instructors. The *viva voce* test of the Assistant Meteorologists, Professional Assistants and Meteorological Assistants is conducted by a committee of three officers including the Superintending Meteorologist, Poona, and the officer-in-charge of the Training Section. The *viva voce* test of the Senior Observers and Observers is conducted by the officers of the Training Section.

(g) Nine batches of Assistant Meteorologists have been trained at Poona since September, 1942.

(h) The minimum standard is 40 per cent. in the total marks, and in two out of the three branches, viz., theory, practical and general assessment.

(i) No candidate who secured less than 40 per cent. in both the theoretical and practical examinations has been declared passed.

Statement.

Parts (a) and (b).

Designation of posts.	Total number of persons in permanent and temporary service.	Number of Muslims.	Number of vacancies.	Number reserved for Muslims.
(i) Superintending Meteorologists	982	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
(ii) Meteorologists		1	5	<i>Nil</i>
(iii) Assistant Meteorologists		15	15	3
(iv) Professional Assistants		1	85	11
(v) Meteorological Assistants		14	31	4
(vi) Senior Observers*		33	129	16
(vii) Observers*		93	136	34

* Includes clerks.

Statement.

Part (d).

Poona.—Officer in Charge: one Meteorologist. Instructors: two Assistant Meteorologists, three Meteorological Assistants and one Assistant.

New Delhi.—Officer in Charge: one Meteorologist. Instructors: one Meteorological Assistant and one Senior Observer.

Karachi.—Officer in Charge: one Superintending Meteorologist. Instructors: one Meteorologist and six Assistant Meteorologists.

Mr. Muhammad Nauman: May I know why the Honourable Member could not give the total number? Is it very bulky? Since the answers regarding (a) and (b) are laid on the table the result is that we cannot make any cross questions. What is the total number?

Sir Gurnath Bewoor: If the Honourable President likes I will read the answers to (a) and (b).

Mr. President (The Honourable Sir Abdur Rahim): Is it a long statement?

Sir Gurnath Bewoor: There are seven headings against four cross-headings. If you like I will read it out.

Mr. President (The Honourable Sir Abdur Rahim): Provided it does not take too long.

Maulvi Muhammad Abdul Ghani: May I know the total strength under all the heads?

Sir Gurnath Bewoor: 982.

Maulvi Muhammad Abdul Ghani: What is the number of Muslims?

Sir Gurnath Bewoor: 157.

Mr. Muhammad Nauman: With reference to (e) I want to know the method of examination. You said that there are three tests—written, practical and *viva voce*. Are the results of the written and practical papers given to the members of the committee who ask the students their *viva voce* questions? What is the allotment of marks under these heads?

Sir Gurnath Bewoor: I think it is 100 in each subject. As regards the first part of the question, I have no information and would like to have notice of the question.

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

MUSLIMS IN METEOROLOGICAL DEPARTMENT.

345. *Maulvi Muhammad Abdul Ghani: Will the Secretary for Posts and Air please state:

(a) whether it is a fact that recently twelve posts of Assistant Meteorologists were reserved for Muslims; if so, how many of them have been taken in;

(b) the number of Muslims who applied to the Federal Public Service Commission for posts mentioned in (a) above;

(c) whether it is a fact that the Department had raised the minimum qualification for appointment of Assistant Meteorologists when the time came for the recruitment of Muslims;

- (d) if the reply to (c) be in the negative, the minimum qualification of persons already recruited as Assistant Meteorologists during the last three years;
- (e) whether it is a fact that some ordinary B.A. with Mathematics and B.Sc., have been taken in as such during the last three years;
- (f) the number of Professional Assistants and Meteorological Assistants promoted as Assistant Meteorologists during the last three years, and the minimum period after which such promotions were allowed; and
- (g) the number of B.A. and B.Sc. passed who have been promoted as Assistant Meteorologists, together with the period in each case after which such promotion was allowed?

Sir Gurnath Bewoor: (a) Yes. Six Muslim candidates were recommended by the Federal Public Service Commission and have been offered appointments.

(b) 68.

(c) No. On the contrary the minimum qualifications have been lowered.

(d) B.Sc. or B.A., with first class Honours, in Mathematics, Physics or Physical Chemistry. An exception was, however, made in 1948 in the cases of two candidates belonging to minority communities who had only second class Honours degrees.

(e) No.

(f) Thirteen Professional Assistants and two Meteorological Assistants. The minimum period after which such promotions were made was 11 years.

(g) Ten, one after 24 years, two after 18 years, one after 17 years, one after 16 years and five after 15 years of service.

Mr. Lalchand Navalrai: May I know from the Honourable Member why this qualification was lowered? Was it to favour any particular community?

Sir Gurnath Bewoor: Yes, it was intended to favour the minority communities.

Mr. Lalchand Navalrai: May I know if it was done purposely?

Sir Gurnath Bewoor: Purposely, in order to get the members of the minorities communities into the service.

Mr. Lalchand Navalrai: Is it the policy of Government, therefore, to have only unqualified people

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member is arguing.

Mr. Lalchand Navalrai: when qualified people are available from other communities?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

Qazi Muhammad Ahmad Kazmi: Has any such concession been given to Sindhis?

Mr. Lalchand Navalrai They do not require any. They are all qualified.

PROMOTION, ETC., OF TICKET CHECKING STAFF, OUDH AND TIRHUT RAILWAY.

†348. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Railway Member please state if it is a fact that the Financial Commissioner, Sir P. R. Rau, in reply to a deputation gave an assurance that at least fifteen per cent. of the ticket checking staff will be given an opportunity to higher promotion in neighbouring departments?

(b) Is it not a fact that this principle was accepted by the East Indian Railway and that the Travelling Ticket Examiners and Crew were promoted to the posts of Guards and Station Masters?

(c) Will this principle of promotion be adopted by the Oudh and Tirhut Railway which has just been brought under State management?

(d) Has the Railway Board drawn attention of the Oudh and Tirhut Railway Administration that subordinate staff employed in ticket checking and other departments have been given the same status and salary as are given in other State Railways?

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

The Honourable Sir Edward Benthall: (a) I am unable to trace any such assurance.

(b) No, but Travelling Ticket Examiners and Crew staff who qualify for Guards' posts are eligible to be considered for such promotion along with other qualified staff.

(c) As no specific undertaking was given, the question of its application to the O. & T. Railway does not arise.

(d) The question of the scales of pay of subordinate and inferior staff in the O. & T. Railway is at present under investigation.

ADDITIONAL STAFF EMPLOYED ON OUDH AND TIRHUT RAILWAY.

†347. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Railway Member please state if it is not a fact that the Railway Board asked the Administration of the Oudh and Tirhut Railway to employ more hands on salaries ranging between Rs. 250 and 1,000?

(b) Is it not a fact that the Oudh and Tirhut Railway Administration employed new hands in disregard of the claims of persons of long and approved services?

The Honourable Sir Edward Benthall: (a) No.

(b) I have no information.

CLAIMS PAID BY OUDH AND TIRHUT RAILWAY.

†348. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Railway Member please state if it is not a fact that the number of claims admitted and paid during the year 1943, when the Oudh and Tirhut Railway was acquired by the State, is greater than the number of claims in any of the previous five years excluding in each case the claims of military and the claims due to political disturbances?

(b) If the answer to (a) is in the affirmative, what is the cause of this abnormal increase?

The Honourable Sir Edward Benthall: (a) and (b). Claims statistics for the complete year 1943 are not yet available and I am therefore unable to answer this question. I may, however, state that the number of claims received by all railways has increased due to the abnormal conditions incidental to war time working and the O. & T. Railway is no exception.

MILITARY WARRANTS EXCHANGED BY TRAVELLING TICKET EXAMINERS ON OUDH AND TIRHUT RAILWAY.

†349. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Railway Member be pleased to state the total number of military warrants exchanged by the Travelling Ticket Examiners on the Oudh and Tirhut Railway during 1941-42, and the total number of such warrants exchanged in 1943?

(b) Is the Honourable Member aware that the decrease in the year 1943, in spite of increase in traffic, is due to the fact that Travelling Ticket Examiners of the Oudh and Tirhut Railway, in general, were indirectly prohibited from exchanging military warrants by the open declaration of the officer concerned, and that the earnings derived from the exchange of the military warrants were not genuine earnings and would not go to the credit of the Travelling Ticket Examiners concerned?

(c) Is it not a fact that East Indian Railway authorities have deputed several Flying Squad Units of four persons for the sole purpose of exchanging these warrants?

(d) What action does the Honourable Member propose to take to safeguard the Railway finances?

The Honourable Sir Edward Benthall: (a) I regret the information is not readily obtainable.

(b) No. It is possible that the Honourable Member has seen certain instructions issued by the O. & T. Railway which, whilst ordering Travelling Ticket Examiners to continue the normal practice of issuing Excess Fare Receipts for unexchanged warrants, covering a journey between two stations on the

O. A T. Railway, direct them to ensure that unexchanged warrants for through journeys are collected at a junction station, and Excess Fare Receipts are issued by the station staff to the holders. I understand this procedure was adopted to safeguard revenue.

(c) It is a fact that the E. I. Railway have appointed additional staff for the purpose but I am not aware of the details.

(d) Recent reports indicate that the number of warrants unexchanged has increased considerably. In order to safeguard railway finances and ensure that warrants are exchanged, railways have been instructed to open additional booking offices so that delay to military personnel in exchanging warrants at starting stations will be reduced. Additional Tacket Examining staff have been appointed. The possibility of avoiding the necessity for warrants to be exchanged at starting stations is under close examination.

CHECKING OF TICKETS AND PASSES OF RAILWAY STAFF.

†350. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Railway Member please state if it is not a fact that the Officer Incharge of the ticket checking staff issued instructions not to check the tickets and passes of the Railway staff?

(b) Was this intended to let off the relatives of the Railway employees from purchasing tickets?

The Honourable Sir Edward Benthall: I am unable to reply as the Honourable Member has not stated to which Railway or which station he is referring to.

DIFFICULTIES IN COAL POSITION IN BENGAL DUE TO ACTIONS OF COAL COMMISSIONER.

351. *Mr. K. O. Neogy: Will the Honourable Member for War Transport be pleased to state whether he received a letter from me on the 25th February, 1944, drawing attention to certain serious difficulties in the coal position in Bengal due to recent actions of the Coal Commissioner as reported in two telegrams quoted in the said letter? If so, have enquiries been made into the allegations as affecting his Department and with what result?

The Honourable Sir Edward Benthall: Enquiries have been made into the allegations. In view of the dangerously low level of Railway Stocks, notices were served under the Defence of India Rules on certain collieries directing them to arrange despatches to railway up to a specified figure. Resentment was doubtless caused by this procedure but so far as I am aware it did not cause serious prejudice to the collieries concerned. It is not correct that many industries are likely to close down as a result of the action taken, since supplies to industries throughout the country between the 29th of January and 25th of February approximated to 95 per cent. of the ration fixed for that period by Government.

Action has been taken to arrange on account payments to collieries whose coal has been requisitioned for the railways.

Mr. K. O. Neogy: What is the position of the soft coke supply? There is a specific point about soft coke for domestic consumption, and the allegation is that the supply to Calcutta of soft coke was threatened due to the action taken under the Defence of India Act.

The Honourable Sir Edward Benthall: It may have been threatened, but I do not think it was actually short. Arrangements have been made recently to increase the supplies of soft coke to Calcutta from 2,500 to 2,600 wagons a month. I think there may be some difficulty about the provision of soft coke because I understand that the sale direct to the market of coal from which soft coke is made may influence the amount of soft coke available for the Calcutta market.

Dr. P. N. Banerjee: Will the Honourable the War Transport Member take steps to see to it that soft coke is supplied?

The Honourable Sir Edward Benthall: Yes, Sir, if the market will arrange to manufacture the soft coke.

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

Mr. K. C. Neogy: What is the difficulty in the way of manufacture of soft coke at the present moment?

The Honourable Sir Edward Benthall: I think the difficulty may be that prices for coal are so remunerative that it is not worth while collieries troubling to manufacture soft coke.

STEPS TAKEN TO INCREASE OUTPUT OF COAL, ETC.

352. *Pandit Lakshmi Kanta Maitra (on behalf of **Babu Baijnath Bajoria**):

(a) Will the Honourable Member for War Transport be pleased to state what steps the Coal Commissioner has taken:

- (i) to increase the output of coal from collieries;
- (ii) to arrange for equitable distribution of coal to various industries;
- (iii) to accelerate the supply of wagons for transportation of coal, specially to industries manufacturing goods for civil consumption; and
- (iv) to stabilise prices of the various grades of coal?

(b) What have been the effects of the steps taken by the Coal Commissioner?

The Honourable Sir Edward Benthall: (a) and (b). The Coal Commissioner since assuming office two months ago, has been studying the present arrangements for the production and distribution of coal. He has visited a number of collieries, has taken steps to obtain more machinery for collieries and has prepared a scheme for food rationing in the Bengal and Bihar coalfields, which is now put into effect. He has discussed with the trade a scheme which involves the fixation of the prices of all grades of coal and is now about to take steps to fix prices in consultation with the trade and other interests. Certain further recommendations are now under the consideration of Government and it is too early yet to gauge the effects of the steps he has taken.

Pandit Lakshmi Kanta Maitra: Do I take it that steps have already been taken on these lines?

The Honourable Sir Edward Benthall: Steps are being taken on these lines.

Mr. K. C. Neogy: Have the Government found it possible to define the extent of the powers of the Coal Commissioner?

The Honourable Sir Edward Benthall: No. It is being finalised at the moment.

Mr. K. C. Neogy: Then how is the Coal Commissioner in a position to carry out his duties?

The Honourable Sir Edward Benthall: He has certain general powers and the support of Government, but the precise powers are being finalised at the moment.

RESTRICTIONS IMPOSED ON COLLIERIES.

353. *Pandit Lakshmi Kanta Maitra (on behalf of **Babu Baijnath Bajoria**):

(a) Is the Honourable Member for War Transport aware:

(i) that restrictions have been imposed on several collieries suspending despatches to various industries;

(ii) that such restrictions have adversely affected the output of coal;

(iii) that numerous industries have closed down for want of coal; and

(iv) that continued supply of domestic coke in Calcutta is threatened?

(b) What steps have Government taken to arrange for an adequate supply of coal to industries and domestic coke for civil consumption in Calcutta?

(c) Have Government received complaints from any section of the trade on the above points, and what steps have Government taken to redress their grievances?

The Honourable Sir Edward Benthall: (a) (i) Yes.

(ii) No.

(iii) I would refer the Honourable Member to my reply to Mr. Neogy's question No. 351.

(iv) No.

(b) The provincial quota of coal and coke for domestic consumption and small industries in Bengal has recently been increased from 2,500 to 2,600 wagons a month.

(c) Yes, Sir. A complaint was recently received from Messrs. Universal Trading Company, Calcutta, about late payment for coal requisitioned for the railways. Action has been taken to authorise payment on account of such collieries.

FOOD INSPECTORS, ETC., APPOINTED IN KARACHI AND MULTAN DIVISIONS.

354. *Seth Yusuf Abdoola Haroon: Will the Honourable Member for Railways be pleased to state:

(a) the number of Food Inspectors and Assistant Food Inspectors appointed in Karachi and Multan Divisions; and

(b) the number of Muslims and Hindus, separately, in each Division?

The Honourable Sir Edward Benthall: (a) and (b). One Food Inspector has been appointed on the Multan Division. No Food Inspector has been appointed for the Karachi Division. As regards the other information asked for, material is being obtained, and a further reply will be laid on the table of the House in due course.

Mr. Muhammad Nauman: May I know whether that appointment was made by direct recruitment, or was somebody from the Department taken for that purpose?

The Honourable Sir Edward Benthall: I should require notice of that question.

Mr. Muhammad Nauman: I suppose it arises out of the question.

Mr. Lakchand Navalrai: May I know if this officer is working both for Karachi and Multan and has been visiting Karachi or not?

The Honourable Sir Edward Benthall: I am not aware of such details.

SELECTIONS FOR HIGHER GRADE PROMOTIONS IN KARACHI AND DELHI DIVISIONS.

355. *Seth Yusuf Abdoola Haroon: Will the Honourable Member for Railways be pleased to state:

(a) how many selections for higher grade promotions were held in Karachi and Delhi Divisions during the year 1943;

(b) the number, separately, of Hindu and Muslim candidates selected;

(c) in how many of these Selection Boards Muslim Officers of equal status to other Board members were represented; and

(d) if Muslim Officers of equal status did not sit on these Selection Boards, what steps the Honourable Member proposes to take about those selections?

The Honourable Sir Edward Benthall: Information has been called for and a reply will be laid on the table of the House in due course.

MUSLIMS AND NON-MUSLIMS PROMOTED AND CONFIRMED IN THE ESTABLISHMENT AND EXECUTIVE OFFICES OF BENGAL AND ASSAM RAILWAY.

356. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Railways be pleased to state the numbers of Muslims and non-Muslims promoted and confirmed in the Establishment and Executive Offices in the following scales of pay on the Bengal and Assam Railway in the years 1939-40 to 1943-44:

Old	New.
Ra.	Ra.
425—25½—475	400
250—20—350	260
230—10—300	230
175—10—225	180
150—10—200	140
110—10—140	100—10½—120 ?

(b) Is it a fact that twenty per cent. of the vacancies in intermediate grades in the Establishment and Executive Offices on the Bengal and Assam Railway were not advertised for direct recruitment during the years 1939-40 to 1943-44?

The Honourable Sir Edward Benthall: (a) Information is not readily available, and I regret that I cannot undertake to collect it under the present circumstances.

(b) The posts, which were filled by direct recruitment, were advertised except in very exceptional circumstances created by the present situation.

Mr. Muhammad Nauman: May I know if those exceptional circumstances involved 20 per cent. of the vacancies? Has the Railway Board ascertained that fact or not?

The Honourable Sir Edward Benthall: The Honourable Member will, I am sure, appreciate that in war conditions rigid adherence to the rules is not possible in such an area.

Mr. Muhammad Nauman: May I say that war conditions should not work adversely against one particular community or nation?

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

MUSLIM APPLICANTS FOR POSTS IN THE STORES DEPARTMENT, BENGAL AND ASSAM RAILWAY.

357. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Railways be pleased to state the number of applications received from Muslim candidates in response to advertisements for various categories of staff in the Stores Department of the Bengal and Assam Railway during the year 1943-44? What is the number of Muslims selected for each post?

(b) Is it a fact that Muslims were rejected on the ground that they did not possess the requisite qualifications *cum* experience?

(c) Was the prior approval of the Railway Board about the conditions mentioned in those advertisements sought for and obtained, as the existing recruitment rules do not contain those conditions?

The Honourable Sir Edward Benthall: With your permission, Sir, I propose to reply to questions Nos. 357 to 359 together.

Information has been called for and a reply will be laid on the table of the House in due course.

Mr. Muhammad Nauman: I put the same questions last year and the same answer was given. This year also ten days' notice is not sufficient.

The Honourable Sir Edward Benthall: If the Honourable Member put the same questions last year and the same answer was given, I am quite certain that the reply was laid on the table of the House and I do not understand why the Honourable Member is asking the same question again.

Mr. Muhammad Nauman: Not the same question but of the same type. My questions unfortunately were such that it was pleaded that there was no sufficient time for a reply even last year.

The Honourable Sir Edward Benthall: That is precisely the difficulty.

MUSLIM APPLICANTS FOR POSTS IN THE STORES DEPARTMENT, BENGAL AND ASSAM RAILWAY.

†358. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Railways be pleased to state the way in which deficiencies in the quota of Muslims not appointed in response to advertisements about posts in the Stores Department of the Bengal and Assam Railway during the year 1943-44 were made up?

(b) Is it a fact that no attempt was made to resort to nomination for filling up those posts by Muslims?

STAFF APPOINTED IN THE STORES DEPARTMENT OF BENGAL AND ASSAM RAILWAY IN THE SCALE OF Rs. 30—3—45—5—60.

†359. *Mr. Muhammad Nauman: Will the Honourable Member for Railways be pleased to state the number of men, communitywise appointed in the Stores Department of the Bengal and Assam Railway in the year 1943-44 on the maximum of the scale of Rs. 30—3—45—5—60 relaxing the age and educational qualifications?

PROBATIONARY ASSISTANT STATION MASTERS AND SIGNALLERS APPOINTED ON BENGAL AND ASSAM RAILWAY.

360. *Mr. Muhammad Nauman: Will the Honourable Member for Railways be pleased to state the number of men, communitywise, who were appointed as probationary Assistant Station Masters and Signallers during the years 1942-43 and 1943-44 on the Bengal and Assam Railway without advertising the posts and relaxing the age and educational qualifications?

The Honourable Sir Edward Benthall: Information has been called for and a reply will be laid on the table of the House in due course.

PROMOTIONS TO CLERICAL GRADE 'D' IN THE OFFICE OF CHIEF MECHANICAL ENGINEER, BENGAL AND ASSAM RAILWAY.

361. *Maulvi Muhammad Abdul Ghani: (a) Is the Honourable Member for Railways aware of the fact that in the office of the Chief Mechanical Engineer, Bengal and Assam Railway, promotion to clerical grade Class 'D' (Old and New) is confined to Sections?

(b) If the reply to (a) is in the affirmative, what is the number of vacancies in Class 'D' which occurred or were created during the years 1942-43, and 1943-44?

The Honourable Sir Edward Benthall: With your permission, Sir, I propose to reply to questions Nos. 361, 362, 364 and 365 together.

Information has been called for and a reply will be laid on the table of the House in due course.

CERTAIN CLERICAL VACANCIES FILLED IN THE CHIEF MECHANICAL ENGINEER'S OFFICE, BENGAL AND ASSAM RAILWAY.

†362. *Maulvi Muhammad Abdul Ghani: (a) Is the Honourable Member for Railways aware of the fact that vacancies in the clerical grade 'D' in different Sections of the Chief Mechanical Engineer's Office, Bengal and Assam Railway, during the years 1942-43 and 1943-44 were filled up by temporary non-Muslim clerks?

(b) If the reply to (a) is in the negative, what is the number of vacancies sectionwise, and the number of Muslims who got any one of those vacancies or who did not get any one of them due to their transfers?

PROMOTIONS, ETC., IN PERSONNEL BRANCH OF BENGAL AND ASSAM RAILWAY.

363. *Maulvi Muhammad Abdul Ghani: (a) Is the Honourable Member for Railways aware of the fact that in the Personnel Branch of the Bengal and Assam Railway, promotions and confirmation to intermediate grades were based on selection up to December, 1942, and seniority after December, 1942?

(b) If the reply to (a) is in the negative, what is the number of permanent vacancies which occurred in intermediate grades during the period from 1941 to 1944 and the number of staff, communitywise, promoted and confirmed in those vacancies?

The Honourable Sir Edward Benthall: (a) I am informed that no change as is suggested, has been made.

(b) 26 vacancies arose; 25 Hindus and 1 Muslim were promoted.

Mr. Lalchand Navalrai: May I know from the Honourable Member, if any partiality was shown in making these appointments according to community, as the Honourable the Secretary for Posts and Air

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member is arguing.

Mr. Lalchand Navalrai: I am putting the question whether any partiality is being shown. That is my question.

The Honourable Sir Edward Benthall: No, Sir. There is no partiality on the Railways.

Mr. Muhammad Nauman: With regard to part (b), what was the number of the permanent vacancies which occurred and which the Honourable Member did not mention?

The Honourable Sir Edward Benthall: 26 vacancies.

VACANCIES FILLED IN THE LOWER GAZETTED SERVICE ON BENGAL AND ASSAM RAILWAY.

†364. *Maulvi Muhammad Abdul Ghani: (a) Will the Honourable Member for Railways be pleased to state the number of posts which fell vacant or were created in the Lower Gazetted Service on the Bengal and Assam Railway during the years 1942-43 and 1943-44, and the number of men, communitywise, who filled those posts?

(b) Is it a fact that non-Muslim Matriculates with only one year of training were promoted to the Lower Gazetted Service in the Stores Department, and that Muslims who secured higher marks during training were rejected?

VACANCIES IN INTERMEDIATE GRADES IN THE STORES DEPARTMENT, BENGAL AND ASSAM RAILWAY.

†365. *Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways be pleased to state the number of vacancies which occurred or were created in intermediate grades during 1942-43 and 1943-44 in the Stores Department of the Bengal and Assam Railway?

CLERKS SELECTED FOR CERTAIN HIGHER POSTS SANCTIONED BY THE GENERAL MANAGER, EAST INDIAN RAILWAY.

366. *Shaikh Rafuddin Ahmad Siddique: (a) Will the Honourable Member for Railways be pleased to state whether old clerks were employed in higher posts sanctioned by the General Manager, East Indian Railway, *vide* his Minute Sheet No. OP E81 of the 10th May, 1943, for the re-organisation of the Establishment Branch of the office of the Divisional Superintendent, Howrah?

(b) Is it a fact that majority of clerks selected for higher posts did not pass the Leave Rules Examination?

(c) Is it a fact that no other test was prescribed to test their efficiency for higher posts?

(d) Is it a fact that communal quota in these newly-sanctioned posts was not observed?

The Honourable Sir Edward Benthall: With your permission, Sir, I propose to reply to questions Nos. 366 to 368 together.

Information has been called for and a reply will be laid on the table of the House in due course.

CLERKS SELECTED FOR CERTAIN HIGHER POSTS SANCTIONED BY THE GENERAL MANAGER, EAST INDIAN RAILWAY.

‡367. *Shaikh Rafuddin Ahmad Siddique: (a) Is the Honourable Member for Railways aware of the fact that at the time of filling up higher posts sanctioned by the General Manager, East Indian Railway, for the re-organisation of the Establishment Branch of the office of the Divisional Superintendent, Howrah, *vide* his minute sheet No. OP E81 of the 10th May, 1943, the claims of Muslims, who were graduates and senior and had passed the Leave Rules Examination, and had experience of the Establishment Office were rejected without giving them official replies?

(b) If the reply to (a) is in the negative, will he be pleased to state the official replies given to Muslims who applied for higher posts and were interviewed in July 1943?

CLERKS SELECTED FOR CERTAIN HIGHER POSTS SANCTIONED BY THE GENERAL MANAGER, EAST INDIAN RAILWAY.

‡368. *Shaikh Rafuddin Ahmad Siddique: (a) Is the Honourable Member for Railways aware of the fact that old clerks considered to be originally responsible for arrear of work and irregularities referred to in the General Manager's Minute Sheet No. OP E81 of the 10th May, 1943, and the enclosure to the Divisional Superintendent, Howrah, letter to the General Manager, dated the 1st May, 1943, were only selected to fill up higher posts sanctioned by the General Manager on the 10th May, 1943?

†For answer to this question, see answer to question No. 361.

‡For answer to this question, see answer to question No. 366.

(b) If the reply to (a) is in the negative, what is the nature of the irregularities, and what are the names of the staff other than those selected for higher posts responsible for their commission?

(c) Is it a fact that slack supervision in the case of non-Muslims is rewarded as stated in (a)?

REPORTS ON RE-ORGANISATION OF THE ESTABLISHMENT BRANCH OF THE OFFICE OF DIVISIONAL SUPERINTENDENT, HOWRAH.

369. *Shaikh Rafuddin Ahmad Siddique: Does the Honourable Member for Railways propose to place before the House monthly and six monthly reports of progress on account of the re-organisation in the Establishment Branch of the office of the Divisional Superintendent, Howrah, in the year 1943 submitted to the General Manager, East Indian Railway, according to his minute sheet No. OP E81 of the 10th May, 1943?

The Honourable Sir Edward Benthall: No.

Mr. Muhammad Nauman: What was the difficulty in placing the reports on the table of this House?

The Honourable Sir Edward Benthall: Such details of administration are matters for the Railways.

Mr. Muhammad Nauman: May I know whether such reports are available in the Railway Board's office at least? Are these reports sent to the Railway Board?

The Honourable Sir Edward Benthall: No, Sir. These matters of detailed administration are within the competence of the Railways.

Mr. Muhammad Nauman: In that case, the Railway Board cannot watch the interests of the communities which are not properly represented?

The Honourable Sir Edward Benthall: It is not the duty of the Railway Board to watch all the details of administration.

Mr. Muhammad Nauman: What does the Establishment Branch of the Railway Board exist for?

(No answer.)

BIAS AGAINST MUSLIM CANDIDATES FOR POSTS OF OFFICE SUPERINTENDENTS, HOWRAH DIVISION, EAST INDIAN RAILWAY.

370. *Mr. Muhammad Hussain Choudhury: Is the Honourable Member for Railways aware of the fact that the Divisional Superintendent, East Indian Railway, Howrah, did not send any Muslim for the post of Office Superintendent in response to the General Manager's D. O. No. SP/84, of the 1st June, 1943, to him?

The Honourable Sir Edward Benthall: With your permission, Sir, I propose to reply to questions Nos. 370 to 374 together.

Information has been called for and a reply will be laid on the table of the House in due course.

BIAS AGAINST MUSLIM CANDIDATES FOR POSTS OF OFFICE SUPERINTENDENTS, HOWRAH DIVISION, EAST INDIAN RAILWAY.

†371. *Mr. Muhammad Hussain Choudhury: (a) Is the Honourable Member for Railways aware of the fact that applications of Muslim employees for posts of Office Superintendents, in response to the General Manager's D.O. No. SP/84, dated the 1st June, 1943, to the Divisional Superintendent, East Indian Railway, Howrah, were strongly recommended by their Executive Officers on the Howrah Division, East Indian Railway, after due examination?

(b) Is it a fact that the names of the Muslim employees recommended by their Executive Officers were not forwarded?

(c) If the reply to (b) is in the negative, what were the disqualifications found in those Muslim employees for not forwarding their names?

BIAS AGAINST MUSLIM CANDIDATES FOR POSTS OF OFFICE SUPERINTENDENTS, HOWRAH DIVISION, EAST INDIAN RAILWAY.

†372. *Mr. Muhammad Hussain Choudhury: Is the Honourable Member for Railways aware of the fact that the Divisional Personnel Officer, East Indian

Railway, Howrah, put up to the Divisional Superintendent, Howrah, adverse notes against those Muslim employees whose applications for posts of Office Superintendents, in response to the General Manager's D.O. No. SP/34, dated the 1st June, 1943, were strongly recommended by the Executive Officers?

**BIAS AGAINST MUSLIM CANDIDATES FOR POSTS OF OFFICE SUPERINTENDENTS,
HOWRAH DIVISION, EAST INDIAN RAILWAY.**

†373. *Mr. Muhammad Hussain Choudhury: Is the Honourable Member for Railways aware of the fact that Muslim employees who had not been recommended for posts of Office Superintendents, in response to the General Manager's D.O. No. SP/34, of the 1st June, 1943, to the Divisional Superintendent, East Indian Railway, Howrah, were kept in dark about the unauthorised entries, and papers in their service records, and the adverse notes against them put up to the Divisional Superintendent, East Indian Railway, Howrah, to spoil their cases?

**NON-EMPLOYMENT OF MUSLIMS IN CERTAIN POSTS IN THE ESTABLISHMENT OFFICE
OF HOWRAH DIVISION, EAST INDIAN RAILWAY.**

†374. *Mr. Muhammad Hussain Choudhury: (a) Is the Honourable Member for Railways aware of the fact that in the Establishment Office of the Howrah Division, East Indian Railway, the following posts have never been filled by Muslims:

- (i) Chief Clerks—Grade Rs. 200—15—245;
- (ii) Head Clerks—Grade Rs. 170—10—218; and
- (iii) Clerks—Grade Rs. 140—8—164?

(b) If the reply to (a) is in the negative, what is the number of the Muslims who have ever filled those posts?

(c) Is it a fact that efficient Muslim graduates passed in Leave Rules were available on the Division?

**NON-ENFORCEMENT OF SECTION 4 OF LEGAL PRACTITIONERS ACT IN BALUCHISTAN
AREA.**

375. *Mr. Jamnadas M. Mehta: (a) Will the Foreign Secretary please state the reasons as to why Section 4 of the Legal Practitioners Act has not been enforced in the Baluchistan Area?

(b) Are the Advocates from Sind, Punjab and the North-West Frontier Province granted permission to appear in the Magistrates' Courts as a matter of practice when they apply for such permission? If not, what are the grounds for such refusal?

(c) How many times was such permission asked for during the last three years, and how many times was it refused up to the 1st of March, 1944, and what were the grounds for such refusal? Was the local Bar consulted before the Judicial Commissioner refused such permission?

(d) Is it a fact that, in a recent case of criminal prosecution against a respectable citizen of Quetta, the accused was not permitted to engage a counsel of his choice from outside the Province on the ground that it would be unfair to the local Bar to permit a counsel from outside Baluchistan? Is it a fact that two members of the local Bar had also been engaged in the case?

(e) Is it a fact that the prosecutor in that case was one Captain Hill, a high official of the Government of Baluchistan, and none of the members of the Bar was in a mood to cross-examine him fully, and that such permission was refused in his interests?

Sir Olaf Caroe: (a) The Legal Practitioners Act is one of many Enactments in force in British India generally, which are not, and never have been, in force in British Baluchistan.

(b) No, except in Nasirabad, the object being to reserve practice to local Practitioners, who, Government understand, petitioned the Judicial Commis-

sioner in January 1943 to exclude those from other Provinces. Applications from Practitioners from outside are nevertheless considered on merits.

(c) Out of 34 applications only 2 were refused without consulting the Bar and for the reason stated in my answer to (b).

(d) The answer to both questions in this part is in the affirmative.

(e) No.

Mr. Lalchand Navabai: With regard to part (c), what are those merits on the consideration of which advocates from outside are allowed or not allowed?

Sir Olaf Caroe: They have reference to each particular case that comes up, and one could not say without looking into the record of that case, I should imagine.

Mr. Govind V. Deshmukh: As regards (d), there is a reference to a counsel who applied. May I know on what grounds his application was rejected?

Sir Olaf Caroe: I am unable to reply without referring to the record of the case.

Qazi Muhammad Ahmad Kazmi: May I know whether the merits are political merits or knowledge of law?

Sir Olaf Caroe: It is strange to suggest that the Courts consider these matters on political merits.

Qazi Muhammad Ahmad Kazmi: May I take it that only the matter of capacity to argue cases is taken into consideration? May I know whether any other considerations are taken into consideration?

Sir Olaf Caroe: That depends upon the facts or the complexity of the case, the necessity for more legal representation, and matters of that kind.

Mr. Govind V. Deshmukh: May I know the nature of the prosecution?

Sir Olaf Caroe: I am not a judicial officer, and this does not seem to be the proper arena for examining the record of a case.

Mr. Jamnadas M. Mehta: Will the Honourable Member call for the record and find out?

Sir Olaf Caroe: I do not think I am entitled to do so.

Mr. Jamnadas M. Mehta: Then where should I seek relief?

(No answer.)

PRIORITY LOADING OF FOODGRAINS TO HOWRAH.

376. ***Mr. H. M. Abdullah:** (a) Will the Honourable Member for Railways be pleased to state if it is a fact that, when there was a scarcity of foodgrain in Bombay and Madras Presidencies, foodgrain for these areas was treated as G. P. O. and for a long time overriding priority was granted to the same?

(b) Is it a fact that during the period of shortage of foodstuff in the Howrah area this traffic for that place was not treated as priority traffic till the end of November, 1943?

(c) Is it a fact that on account of this treatment the flow of traffic to Howrah was not so rapid as it was to Bombay and Madras?

(d) Is it a fact that in the Delhi Division the Divisional Transportation Officer failed to regulate the supply of stock, and that allotments granted for loading foodgrains to Howrah were wasted in many cases, and generally they were made available after many days as stock was not readily supplied?

(e) Does the Honourable Member propose to place on the table a statement showing allotments granted for loading foodgrains to Howrah, date of orders issued, date on which utilized, number not utilised and reasons for delay in utilizing the same?

(f) What action does the Honourable Member propose to take against those responsible for this state of affairs? If none, why?

The Honourable Sir Edward Benthall: (a) Yes.

(b) No.

(c) Does not arise.

(d) No. The supply of wagons was regulated according to the allotments made by the Headquarters office, Lahore, and there was no undue delay in the supply of wagons. In fact, there were occasions when loading fell short of allotments due to foodgrains not offering.

(c) No. The compilation of the information will entail undue time and labour.

(f) Does not arise.

LOWER PERCENTAGE OF MUSLIMS APPOINTED IN RAILWAYS.

377. *Mr. H. M. Abdullah: Will the Honourable the Railway Member please refer to the figures of direct recruitment, published in the Railway Board's report for the year 1942-43, and state:

(a) whether it is a fact that the number of Muslims appointed in Railways falls short of the prescribed percentage;

(b) if the reply to (a) above is in the affirmative, the reasons for this under-recruitment of Muslims; and

(c) what steps Government propose to make good the deficiencies, and to ensure that such under-recruitments do not occur in future; if none, why?

The Honourable Sir Edward Benthall: (a) Yes, in recruitment to permanent vacancies in the subordinate cadre.

(b) As far as can be ascertained, the reason is the larger proportion of recruitment having taken place on railways with a low percentage reservation for Muslims and two Railways failing to recruit up to their quota.

(c) Government are examining the remedial action necessary.

Mr. Muhammad Nauman: May I say with reference to part (a) that the Muslim position has deteriorated in the last two years and what are the reasons for this deterioration?

The Honourable Sir Edward Benthall: I do not think it has deteriorated. It is, however, a matter of concern to my Department that the full percentage has failed to be achieved by .8 per cent.

Maulvi Muhammad Abdul Ghani: Has the attention of the Honourable Member been drawn to page 81 of the Railway Administration Report for the year 1942-43, Vol. I, which says that the Muslim percentage has decreased from 29 to 19 per cent?

The Honourable Sir Edward Benthall: The Honourable Member is quoting from figures which have been published by Government and if he is quoting the figures correctly, then he can take it that they are correct.

Maulvi Muhammad Abdul Ghani: What steps do Government propose to see that conditions improve?

Mr. Lalchand Navalrai: Less qualifications!

The Honourable Sir Edward Benthall: I would refer the Honourable Member to my reply to part (c) of the question.

MUSLIM ASSISTANTS IN RAILWAY BOARD OFFICE.

378. *Mr. H. M. Abdullah: Will the Honourable Member for Railways be pleased to state:

(a) the total strength of the noting Assistants, Class I, in the office of the Railway Board, giving permanent and temporary, separately;

(b) the number of Muslim Assistants, Class I, permanent and temporary, separately;

(c) the number of noting Assistants, Class I, who were confirmed during the year 1942-43, whether provisionally or otherwise, and how many of them were Muslims; and

(d) if it is a fact that the number of permanent Muslim Assistants in the Railway Board's office is very small; and, if so, what step Government propose to take to increase their number; if none, why?

The Honourable Sir Edward Benthall: (a) Permanent 34; Temporary 52.

(b) Permanent 3; Temporary 12.

(c) Three. None of these was a Muslim.

(d) Yes. A communal roster for Noting Assistants appointed by direct recruitment in permanent and quasi-permanent vacancies is maintained by the Home Department for all Departments, of the Government of India and a shortage in the recruitment of Muslims in such vacancies in the Railway Department is, therefore, compensated by a corresponding increase in some

other Department. Fifty per cent. of such vacancies are filled by promotion or transfer from Railways and the rules regarding communal representation in the services do not apply to appointments so made.

DIVISIONAL PERSONNEL OFFICER, DELHI.

879. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways be pleased to state whether he is aware that the present Divisional Personnel Officer in the Delhi Division of the North Western Railway was transferred from Rawalpindi Division due to his anti-Muslim activities? Is it a fact that this officer has again been appointed as Divisional Personnel Officer, Delhi, where serious allegations have been made against him for being anti-Muslim?

(b) Do Government propose to shift this officer to a post where he may not have to deal with personnel matters? If not, why not?

The Honourable Sir Edward Benthall: (a) No. As regards the second part, I am aware of no such allegation.

(b) Government do not propose to interfere with the discretion of the Railway in such matters.

Mr. Muhammad Nauman: Will the Honourable Member make inquiries whether the allegation has any bearing or not?

The Honourable Sir Edward Benthall: This is a matter of detailed railway administration.

Mr. Muhammad Nauman: A statement has been made in the House through a question and it is the duty of the Railway Board to give an answer and make enquiries.

(No reply.)

APPOINTMENT OF RAILWAY WATCH AND WARD SUB-INSPECTOR, DELHI.

880. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that on the North Western Railway appointment to the post of Sub-Inspector, Watch and Ward, is confined either to direct recruits with past military service or to the staff in the lower grade in the Watch and Ward Department?

(b) Is it a fact that in the Delhi Division, a non-matriculate Second Guard was promoted as Sub-Inspector, Watch and Ward, and the claim of a fully qualified seniormost head Watchman, who happened to be a Muslim, was ignored?

(c) If the replies to (a) and (b) are in the affirmative, do Government propose to rectify the irregularity? If not, why not?

The Honourable Sir Edward Benthall: I have called for information and a reply will be laid on the table of the House in due course.

STATEMENT IN AMERICA BY INDIA'S AGENT GENERAL CONCERNING MRS. GANDHI'S DETENTION AND DEATH.

881. *Mr. K. S. Gupta: (a) Will the Foreign Secretary please state if the Government of India gave information from time to time about the health of the late Mrs. Kasturba Gandhi to the Secretary of State for India in England and also to their Agent-General, Sir Girja Shankar Bajpai? If so, does the Honourable Member propose to place on the table all the correspondence between their Agent-General in America and the Government of India? If not why not?

(b) Is the information about the death of Mrs. Gandhi sent to their Agent-General in America? Are there any special instructions sent to him along with the news of the death to issue any statement concerning the death and detention of Mrs. Gandhi? If so, does the Honourable Member propose to place on the table the text of the information and instruction given to their Agent-General in America?

Sir Olaf Caroe: (a) No official information concerning Mrs. Gandhi's health was sent to the Agent General. So far as the Secretary of State is concerned, the Honourable Member should address the Home Member. Bulletins were,

of course, issued from time to time by the Bombay Government and a communique was published by the Government of India on the 24th December, 1943. These were, no doubt, reported by the Press in America. The second and third parts of the question do not arise.

(b) Neither information nor instructions of any kind were sent to the Agent General. The last part of the question does not arise.

PRESS NOTE.

Government have seen press comments on the continued detention of Mrs. Gandhi in view of her present state of health. Her release would, however, involve separating her from her husband during her illness and since she can receive, and is receiving, every possible medical care and attention where she is and is not debarred from seeing her near relatives, Government have decided that there would be no kindness either to her or to her family in removing her from the Aga Khan's Palace.

STATEMENT IN AMERICA BY INDIA'S AGENT GENERAL CONCERNING MRS. GANDHI'S DETENTION AND DEATH.

382. *Mr. K. S. Gupta: (a) Is the Foreign Secretary aware of the statement made by Sir Girja Shankar Bajpai about the death and detention of the late Mrs. Gandhi:

"At various times the Government considered her release from detention for health reasons, but she wished to remain with her husband, and her wishes were respected."?

(b) Is the above statement correct? If so, when was she offered release for the last time? If not, what does the Honourable Member propose to do to amend the incorrectness of the statement above quoted?

(c) Does he propose to give to the House assurance that no such thing will be allowed as a means of propaganda abroad?

Sir Olaf Caroe: (a) and (b). If the Honourable Member refers to a statement attributed to the Agent General and published in *The Hindustan Times*, the answer is that the Agent General made no such statement. He made no public statement at all on this subject. One correspondent, in reply to a telephonic enquiry, was informed that the death of Mrs. Gandhi was universally regretted. In reply to a further enquiry, he was told that Government had considered the question of Mrs. Gandhi's release, but had come to the conclusion that there would be no kindness in releasing her since she had the services of an eminent heart specialist in the Aga Khan's Palace and had the further advantage of being with her husband. This information was based on the Government of India's communique referred to in my answer to part (a) of the last question and it is correct that there was no offer of release. The message in *The Hindustan Times* appears to have been based on a misunderstanding of what was said to this correspondent and my reply will, I hope, serve to remove that misunderstanding.

(c) Does not arise.

Pandit Lakshmi Kanta Maitra: Do I understand the Honourable Member to say that the statement that was published in *The Hindustan Times* is substantially incorrect? If so, what steps did the Government take to correct this wrong information?

Sir Olaf Caroe: Yes, Sir. I have stated that it was incorrect and I have also endeavoured to remove the incorrect impression by the answer which I have given in this House.

Pandit Lakshmi Kanta Maitra: I wanted to know why the Press Adviser to the Government of India or the Censor to the Government of India did not interfere in this matter and prohibit the publication of this misleading report?

Sir Olaf Caroe: My answer amounts to intervention in the matter.

ASSEMBLY'S VOTE AGAINST INCREASE OF RAILWAY FARES.

383. *Sardar Mangal Singh: Will the Honourable the Railway Member please state:

(a) whether Government have considered Mr. Das's cut motion reducing Rs 10 crores under the head "Appropriation to Reserve" which is the amount

expected to be got from the increase in Railway fares; and

(b) whether Government have accepted the vote of this House and will refrain from increasing railway fares; if not, why not?

The Honourable Sir Edward Benthall: (a) and (b). As the proposal to increase railway fares forms part of the Government's financial programme, they intend to consider the position when the proceedings relating to the General Budget have been concluded, and hope to announce their decision before the end of the Session.

CHANNEL OF RECRUITMENT TO CLASS II OFFICERS IN TELEGRAPH ENGINEERING DEPARTMENT.

384. *Mr. Ananga Mohan Das: Will the Secretary for Posts and Air be pleased to state:

(a) whether it is a fact that Science Graduates without any practical experience in Telegraph or Telephone Engineering are being recruited as Class II Officers, i.e., as Assistant Engineers, Developments Assistant Exchange Engineers under the Construction Branch of the Posts and Telegraphs Directorate, while Engineering Supervisors with similar or higher qualifications and sound practical experience are available in the Department itself;

(b) whether it is a fact that hitherto all the posts of Class II Officers in the Telegraph Engineering Department were filled by promotion from amongst the Engineering Supervisors only and none by direct recruitment;

(c) whether Government are aware that this procedure of recruitment is fostering discontent amongst the Engineering Supervisors, and that this is likely to seriously impair the efficiency of service in these war days;

(d) whether there is any likelihood of these new Class II Officers becoming permanently absorbed in the Department either in some existing cadre or in a new separate cadre on the ground that they have gained some practical experience;

(e) whether Government are conscious that the revised scale of pay of Engineering Supervisors, which starts from Rs. 80 per mensem is low for an All-India Service and is not commensurate with the responsible and technical nature of their duties; and

(f) whether Government are aware that the present low standard of Telephone Service throughout India is mainly due to the low pay of the Supervisory, Mechanical and Operating staff?

Sir Gurunath Bewoor: (a) Only two such Science Graduates, who had undergone post-graduate course in Communications Engineering, have been employed as Assistant Development Engineers in view of their special training which made them particularly suitable for the work concerned.

(b) Yes, but I may point out to the Honourable Member that the posts to which the two science graduates were appointed were outside the normal cadre.

(c) Government are not aware of any discontent, nor do they see any justification for it, because against a permanent cadre of 84 posts in Class II service, 107 temporary posts have had to be created on account of the increase in work due to the war and of these 107 posts, 101 have been filled by the promotion of Engineering Supervisors.

(d) The appointments are of a temporary character and have been created on account of the work due to the war.

(e) Government do not consider that the revised scale of pay is either low or incommensurate with the nature of the duties. I may inform the Honourable Member that, in addition to pay, Engineering Supervisors are entitled to free furnished accommodation or house rent allowance in lieu thereof.

(f) It is not a fact that the telephone service is of a low standard throughout India, nor do Government agree that the pay of the supervisory, mechanical and operating staff is low.

Mr. Muhammad Nauman: With reference to part (f) of the question, is the Honourable Member aware that the efficiency of Telephone Service in Calcutta has deteriorated and complaints have been made to that effect?

Sir Gurunath Bewoor: Yes, Sir, I am aware of it but what I said was that it is not so throughout India.

Mr. Lalchand Navalrai: May I ask if 'efficiency' is required or not in the Posts and Air Department?

Sir Gurunath Bewoor: That does not arise out of this question.

MUSLIMS IN THE DEPARTMENT OF SECRETARY, CALCUTTA PORT TRUST.

385. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for War Transport please state how many officers there are in the Department of the Secretary, Calcutta Port Trust, and how many of them are Muslims?

(b) What is the percentage of Muslims in the Secretary's Department of Calcutta Port Trust?

(c) Have any Muslim clerks or officers been engaged in the said Department during the last ten years? If so, how many?

The Honourable Sir Edward Benthall: (a) Four officers; none are Muslims.

(b) 13.4 per cent.

(c) Government have not the information and are not disposed to call for it, since preparing an answer to this question would involve an amount of inquiry and research, which they would not feel justified in imposing on the Port Commissioners at the present time.

Mr. Muhammad Nauman: When the Honourable Member knows that there is no Muslim, can he not ask for an explanation why such a position exists?

The Honourable Sir Edward Benthall: Question No. 389 is on that subject.

Qazi Muhammad Ahmad Kazmi: With reference to part (b) of the question, did the Honourable Member say 13.7 per cent.?

The Honourable Sir Edward Benthall: I said 13.4 per cent.

MUSLIMS IN THE ESTATES DEPARTMENT OF CALCUTTA PORT TRUST.

386. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for War Transport please state how many officers there are in the Estates Department of the Calcutta Port Trust, and how many of them are Muslims?

(b) What is the percentage of Muslim clerks in that Department?

(c) Have any Muslim officers or clerks been appointed in the said Department during the last ten years? If so, how many?

The Honourable Sir Edward Benthall: (a) Six officers; none are Muslims.

(b) There are no Muslim clerks in the Estates Department.

(c) Government have not the information and are not disposed to call for it, since preparing an answer to this question would involve an amount of inquiry and research, which they would not feel justified in imposing on the Port Commissioners at the present time.

Qazi Muhammad Ahmad Kazmi: In reply to part (b) of the question, the Honourable Member has said that there are no Muslims. In that case, there was no question of collecting any information.

The Honourable Sir Edward Benthall: The Honourable Member has asked for information for ten years and in the present circumstances in which the Port Trust is placed, I did not feel justified in asking them to search the files of the last ten years.

MUSLIM EXECUTIVE ENGINEERS IN THE CIVIL ENGINEERING DEPARTMENT OF CALCUTTA PORT TRUST.

387. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for War Transport please state how many Muslim Executive Engineers, Engineering Assistants and Overseers there are in the Civil Engineering Department of the Calcutta Port Trust?

(b) Is it or is it not a fact that an average Executive Engineer has been given four extensions? If so, is it in accordance with rules?

(c) Has this officer any recognised qualifications? If so, what?

The Honourable Sir Edward Benthall: (a) There is one Muslim Assistance Executive Engineer.

(b) An Executive Engineer, who has since retired, was given five extensions covering a total period of 2 years, 2 months and 16 days. The extensions which were granted in the exigencies of the service were duly sanctioned in accordance with the rules.

(c) This officer was appointed as an Assistant Engineer in 1919 and had considerable experience in Dock construction work.

Qazi Muhammad Ahmad Kazmi: With reference to part (c) of the question, is it not a fact that this officer had no engineering qualifications?

The Honourable Sir Edward Benthall: I will merely say that practical experience is of extreme value.

Qazi Muhammad Ahmad Kazmi: May I ask in what capacity did he start acquiring this practical experience?

The Honourable Sir Edward Benthall: He was appointed as an Assistant Engineer in 1919.

Mr. Muhammad Nauman: With reference to part (b) of the question, does the Government see the desirability of not giving any more extensions to this officer who has already been given four extensions?

The Honourable Sir Edward Benthall: That is entirely within the competence of the Port Commissioners.

Qazi Muhammad Ahmad Kazmi: May I know exactly the reason for giving extensions to this gentleman? Are there no officers available to carry on this work?

The Honourable Sir Edward Benthall: I should require notice of this question, but it is a matter which is entirely within the competence of the Port Commissioners.

Mr. Muhammad Nauman: Will the Honourable Member convey to the Port Commissioner the view of this House on this subject?

The Honourable Sir Edward Benthall: I am not aware that the Honourable Member, who is speaking in his own capacity, represents the views of the entire House.

Mr. Muhammad Nauman: Because we have already defeated the Government on the subject of bad usage of granting extensions in services and that was the view of the House generally.

The Honourable Sir Edward Benthall: That applies to the Railways.

Qazi Muhammad Ahmad Kazmi: May I know the policy of the Government themselves in regard to the matter of extensions after the normal term of service is over? Do they like this system of extensions?

The Honourable Sir Edward Benthall: That, Sir, does not arise out of this question. It is a matter which rests entirely with the Port Commissioners.

MUSLIM DOCTORS, ETC., EMPLOYED IN THE A. R. P. DEPARTMENT OF CALCUTTA PORT TRUST.

388. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for War Transport please state when the special A.R.P. Department was created in the Calcutta Port Trust?

(b) Who is the head of this Department?

(c) How many Muslim doctors, clerks and first aiders are employed in this branch?

The Honourable Sir Edward Benthall: (a) 7th August, 1942.

(b) Lt.-Col. C. W. T. Hook.

(c) There are no Muslim Doctors or clerks. The number of Muslim first aiders is thirty.

Qazi Muhammad Ahmad Kazmi: What is the reason for there being no Muslim doctors? Did they ever try to have any Muslim doctors in this Department?

The Honourable Sir Edward Benthall: If the Honourable Member will wait for the reply to his question No. 389, I will give the answer.

PAUCITY OF MUSLIM OFFICERS, ETC., IN CALCUTTA PORT TRUST.

389. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for War Transport please state the reasons for so low a percentage of Muslim officers or clerks in these Departments of the Calcutta Port Trust?

(b) Is it or is it not a fact that in the Calcutta Port Trust only such menial posts are given to Muslims for which Hindus are not readily available? If not, what are the real facts?

The Honourable Sir Edward Benthall: (a) The reason is that suitable Muslim candidates have not offered themselves for appointment.

(b) No. In the matter of appointment to the Port Commissioners service-equal opportunities exist for members of all communities. There is no discrimination against Muslims. The most suitable candidate is appointed.

Qazi Muhammad Ahmad Kazmi: Has the Honourable Member got any information as to the actual number of applications received and how many out of them were from Muslims? How did the authorities come to the conclusion that there were not sufficient number of Muslim applicants?

The Honourable Sir Edward Benthall: By reference to the Port Commissioners who gave me that information.

Mr. Muhammad Nauman: What efforts were made to get suitable Muslims?

The Honourable Sir Edward Benthall: I want notice.

Qazi Muhammad Ahmad Kazmi: Will the Honourable Member call for information from the Port Commissioners as to the number of Muslim applicants?

The Honourable Sir Edward Benthall: The Honourable Member already put that question previously.

Mr. H. A. Sathar H. Essak Sait: May I call the attention of the Honourable Member to the fact that in answer to one of my questions about two years ago, the Honourable Member's predecessor in office promised to look into these figures and try to remedy the defects and will the Honourable Member enquire what has been done in the matter, whether anything has been done at all?

The Honourable Sir Edward Benthall: The position is that the power to fill up the appointments, except in the case of very high posts, vests by law in the Port Commissioners and while we have asked them in the past to follow as far as possible the communal proportions laid down by Government for Government services, we cannot issue direct instructions to them.

Mr. H. A. Sathar H. Essak Sait: Do not these instructions bind them to make appointments according to these instructions?

The Honourable Sir Edward Benthall: It is within their competence, just as it is in the case of company managed railways. We conveyed our views to the Port Commissioners.

Maulvi Syed Murtuza Sahib Bahadur: May I know if the Honourable Member is aware of the fact that when a similar question was asked regarding the Supply Department, Mr. Macewan pleaded the same reasons, but when he was asked whether he would make a reference in such cases to the Secretary of the Muslim League and find out if qualified Muslim candidates could be obtained, he signified his consent to it, and may I know if the Honourable Member is prepared to adopt the same measure so far as his Department is concerned?

The Honourable Sir Edward Benthall: No, Sir. As I have just explained the power to fill up these appointments vests by law in the Port Commissioners and we have no power to insist upon any particular action.

Mr. Muhammad Nauman: Am I to understand that the Government of India have no authority over the Port Commissioners and that there is no control over them to regulate their activities?

The Honourable Sir Edward Benthall: Not in this respect.

WAR-TIME MALPRACTICE IN COAL TRADE.

†390. *Mr. Kailash Bihari Lall: (a) Has the attention of the Honourable Member for War Transport been drawn to the war-time malpractice in coal trade viz., mixing of dust or water or both with coal (steam coal, soft coke, charcoal)?

(b) Is he aware of the public complaint that they get lot of dust, sometimes as much as 50 per cent. or still more, with the coal?

(c) Is he aware that one maund of charcoal can absorb about 13 seers of water?

(d) Were any enquiries at any time made as to how much of dust is mixed by the dealer, how much of it is formed while in transit in the wagons, and how much of it is mixed by the dishonest consignor?

(e) Is he aware of the general impression that 90 per cent. of the dust is mixed by the dishonest consignor?

(f) If so, does he realise that this dust-mixed coal involves a huge waste and misuse of the precious wagon space which would otherwise be available for carriage of more coal, and that such dust-mixed coal means more consumption and greater expense on the part of the consumer?

(g) Is the Honourable Member prepared to look into the matter personally to devise ways and means to put a stop to this malpractice in the coal trade which has reached a serious stage?

(h) Is he prepared, in addition to other steps, to consider the advisability of conferment of special powers upon Railways to enable them to refuse to carry unsifted coal or coal deliberately soaked in water?

The Honourable Sir Edward Benthall: (a), (b) and (c). During recent months there have been some complaints of the wetting of charcoal and of the presence of excessive dust in steam coal and coke delivered by rail. I have, however, no information as to the quantity of water that charcoal can absorb or of the percentage of dust contained in steam coal and coke delivered to various consumers.

(d), (e) and (f). The presence of dust in coal and coke in recent months has been due to the serious shortage of coal and to the consequent despatch of all accumulated stocks, which naturally contain a larger percentage of dust owing to exposure in stocks at the collieries. Some dust is also liable to be formed in wagons during transit, the quantity varying with the distance travelled and the handling it receives. As regards the mixing of dust by the consignors, it is for the consumers' agents to see that the right quality of coal is loaded by the collieries. In the case of charcoal despatch by rail now-a-days follows so quickly after quenching that it is liable to reach its destination in a wet or damp condition.

(g) and (h). A proposal is already under examination for issuing an order under the Defence of India Rules to prohibit the deliberate wetting of charcoal. No such action is contemplated in regard to the admixture of dust with coal and coke, nor is it proposed to confer powers on railways to refuse to accept unscreened coal or wet charcoal.

UNSTARRED QUESTIONS AND ANSWERS.

PICKING UP OF FAMILY BY RAILWAY EMPLOYEES OR *vice-versa* AT INTERMEDIATE STATIONS UNDER NORTH WESTERN RAILWAY PASS RULES.

108. **Mr. Lalchand Navalrai:** Will the Honourable Member for Railways be pleased to state:

(a) whether under the North Western Railway Pass Rules employees can pick up their families from an intermediate station, when travelling on railway passes;

(b) if the reply to (a) above be in the affirmative, whether an employee's family is allowed to pick up an employee himself at an intermediate station, who is on leave; if not, why not; and

(c) the system on other Railways in both cases?

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

The Honourable Sir Edward Benthall: (a) Yes.

(b) No. But instructions have been issued that this concession be allowed to staff.

(c) The procedure on class I railways was not uniform. They have, however, been asked to make suitable provisions in their Rules, where such do not exist, allowing these concessions to their staff.

REPRESENTATION OF MINORITY COMMUNITIES IN ESTABLISHMENT BRANCHES OF RAILWAYS.

109. Mr. Lalchand Navalrai: (a) With reference to the Honourable the Railway Member's reply to part (b) of my unstarred question No. 22, asked on the 30th July last, in regard to fixation of percentage of representation of minority communities in 'Establishment Branches' of a Railway, will the Honourable Member be pleased to state whether it is a fact that the 'Establishment Branch' in a Divisional or other offices of the North Western Railway system does not comprise a 'division of service' under rule 5 of the Supplementary Instructions to the Government of India, Home Department resolution of the 4th July, 1934?

(b) Is it a fact that office clerks in Grade I, to which direct recruitment is made are borne on common seniority list for all Sections of the office? If so, why is it insisted to provide 50 per cent of posts for the members of a certain minority community in the Establishment Branch, which are not a separate unit, or division of service?

(c) Is it a fact that the higher percentage of the members of minority communities in 'Establishment Branches' is secured even by transfer of existing members of other communities? If so, under what rule is this course permissible?

(d) Do Government propose to cancel the orders of communal reservations in the Establishment Branches? If not, why not?

(e) What instructions have Government issued or propose to issue to check preponderance of members of the minority communities in units of service on Railways? If not, why is this discrimination only confined to the members of the majority community on the North Western Railway?

The Honourable Sir Edward Benthall: (a) Yes, but the orders of the Railway Department are not opposed to the orders quoted.

(b) Government have no information regarding the first part but are prepared to accept the statement of the Honourable Member. As regards the second part, the Honourable Member is referred to the reply to the second part of part (a) of his unstarred question No. 22 asked on the 30th July, 1943.

(c) Government are not aware that transfers are made specially for this purpose; as regards the second part, transfers are within the discretion of administrations.

(d) No, for the reason explained in the reply to part (b).

(e) Government's instructions are intended to secure the representation of minority communities to the extent prescribed. They do not accept that this will result in the preponderance of such communities in the service except on the N. W. Railway, on which Railway such preponderance would be justified by the population ratio of the communities in question.

LESS NUMBER OF ENGINES REPAIRED IN RAILWAY WORKSHOPS.

110. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that in the unofficial note by the Director of Information bearing his No. F. 64/9/43, dated the 18th January, 1944, on Railway Workshops, it was mentioned that the average number of broad gauge engines laid off for repairs during 1942-48, was nearly 130 less than the corresponding pre-war figure?

(b) Was this reduction due to better working or owing to lack of necessary parts and material? If it was due to the latter cause, what steps do Government propose to take to remedy this position?

(c) Is it a fact that only one gauge glass is used in engines against the minimum complement of three during pre-war days? If so, are the engine crew given consideration for this handicap, in case of failure or mishap?

(d) If the reply to first portion of (c) above be in the negative, what is the minimum complement of gauge glasses provided in engines now? Is it a fact that the Divisional Superintendent, North Western Railway, Karachi, had asked the Loco. Foremen on the 25th September, 1943, to fit in more gauge glasses? If so, how are the different replies reconciled?

The Honourable Sir Edward Benthall: (a) Yes.

(b) To better working.

(c) No; locomotives have never been fitted with 3 gauge glasses.

(d) *1st part:* The standard complement of gauge glasses on Indian Railway locomotives is two; U. S. A. locomotives designed to meet War requirements have one gauge glass only. None of these engines is in use on the N. W. Railway at present.

2nd part: The Railway Department have no information.

ENGINE TROUBLES ON NORTH WESTERN RAILWAY.

111. Mr. Lalchand Navalrai: Will the Honourable Member for Railways be pleased to state if his attention has been drawn to a letter appearing in the issue of the *Railway Herald* of Karachi, dated the 15th November, 1943, on the causes of engine troubles on the North Western Railway? If so, does he propose to make a statement as to what steps have been taken to put things right? If no steps have been taken, why not?

The Honourable Sir Edward Benthall: Government have now seen the publication in question. The matters raised in the article in that publication are within the competence of the General Manager; Government does not propose to make any statement in this respect.

PAY, ETC., OF TELEPHONE MISTRIES.

112. Mr. K. C. Neogy: (a) Will the Secretary for Posts and Air please state whether it is a fact that temporary telephone mistries are drawing Rs. 60 per month whereas permanent hands get only Rs. 40 per month? If so, why?

(b) What are the duties of telephone mistries and of telephone supervisors? Are they interchangeable? Is it a fact that in Exchanges, the telephone supervisor often gets the entire work done by telephone mistries?

(c) What were the old scale of pay of telephone mistries, their duties and designation? What are the reasons for reducing the time scale without a corresponding reduction in duties and hours of work?

(d) Do Government propose to take any action to better the pay and prospects of these technical employees, to bring them on a par with similar personnel in other Departments?

Sir Gurnath Bewoor: (a) In Delhi, Simla and Ambala, where the revised scales of pay of telephone mistries are Rs. 40—3—91—95, Rs. 40—3—91—95 and Rs. 30—3—81—85, respectively, employment of temporary mistries on a daily wage of Rs. 2 has been permitted in view of the difficulty in obtaining suitable men on the prescribed scales for temporary employment.

(b) Engineering Supervisors, Telephones, to whom the Honourable Member is apparently referring, are responsible generally for the efficient working of all telephone lines and offices under their charge and for the supervision of the staff under their control. Telephone mistries are mechanics employed on minor technical duties such as installation of exchanges and repairing and fitting of telephone instruments and equipment; they work directly under Engineering Supervisors. The replies to the second and the last parts of the question are in the negative.

(c) The old scales of pay of telephone mistries are given in para. 87 of the Manual of Appointments and Allowances of the offices of the Indian Posts and Telegraphs Department (second edition), a copy of which has been placed in the Library of the House. The duties of telephone mistries on the old scale are the same as those of telephone mistries on the revised scales. Officials of the mistry class were previously designated as mechanics, assistant mechanics and mistries, but all these designations have been replaced by the single

designation 'mistries'. The scales of pay of telephone mistries were revised in 1935 as part of the scheme for general revision of scales of pay in all Departments. Revision of scales of pay does not necessarily involve corresponding reduction in duties and hours of work.

(d) The matter is under consideration.

CURTAILMENT OF COURSES OF MEALS AT RAILWAY REFRESHMENT ROOMS AT DELHI.

113. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state if it is a fact that Railway Refreshment Rooms at Delhi have been ordered by Government to curtail the courses of lunch and dinner to be served to the travelling public? If so, what is that order, by whom is it issued, and on what criterion is it based?

The Honourable Sir Edward Benthall: Instructions to the Railway Refreshment Rooms at Delhi were issued in pursuance of the Chief Commissioner, Delhi's Notification No. F. 18 (5)/44/W & CS, dated 27th January, 1944. As stated in the Notification the restriction of meals to three courses was considered necessary for maintaining supplies and services essential to the life of the community.

ASSISTANCE TOWARDS EDUCATION OF CHILDREN OF RAILWAY EMPLOYEES.

114. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state:

(a) if it is a fact that the date by which to exercise option for assistance to Railway employees from Railway funds towards the education of their children, was fixed before 1st January, 1931, by letter No. 4238-E, dated the 2nd September, 1930, from the Railway Board as laid before the meeting of the Central Advisory Council for Railways held on the 14th September, 1935;

(b) if it is a fact that the said date (before 1st January, 1931) has been extended (i) in the case of employees on the North Western Railway to the 24th August, 1939, by letter No. E39/ED/85, dated the 6th September, 1939, from the Railway Board, and (ii) in the case of employees on the East Indian Railway to the time they first applied for such assistance as stated in the reply given to part (b) of unstarred question No. 34, asked on the 9th February, 1944; and

(c) if the replies to part (b) be in the affirmative, the reasons for differential treatment between employees on the North Western Railway and employees on the East Indian Railway for the same assistance?

The Honourable Sir Edward Benthall: (a) and (b). Yes.

(c) There is no essential difference since all that is necessary is to ensure that all the employees affected are afforded an opportunity to declare their choice.

UNPAID OVERTIME WORK OF GORAKHPUR RAILWAY WORKSHOP STAFF.

115. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state if it is a fact that overtime from 1st January, 1943, earned by the Outh and Tirhut Railway workshop staff at Gorakhpur has not yet been paid to them? If not, does he propose to lay on the table of this Honourable House the memoranda of overtime (Form L—247) from that date? If not, why not?

The Honourable Sir Edward Benthall: No. As regards the second and third parts, Government regret their inability to collect and place such departmental documents on the table of the House.

DELIVERY IN SHAHDARA TOWN OF TELEGRAMS RECEIVED BY DELHI CITY TELEGRAPH OFFICE.

116. Mr. Muhammad Azhar Ali: Will the Secretary of the Posts and Air Department please refer to paragraph 401 of the Posts and Telegraphs Guide regarding delivery of telegrams, viz.—Telegrams are delivered free of charge within five miles of a telegraph office, and state:

(a) the distance between the Telegraph Office, Delhi City, and the Shahdara Town;

(b) if it is a fact that telegrams received by the Telegraph Office, Delhi City, for persons residing at Shahdara are transmitted to the Railway Telegraph Office, Delhi Junction;

(c) if it is a fact that the Railway Telegraph Office, Delhi Junction, sends them through a messenger by train to the North Western Railway Telegraph Office, Shahdara;

(d) if it is a fact that the North Western Railway Telegraph Office, Shahdara, makes them over to the Post Office at Shahdara for delivery;

(e) if it is a fact that at Post Office, Shahdara, there is no messenger provided to effect delivery of telegrams; and

(f) if the replies from (b) to (e) be in the affirmative, the reasons therefor; and the minimum and maximum period taken by this process?

Sir Gurunath Bewoor: (a) The distance between the Head P. & T. Office, Delhi and Shahdara town is about $4\frac{1}{2}$ miles.

(b) No. Under the rules, telegrams addressed to persons at Shahdara and received in the Head P. & T. Office, Delhi, are delivered by messengers of that office; but if a telegram is addressed to a person at "Delhi-Shahdara N. W." it is signalled to Delhi Main Railway Station Telegraph Office for onward transmission to Delhi-Shahdara N. W.

(c) Transmission by train is resorted to only when there is an interruption on the telegraph wires.

(d) Yes, but only if the addressee lives outside the limits of the railway station.

(e) Yes, because it is not a telegraph office.

(f) Does not arise, but I would in this connection invite the Honourable Member's attention to the reply I gave to his unstarred question No. 41 on 19th November, 1943.

DELAY IN DELIVERY OF CERTAIN MONEY ORDERS BY DELHI-SHAHDARA POST OFFICE.

117. Mr. Muhammad Azhar Ali: Will the Secretary of the Posts and Air Department please state if it is a fact that money orders for families of persons in Defence Services are delayed by the Delhi Shahdara Post Office; if so, the reasons therefor?

Sir Gurunath Bewoor: The reply to the first part is in the negative; the second part does not arise.

PUBLIC TELEPHONE AT DELHI-SHAHDARA POST OFFICE.

118. Mr. Muhammad Azhar Ali: Will the Secretary of the Posts and Air Department please state if it is a fact that the Public Telephone installed at the Delhi Shahdara Post Office for public calls is an extension from the telephone of the lineman which is the cause of great delay and interruption; if so, the reasons therefor?

Sir Gurunath Bewoor: The reply to the first part is in the negative. The latter part does not arise.

SCALES OF PAY, ETC., OF OUDH AND TIRHUT RAILWAY NON-GAZETTED STAFF.

119. Mr. Muhammad Azhar Ali: Does the Honourable Member for Railways propose to lay on the table of this Honourable House a statement showing the grades and scales of pay of the Non-Gazetted Staff including Workshop staff on the Oudh and Tirhut Railway?

The Honourable Sir Edward Benthall: The scales of pay now prevalent on the O. & T. Railway are those which obtained on the B. and N. W. and R. and K. Railways. The available information in respect of the scales of pay on these Railways is contained in their Establishment Rules, copies of which are in the Library of the House.

NON-SUPPLY OF HOT WATER FOR BATHING AT DELHI RAILWAY STATION WAITING ROOMS.

120. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state:

(a) if it is a fact that hot water for bathing was used to be made available to the travelling public at Waiting Rooms at the Delhi Railway Station; and

(b) if it is a fact that it is not now made available from November, 1943, or thereabout; if so, the reason therefor?

The Honourable Sir Edward Benthall: (a) and (b). I presume the reference is to hot water for baths. This has always been, and still continues to be,

supplied on demand to first and second class passengers in the waiting and retiring rooms at Delhi Main Station on payment of two annas per bucket.

FULL CAPACITY RESERVATION IN TRAINS AT DELHI RAILWAY STATION.

121. Mr. Muhammad Ashar Ali: Will the Honourable Member for Railways please state:

(a) if it is a fact that all the seats are reserved in each train leaving or originating from Delhi for passengers holding first and second class tickets;

(b) if it is a fact that neither room for passengers boarding trains *en route* is left nor any intimation that no room for passengers *en route* is available is given to the travelling public; and

(c) the procedure prescribed for the travelling public to have their seats reserved from stations *en route* whenever permission to sell tickets in advance as in the case of Delhi station is not given?

The Honourable Sir Edward Benthall: (a) Due to restricted train services and heavy demands for upper class accommodation most of the first and second class accommodation in trains leaving or originating from Delhi is normally reserved, in advance, at the request of passengers—(i) travelling from Delhi; and (ii) arriving by other trains to continue their through journey.

(b) No room in trains leaving Delhi is specifically set aside for road-side passengers. It is not practicable to advise stations ahead of the amount of accommodation available.

(c) Attention of the Honourable Member is drawn to Rule 91 of the Indian Railway Conference Association Coaching Tariff No. 14 in force from 1st May, 1948, a copy of which is in the Library of the House. As explained in that rule the reservation of berths from intermediate stations cannot be assured especially under present conditions.

TRAINS BETWEEN DELHI AND GHAZIABAD.

122. Mr. Muhammad Ashar Ali: Does the Honourable Member for Railways propose to lay a statement on the table of this House showing:

(a) the number of trains between Delhi and Ghaziabad run by the East Indian and North Western Railways, separately, during the preceding six months;

(b) the number which stops at Shahdara;

(c) the total number of passengers carried by each train;

(d) the total number of tickets collected at Shahdara from each train;

(e) the total number of monthly ticket holders in each month; and

(f) the justification for not stopping at Shahdara each and every train which is passing through it?

The Honourable Sir Edward Benthall: (a) and (b).

	East Indian Railway.			North-Western Railway		
	Up trains Delhi to Ghaziabad.	Down trains to Delhi.	Total No. of trains.	Up trains Delhi to Ghaziabad.	Down trains to De hi.	Total No. of Trains.
Total No. of passenger trains between Delhi and Ghaziabad run by the East Indian Railway and North Western Railway separately during the preceding 6 months (September, 1943 to February, 1944)	1,274	1,274	2,548	1,220	1,320	2,440
Total No. of above which halted at Delhi Shahdara.	728	728	1,456	1,088	1,088	2,076

(e), (d) and (e). The information is not readily available.

(f) It is not the function of fast long-distance trains to cater for purely local traffic between stations a few miles apart.

ACCIDENTS TO TRAVELLING PUBLIC BETWEEN DELHI AND GHAZIABAD.

123. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state:

(a) the number of accidents to the travelling public reported during the preceding two years at and between Delhi and Ghaziabad, by road and by rail, separately;

(b) the causes of the accidents; and

(c) the preventive measures taken against their recurrence; if not, why not?

The Honourable Sir Edward Benthall: (a) I presume the Honourable Member is referring to accidents to the public travelling by rail and to accidents to travellers by road in which the railway was involved. I am informed that there were 8 accidents between Delhi and Ghaziabad in 1942 and 12 in 1943.

(b) I understand that all these accidents were due to passengers jumping or falling from compartments or footboards of running trains.

(c) Every endeavour is made to prevent passengers from travelling on footboards but success cannot be assured owing to lack of co-operation by passengers themselves.

BUSES PLYING IN DELHI AREA.

124. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please state the number of buses plying on hire daily during the preceding six months:

(i) between Imperial Secretariat, New Delhi, and Kashmeri Gate, Delhi,

(ii) between Fountain and Timarpur,

(iii) between Fountain and Cantonment, Okhla and Mehrauli, and

(iv) Fountain and Shahdara?

(b) What is the distance between those places for the journey of a bus, separately?

(c) What is the daily average number of passengers during the preceding six months travelling between those places, separately?

The Honourable Sir Edward Benthall: (a) (i) 4, (ii) 6, (iii) 3, 2 and 2 respectively, and (iv) 2.

(b) (i) 3.7 miles, (ii) 4.9 to 5.6 miles farthest limit, (iii) 13, 10 and 18 miles, respectively, and (iv) 4.5 miles.

(c) (i) 920, (ii) 1,406, (iii) 278, 197 and 143, respectively, and (iv) 254.

INSTRUCTIONS FOR PREVENTION, ETC., OF EMBEZZLEMENTS BY RAILWAY SERVANTS.

125. Hajee Chowdhury Muhammad Ismail Khan: Does the Honourable Member for Railways propose to lay on the table of the House the instructions issued by Government for detection, dealing and prevention of frauds and embezzlements of Government money by Railway servants? If no instruction has been issued, what are the reasons therefor?

The Honourable Sir Edward Benthall: The instructions issued by Government are embodied in State Railway Codes and the attention of the Honourable Member is invited to Chapter XVIII of the State Railway General Code, Volume I, and paras. 371 to 375 of the State Railway Code for the Accounts Department, Part I, copies of which are available in the Library of the House.

NON-PAYMENT OF OFFICIATING ALLOWANCE TO CERTAIN SPECIAL TICKET EXAMINERS ON NORTH WESTERN RAILWAY.

126. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please state the rule prohibiting or excluding the Special Ticket Examiners on the North Western Railway, who have elected the scales of pay of the old Travelling Ticket Examiners, from eligibility for officiating allowance during the period they officiated in the post of the Headquarters Inspector of Special Ticket Examiners?

The Honourable Sir Edward Benthall: Information has been called for and a reply will be laid on the table of the House in due course.

ACCIDENTS TO TRAVELLING PUBLIC BETWEEN DELHI AND GHAZIABAD.

127. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please lay on the table of the House a comparative statement of rail and road traffic showing the number of accidents which occurred during the years 1942 and 1943 between Delhi and Ghaziabad, and the causes for such accidents?

The Honourable Sir Edward Benthall: I regret I am unable to supply the information as the preparation of a comprehensive statement of rail traffic for two years over the section mentioned would involve an expenditure of time and labour which cannot be justified under present war conditions.

I understand no statistics of road traffic between these two points are maintained.

RESUMPTION OF INDIAN DINING CAR SERVICE ON EXPRESS TRAINS.

128. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please state the approximate date by which the North Western Railway Administration will re-run Indian Dining Cars or Buffet Compartments with the Bombay—Peshawar Express Trains (No. 57 Up and No. 58 Down) between Delhi and Lahore?

The Honourable Sir Edward Benthall: I regret that I am unable to give even an approximate date. The Dining Cars were removed from Nos. 57 Up and 58 Down trains between Delhi and Lahore to make room for an additional bogie third class carriage to mitigate the serious overcrowding on these trains, and their restoration must depend upon the return of more normal conditions.

CONSOLIDATED OR PERMANENT TRAVELLING ALLOWANCE TO TICKET EXAMINER ON CERTAIN RAILWAYS.

129. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please refer to the information given on the 14th September, 1942, in reply to unstarred question No. 15, asked on the 16th February, 1942, regarding State Railway Staff given consolidated or permanent travelling allowances (page 43 of the Debates) and state:

(a) if it is a fact that the rate of consolidated or permanent travelling allowance paid to Ticket Examiners on the North Western, Bengal and Assam and East Indian Railways is uniform; if not, the reasons therefor;

(b) the principle, criterion or consideration on which the said rate of the said allowance was calculated or based; and

(c) whether Government propose to make the rate of the said allowance uniform on those Railways, and to remove the discrepancy with regard to the same category of staff on State-managed Railways; if not, why not?

The Honourable Sir Edward Benthall: (a) No; it is not the policy of Government to enforce uniformity in matters of this kind.

(b) The grant of this allowance is governed by rules contained in paras. 217 to 214 of the State Railway Establishment Code Vol. I, a copy of which is in the Library of the House.

(c) No, as conditions and methods of operation differ on each Railway.

DIFFERENCE IN PAY OF PERSONAL ASSISTANTS ON NORTH WESTERN RAILWAY.

130. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 1, asked on the 8th November, 1943, regarding Personal Assistants to Station Masters on the North Western Railway (page 22 of the Debates), and state the reasons for the difference in pay of Personal Assistants appointed, and of the Assistant Station Master utilised as Personal Assistant at Delhi when the nature of duty is the same? Do Government propose to remove the difference; if not, why not?

The Honourable Sir Edward Benthall: The General Manager considers that the rates of pay sanctioned are adequate for the particular posts. The reply to

the second part is in the negative, for the reason that the matter is within the discretion of the General Manager.

ELECTRIC MISTRY WIREMEN OF QUETTA DIVISION RELEASED FROM SERVICE.

131. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please refer to Railway Board's letter No. E 42 WA 2199/2, dated the 18th June, 1943, regarding release of technical personnel employed on railways, and state the number of electric mistry wiremen of the Quetta Division on the North Western Railway, who were released from service since the 1st July, 1943, and the reasons therefor?

The Honourable Sir Edward Benthall: None; the latter part does not arise.

NON-PAYMENT OF COMPENSATION FOR BOOKED LUGGAGE UNDER CERTAIN MILITARY WARRANT FROM LALMANIE HAT TO DELHI-SHAHDARA.

132. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please refer to Rule 11 of the Military Traffic Rules regarding luggage carried at Government risk, and state the reasons for not yet paying compensation to widows of the personnel of Defence Services who booked luggage under Military Warrant No. 988409 from Lulmanir Hat to Delhi-Shahdara on Way Bill No. 187480, dated the 23rd May, 1942, and the non-payment has caused discontentment amongst the family of war servants?

The Honourable Sir Edward Benthall: It would appear that the question should have been addressed to the War Department. I have no information regarding the case referred to, but will have enquiries made,

HARASSMENT TO PUBLIC DUE TO NON-SUPPLY OF WAGONS FOR PERMITTED ARTICLES

133. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable Member for Railways please state if it is a fact that the Anti-Corruption Staff have detected more than one case of harassment to public due to non-supply of wagons for permitted articles? If so, what arrangements have been made to avoid harassment? If not, why not?

The Honourable Sir Edward Benthall: Yes. As regards the second part, it is hoped that the activities of the Anti-Corruption Staff will result in some improvement. The third part does not arise.

OLD SCALE OF PAY GIVEN TO MR. A. J. DORAN AND OTHERS RE-EMPLOYED AFTER RETIREMENT.

134. Mr. Kailash Bihari Lal: Will the Honourable the Railway Member please refer to the reply to starred question No. 239, asked on the 6th August, 1943, regarding scale of pay of a Gazetted public officer allowed leave out of India prior to retirement (page 482 of the Debates) and state the justification for giving old scales of pay to officers who re-joined service after retirement on the dates mentioned in the question, for instance, please see the entries against Alfred John Doran on page 219 of the History of Services of Officers of the Indian State Railways corrected up to the 1st July, 1941?

The Honourable Sir Edward Benthall: The justification for giving old scales of pay to officers who are re-employed after retirement in accordance with the terms laid down in Railway Board's letter No. E41WA 272/2, of the 2nd October, 1941, a copy of which was laid on the table of the House in reply to Mr. Muhammad Azhar Ali's unstarred question No. 36 asked on the 6th March, 1942, was the extreme shortage of officers with railway experience owing to the release of officers for war service with other Departments of the Government of India. The case of Mr. A. J. Doran, to which the Honourable Member refers, was not, however, a case of re-employment of a retired officer, as Mr. Doran has never retired from railway service.

GUARDS QUALIFIED BY DIVISIONAL TRANSPORTATION OFFICERS AND THOSE FROM THE WALTON TRAINING SCHOOL, LAHORE.

135. Sardar Sant Singh: (a) Will the Honourable the Railway Member be pleased to state the distinctions between the two categories of Guards, (i) locally qualified by the Divisional Transportation Officer; and (ii) qualified from the Walton Training School, Lahore?

(b) Is it a fact that the Guards of both categories mentioned above perform the same duties and are held responsible in each respect for the duties mentioned in the General Rule Book?

(c) Are the 25 Trains Clerks and Ticket Collectors who were promoted as Guards, *vide* Divisional Superintendent, Lahore, letter No. 757-E/68/P1, dated the 7th April, 1941, still waiting for confirmation?

(d) Is it a fact that some of the Guards, *vide* D.P.O., Lahore, letter No. 941-E/124/P1, dated the 4th June, 1942, were reverted to their substantive posts? If so, what was the reason for their reversion?

(e) Is it a fact that they were continuously Guards for more than one year and gave satisfaction to their officers?

(f) Is it a fact that the D.P.O., Lahore, has promoted fifteen Trains Clerks and Ticket Collectors, *vide* his letter No. 757-E/68/P1, dated the 2nd August, 1943, as Guards?

(g) Is it a fact that some of them have not even been confirmed in their own categories, and preference has been given to them over the staff promoted by the D.P.O., Lahore, *vide* letter No. 757-E/68/P1, dated the 7th April, 1941?

(h) Does the Honourable Member propose to consider the cases of the staff waiting for confirmation as Guards, as their seniority has been ignored, *vide* policy laid down in the General Manager, Lahore, letter No. 757-E/33/1 (paragraph 1), dated the 20th May, 1930, to all Divisional Superintendents?

The Honourable Sir Edward Benthall: (a) (i) and (ii). Certain staff are tested by the Divisional Transportation Officer and passed as fit to be utilized as Guards in emergencies and when staff who have qualified in the Walton Training School are not available. The staff who qualify in the Walton Training School do so after undergoing the prescribed course.

(b) Yes.

(c) Some who subsequently qualified from the School have been confirmed, some are still officiating and some who failed to qualify from the School have been reverted.

(d) Yes, when fully qualified men became available.

(e) This may be a fact though details are not readily available.

(f) Yes.

(g) The reply to the first part is in the affirmative; staff who are not fully qualified are utilized in emergencies and men most readily available are put to work as Guards.

(h) There is no evidence that any irregularities have occurred in the confirmation of fully qualified men.

MOTIONS FOR ADJOURNMENT.

SPECIAL ALLOWANCE TO BRITISH JUNIOR MARRIED OFFICERS IN INDIA.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice from Mr. Avinashilingam Chettiar that he wishes to move the adjournment of the House to discuss a definite matter of urgent public importance, namely, the proposal of the Government of India to grant a special allowance to British junior married officers in India as announced by the Secretary of State for India in the House of Commons (*Hindustan Times*, dated 10th March, 1944).

Have Government any statement to make on this?

Mr. C. M. Trivedi (Secretary, War Department): Sir, I have no objection to this motion but I suggest that it is for the House to decide whether it would like the time allotted for cut motions to be devoted to a discussion of this adjournment motion. I also venture to suggest to my Honourable friend, Mr. Chettiar, that he can raise this matter either by asking a question which I shall be delighted to answer or during the debate on the Finance Bill.

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Will the Honourable Member accept a short notice question?

Mr. C. M. Trivedi: I shall be pleased to accept a short notice question.

Mr. T. S. Avinashilingam Chettiar: In view of that and without prejudice

to my claim to bring it up again after the information is given by the Honourable Member, I do not press it now, but will take my chance again.

Mr. President (The Honourable Sir Abdur Rahim): No, the Honourable Member cannot bring it up again.

DEMAND AND EXACTION OF ENHANCED EXCISE DUTY AT CALCUTTA, GONDIA AND DELHI ON DUTY-PAID TOBACCO.

Mr. President (The Honourable Sir Abdur Rahim): I have also received notice of a motion from Mr. A. C. Dutta, who wishes to discuss "the illegal and oppressive demand and exaction in Calcutta, Gondia and Delhi by Excise officers of duty on tobacco at enhanced rates proposed in the Finance Bill even on tobacco, for which duty had already been paid on or before the 29th February, 1944, and the refusal of the permit to remove tobacco from the private warehouses and the sealing thereof in spite of such payments until the payment of difference between the existing and the proposed enhanced rates is made".

I should like to know whether Government have anything to say on this

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I shall have to give a very short explanation of what the procedure is at the end of the financial year when changes may take place. The position is that at that time there is a special procedure to enable a special record to be kept of clearances so that they can be audited. It is necessary to be able to know with certainty what goods were cleared before the time when the new duty became recoverable and what after that time. Special instructions were issued in regard to that, but we have reason to believe that owing to the inexperience of some of the staff some mistakes were made. We are looking into that matter and I am prepared to assure the Honourable Member that in any case in which clearance of goods was held up by a mistake of this kind Government will be prepared to give relief. I suggest, Sir, that the point is not one which can usefully be discussed in the House; it is a matter of administrative adjustment.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, personally I should like to move the motion and get an assurance from the Honourable Member.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has given that assurance now and in view of that the adjournment motion is not called for.

THE GENERAL BUDGET—LIST OF DEMANDS.

Mr. President (The Honourable Sir Abdur Rahim): The House will now discuss the Demands for Grants.

The Chair understands that all the Parties and the Unattached Members have agreed to the following time-table:

Today has been reserved entirely for the Congress Party. According as time permits, they will move cut motions Nos. 20 and 90 in the Final List.

Tomorrow has likewise been reserved entirely for the Muslim League Party. According as time permits, they will move cut motions Nos. 129, 99, 124 and 162 in the Final List.

On Wednesday, the 15th March upto 1-15 P.M. the time has been given to the Independent Party, who will move cut motions No. 8 on the Final List and No. 9 on Late List No. 1.

From 2-30 to 5 P.M. on Wednesday, the time will be at the disposal of the Nationalist Party. They will first move cut motion No. 16 on Late List No. 1, and then if time permits they will move cut motions Nos. 85 or 147 or 154 in the Final List.

On Thursday, the 16th March the time upto 3 P.M. has been allotted to the European Group, who will move cut motions Nos. 120 and 76 in the Final List.

Lastly from 3 to 5 P.M. on Thursday, the 16th March, the time will be at the disposal of the Unattached Members. The cut motions selected by them are Nos. 24 or 146 and 127 or 148 in the Final List.

[Mr. President.]

As regards the time-limit for speeches, I suggest that, as usual, the Movers of cut motions will have twenty minutes, and the Government Member replying will have twenty minutes or even more, if necessary. Other speakers will be limited to fifteen minutes.

I take it that this will suit Honourable Members.

Mr. Hoosainbhoy A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, notices of some more cut motions have been given by the Independent Party and we want to get them within the period allotted to us.

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member given notice of them to the Government Member?

Mr. Hoosainbhoy A. Lalljee: I have given them to the Secretary.

Mr. President (The Honourable Sir Abdur Rahim): They will be circulated in due course.

DEMAND No. 12—EXECUTIVE COUNCIL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I beg to move: "That a sum not exceeding Rs. 2,35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1945 in respect of 'Executive Council'."

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

"That a sum not exceeding Rs. 2,35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1945 in respect of 'Executive Council'."

No confidence in the Government.

Mr. Abdul Qaiyum (North-West Frontier Province: General): Sir, I move:

"That the demand under the head 'Executive Council' be reduced to Re. 1."

This is a motion for the refusal of supplies. One thing is very clear from the record of the present Executive Council, namely this, that they can at least claim consistency in having flouted public opinion in this country throughout the period that these Executive Councillors have been in office. Of course, they are there not as representatives of the people of India but as nominees of British imperialism to carry out the policy which is laid down for this country by Whitehall. It is not a matter of surprise therefore that this Executive Council has taken delight in flouting public opinion time without number on very important matters. Their masters in Whitehall are not tired of telling us that they are willing to hand over power to the people of India if only the majority parties in this country can come to terms among themselves. That is the principle laid down by British imperialists at Whitehall, but we have seen that in practice even this principle, which has been broadcast throughout the world, has not been observed. There have been occasions in this House when the Congress Party, the Muslim League, the Nationalists and almost all the elected Members who represent the masses of this country have taken up a certain definite line of action and have recorded their decision in clear and unmistakable terms. Now, if you are at all sincere in your professions

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better address the Chair.

Mr. Abdul Qaiyum: If the Executive Councillors are at all sincere, if the Government is at all sincere in its professions that they are quite willing to

12 Noon carry out the combined wishes of the various parties that exist in this country, may I know what has been the response of the Government of India to the refusal by this House to agree to a rise of 25 per cent. in the railway fares? What has been the response? We have been told today by the Honourable the War Transport Member that they are still considering the matter. Why should you take such a long time to consider the matter? The House has recorded its vote in clear, unmistakable, and unambiguous terms, and you yourself have been taking considerable pains in stating that you are only too willing to respond to the joint demand of the various Parties in this House; what has been your response?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better address the Chair.

Mr. Abdul Qaiyum: Here let me turn to the Honourable the Leader of the House who is in charge of the Department of Broadcasting and Information. May I know what his department has done? We the elected Members of this House censured the Government in clear terms and warned them not to send out propagandists from this country to misrepresent the Indian masses and Indian nationalism abroad. The House recorded its vote in very clear terms, what was the response? We know that the Government of India is not a responsible Government, but we at least expect them to respond to the wishes of the House when there is a unanimity on that point. In spite of a clear decision of this House, the Honourable the Leader of the House and the Government of which he forms a part, decided to send out propagandists. In spite of his assurance that they will not discuss or touch political matters, we have been receiving reports in this country that they have not only been discussing political matters, but that they have been misrepresenting the principles and the ideals for which the various political parties stand in this country. These things are clear indications of the fact that all those assertions, that we are quite willing to go ahead if only the people of India would unite, are only idle talk. In fact, the Government of India is bent upon carrying on against the wishes of the people and in spite of them and on flouting their wishes whenever it suits them.

Now, let us examine the record of the Government of India. What has been their record? There is not the slightest doubt that corruption is the order of the day. It is rampant throughout in such departments as Food, Supply and allied departments also, and the entire country is convinced that anybody and everybody—barring a few exceptions—even the highest people included, have a price, that only money can help people to win their way in those departments. What has the Government of India done about corruption? The law about corruption in this country which has been framed by this Government is the most immoral amongst laws. You have made it impossible for anybody, even your police, to detect people who are corrupt and it is specially so in the case of officers and very high officers. I do not see why the Executive Councillors and even popular ministers in the provinces should not be tracked and brought to justice if they are really found to be corrupt. What is the law? You have put

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better address the Chair.

Mr. Abdul Qaiyum: I obey you, Sir.

Mr. President (The Honourable Sir Abdur Rahim): I do not want to share the blame, of course.

Mr. Abdul Qaiyum: Now Sir, they have got a very efficient police force in this country. They have got their C. I. D.—Criminal Investigation Department. Whenever we have an occasion to travel, we find that we are followed by three or four of them and so anxious are they to know about our movements that they tell us that they are even prepared to do small jobs for us—posting of letters, and things like that—if only they are able to know what we are going to do. You have got men to track us to the remotest parts of India. Why cannot the Government of India have a special department of their own to deal with officials, many of whom—specially in the departments dealing with Food and Supply and the issuing of export and import licences—are known to be corrupt? Why cannot they appoint men to hound these people to follow them? Why do they not reform the law of corruption, so that these people can be brought to book and the bane of corruption is removed from those Departments? The answer will be, "it is a very general sort of talk; we cannot do that; there must be some positive suggestion from this side". Now, when you are tracking down people and when you are putting thousands of them in detention without trial—and you depend upon your C. I. D. for this purpose—why cannot you employ C. I. D. for tracking down corrupt officials?

As far as appointments to Government services are concerned, Sir, the record of the Government of India is even more black. Appointment to Government service is not based on merits or qualifications. It is based on

[Mr. Abdul Qaiyum.]

favouritism, on *sifarish*. Even the highest officials in Delhi, I know, do not hesitate; they do not feel that there is anything wrong about it, to put their own relations and friends into the places for which they are not suited at all. The Government of India certainly cannot be unaware of all that is going on. What have they done in this respect? Inefficiency and incompetence is the order of the day as far as the recruitment to Government services are concerned.

Regarding the Department of Information and Broadcasting, I wish that the Honourable the Leader of the House had selected some other Department for his activities. Now this department one can say without . . .

The Honourable Sir Sultan Ahmed (Leader of the House): What department do you suggest?

Mr. Abdul Qaiyum: The Department of Information and Broadcasting and all the rest of it, which is retailing lies in season and out of season. Now that department is the sworn enemy of Indian nationalism. They are welcome to say anything they like about Japan, that Japanese are very cruel to the people, they cut off their heads and hang people in the streets, and so on. Sir, people in India are sick and tired of this foreign Government; they are the last people in the world to welcome any foreigners; they do not want Japanese. But why have you declared war on Indian nationalism? Why has this department become the sworn enemy of Indian nationalism? By all means carry on your anti-axis propaganda. You are fighting a war, and every day more taxes are being piled on the people, but why should this war be carried on against Indian nationalism?

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Why no propaganda is carried on against Germany; why only against Japan?

Mr. Abdul Qaiyum: Let us then come to the Bengal famine. We have talked a lot in this House about the Bengal famine and the Government of India have got used so much to hearing this talk that they feel that nothing can happen and that everything is all right in Bengal, that after all the millions of people who are dead will not come back to life and they will not speak and the matter is ended. In any other democratic country, a Government could not have lasted for more than twenty-four hours if it had a black record of incompetence, inefficiency and maladministration of which this Government, the Central Government, is guilty. Millions of our people are dead and millions more are condemned to lead a life of semi-starvation and the only prospect for them is that some sort of disease will come and put an end to their agony, the agony for which the Government of India are responsible.

In the matter of prices and price control also,—I am briefly touching the various important omissions; in fact, the crimes and omissions of the Government of India are so many that it will take days to recount them and to discuss them,—in the matter of inflation and soaring prices, there also the Government of India have failed. They are responsible for inflation and now they come up to this House and ask our support to measures which are intended to put a stop to the very inflation for which they are responsible. The prices have risen so high that it is beyond the reach of an ordinary poor person to buy even the necessities of life.

Here let me turn to the Honourable the Home Member. But let me first say that as far as the Honourable the Home Member and the other British Members of this particular Executive Council are concerned, I am not so very much against them as against the Indian Members. I will frankly say so.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Why this partiality?

Mr. Abdul Qaiyum: I will give you the reason. The British Members are loyal to their country. They stand for England first, and even though they are receiving their salaries from the Indian taxpayer, even though they have to spend the best part of their lives in this country, they have not forgotten their first love, namely, England. They are true to the interests of England first, and then India, if at all India finds a secondary place in their love and affection. That is the reason why I have respect for these gentlemen. But

I wish I could say the same thing about the Indian members. About the Indian members, apart from other things, they have not even learnt the simple lesson from their British colleagues, that they should put India first, like the Britishers do with England. This they have not done and whenever there has been a conflict of interests between Great Britain and this country, the Indian members quietly put their tails down, their heads are lowered, and they say 'yes' to any measure which is brought forward, whether it be a 25 per cent. increase in railway fares, whether it is detention without trial of thousands of people for an indefinite time. They say 'yes' whether it concerns the arrest or detention of Mahatma Gandhi, who commands the love and respect of millions of people in this country. The Indian Members of the Executive Council have not learnt this simple lesson. Of course, they do not represent India! They cannot even risk facing a public meeting in their country. I challenge them to come out and fight any elections. The world which is supposed to be fighting for democracy will know who these gentlemen are. They do not love India but themselves. In their case, self-interest comes first and the country unfortunately comes afterwards. I have really begun to entertain very serious doubts about the system of education in this country. In spite of the highest education that these gentlemen have received, in spite of the fact that they are very learned, that they can argue beautifully; in spite of these accomplishments, they miss one elementary principle of patriotism—that one's country should come first and self-afterwards.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Supply Member): Hear, hear!

Mr. Abdul Qaiyum: I am about to refer to the Honourable the Supply Member.

Dr. P. N. Banerjee: Do not refer to any individuals.

Mr. Abdul Qaiyum: I have only five minutes left and I want to say a few words about the composition of the Executive Council. We have been told that as soon as the war ends India will gain perfect freedom and even the right to walk out of the British Empire if we wish it. But yesterday I was interested to read in the *Dawn* that the Honourable the Supply Member has been given an extension for five years whereas the Honourable the Finance Member has been given an extension only for one year. I know that the services rendered by the Supply Member are such that if I were an employer I would go on giving him extensions. This extension is in conflict with the professed intentions of England that they are willing to confer freedom on India as soon as the war is over; it means that history is going to repeat itself and we are going to have the same things enacted in this country which happened after the last war.

Now, this particular Executive Council is a hybrid. It is a monster production, the result of an illicit love affair between British Imperialism and Indian vested interests; between British imperialism, British finance, British vested interests on one side, and Indian landlordism, Indian monied classes and such Indians who think more of self than of country on the other side. These two classes of persons, if I may be permitted to say so, had a runaway marriage and the present Government of India is the monster production. The hybrid is the result of this illicit love affair. These two interests are poles as under; yet even 5,000 miles of water and land could not separate them. Such was the power of this love!

It does seem to me that if the Government is to be compared to a body, there are so many holes in it that really in these days when production is at a low ebb and everything is required for the war effort, you need ever so many plugs to stop up these holes. Now, I have only ten fingers and I can only stop up ten holes which are in the Government of India, but we need so many plugs to stop up all these holes which are so patent and so obvious. But they carry on as merrily as they can, one thing is clear that the people of this country—it is a very very hopeful sign—have lost all faith in British words and British promises.

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

Mr. Abdul Qaiyum: They are only meant to make fools of people so that they can tide over some difficulty and as soon as the crisis is over they know how to whittle down those promises and reduce them to mere nothing.

With these words I conclude my speech. I commend it to the House. I hope that all the elected Indian Members will vote for this cut motion. As far as the European Members are concerned, I do not want to say anything. They have mortgaged their conscience to the Government of India: as far as the 89 nominated Members, they are just dummies, if I may be permitted to say so. The salaries and things which they get are also impeding the war effort. They should be sent out to do some recruiting work, to manufacture plugs and do some such useful work instead of dosing in the lobbies.

Sir, I conclude and I hope the House will censure the Government.,

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

"That the demand under the head 'Executive Council' be reduced to Rs. 1."

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I support the cut which has been moved by my friend, Mr. Abdul Qaiyum. I think it is time that this House should put on record and show to the world that the people are not satisfied with the sort of Government that has been thrust on them. The point on which I want to support this cut is to show that we do not agree and do not favour the kind of Government which is being forced on the Indian people from outside. I know, Sir, that from important high quarters a great compliment has been paid to certain individual Members of the Government. But I want to ask them how they call these people patriotic if they know that the country does not want them to be there. Patriotism will come if they know that there is a substantial element in the country which is ready to support them or to support a Government of this kind. I have been learning from the very beginning that the British Government is fighting for democracy and I uphold democratic institutions and I am convinced that democracy is the best means by which any form of Government should be run in any country, and that would be the most suitable Government for India. But is the present Government a democratic Government? Is the Government listening at all to the demand for democracy? It is the worst form of Fascism which is being practised in India. The present Government is not a democratic Government. In democracy it would have been found that this Government would have resigned a long time ago, but this is a Fascist Government and we know that they are miniature Hitlers and Mussolinis.

Dr. P. N. Banerjee: But they have no powers.

Sir Muhammad Yamin Khan: That is why I call them miniature.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): They are apologies of Hitler and Mussolini.

Sir Muhammad Yamin Khan: As my Honourable friend says, they are apologies for Hitler and Mussolini. Even if a semblance of democracy were there, then all the decisions, the vital decisions which affect India and the people of this country, ought to have been taken in the Executive Council. But most of the decisions which vitally affect the people are taken by the Head of the Department with the concurrence of his subordinate who is the Secretary. I was told that an Honourable Member of the Government along with the Secretary took a decision and he called it the decision of the Government of India. If the Government of India means only an Honourable Member, whatever he may be, and his permanent Secretary, who is a bureaucrat, who has got no love for India, who sees nothing for the benefit of Indians, who has got no regard for the sentiments of India—then that decision is taken by them and it is called the decision of the Government of India. Is it not a miniature form of Fascism preached by Hitler and Mussolini? Those decisions only which were taken after the vote of all the Members of the Government had been taken, can be called the decisions of the Government of India, and all other decisions would have been departmental decisions.

The Honourable the Railway Member said of the railway debate that extensions had been given to the railway employees and that was done on the decision of the Government of India. I asked him the question what he meant by the Government, and if it was the decision of the Executive Council. He said, "No. It was my decision". He wants to call himself the Government of India and his own decision as that of the Government of India! His own decision was probably arrived at on the recommendation of the people on whose advice he was working, but that was not the decision of the Government of India. If the present Government of India is being carried on in this manner I submit it is not a democratic institution, it has no semblance whatever to that kind of democracy for which Great Britain is fighting and for which Great Britain is asking us to fight on their behalf. We want to liberate India from Fascism. I am not a supporter of Fascism or Nazism; both these forms are detestable to me and I want to fight for democracy. Before you ask my support I want you to show that you are democratic in your ideas and that you have the right idea of giving democratic institutions to this country. This Government, as I have shown, is not being run on the democratic principle and is forced upon us in the name of the war. Everything is supposed to have got sanctity, simply because the war is on. In the name of sanctity of war we cannot allow a wrong thing to be called a right thing. This Government wants us to say that a thing which is wrong *ab initio* is a right thing, and some kind of sanctity is attached to this. I cannot support this idea at all.

I am constrained to refuse supplies to the present Government, and I think the best course for those who are in authority to form a Government is to invite those parties who are ready to work the constitution and are ready to carry on the Government, and not to keep those people who may appear to be patriotic from their point of view, but whom the country has denounced; it is no use thrusting them on the country any longer. This is my justification. I quite agree with my Honourable friend, Mr. Abdul Qajyum, that when we find that an Englishman sticks to his post, to his idea, he is patriotic, —we want our men also to rise to the occasion and show to this Government that patriotism lies in this that they should not work against the views of the majority of the people of this country, and they should demonstrate this to the country by resigning their posts, and thus prove to the country their patriotism and that they are not ready to carry on the Government unless, of course, they are put in there by the very people who are now asking them to resign. There may be some of them who may be placed again in those positions, but it will be better for them to carry on the Government with the help of this side of the House, and not that side of the House. Those who sit on that side are given no chance to examine the questions which they are asked to support every day—these 39 votes on that side are people who have not got a single voice to say whether you are right or wrong. On occasions some of them are wondering whether they should support you if they were left free to vote as they liked. On many occasions I think they have voted simply because they were part of the system and they had no chance to examine whether you were right or wrong. If my friends on that side think that they are quite happy and are secure in their places their names will be written down the pages of history as people who were the cause of bringing down and keeping out the advance of this country.

One thing which I should like to bring to notice of the House on this occasion is this. Government of India last time sent 3 or 4 people from India to make propaganda tour to England. We felt suspicious about them whether they will represent this country properly at all. We thought that they would misrepresent this House, the country and India as a whole. But a lot of compliments were paid by the Honourable the Leader of the House and he said that these people while on tour would never do anything they had been asked not to do, but, as a matter of fact, they did everything against the very wishes of my Honourable friend, and did the very things which the

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Honourable Member had asked them not to do. Still the Government of India kept quiet. But when their attention was drawn to these gentlemen's activities, they failed to withdraw and call them back. If the Government wanted to show respect to this House, if they realised that they had committed a mistake, and when they found that they were not doing their duties properly but were exceeding their limits, the Government should have withdrawn them, but they did nothing of the kind. The Honourable the Supply Member, Sir Ramaswami Mudaliar, said, "I am responsible also for sending or recommending a few of them".

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I am afraid my Honourable friend is not quoting me correctly or representing me correctly. I never said that I was responsible for sending any of them at all. I said that I entirely agreed in the need for propaganda.

Sir Muhammad Yamin Khan: The Honourable Member has not denied that he was consulted and he was responsible. I can bring the book and show him that he takes some responsibility also for the selection of those members. If he took some responsibility in this matter, then he stands along with the Leader of the House in the same boat and why did he not order the recall of these people at once, when they went out talking politics, when they were told only to confine their activities to war efforts? They went about maligning parties and political institutions in India and misrepresenting them and trying to create an impression in England that the whole of India was opposed to the war effort excepting a few persons. That was their idea. They did not put the facts correctly before the British public. They did not tell the British public that the whole of India was for the war effort, provided certain conditions were accepted, provided the Government was changed. Instead, they indulged in politics and misrepresented this country to the bitterest end. I would not like to use the word 'toadies' but . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not use that phrase.

Sir Muhammad Yamin Khan: This is the kind of members sent out to represent India by this Government the Indian Members of which stick to their places in spite of the great demand put forward that they should resign. They do not deserve any kind of monies supplied to them. I think the Assembly as a whole, all the elected Members and even the nominated Members (*An Honourable Member*: "No use") will show that they are with India and they are not mere chaprasis to obey orders. Sir, I support the motion.

Mr. T. T. Krishnamachari (Tanjore cum Trichinopoly: Non-Muhammadian Rural): Sir, I rise to support the motion moved by my Honourable friend Mr. Abdul Qaiyum, and in doing so, I would like members of the Treasury Benches, particularly the Indians, to realise that any attack that comes from this side on them is due to the fact that they are members of the Treasury Bench and not because of any personal feelings that we entertain against them. It has been said that this Executive Council does not represent the country. I do know what the constitutional position today is. So far as the Central Government is concerned, we are still functioning under the Act of 1919 and that under that Act the Executive Council does not seek to represent the people of this country but what one would like to say at this moment is to give the lie direct to the propaganda that is being done in this country and elsewhere by highly placed persons that because of the fact that there is a majority of Indian Members in the Executive Council it thereby assumes a representative capacity—I believe the number is 11, though I could only count 10. I do not know whether they have anybody else hidden up their sleeves—I mean the Indians, unless Sir Edward Benthall also is an Indian . . .

Nawabzada Muhammad Liaquat Ali Khan: Non-Officials 11, Indians 10.

Mr. T. T. Krishnamachari: The difference is rather difficult to understand, unless there is a process of naturalisation available in this country and Sir

Edward Benthall puts in his naturalisation papers. Anyway, Sir, it is sought to be made out by highly placed people in this country and elsewhere that these Indians who are associated with the Government represent the views of the people and therefore it is a Government which enjoys in a large measure the confidence of the people of this country, notwithstanding the asseverations of various parties in this country to the contrary. It has been said times out of number, and by highly placed non-officials, that the Government should represent at least one major political party in this country and that in that case they will have some claim to represent this country. But do these Indian Councillors represent anybody, I would like to ask.

Mr. T. S. Avinashilingam Othettiar (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): They do not represent even their families!

Mr. T. T. Krishnamachari: Sir, I would like to examine at this stage how far these estimable, wise and patriotic men have discharged their duty to the country and how far they have upheld Indian interests as against the interests of our rulers today and how far they are being taken into confidence by the all powerful Viceroy and Governor General in India and by the Secretary of State in England.

Sir, non-officials have to a very large extent to depend upon hearsay evidence but when hearsay evidence is connected with actual performance or lack of performance, then it assumes a certain value. I am in a position to say categorically that these estimable, wise and patriotic Indians have not been able to do anything for their country when there is a conflict of interest and today, so far as the Government of India is concerned, the interest that the British Government has in it, does not concern the welfare side of the activities of the Government of India. The public health promotion activities of the Government of India can be put in abeyance. The education promotion activities of the Government of India can be put away. The road problems of the Government of India may not be a very serious thing unless it impinges on war effort. What the British Government is really interested in is the maintenance of law and order in the country and the hold of a firm grip on the economic life of this country and I would like to ask the Indian Members of the Executive Council to what extent they have contributed to seeing that the economic life of this country does not come under the grip of the British Government and of the British vested interests in this country and in England. There are two aspects of the situation and while dealing with them I will have to come back to the question of the financial policy of the Government. I referred the other day to the question of gold sales and I would now like to refer to it again. On the 2nd of February, when I was in Bombay, the information that I could gather was that about 40 crores of gold had been till then sold in this country. It may be wrong. After all, it is only a guess and I am open to correction and my information is that 40 crores of gold was sold in this country on behalf of the U. K. and the U.S.A.— a fact which has been corroborated by the Honourable the Finance Member. If the estimate is right then 15 crores of money has gone out of the hands of our countrymen because the value of gold is only Rs. 45 a tola and it has been sold at between 70 and 71. What did my countrymen in the Executive Council do about it? What did they say in regard to this to the Finance Member and to the Government of India? Why did they not say that this shall not be done and that they will not give any secret subsidy either to the United Kingdom or the United States, that if they were asked to give a subsidy, openly they will have to stand before the bar of public opinion and be condemned and therefore they will not be parties to the perpetration of a fraud? Did they do it? I do not think they did it.

Last year, in this House questions were asked about the importation of power alcohol plants. We were told that these plants were on the way and unless they were sunk by enemy action, I do not know what happened to them. Apparently they are not coming. What have the Indian Councillors done about it? I will say here and now categorically that Whitehall has sent

[Mr. T. T. Krishnamachari.]

instructions down to India that Indian industries on any large scale shall not be allowed to flourish in this country and they shall not be allowed to be started in this country except in so far as they are considered to be very necessary for subsidiary purposes connected with the war and ammunitions production.

Sir F. E. James (Madras: European): What is the Honourable Member's authority for this statement?

Mr. T. T. Krishnamachari: I will ask the Honourable the Finance Member to deny it.

The Honourable Sir Jeremy Raisman: I deny it categorically.

Mr. T. T. Krishnamachari: Notwithstanding the denial, I will ask the Honourable Member if he has not issued instructions that industries which will not be in a position to be able to start production by 1st June, 1944, shall not be encouraged.

The Honourable Sir Jeremy Raisman: They shall not be regarded as essential for the conduct of the war. That is a different matter altogether.

Dr. G. V. Deshmukh: In spite of his denying, is not the experience of this country a great authority?

Mr. T. T. Krishnamachari: I ask to be forgiven for using a phrase to which I am rather partial. I have spoken of Government Members speaking with their tongue in their cheek. My Honourable friend now says that if an industry is not of any use in connection with the war then his instructions will come into operation—he has used a qualifying clause—but he said the other day in this very House in reply to the Budget debate that industries in this country must be encouraged and the production of all those articles of consumption by the ordinary man in the street must also be encouraged. Unless these Executive Councillors have got two tongues and two faces, we cannot reconcile one fact with the other.

The Honourable Sir Jeremy Raisman: It may apply two different criteria.

Mr. T. T. Krishnamachari: "Criteria" is a movable equilibrium as that word 'ceiling' is. It moves according to the needs of the British Government. If the needs of the British Government move up, it moves up; if the needs of the British Government move down, it moves down. My Honourable friend from Madras, representing the Europeans, would like to contradict me because it is in his interest to contradict me.

Sir F. E. James: I did not contradict the Honourable Member.

Mr. T. T. Krishnamachari: If he does not stand up for the Europeans, who will? What I want the Indian Executive Councillors to say is this. Have you in any one instance fought against the Whitehall and succeeded? If they have not been able to do so, it is not merely because they are not patriotic or because they have not the intelligence to see that they have not done the right thing by their country, but because they are helpless and powerless. They are mere pawns in the game and are being shifted this way and that way at the sweet will of the Whitehall which sends instructions down to the comma. Every economic activity and everything that relates to law and order in this country is ultimately governed by the Whitehall and by nobody else. These people may say: "We are ten Indians today and we may become 11 or 9 tomorrow, that we are doing something to govern our country and that we are pulling our weight." But it is all an excuse, a mere eye-wash, and people cannot believe it because they have not demonstrated in any one matter that they have been able to do something for their country.

Let me now come to the Honourable the Commerce Member and the Honourable Member for Supply. Let us take the question of chemicals which are being imported into this country. I know it for a fact that slowly the trade is passing into the hands of the Europeans and these people sit there quiet and do nothing. They say that a European firm can import the chemicals at a cheaper price. But I will give you one instance. There is one particular chemical, borax, which is imported into this country in large quantities. It is being imported by European firms as well as by Indian firms. An Indian firm can import it from America at a cheaper rate than a European firm can, but it is the European

firm which gets the preference. Now, what have my Honourable friends, the Commerce Member and the Supply Member, got to say about this? The real fact is that they are bound hand and foot and have just to carry out the behests of their Masters and yet they can say that they are ten Indians and expect us to say that they are wise, estimable and patriotic. I do not know what patriotism means? Of course, there is no new definition of patriotism unless it be the old definition of Dr. Johnson.

An Honourable Member: What is that?

Mr. T. T. Krishnamachari: Parliamentary etiquette, of which my Honourable friend is the custodian in this House, will not permit me to repeat it here.

There is one other point of which I would like to make mention now. Some of my Honourable friends opposite have got a valid excuse, and I am now referring only to the non-Indian Civil Service people. The Indian Civil Service people have got to be there. In the ordinary course they have got to take up any job they are asked to take up. We know that the Indian Civil Service is not Indian; it is British. In fact, some of the Indians in the Indian Civil Service also feel that way. I have nothing to do with them; I am only speaking about my Indian friends. They have one excuse which they can put forward. They can say: "If we are not here, the British Government will find other people to take our places." I think that is the only excuse that they can put forward for their continuing to be there. They might say: "There are toadies enough in this country to fill our places if we resign. So, what is the use of your asking us to resign?" That is an excuse they can put forward. It may be so or it may not be so. But why don't you, at any rate, justify yourselves in the eyes of your own conscience and why do you merely lap up the epithets, wise, patriotic and estimable?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to address the Chair.

Mr. T. T. Krishnamachari: I am telling them that they are not entitled to these epithets. It may be that there are other people who are available. We know, at any rate, that the lowest has got a lower depth still. As I was saying, that is the only excuse which they can put forward. They can say: "People before us have resigned and the Government of India have found others to take their places".

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

Mr. T. T. Krishnamachari: I am finishing, Sir, in half a minute. Some time back an Englishman, Mr. Harold Laski, who was very unpopular with the Government of India said that if these Indians did not enjoy the support of the British Government, they would have to join the nationalists ranks to find a place in public life or go out of it altogether. I would suggest to them that they had better take that advice before long.

Rao Bahadur N. Siva Raj (Nominated Non-Official): Sir, at the outset I would say that I oppose this cut motion and with such sincerity and vehemence as I can claim in association with my friends who have supported this motion. My first reason is a business one and one probably which relates to the business of the day. If this cut motion is carried, I fear that we will not be in a position to move our motions where we have said that the Demand under the head "Executive Council" be reduced by Rs. 100, unless you, Sir, give us a ruling that we can amend our cut motions so as to reduce the Demand by one pie.

Another reason is that I feel that the moment this motion is carried, even if the Executive Council continues to exist, they are not bound to answer any question that the Opposition may raise.

Sir Muhammad Yamin Khan: Why?

Rao Bahadur N. Siva Raj: Because they are not paid to do so.

Sir Muhammad Yamin Khan: They will remain.

Rao Bahadur N. Siva Raj: That is my view.

Sir Muhammad Yamin Khan: That is a wrong view.

Rao Bahadur N. Siva Raj: My second reason is that whatever defects may be pointed out in the administration by the present Government of India can be traced to the constitutional limitations under which the Members of the Government are called upon to work, which, unfortunately are made more embarrassing on account of war conditions. It is a fact and no Honourable Member of this House can deny that during the time of war it is impossible for people to carry out their policy either according to the wishes of any particular political party or even according to individual wishes of Honourable Members of Government because from the point of view of ultimate strategy and from the point of view of winning the war, they are bound, I think, to a large extent by circumstances over which they have no control. That position is made even more difficult on account of the attitude that has been adopted by the political parties in India, by people who claim that they can represent the country as a whole, though my Honourable friend, Mr. Krishnamachari, rather suspects that quite a lot of them, at least 50 per cent. of our countrymen, are toadies and so these people cannot represent toadies. (Interruption.)

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on without interruptions.

Rao Bahadur N. Siva Raj: The political parties had the solution in their hands. It is an unfortunate part of the politics of our country and I consider it personally a great tragedy that it is not possible at a time when our country ought to take all controls in their hands, when our leaders and our statesmen should be discussing very many important things—that it is not possible for them to form a Government which may be called a National Government. At the present moment, these gentlemen when they were called upon to serve in the Executive Council, they accepted these posts. What these Members of the Executive Council do is not known to the public and cannot be made known to the public, but there is no denying the fact that their presence in the Executive Council goes a great way to diminish the effects of what otherwise might have been even more difficult and horrible administration. The cry is already raised in section 98 Provinces that it is much better that as soon as possible some kind of Government is brought into existence which will have in its composition a considerable element of Indian population. If that is true, and if Honourable Members of this House believe in that, there is no reason why such of the Indian leaders as can accept a position under the Government of India today should not accept that position and work it to the best of their ability in order at least to fill the vacuum which otherwise would be created on account of the attitude adopted by our main political parties.

Sir, I might also say that so far as I know, two or three Indian Members of the Executive Council are trying to the best of their ability to help our country during a very very critical time in many difficult matters, whereas those Honourable Members who want them to resign are not prepared to accept even this or at least give them help in such attempts as they are making to help the administration in the interests of the people of India. So, I maintain that it is not fair that the Opposition should complain against the Indian Members, particularly in their present administration, for faults for most of which they are not responsible. It is due to constitutional limitations, that we find them in this position.

Sardar Mangal Singh (East Punjab: Sikh): Let them say so.

Rao Bahadur N. Siva Raj: It is not for the Leader of the Congress Party or the Secretary of the Muslim League Party to say whatever they like. There is at least one among the Indian Members of the Executive Council, for whose sake we must oppose this Motion. There is one—I mean the Honourable Dr. B. R. Ambedkar—who represents the community to which I belong and which I have the honour to represent in this House. (Interruption.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Rao Bahadur N. Siva Raj: For the reason that there is amongst these eleven Members at least one, for whom the Scheduled caste people all over the country have the greatest regard. Probably my Honourable friend, Sir Muhammad Yamin Khan, does not know, I wonder if other Honourable Members know, in

what esteem the Scheduled castes in India hold the Honourable Dr. B. R. Ambedkar. We hold him with the same reverence as the Hindus hold Mahatma Gandhi or the Muslims hold Mr. Jinnah. I always held the opinion that if the Indian political problem should be solved, it can be solved only by these three great men coming together and then the problem can be solved in a day, and I can go even further and say that if such a situation arises, I think it is well known that the Honourable Dr. B. R. Ambedkar can draft the constitution in a day. It is not merely a matter of fact, but it is also a matter of sentiment to the scheduled castes in our country that we hold the Honourable Dr. Ambedkar in such great esteem, that we will not be a party to criticise any administration of which he forms a part, because we also know that if he finds that that administration is bad, he will be the first to come out of it.

There are other points which are raised generally in connection with the Government of India. It is said about the Government of India being slaves of Whitehall. Well, Sir, there is nothing to choose between the two, slaves of Whitehall or slaves of Wardha. There was a time when I used to refer to Whitehall-Wardha axis, and mind you, to the fear and detriment and apprehension of even my friends of the Muslim League and to ourselves at that time, the Members of the Government of India were good enough for the gentlemen of Wardha so as to get into close contact with them. At any time, at any moment, it may happen that suddenly this axis is established again and those who have come to scorn will remain to pray. So, I think we are not quite safe in supporting that point of view which says that these Members are slaves of Whitehall and so we must vote them down. There are two halves, the white half and the black half of the Government of India.

An Honourable Member: Two-thirds black and one-third white.

Rao Bahadur N. Siva Raj: Whatever it is, people like me who occupy a middle position, who neither want the favour of the Government nor are claimed by the Opposition to be their friends

Sir F. E. James: Fall between two stools.

Rao Bahadur N. Siva Raj: Very often it is somewhat difficult for us to choose our position between the angels of the Opposition and their opposite numbers of the Government. But there is only one point that during the time of war it is essential that there must be a Government to carry on the war and nobody can dispute it, unless people want to take things as they come and merely throw it upon God and on Providence. (It was left to Providence that Japan should invade India and make us slaves). If they are practical statesmen they must believe in some form or other of Government which must carry on the administration during the war. The question now is whether that administration shall be left entirely to the Europeans and Whitehall of the Government of India, as for instance, what has taken place in section 9B provinces, or it shall also have among its members certain Indians whose honesty and integrity, whatever their popularity may be, can never be questioned.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I have been hearing my Honourable friend, Mr. Abdul Qaiyum Khan, and find that he is discriminating between the Indian and the European Members of the Executive Council. As a matter of fact I personally do not want to be guilty of any discrimination because in the Government of India Act I find that they have been very careful to avoid this discrimination; and that is probably one of the reasons why we are not given independence or even dominion status. So, just to act in the spirit of the Government of India Act I would say that I do not want to discriminate between the Indian and the European element in the Executive Council. There is one further reason, and it is that before selecting Indians for these posts Government satisfy themselves that they are absolutely westernised. On the other hand I find that Englishmen can be found who can have conscience enough to understand their responsibilities and can be faithful to the people by whom they are paid and whom they have to serve. The money is Indian money and it is immaterial whether he is

[Quazi Muhammad Ahmad Kazmi.]

an Englishman or an Indian. He is paid by a certain country and it is equally the duty of an Englishman as well as of an Indian to serve his masters. If the masters' interests are not served they are to be blamed. Now, if the masters are situated at a distance of five thousand miles I am sure they are equally good or equally bad. But because we maintain the position that we are the masters, therefore, we say that they must serve us and look to our interests whether they be Indian or European.

Now, let us see as to what these Members of this Executive Council have been doing. As a matter of fact they are not only betraying the cause of India but are actually even bringing the Government into hatred and contempt. They are not even serving the cause which they purport to serve. They want to raise the standard of British diplomacy and British justice in India but we find that by their own action they are bringing Government into greater and greater contempt by their actions. So, it is not only that they are not doing their duties faithfully but I am astonished to find that often they are not even competent. I have been hearing from my childhood that one of the mainstays of British Government in India and other countries was justice. I have heard that when the Englishmen made their conquests in South Africa the first thing they did for getting a firm hold there was to take some persons of the judicial service from India to South Africa—because these courts of law are considered to be the basis of British Empire and of so-called British justice. I heard from a gentleman who was actually taken from here to South Africa that after their arrival in that country it was announced by beat of drum throughout the land that the British Government had instituted courts of law and any person who had a grievance might come forward and put his complaint before the court and it would be redressed. But the judges had to wait from morning till evening every day and sit in court without any case coming to them, because the people there were in the habit of settling their disputes among themselves. But ultimately the chance came to the British people. Some person was carrying a cow through a foreign territory and a small chief of that territory got hold of that cow. The man came and tried to get back the cow, but when he failed he came to court. The complaint was entertained; they raided the territory of the chief and wrested from him 1,300 cows out of which 13 were given to the person who had made the complaint and they kept the rest to themselves. Thus rose the reputation of British justice and since then the courts were flooded with all sorts of cases and that was the foundation of the popularity of the British Government itself. Whatever may be the merits or demerits of that I must say that these courts of law have always been considered to be the foundation of British rule. I hear that in the early days of the East India Company there were really cases tried in a way in which there was no discrimination between an Englishman and an Indian. In my own district of Saharanpur I heard that once a military officer was going on horseback and he happened to drop his purse. Some person picked it up and a little later the officer came back in search of the purse. The man gave it to him but the officer said that he had got 90 sovereigns in the purse and now there were 80 only. A complaint was made and the matter was heard by an English Magistrate. Then it is said that the magistrate asked the officer as to how many sovereigns were there in his purse. He said there were 90. The magistrate said, "This purse contains only 80 and so it must not be yours". He handed the purse to the man who had picked it up. That is the way in which justice was done.

But what have these gentlemen in the Executive Council done? They have no confidence even in the highest courts of justice. They start making preposterous propositions so far as legal jurisprudence is concerned. In 1942 they enacted a Special Courts Ordinance. By that Ordinance they appointed an authority to review cases tried by special courts and it was provided that the Local Government shall appoint a person from the judges of the High Court to review these cases. They had the audacity of taking a person from the Judges of the High Court and appointing him for the purpose. I do not know the exact legal position and I would ask the Leader of the House to

enlighten us on that point, namely, whether the Judges of the High Court were not competent to refuse to serve in that capacity by saying that we have been appointed by His Majesty the King Emperor as Judges of the High Court of Judicature and the Local Government or any other authority has got no power of inflicting upon us a task in a capacity other than that of Judge of the High Court. Sir, this Government has continuously been showing their non-confidence in their own officials of the Highest Judicial Tribunal. Only the other day we found that the High Courts of Judicature have been deprived of the powers under section 491 of the Code of Criminal Procedure. This is a continuous and persistent attempt which is being carried on by the Members of this Executive Council. May I ask, Sir, what were the difficulties which confronted the present Government so far as section 491 was concerned. I have pointed out before and I say it again that it was only in a very few cases that any interference was really effected by the High Courts. All that the High Courts did was to call upon the Government to show that the Government had exercised their mind before arresting a particular person and as soon as an affidavit was filed even by a small official saying that the Government was so satisfied, the High Courts rejected the applications under section 491, i.e., *habeas corpus* petitions. But the present Government cannot even tolerate that amount of interference by the High Court. It is a mockery of justice. The Government are doing away with the courts of law, they are cutting down the very foundations upon which the popularity of the British Government was at a time established in India and other parts of the world. They have not got a good word to say even for a person who, though he fully supports them, possesses the legal power of interfering with their work. We find that this practice continuously increasing amongst the Members of the present Executive Council.

Sir, I would not like to take up much time of the House but I would only give one other instance of their incapacity in another direction. They have sent a deputation to England and America. The leader of that deputation—Sir Srinavasa Sarma—I have heard joined some press representatives and had the honour of seeing President Roosevelt in that connection. (Interruption.) He at least thinks himself to be the leader of the deputation, and after all it is for the Government to let us know who is the leader of that deputation, and what were the qualifications of the members of that deputation, and what are their functions. It has recently been reported that they are having interviews and contacts with film stars in America.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

Qazi Muhammad Ahmad Kazmi: I do not know how far the Government of India is justified in sending a deputation of that kind to America. Have they been sent to express the political views of India or to demonstrate the tastes of film-goers? I quite understand that they are not representing the political views but what are those views that they are representing? Only the views of film fans. If that is the object, may I know from the Honourable Member, in-charge as to what was the necessity of sending them to that place? Don't the Americans already know that their pictures have good market in India?

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

Qazi Muhammad Ahmad Kazmi: Sir, I have done.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. N. M. Joshi (Nominated Non-Official): Sir, on a point of order. The Executive Council is being attacked in several speeches and the Members of the Executive Council do not reply. I, therefore, suggest that you might call upon one of the Members to speak. Then only the debate can begin.

The Honourable Sir Sultan Ahmed: This is not a point of order. We will bide our own time. We shall speak when we decide to speak.

Mr. N. M. Joshi: It is the House that must hear him.

Mr. Deputy President (Mr. Akhil Chandra Datta): As regards the point of order, the Honourable the Leader of the House has said that it is not a point of order, although I feel that they might very well have respected the wishes of the House, but that is quite another matter. This is not a point of order.

Mr. K. O. Neogy (Dacca Division: Non-Muhammadan Rural): When I think of the Executive Council there looms before me in the first instance the picture of a white Triumvirate, in which a Mudie succeeds a Maxwell, a Raisman perpetuates himself and a Benthall revivifies in his person the East India Company and tries to reassert the sovereignty of that body over the administration of India. Then, in the background, I see a dusky, docile procession of ten, dutifully bringing up the rear with camp equipage. Sir, the picture of the Executive Council is in black and white, the black predominating and acting as the foil so that the white may shine with all the greater effulgence. The black section of the Executive Council has permitted the white to blazon forth to the world the fiction that the present-day Government enjoys the moral support of the people. I have a very great apprehension that in so far as the black are assisting the white in this, they might, who knows, be regarded by posterity in the light of "Quislings".

Sir, the present-day policy of the Government of India may be summed up in two words: coercion and corruption. As regards the first part of this dual policy, the black lends its moral support to the white in heaping untold miseries, indignities and wrongs on our people. And so far as the second part of this dual policy is concerned, the black section represents the fruition of this policy in its own members. They have allowed themselves to be corrupted by the lure of office, and by their example they are corrupting others.

Sir, the duties of the Indian Members of the Executive Council were some-time ago described by one who held office at one time, as being dual in character. Firstly, according to him, the Indian Members were expected to represent to the Government the views of the non-official Indians. Secondly, they were expected to interpret the Government policies and actions to the people. As regards the first, if we are to judge by results, their achievement is *nil*. In most matters of moment, this Government have taken decisions hostile to the Indian interests, and the presence of a large majority of Indians has been of no avail. Therefore, we are entitled to conclude that they have failed to carry out the first part of their duty. As regards the second, I would like to refer to an item in the budget which goes to make up the demand which we are just now discussing. It is under the head "Tour expenses". Speaking on another occasion, I said that I do not mind the increasing amount of tour expenses of the Executive Councillors. I personally would be prepared to vote a much larger amount if they were to undertake the second part of their duty: if they would only undertake to go to the country and try to defend the Government's policies and actions which they have, by their acquiescence, brought about. Sir, it pains me to say so, but I am afraid in the interests of truth I have got to state that tours are very often undertaken by Honourable Members for personal reasons, for pleasure trips, for purposes of pilgrimage. It would not be unreasonable on our part, if we were to ask the Government to make regular statements before this House every year as to the places which were visited by individual Members of the Executive Council and the duties which they performed while on their visit to those places.

Now, Sir, the present-day administration, as everyone knows, has degenerated into a legalised tyranny. At the top we have an all-powerful person to whom no direct reference is permissible under the rules of this House, but my complaint against the Executive Council is that they have allowed this all-powerful person to assume dictatorial powers even in spheres in which he has no right to assume such powers.

Sir, I was looking into the Government of India Act only a few minutes ago, and I did not find any warrant for some of the actions that the Governor General has been allowed to take, actions which really lie in the field of administration for which the Governor General in Council as a collective body are responsible. Take the case of issuing of Ordinances. The ordinances furnish an alternative method of legislation as far as I can judge. The Ordinance-making power of the Governor General does not mean that he is above all control by his Cabinet. I was reading another book which deals with this point. It is stated there that in the past, although the Ordinance-making power always belonged to the Governor General, it was customary for the Governor General to discuss the subject matter of the Ordinance in his Executive Council, although ultimately the authority under which the Ordinance had to be issued was necessarily his own. And yet, time and again when we have sought even to make an indirect reference to the Ordinances, we have been met with the reply that the Governor General in Council has nothing to do with them as a matter of fact, from the constitutional point of view they tried to make out that the Governor General in Council is not on terms even of nodding acquaintance with the Governor General. If we look at the Ordinances we find that at least one Secretary to the Government lends his signature to all such Ordinances. My Honourable friend, Sir George Spence, will say that it is no more than a mere "Dhobi-mark", and that his functions in that regard are more or less comparable to the functions of a witness to a person's last will and testament, that is to say, a witness who is not concerned with the contents of the will, but who merely testifies to the signature of the testator. Sir, I do not know whether the House will be satisfied by such an explanation. We have seen what enormities have been committed in the name of Ordinances. Great mistakes had to be corrected later—great mistakes which have led to a lot of suffering in the first instance, mistakes for which the Executive Council cannot altogether escape blame.

Now, Sir, it is a patent fact that this Executive Council does not represent the country's interests in any sense of the term, and the sooner this fact is made widely known to the outside world, the better; but I am afraid the authorities here would see to it that the purport of the speeches that are being made from all parts of this House will not be sent out to the outside world. I do not know what powers have been given to the censoring authorities in regard to the proceedings of this House; and there comes in a serious charge that I bring up against this Government, and that is, they have tried their best to bring this legislative body into contempt. And let me tell them in return that Indian non-official opinion holds them in utter contempt. They may have succeeded in deluding the outside world into thinking that this Government is imbued with a moral sense of duty towards Indians. We had it on the high authority of the Finance Member the other day, that he has a conscience and that his sense of duty is very high. I am prepared to accept that assurance from my Honourable friend. But, I do not know whether the white section keeps its eyes and ears open, and whether the echoes of many ungainly things that one hears in the whispering galleries of Delhi have reached their ears. I should like to associate at least the traditions of integrity with Members of the Executive Council.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has one minute more.

Mr. K. O. Neogy: Sir, I have done.

Mr. T. S. Avinashlingam Qhettiar: I rise to support the motion that has been so ably moved by my colleague and Deputy Leader, Mr. Abdul Qayyum. In doing so I want to bring to the notice of this House that the main job of the present Government is supposed to be to conduct the war, and I ask whether even from that point of view they are doing their work properly and well. In this connection I must point out to you, and through you to the Government and to this House that wars are not won by mere mass of material, or by mere mass of men. If mere men would have won, Britain would have won long before. France would have won, and Russia would not have possibly won. But

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today what France could not do, Russia has done. And what is the reason? It is not men, it is not merely materials, but, Sir, it is the spirit with which these men have been imbued with. There is a saying of a great man that even a spider's web with proper velocity can cut through an oak. What is required is velocity. Even so with human minds, with human materials, even so with mechanical appliances. No amount of mechanical weapons can win this war, no amount of human food for powder will win. You may organise lakhs of men, but they will lack the spirit with which they will be actuated in action unless they have the desire to win, unless they have an urge, the feeling of sacrifice for the common cause. Otherwise all this mass of men will be mere food for powder. Have the Government of India given the Indian soldier that urge, that spirit, that feeling of self-sacrifice, that can win against odds, that can win against Germany, against Hitler, against Japan? We want them to win, it is not my wish alone, it is the wish of the All-India Congress Committee of the Congress.

There have been a lot of misrepresentations about the attitude of the All-India Congress Committee and the August resolution. Let me quote just three lines about what the object of the resolution was:

"The Committee (*this is from the resolution passed on the 8th August 1942*) is anxious not to embarrass in any way the defence of China or Russia whose freedom is precious and must be preserved, or to jeopardise the defensive capacity of the United Nations."

We want that the United Nations should win, we want to show them the way in which they can win, not by keeping a mercenary army of slaves. Have you ever seen the advertisement for recruitment, for men in the forces? They say, "You get free food, you get free clothing, you get a lot of money, please come and join the army, that is a good profession for you". Have you ever seen men recruited on that basis, having the urge, having the capacity to fight a foe who is as determined as determination can be? I want to tell you that this Government has not given that confidence to this country, has not given that confidence to the soldiers of this country, so that they can fight to the end. It has been said and claimed many times that this is a totalitarian war. Those days of war with mercenary armies, as in the days of Napoleon, are over. To-day wars are fought by the whole people, by the men in the factories, at home and by the men in the front on the battlefield. Have you inspired the people of this country with an urge, with that quality of strength which will make them think that this war is their own, and to say, "I am bound, I am determined, whatever may happen, to defeat the enemy". My humble reply is that the Government have failed, and utterly failed. There is no greater friend of Britain than Pandit Jawahar Lal Nehru, there is no greater friend of the British than my Honourable friend, Mr. Jinnah perhaps, but still these people have been disregarded. You do not want them. And why? You tell the soldiers of this country, "You fight for the freedom of the world, for the freedom of America, for the freedom of England, for the freedom of China". "But what about my own country?", our men ask. The reply is, "Don't ask that question". Is that an attitude of mind which can give strength and spirit to the soldiers of this country? We are told by the Viceroy on a speech which is self-congratulatory, "I have got a Government composed of Indians, patriotic men who are doing a difficult task"—evidently a difficult task because they are up against the country. No amount of Indianisation without real power can be a substitute for a national Government. It is only a national Government that can fight for the freedom of this country and for the freedom of the world.

Now, may I say a few words about the famous 'Quit India' resolution? It has been so misunderstood and misrepresented that people really do not know what the resolution means today. What does it mean? It does not mean that every Englishman should leave this country. Far from it. If we have Andrew's and Mira Bens we want them here, and let them settle down here as if it is their own country. What we do not want is the British bureaucracy ruling over this country, an inefficient, corrupt Government which is not working in

the interests of this country. That is what we want. This is what 'Quit India' means. It is not only the Congress, it is not only the Muslim League, not only every Indian but every enlightened Englishman that looks forward to the day when a Government like this will have to quit India, and so, there is nothing very vicious or wrong in that Resolution. It expressed the best common opinion among all the Indians in India.

I have been told that the Viceroy has assured us independence at the end of the war and I have been also told that the Viceroy in his talk with a public leader in Madras said that they were very sincere about this. I believe he is sincere but past memories are not very helpful. The Indian blood shed in Flanders had not dried up, the Indian bones that were shattered in Flanders have not become white, when what happened? In spite of all the promises that they made, what did we get? We got the Jallianwala Bagh where men were shot at mercilessly. We got a General Dyer who said that he fired and fired till he had no more ammunition with him. We had the Rowlatt Act and we had the Reverse Councils which brought a loss of 40 crores of rupees to the Indian revenues and the Indian people. Remembering all this, will any Indian in his senses, any intelligent Indian, believe in mere promises to-day? What the Congress asks for and what the Indian people ask for is 'let your promises be accompanied by some action', and not merely by setting up a puppet Government with nominees as it were, who are merely 'Yes' men as somebody said. We want men who will be really representatives of the country, who will inspire this country to nobler action and who will win this war.

Now, Sir, many things have happened after August 1942. I do not want to refer to the thousands of people who have been imprisoned without trial, thousands of mock trials which have been going on in this country, to the machine gunning from the air on innocent men and women in many parts of the country and let it be said to the eternal shame of this Government, to the molestation of, and attacks upon, innocent women in this country. I shall not refer to these things today. I have only got to refer in the few moments left to me to one great act which moved the country from one end to the other and that was the fast of Mahatma Gandhi when he was in jail. There was not a single Indian man, woman or child who did not send forth prayers for the safety of the life of that great man. Yet, the voice of millions of Indians would not move this Government to take one step towards the saving of that great man and if he has been saved today, he has been saved perhaps because of the prayers that have been offered throughout this country.

We have seen Empires crumbling away. The Great Roman Empire is gone and the Capitol Hill is now a mass of ruins and the spider now weaves its webs where the Caesars ruled. Maxwells and Craiks may crumble into dust but the fame of the one great man of India will live in the hearts of men. And so, whatever you may do to crush nationalism in this country, whatever you may do to crush the spirit of freedom in this country, all that will be in vain. It will be a matter of a few days glory and nothing more and I want you, Sir, to take courage in both your hands and be wise for your own sake.

The Honourable Sir Sultan Ahmed: To whom is this advice given?

Mr. T. S. Avinashilingam Chettiar: You know to whom this advice is given. The sufferings that we have all undergone make us all the more sure of our ground and that is that this Government must go. I am not talking only of the inefficient way in which the war is conducted. I am referring mainly to the millions who have died not only in Bengal but in the West Coast, in Malabar, in Travancore and Cochin. I am referring not only to the corruption that they have created in this country by various methods; in every department of life in the last few years things have become worse and the people today are much worse off than they were ever before and the thought is growing upon them that the Government that is ruling the country today is no more representative of them. In fact, it operates every day with greater weight, to their greater misery and oppression and that being the case, may I ask you this question? Is that the atmosphere in which you expect to win this war? Is that the atmosphere in which the Executive Council wants the co-operation of the people of this

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country? Sir, you have created the National War Front. You have paid thousands of men to go to the villages and preach to them. Do you know that many of them do not really go to the villages and even when they go they cannot face the people in the villages, who are starving, and who ask these men 'We are starving and what are you talking about?' So these men of the National War Front draw their salaries and go their own way. Is this the atmosphere in which you will win the war? Let me say that by your action you are indefinitely prolonging the agonies of this war. To put an end to this state of affairs, there is only one way and that is to extend your hand of fellowship to India. You say you are fighting for democracy. We want to feel that we are fighting not only for the freedom of other nations but for our own freedom and independence. Give us the chance and you will find that it is not only for the good of this country but also for the good of the democracies and of the United Nations. The present Viceroy of India is a soldier and he has said that as a soldier he can appreciate the importance of the co-operation of the public and the importance of public morale in this country and may I ask him to take courage in both his hands and like his master be a statesman once in his life and say boldly 'Here is freedom. Take it and fight this war to a finish'? That is the way for winning not only this war but also the way to the freedom of the world.

Sir F. E. James: Sir, it has been a great pleasure to me to hear my friend Mr. Avinashilingam Chettiar, after many months' absence from this House. He has lost none of his torrential eloquence as a result of his stay in another place.

I entirely agree, and I think my Party would subscribe to the view that he has expressed, that what is needed is an efficient and incorruptible Government.

Mr. T. S. Avinashilingam Chettiar: National Government.

Sir F. E. James: National Government. I was interested to hear my Honourable friend say that really the true meaning of the famous resolution to which he referred was that they only required or demanded a change of Government. In other words, they did not, as some of us thought, demand the expulsion of the British from India either by force or by that peculiar form of coercion which is usually described as non-violence. I wonder whether my Honourable

friend has any sanction behind that statement. If so, then I take it to mean that he has cast aside very important implications which appeared to the average reader in that particular resolution. If that is the case, I warmly congratulate him. My Honourable friend, Mr. Abdul Qaiyum, who, since he returned to this House, has had a meteoric rise in his Party (and I congratulate him on that) did not seem to me to be particularly interested in his own speech. I was very struck by the number of occasions on which he glanced at the clock. He had a certain lesson to say, and he said it, if I may say so, with a geniality which was almost endearing. I was very glad that we had that spirit from that side rather than perhaps the more malicious spirit that I had feared might come from those Benches. But what was the sum and substance of his genial remarks? Merely, that he did not like this Government; that it was guilty of a large number of crimes, which he did not specify, and that therefore it ought to go out to make room for the real representatives of the people. He then went on to say that, of course, there was no chance of their getting out; that in spite of the Cripps' offer, there was no chance even of that being implemented after the war,—and here I was struck by what I think really was a childish argument—because he had read in a paper this morning or yesterday that there was a press notice to the effect that Sir Ramaswami Mudaliar's term of office had definitely been extended for a period of five years. I do not believe for a single moment that my Honourable friend is so unaware of the constitutional position of these Members of the Executive Council not to know that should changes take place which are foreshadowed in the Cripps' proposals before the end of any Honourable Member's present term of office.

that Honourable Member would cease to continue in that office. My Honourable friend, Sir Muhammad Yamin Khan, took rather a different line. He stood up to champion the cause of democracy. He said he did not like this Government because it was, in effect, anti-democratic. He went further and suggested that it had all the attributes of Hitler and Mussolini rolled into one. That obviously shows his lack of acquaintance with European history in recent years. My Honourable friend having accused this Government of not being democratic and having stood up in the name of democracy is, I notice, about to encourage the House to express by a majority vote, which he despises and which on no considerations he will have, its abhorrence of this Government. In other words, my Honourable friend stands for democracy and he employs the democratic weapon of the majority vote, but he will not accept its logical consequences. He is aware, as the House is aware, that in a democratic country, whatever the machinery which is used, there is some method whereby in a peaceful manner the Government of the day can be changed. He urges the House, therefore, to throw out this Government by means of carrying this cut motion of refusal of supplies by a large majority. What is, then, my Honourable friend's alternative Government to this?

Now, Sir, it may be asked, what interest have the European Party in this matter? I should say that we propose to vote against this motion for a number of perfectly good and valid reasons.

Sir Muhammad Yamin Khan: Because it is a democratic Government, you are voting for it.

Sir F. E. James: We are under no such delusion, although I may suggest to my Honourable friend that this Government is more democratic than he thinks. But our first reason is that this is a Government which is pledged to the whole-hearted prosecution of the war. Our second reason is that we believe this Government to be a fair and reasonably efficient Government. (Interruptions.) My Honourable friends must not run away with the extraordinary illusion that if they substituted these gentlemen by gentlemen of their own persuasion, the Government would immediately become efficient or incorrupt. The third reason is—and this perhaps is in some ways the most important reason is—what is the alternative? This is not a national Government; nobody has ever claimed that this is a national Government. We do not believe that even the most eloquent Members of the Executive Council have ever claimed to represent the masses of the country or to be members of a national Government. It is an interim Government of individuals who have come together and have, I think, with great courage and public spirit, undertaken the responsibility under extremely difficult circumstances (*Voices of "No, no"*) of prosecuting the war to the maximum of their ability and strength. Now, we do not for a moment suggest that every single Department of Government or every single item of policy which they pursue has our undeviating support. But what is the use of refusing supplies to this Government until we are in a position to see another alternative to this Government and that is the inescapable dilemma in which we are at the present moment.

I am aware that on this particular issue there is an agreement between the two Parties.

Sir Muhammad Yamin Khan: No, No; all non-official Members are agreed on this point.

Sir F. E. James: I am speaking of those particular two Parties because they usually describe themselves as the two major Parties in the country. On this matter the Congress and the Muslim League seem to be agreed. Now, my Honourable friend, Mr. Abdul Qaiyum, accused the Government of the day of having an illicit love affair with Whitehall, which, I presume, has since been legalised by marriage. What about this love affair between the Congress and the Muslim League. Is this love affair illicit or temporary?

Sir Muhammad Yamin Khan: It is the same as between England and Russia.

Sir F. E. James: It is either illicit or it is illusory. If it is not illusory, then it is purely a temporary arrangement for certain purposes. It must, therefore, be wholly illogical.

I wish to point out in reply to my Honourable friend, Mr. Neogy, that these constant challenges of corruption in all and every Department of Government are a boomerang, which unfortunately sometimes strike those who throw them. I do not believe in the validity of these wholesale charges. We know that there is corruption. We know that the Government of India are taking energetic measures to deal with the many cases that come to light, cases which are found in every community, in every class and I am afraid in every race. But it does not help to fling these widespread charges without any justification at a body of public servants who are doing their best

Mr. K. C. Neogy: I think my Honourable friend must be referring to somebody else. I never used the word, corruption, nor did I refer to the general prevalence of corruption.

Sir F. E. James: The Honourable Member referred to this Government as a government of coercion and corruption.

Mr. K. C. Neogy: Yes.

Sir F. E. James: If that is so

Mr. K. C. Neogy: Corruption in the sense that they corrupt the public sense of duty by the lure of office. I explained it clearly and perfectly.

Sir F. E. James: My Honourable friend's meaning of the word 'corruption' is surely not the same as mine. I understand perfectly what he meant.

My Honourable friend, Mr. Krishnamachari, also made a number of statements to make out the inefficiency of this Government and the corruption of the people in it. But I notice that he adduced only one instance of what he called the mistaken policy on the part of the Government of India, and that was immediately challenged by the Honourable the Finance Member. I do suggest there is an air of unreality in this discussion unless Honourable Members can bring in support of their arguments specific instances which show that their arguments are well founded.

Mr. K. C. Neogy: Is the Honourable Member aware that the Chief Justice of Calcutta said in one of his recent judgments that "while we are being asked to try trumpery cases of corruption, where, for instance, a bottle of whisky was offered to some one, big cases of corruption are going unpunished,—by big cases of corruption, I mean about which the air is thick in Bengal"?

Sir F. E. James: I do not deny that for a single moment. All that I do say is that it is in the Honourable Member's own Province, Bengal.

Mr. K. C. Neogy: Bengal is not an exception.

Sir F. E. James: As far as this Government is concerned, as far as this House is concerned, if general charges of corruption are brought in support of arguments in favour of refusing supplies, then there ought to be some justification for those arguments, and so far, I have not heard one single Honourable Member put up a case in which his arguments have been validly supported. Sir, my Honourable friends seem to think that it is an easy matter to replace this Government.

Some Honourable Members: No, no. It is not possible.

Sir, F. E. James: Sir, if my Honourable friends think that it is not an easy matter, then surely their attitude should not be merely a negative one. If they are prepared to vote down supplies for this Government, then what is the alternative? I put it to my Honourable friends the Deputy Leader of the Congress Party and the Deputy Leader of the Muslim League Party. Both these Parties have had their chance to take part in this administration

Mr. Abdul Qaiyum: Will you agree to quit India if we agree to give power to the Muslim League?

Sir F. E. James: My Honourable friend's Party wants us to quit first; whereas the Deputy Leader of the Muslim League Party wants us to divide India first and then quit. As long as that irreconcilable position is maintained, so long must we support the interim Ministry which is carrying on effectively the King's business and is enthusiastically prosecuting the war.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Mr. Deputy President, for many years as a Member of this House and sitting on either side of this House, I have always understood that the cut motion which we are discussing today is a star Budget Cut Motion of the Session. To refuse supplies to the Executive Government has been considered as a supreme censure motion on the Government of the day by the Opposition of the day. I have listened this morning to speeches by various Leaders, particularly to the speeches from my Honourable friends of the Congress Benches and my mind goes back to the days in 1927, 1928, 1929 and even in 1930-1934 when motions were made to refuse supplies to the Executive Government and leaders sitting over there made their speeches.

The two arguments that have been advanced in support of this cut motion were that the Government of the day was incompetent, thoroughly and absolutely incompetent and that there was a great deal of corruption in the country, and some Honourable Members, either by design or by insinuation or by the express words suggested that corruption exists from the very highest. Now, Sir, taking the first point that the Government of the day is inefficient, I wonder whether it has struck some of my Honourable friends opposite to turn the searchlight inwards, to examine their own capacity, their own efficiency as to the way in which they discharge their duties as representatives of the masses of the Indian people and the manner in which they function in this House. One Honourable Member suggested that there may be some danger of the great speeches that have been made on the floor of the House today not being broadcast to this country and perhaps not being allowed to be broadcast to the great Nations abroad so that they can understand what the people of this country feel in this matter. I have a humble suggestion to make to my Honourable Colleague the Member for Information and Broadcasting, that if he would only broadcast in full the speech of the Honourable Member; Mr. Abdul Qaiyum, if he would only broadcast in full without any censorship whatsoever, for the matter does not require any censorship, except perhaps to make it more sensible, if he would broadcast speeches of one or two other Honourable Members

Mr. Abdul Qaiyum: Yes, with the photograph of yourself also, and your face should be broadcast.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: If he would broadcast these speeches, he would be doing a great service, he would be enlightening the masses of this country on the extraordinary efficiency and competence of my Honourable friends opposite

Mr. Abdul Qaiyum: You may be competent, but you are a traitor to your country.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: And the country is really missing much by not having the benefit of these very able thoughts, these very able and enlightened speeches of these efficient and incorruptible Members of this House instead of those of the Honourable Members who now sit on the Treasury Benches. I think it would be doing a great service to humanity, a service to the Allied Nations, it would be doing a service to this country itself if that could be done.

What is the good of making speeches of this kind when they perfectly know that they do not contain any truth. The reason for this bitterness is quite different. My Honourable friend, somewhere in the speech, I got very much mixed up in listening to it, my brain got a little fuddled, somewhere in the speech he referred to somebody following with their tails down the British members of Council. The whole of the Honourable Member's speech was an eloquent proof of the 'dog-in-the-manger policy' which he and

[Dewan Bahadur Sir A. Ramaswami Mudaliar.]
 some other Honourable Members are trying to follow. They know perfectly well the difficulties of having a National Government. They know perfectly well the reasons why we Members are here on the Treasury Benches. They have a sense of frustration. I understand it. I would even go so far as to say I appreciate that. My Honourable friends opposite have been repeating that we are just automata, that we cannot know what we are doing, that we are just following blindly, led blindly by our three European Colleagues and then by Whitehall. It may be so. It may not be. But the real automata are there. They cannot think, they are not allowed to think. They must follow the dictates of somebody for all time to come, whatever their conscience may say, whatever their reasoning faculties may dictate. They are the automata, they are the people who blindly follow, because they must so discharge their functions; theirs is not to reason why, but theirs is but to vote and...

Sir Cowasjee Jehangir (Bombay City: Non-Muhammedan Urban): And die.
Sardar Mangal Singh: Stale argument.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend has taken the word out of my mouth, but when the time comes, I will add.

This is not the way in which a serious motion of this kind, a censure motion could be carried out. The sense of frustration is there, they are not allowed to take part in the Government, they were not allowed to accept the Cripps offer, they were treated as children by their great leaders; the members of the Working Committee were called children because they were wasting their time in discussing the Cripps offer instead of turning it down at once without any further examination. These are the children now coming and teaching us. Those are the children, those are the inefficient people who are sitting on those Benches, children who have not got the courage of their convictions, children who have not got the courage to say one word against their divine or semi-divine leader. What is the good of saying that this Government is this and that Government is that? You are not in a position to carry out your obligations or to represent the wishes of the people.

There is one other matter that I should like to refer to and I would like to refer to it in a more serious tone.

An Honourable Member: Were you not serious all this time?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I could not possibly be serious in dealing with children like them.

My Honourable friends speak of nationalism; they are great nationalists and they have the conscience of the nation in their pockets. I wish it would come out of their pockets sometimes. They are the people who are thinking day and night of the country and of the masses; the Indian Members here,—and I am now talking of Indian Members,—do not think of the masses.

An Honourable Member: You care only for your pay and your *paggree*!

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend cannot command the dignity to wear a Madrassi *puggri* and he knows it very well.

What is the argument that they use. These nationalists are the first to pick out the Indian Members of Council and talk of them in disparaging terms and in contemptuous language and hold them up to ridicule; and they think that is the greatest national service they can do. But as a matter of fact if they had even an ounce of national spirit they would feel that that is the last thing they should do.

Mr. Badri Dutt Pande (Rohilkund and Kumaon Divisions: Non-Muhammedan Rural): You have fallen into the Dead Sea.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Therefore I am keeping afloat all the time. My Honourable friend has not seen Dead Sea; I have. (Interruption from Congress Benches.) My Honourable friends are getting excited. I listened to them in absolute patience and with calmness.

An Honourable Member: We are trying to save you.

Mr. Deputy President (Mr. Akhil Chandra Datta): There must be less of these interruptions; let us proceed seriously.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friends know very well what the difficulties are in the way of forming a national Government. What is the good of hiding our head like an ostrich in the sands of prejudice and trying to forget the real difficulties in the way of forming a national Government? My Honourable friend, Sir Frederick James, referred to marriage and "licit" and "illicit" arrangements; my Honourable friend, Mr. Abdul Qaiyum, the Leader of the Congress Party here spoke, if I may use the word, of tele-cohabitations, six thousand miles apart. I am not competent to follow my Honourable friend, Mr. Abdul Qaiyum, into the mysteries of such functions. But I should like to say that this is all the language of distressed incapacity; this is the language of frustration. They do not know what to do; they are in the wilderness and they cannot follow any lead. They know that the lead that has been given is absolutely fruitless and will lead them nowhere at all; and they know very well that if that lead is followed there can be nothing but wilderness for a long long time to come. And the realisation of that fact makes them more bitter than ever, and the result of that bitterness is abuse, violent and virulent abuse and inconsiderate abuse. We realise that and therefore if my Honourable friends opposite find that the Members on the Treasury Benches do not take them seriously and are only prepared to laugh at the violent abuse that they shower on Members here, it is because they know that that abuse is the result of a feeling of frustration on their part, a frustration for which they are solely and wholly responsible.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Come and give them a lead.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend from Sind must know that no lead, however wise, is followed by him or some of his friends. It is a waste of effort. I am perfectly willing to put my ideas before anybody and before any group of persons. I do not pretend to give a lead; I am not a leader, but I should like to say that the crying need of the hour today is to try to understand each other's point of view. My Honourable friend is a glorious example, day after day at question time in this House, of the incapacity to understand the other man's point of view. What hope is there for this country, I ask in all seriousness and in all humility, what hope is there for the future of this country and for a national Government for the next 25 years if such is our mentality?

An Honourable Member: God help you!

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I say, God help us! If that is the spirit in which representative Members elected by the masses of the people, knowing the feeling of the people and responding to their wishes and coming forward here to put forward their views, are prepared to examine questions and look at each other's point of view and to have a policy of give and take, I say that for the next 25 years you can never dream of a national Government. But I do not despair, because I believe in, I believe profoundly,—and that is a conviction with me which I have expressed here and in other countries,—that there are many many sensible people outside Sind and outside some other parts of the country, and that they will not allow this outlook to continue. They will come to terms; they will try to understand the other man's point of view; and in that hope lies the possibility of this Government going out and of another Government coming in. I am not referring to individuals.

Honourable Members spoke of my second term of office for another five years. My Honourable friend, Sir Frederick James, has anticipated what I had to say: and let me tell you that after five years of office he must be an extraordinary man indeed, even though he may be the most selfish of men looking only to his pocket and to his rupees, annas and pies, who looks forward with intense pleasure and delight and with complete equanimity to another full term of office as Member of the Executive Council. I say that with

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 some feeling. These are not the days when it is pleasant to be a Member of the Executive Council, not because of the abuses of my Honourable friends opposite,—that is the least that disturbs us,—but because of the cares and anxieties which must surround any Member of the Government of India who takes his task conscientiously. (*Voices of, "Oh, Oh!"*). My Honourable friends may say, 'Oh, Oh!', because they are just gramophones of somebody else; they themselves have no feelings, no reasonings and no conscience behind them, just automata of somebody else. But it is a difficult matter for any one with conscience to contemplate with equanimity a long term of office in these difficult conditions. This Government will go, quite apart from individuals, when Members opposite have that capacity of give and take and try to understand each other's point of view, and above all, seriously sit together and see whether the accommodation of the varying points of view is possible, and in what way a certain amount of understanding,—I will not use the hackneyed word 'unity',—as a basis of co-operation can at least be arrived at,—and to that extent I and my Indian colleagues are devoted to the task of bringing about that understanding. And I wish that Honourable Members there would at least in their dreaming moments, if not in their waking moments, sometimes think of that aspect of the question. Sir, I have done.

Mr. Jannadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, I have a great deal of sympathy for the point of view which Sir Ramaswami Mudaliar has just now expounded. But even a cursory glance at the history of the last five years has shown to me that the whole of the alphabet is not enough to describe the sins of omission and commission of the Executive Council. I have casually noted down what their sins are and I find that they are arbitrary, barbarous, callous, dangerous, extravagant, false, galling, hideous, iniquitous, jerrymandered, kleptomaniac, ludicrous, monstrous, negative, obtuse, paralysing; queer, repressive, sham, tyrannical, unctuous, vindictive, wanton, xantippe, yellow and *zubberdust*. I have exhausted the alphabet but the sins of omission and commission of this Government are not yet exhausted, and in my speech I will only deal with a few of them. The first is that they are terrorists. In the name of putting down the sabotage movement of the Congress, from which I entirely dissociate and in putting down which I wholeheartedly supported them, I cannot ignore the fact that Government have mixed up the innocent with the guilty all the country over. The terrorist movement of this sabotage was at least not under any leadership, but the Government of India are a constituted Government and when Government runs amuck and not only kills innocent men, boys and girls, they are answerable for that before the bar of world public opinion. The Honourable the Leader of the House had promised us on the floor of this House that if any Provincial Government official takes excessively harsh measures not required by the circumstances of the case, the Provincial Government will enquire into the matter. Will he tell me of a single case in which an enquiry has ever been accepted? My Honourable friend, Sir Sultan Ahmed's promises still remain unredeemed let me tell him. At Nandurbar in my constituency you have killed innocent boys and wounded, and maimed innocent boys and girls. The Bombay High Court and a judicial officer have more than once denounced your pretensions. Two ex-Advocate Generals of Bombay—Government officers—have called your action as pure murder. I have pleaded on my knees requesting you to look into the conduct of these murderers. No reply. All that my Honourable friend, Sir Reginald Maxwell, has been kind enough to say is that my information is wrong. I hope that the conscience of the Government of India will revolt against these monstrous actions of the executive in the name of putting down the sabotage movement. I, therefore, think that the Government of India have got to regain their reputation as the protectors of their citizens.

The next thing I have to say relates to official corruption. Nobody has denied that there is corruption. I am not even surprised that there is corruption; when so much money lies in front of an official and when the Government is spending four crores every week, I am not surprised. But what has

the Government done to remove corruption? Only in the Railways they have tried to do something, but they have gone to the other extreme of sending *agents provocateur* to trap the railway workers and if the present procedure goes on, no worker on the North Western Railway will be outside jail within the next six months. Railwaymen are under-paid, starved, exploited and one man at least told me that he was taking bribe. The salary of Rs. 60 which he was getting was not enough and he had seven reasons for taking bribe—One wife and six children, whom he was bound to maintain even at the expense of taking bribes. This honest confession of a poor railwayman sank into my heart. But it also made me feel the monstrous crime of the Railway Administration which while pocketing fifty-two crores of surplus will deny and wantonly and contemptuously deny to its employees something in the nature of modest competence. But that is what they have done.

There are a few other things to which I shall refer within the next few minutes: The next is that the Honourable the Finance Member complains that he had difficulty in securing the right kind of personal in working the various controls and in making so many of his measures successful. Has he taken advantage of Indian talent? They are importing experts by the dozen who don't know where Calcutta is or where are importing experts by the dozen who don't know where Calcutta is or where Bombay is. You know one novel was written by an Englishman in which it was said by the author that Bombay was in the Bay of Bengal; in the next edition he corrected it by saying that though Bombay was not in the Bay of Bengal geographically but for the purposes of his book it still remained in the Bay of Bengal

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Perhaps it deserves to be in the Bay of Bengal!

Mr. Jamnadas M. Mehta: I have much to agree with my Honourable friend, but we have our own Arabian sea. We need not go to the Bay of Bengal.

Sir, my Honourable friend, Sir Frederick James, rightly pointed out that there was some kind of illicit love lately between the Congress and the Muslim League Parties in this House. I assure him that is a passing show. There is no reality about it, and that is the danger of this motion that they are not agreed in fundamentals

An Honourable Member: Who agrees in fundamentals?

Mr. Jamnadas M. Mehta: I agree on fundamentals of a right kind, but I do not agree with these cuts behind which there is absolute hatred of each other and the only tie which binds you is a momentary irritation against this Government without any actual sense of national consolidation in the interest of this country.

Sir Muhammad Yamin Khan: This is a step towards that direction.

Mr. Jamnadas M. Mehta: Such an unreal motion I would never support. I would have opposed it but for the fact that this Government deserves to be left to its fate. If this Government were slightly better I would have come to their assistance but today I want to leave them to their fate and whatever they deserve they will get.

Then, Sir, I will point out some of the more glaring failures of the Government of this country. My Honourable friend, the Commerce Member, is dealing with cloth, and he knows what his problem is, what his difficulties are, and what he has been doing to solve them. He has my sympathies, he has been giving every encouragement to those profiteers who have such swollen profits that Ahmedabad alone is going to pay forty crores to the Finance Member. Such unprecedented exploitation, such unprecedented price level in this country was only possible because the Government have friends in the textile business. If the Government had treated these exploiters with the severity with which they have treated the Congress sabotage movement, the public would not have gone naked. This much I must say that the exploiters and the profiteers in cloth deserve ten times more severity than the misguided youths of the sabotage movement. But amongst them the Government have friends, and I must say

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it will ever remain to the discredit of this Government that against the textile trade they have collapsed and capitulated while always threatening to do something. What is the price of cloth even now, and what is the cost of manufacturing it? Will they even now compare? Is it justified by the present cost of manufacture? Nothing of the kind. And still those who are defying the law for the last six months are getting one extension after another from the Commerce Member to pursue their nefarious activities.

In regard to food, in spite of the tragedy of Bengal what has happened? After all the thunder which marked the Viceregal speech against profiteering, the Bengal situation has simply boiled down into feeding of Calcutta. The rest of the province of Bengal is still left to the tender mercies of an absolutely incompetent Government; only Calcutta is to be fed. I am sure not in the interests of the Calcutta population, but of my Honourable friends the Clive Street magnates. If they were not there, even Calcutta would have to starve and therefore both in the matter of food and clothing the Government have egregiously failed to discharge their obligations.

Then about the contemptuousness with which the Government looks on this House, I want to point out—and Mr. Neogy did so the last time—that you have taken credit for Rs. 10 crores when the Assembly had thrown it out. Another thing which you have done is that without a Resolution of this House you have taken credit for Rs. 32 crores out of the surplus which becomes the share of the general revenues. Where is the Resolution of the House to that effect? There is no authority behind it and yet you have pocketed this sum without the sanction of this House, which you were bound under the convention to obtain.

At the top of it the whole mischief is the Finance Member. I have gone to department after department for dearness allowance for the poor workers. Each departmental secretary is most solicitous and sympathetic. He says he has represented my case to the Government, that the Government are seriously considering it and that he has said to Government more than I would have said myself. They started saying this in September. October is gone, November is gone, December, January and February are gone. March is going, April will be gone. But whether the Finance Member, who sits like the mother-in-law on the daughters-in-law of the other departments will ever make up his mind about relief to the poor still remains a mystery. I can see from the features of the departmental heads with whom I talk that they themselves were disgusted with the delay that was taking place, but until the word came from the top nobody could distribute the dearness allowance. Even about these railway fares, I am not prepared to say that the Indian Members have not played their part. I am absolutely certain that every Indian Member of the Executive Council voted against this rise of 25 per cent. I have no means of knowing but I have a sixth sense. I say that every Indian Member—if there is an exception, it will prove the rule—voted against it. I am told even the Commander-in-Chief voted against it because he did not want the families of 20 lakhs of soldiers to be hit by the higher rates, and I am told it was carried only by the casting vote of the Viceroy. This is all information, I am putting it for what it is worth. It may be worth much or it may be worth nothing but at least these are the reports and that even European Members have their consciences roused very often and yet I do not know what will be the fate of the absolute verdict of this House on this issue.

Mr. Deputy President (Mr. Akhil Chandra Dutta): Your time is up.

Mr. Jamnadas M. Mehta: I will finish now. But for the war, I would have voted for the motion of my friend. In the war, with which I am wholeheartedly associated. I cannot do without a Government however bad it is and however much I have decried it.

Dr. P. N. Banerjee: Sir, I had no desire to speak,—even now I have no desire to make a speech on this motion. But the three reasons which were

advanced by my Honourable friend, Sir Frederick James, against the motion have compelled me to advance seven good, valid and important reasons for supporting this motion.

Sir, my first reason is that the Members of the Executive Council have placed a very heavy burden of taxation on the people, a burden which is too heavy for the people of India to bear.

My second reason is that the Members of the Executive Council are incurring a huge expenditure, particularly on the defence side, which is too huge for poor India. Further, the bulk of this expenditure is non-voted, only 1/3 of the expenditure being votable; but even over this latter we have only a limited measure of control.

My third reason is that the Members of the Executive Council have not been able to prevent the greatest disaster which has befallen this country since 1771. I refer to the famine in Bengal which has carried away not less than 2 to 3 million of persons.

My fourth reason is that the Members of the Executive Council have not been able to safeguard the economic interests of the country.

My fifth reason is that the Members of the Executive Council have kept in prison or in detention large numbers of people without trial for long periods of time, and some of these men and women have died in detention or in prison.

My sixth reason is that the Members of the Executive Council are not responsible to this House or to the country.

My seventh reason is that these Members of the Executive Council are not even responsive to this House because we find that the votes, the resolutions and the speeches of the elected section of this House are not only disregarded but are treated with the utmost contempt.

For these seven reasons I support the motion which has been moved by my Honourable friend, Mr. Abdul Qaiyum, and I hope and trust that every single elected Member of this House, unless he is completely dead to his sense of duty, will support this motion.

The Honourable Sir Reginald Maxwell (Home Member): I had no great desire to take part in this debate but I wish to reply to one or two points which have interested me in the speeches which have been made. In the first place, the Honourable Member Sir Muhammad Yamin Khan in supporting this cut motion charged the present Government with being undemocratic. He said that is not a democratic Government and he, therefore, urged that the Members should resign, apparently as a protest against their own undemocratic character. I am far from admitting myself that, merely because a Government does not conform to a certain constitutional prescription, it is, therefore, on that ground necessarily undemocratic.

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

My own view of a democratic Government is one which keeps in view all the time the interests of all the people in its charge and not those of any particular section.

Mr. T. T. Krishnamachari: That is a new definition!

The Honourable Sir Reginald Maxwell: That is my definition. It is not a constitutional definition, but I do say that a Government, however constituted, whether according to certain constitutional democratic forms or not, can pursue a democratic policy in the sense that I have mentioned, and I claim that this Government has been doing so. But to take the charge literally of being undemocratic, I am far from denying that this Government in that limited sense is not democratic and could not be under the 1919 constitution under which it is constituted. To make it democratic in the sense apparently desired by the Honourable Member it would be necessary to have constitutional changes of a most complicated character and on a very large scale—I quote the words used by Sir Stafford Cripps at the time when he left this country. If that is the position how can the charge of being undemocratic or of being not democratic be levelled against individual Members of the

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Treasury Bench? The mere fact that the constitution does not permit this Government to be democratic in that manner is not a reflection on the existing Members of the Government, Indian or European. The answer, of course, to the charge is, if we were displaced, if we resigned, as the Honourable Member asked us to, what other more democratic Government could be formed under the existing constitution. You would have a change of personnel, but that would not make it democratic.

Dr. P. N. Banerjee: The constitution cannot be changed?

The Honourable Sir Reginald Maxwell: If the personnel were changed, it might be as democratic as this Government or it might be less democratic, but in the constitutional sense it would not be more democratic than the present Government. I am indeed rather surprised to hear this ground advanced in support of the cut motion proposed by the Congress Party. I should like to ask the House what has the Congress record been in regard to democratic institutions?

I have on a previous occasion during this Session reminded the House of how when the Congress Ministries were in a position to carry on the Government by democratic means, they withdrew those Ministries and they withdrew them or caused those Ministries to resign, not at the behest of the electors who sent their representatives from whom those Ministers were drawn—not at the behest of the electors, but under orders from Wardha. Is that democratic? If it comes to that, I have still to discover that Congress in its ordinary methods of working is a democratic body, for as far as I have been able to observe, all that happens in the working of that elaborate institution, is that decision ready-made by the Working Committee are presented to an obedient Congress meeting which duly ratifies them, and there is certainly no favour shown to those who wish to go against those pre-arranged decisions.

Another argument that has been advanced is that this Government is unrepresentative. That was the argument of Mr. Krishnamachari, and he explained it by saying that this Government does not represent any major party.

Mr. T. T. Krishnamachari: Not even any major party.

The Honourable Sir Reginald Maxwell: May I ask, are brains and patriotism dependent on membership of any particular political party? I would rather put the matter the other way round and say, if the law were, as it should be, that no one should be allowed to belong to any particular political party unless he had passed a certain qualifying test in brains and patriotism; but I am afraid that would be fatal to certain political parties. I deny that brains and patriotism are the monopoly of any particular political party.

But the main point which I wish to make before I sit down is in regard to the discrimination which has been made in a number of speeches between the European and Indian Members of the Executive Council. Some of the speeches which have been made have contained certain imputations that the Indian and European Members of this Council owe different loyalties, that their loyalties are not one and the same. In fact, I think it was the Honourable the Mover of the cut motion who said that he even accepted that as a reasonable proposition. I say that any such imputation is not fair either to the Indian or to the European Members of this Council. The European Members equally with the Indian Members must repudiate that allegation or any allegation that in discharging their onerous duties they do not put India first all the time. I myself have been a Member of this Council for the last six years. I have seen it through its various stages of development during this war. I was a Member of it before it was first expanded, I was there during all the successive stages of its expansion, and I can tell this House that at no time since I have been a Member of this Council, has the sense of collective responsibility been higher than it is at the present day. Any idea that Honourable Members taking part in the decisions of Government are inspired by different loyalties is entirely a travesty of facts. We are all conscious of

being members of a corporate body and of participating in its decisions, and I should be very surprised to hear of any important decision on the policy of Government which was not literally as well as technically a decision of the whole of this Executive Council.

An Honourable Member: Unanimously?

The Honourable Sir Reginald Maxwell: I myself have been proud to be a member of a body in which I felt that Indian Members took part in the decisions of this Government with me, and I have never at any time had any sense of any distinction between different sections of the Executive Council of this country in the work which they had to do. The ideals which have inspired all of them have been the same . . . (Interruption) . . . and I would like to put that point very seriously to the House, because when these loose allegations are made,—many of them are not very seriously meant I am sure,—I would assert that during the time that I have served on this Council, not least of all during the time when we have had an increased number of Indian colleagues, this Government has always put India first, and that it has been successful in carrying this great country through a time of unparalleled difficulty and danger. It is no light responsibility that rests on the shoulders of the Members of this Executive Council. It is no light responsibility to have the care of the destinies of one-fifth of the world's population in a country of the enormous size of India, and when that country is exposed to all the extraordinary and new stresses set up by a world war over which it has no control.

Mr. T. T. Krishnamaechari: You are getting over it by putting them in jail!

The Honourable Sir Reginald Maxwell: I, therefore, wish this House in fairness to recognise that this Government, whether they like it or not, is not self-constituted. It is constituted under a constitution for which we are not responsible, it has done as much for this country as any purely political party Government could have done. It is not a fair charge to level against us that this is not a political Government. The country must judge it by the results, and I do claim that the fact that this Government has seen this country through this war to this stage without any more serious breakdown or any more serious difficulties, is at least something for which the country might be slightly thankful instead of casting aspersions on the Honourable Members of this Government.

Sir, I oppose the cut motion.

Nawabzada Muhammad Liaquat Ali Khan: Mr. President, the only non-official Indian Member of this House who has opposed this motion is my Honourable friend, Mr. Siva Raj. (An Honourable Member "Rao Bahadur".) His reasons for opposing the motion, I should say, main reasons, were two. One was that if this motion was carried the Executive Councillors will cease to hold office and, therefore, he will be deprived of having the privilege of asking questions on the floor of this Honourable House. I think my Honourable friend's conclusion is based on his ignorance of the budget and the constitutional position. The salaries of the Honourable Members of the Executive Council are non-voted and, therefore, my Honourable friend will still enjoy this high privilege of asking questions and getting replies which in some cases are not even efficiently given. The second reason which he advanced was that he had great regard for his leader, Dr. Ambedkar. I can appreciate his sentiment. In other words, he has opposed this motion and supported the Government on account of purely personal reasons. On principle, Mr. President, he agrees with us but on account of personal and private reasons he is opposed to it.

Rao Bahadur N. Siva Raj: You have left out my other reasons.

Nawabzada Muhammad Liaquat Ali Khan: The other reasons were not worth noticing. My Honourable friend, Sir F. E. James, said that there was a temporary love affair between the Congress and the Muslim League. My friends of the European Group cannot even stand a temporary alliance between

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these two great parties and yet they are very loud in exclaiming that there should be unity between the Congress and the Muslim League.

Now, Sir, my Honourable friend, Sir Ramaswami Mudaliar, to whose speech I listened with great attention, accused the Deputy Leader of the Congress Party that his speech was the outcome of a sense of frustration. If his speech was the outcome of a sense of frustration my Honourable friend's speech was the outcome of anger. What I really expected from the Honourable Member was a justification of the expansion of the Executive Council. He should have told this Honourable House that since the expansion of the Executive Council things in the Government of India have materially changed. He has not told us that. Now, Sir, if my Honourable friends would recall, in 1941 the first expansion of the Executive Council took place and it went on expanding from time to time. The chief object of the expansion of the Council was not to give employment to so many capable persons but the chief object was that by having a large majority of the Indians on the Executive Council the people of the country will have greater confidence in the Government of India and therefore the object which the British Government had at heart of securing the full co-operation of the country would be facilitated. The debate on this motion has shown that the chief object for which the Executive Council was expanded has not been secured. Every section of this House which represents every shade of opinion in the country has condemned the present Government of India and let me tell my Honourable friend, Sir Ramaswami Mudaliar, that the condemnation is not based on individual merits or demerits. It is not a case of Sir Sultan Ahmed or Sir Ramaswami Mudaliar or Dr. Ambedkar. It is a case that the object with which the finances of the country were burdened has not been achieved, that the complexion of the Government of India, their policy, their actions, have not changed in the slightest degree from what they used to be before the expansion took place. I know, as we have been told, the constitutional position under the Government of India Act. I am fully aware of that position and I know that under the present Act whatever Members adorn those Benches they would not be responsible to the non-official Members of this House, but surely there is nothing to prevent them from being responsive to the Honourable Members of this House. You may not be responsible but if you really feel that we in this House are not the enemies of the country, and that you sitting over there are not the only friends of India, then we certainly expect that you would be more responsive if under the constitution you cannot be responsible. In spite of the fact that the Assembly is constituted in a manner where the Government has got 89 votes in its pocket and 8 votes of the European Group which are always at its disposal, in spite of these facts, even the decisions which are taken by the House against the Government are not given the slightest heed. It only happened yesterday. This House by a majority carried a cut motion demanding from the Government that the Railway fares should not be increased. What is the reply of this Government? If it had any regard for the opinion of the Members of this Honourable House and for public opinion in the country, it would have gladly accepted that decision, but my Honourable friend the Member for War Transport gave, I do not want to use a strong term but I do not think I can use any other expression which will convey my meaning better than this, a dishonest interpretation of the cut motion which was passed by this Honourable House.

Now, Sir, a Government which does not pay the slightest heed to the decisions of this Honourable House, which does not take into consideration the public opinion in the country, how can that Government expect any support or any appreciation by the Indians? I am not going to accuse the motives of the Honourable Members who are over there and they may be occupying these positions believing in their heart of hearts that they are rendering a great service to the country. I do not cast any aspersions on their motives, but surely their reason cannot be so blinded that they cannot see that the country

as a whole, and every party in the country, is not satisfied with the manner in which the Government of India is being carried on.

Sir, this motion is for not giving the supplies to the Executive Council. We whole-heartedly support this motion with the object of showing to the world at large that the present Government of India does not have either the support or the goodwill of the peoples of India; that the present Government of India, which is being paraded before the world as a Government of whom two-third Members are Indians, is not a Government which could secure the object for which the expansion of the Executive Council had taken place. Every day in the House of Commons the spokesman of the British Government gets up and repeats parrot-like that the Government of India is an Indian Government and that whatever decisions are taken are taken by the Indian Members of the Executive Council. I am saying "Indian Members of the Executive Council" because their number in the Executive Council is overwhelming. To that extent, the Secretary of State is perfectly justified; but he should also state, if he were honest and if he wanted to give a correct position, that the Indian members of the Executive Council are those who do not have any following in the country. This fraud that the present Government of India is an Indian Government has been practised for the last three years on the world. We can no longer be a party to the perpetration of this fraud. We must state clearly and unequivocally that the present Government of India, in spite of the fact that its ten out of fourteen Members are Indians, is as irresponsible and as irresponsive as it has always been in the past. That, Sir, is the reason why we support this motion. I appeal to every Honourable Member of this House that every vote that is cast in favour of the Government on this occasion is a vote for the perpetuation of this fraud which is being practised by the British Government on the whole world.

Sir Cowasjee Jehangir: Sir, may I be allowed to say in the very beginning that my Honourable friend's speech who has just sat down has raised the level of the debate to a considerable extent. Although I do not agree with the Honourable Member in all he has said (Interruptions.) I see that the old tactics of interruption that was most prominent four or five years ago is again being attempted even before an Honourable Member has even had time to express an opinion. We have listened to Honourable Members with whom we have not always been in agreement with the greatest patience and with the greatest attention and if I happen to disagree with any of the Honourable Members' opinions expressed today, I expect that I will be listened to with the same patience if nothing else.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Don't be too touchy.

Sir Cowasjee Jehangir: I was saying and I repeat that had it not been for the Honourable Member's speech just delivered I would not have been tempted to rise and address this Honourable House for a few minutes only. We all know and we have said it *ad nauseam* in this Honourable House that the Treasury Benches do not represent the people of India and I have said it more than once that the Treasury Benches are the agents of the Secretary of State for India. My Honourable friend, the Home Member, has made it perfectly clear that that is the constitution of 1919 and we are working under that constitution today. We have said it so often that I should have thought that it need not have been repeated. We have protested against it. We have on more than one occasion before the war thrown out budgets and, when Sir James Grigg was on these Benches, on three or four consecutive occasions mostly on grounds that this Government was not responsible to this House. And if we made any radical changes in the budget, we knew that the powers of certification would be used. That unfortunately continues to be the position today. But I want one answer to an important question from my Honourable friends opposite. That question is: Why are these Honourable Members still on these Treasury Benches in 1944? And why is it that one distinguished Member should get an extension even for five years? Whose fault is it?

Mr. K. S. Gupta (Ganjam *cum* Vizagapatam: Non-Muhammadan Rural): Treachery.

Sir Cowasjee Jehangir: It is our fault. Let us put the searchlight upon ourselves and let us not go on day after day repeating the same complaints without making a bold attempt to remedy the position. Was it in our power to remedy? I definitely answer that question in the affirmative. Is it in our power to remedy? I definitely answer that question also in the affirmative. And if we have not remedied it, the fault is yours and mine; the fault does not lie with the Treasury Benches. How is it and why is it that the position has not been remedied? Did we get that opportunity? Can anybody deny the fact that the opportunity was given to remedy the situation to a great extent without changing the constitution of 1919 and that opportunity was neglected? Can anybody deny that fact? Why was that opportunity neglected? Because there were such fundamental differences of opinion, between different sections and schools of thought in this country that we could not see our way to have a coalition Government to take the place of the nominated Government that sits here today. Let us not blindfold our eyes, let us not plug our ears and drug our conscience and console ourselves by abusing, if you like, however much it may be justified, those who are in power today. Why is it that efforts are not made to come to a compromise between the two great schools of thought? It is sheer obstinacy. If there was no Government sitting here today I contend that there would be only two alternatives left to this country either to come to a compromise or to have revolution and civil war. Because these Honourable Members are here to carry on the Government of this country in most dangerous times, that compromise is not effected, nor is there revolution nor civil war. That is the position. I do not know. I am no prophet, but if this Government refuses to act, and gave my Honourable friends opposite and the country six months time within which to effect a compromise, I do not know whether such an experiment would be for the good of Mother India, or would it end in civil war? Do not, I pray Honourable Members opposite, content yourself by going on grumbling and abusing the present Government who are after all carrying on the government of this country to the best of their ability, however wrong they may be in your opinion in certain actions they take. But this debate ought to be an eye opener at least to some of us that the time has come when the two great political parties in this country must come to a compromise. We hear a good deal about democracy. My Honourable friend, Sir Muhammad Yamin Khan, asked the Honourable Members on the Treasury Benches to resign in the name of democracy. Truly, I was getting nervous. I was beginning to shake in my shoes. I was feeling that the next moment my Honourable friend, Sir Muhammad Yamin Khan, was going to tell the Members of the Government that he was going to send back his Knighthood tomorrow.

Sir Muhammad Yamin Khan: But you were going to put on a khaddar cap, all right.

Sir Cowasjee Jehangir: I am glad he did not go to that extent. Let me tell my Honourable friend, Sir Muhammad Yamin Khan, that the foundation and basis of democracy is compromise. (Interruption.) I am also an Indian and until we learn what it is to compromise, what it is to give and take, we do not know the meaning of the word 'democracy', and let us not use it too freely and too frequently in a country like India. To talk of democracy and continually to go on bickering, quarrelling and abusing each other, arguing on the most petty points when your country is burning to death and not coming to terms, and then to talk of democracy! Let us learn the true meaning of democracy, let us learn that the foundations of democracy is compromise, let us not belittle each other's powers or each other's influence, I candidly and conscientiously believe that the two great political parties are the Congress and the Muslim League, let not the Congress belittle the powers or the influence of the Muslim League, do not go on from day to day saying that they should be neglected

Dr. G. V. Deshmukh:— Keep this advice for yourself.

Sir Cowasjee Jehangir: I am giving this advice to you and to men like you who have been the ruin of their country and to men who have not felt one atom for the country.

Dr. G. V. Deshmukh: You have prospered all right.

Sir Cowasjee Jehangir: You never thought about the good of the country.

Dr. G. V. Deshmukh: We have all gone wrong and you alone are right. Keep the advice for yourself.

Sir Cowasjee Jehangir: You are not fit to be here.

Dr. G. V. Deshmukh: Stick to your horse.

Sir Cowasjee Jehangir: Let, on the other hand, my Honourable friends of the Muslim League realise that after all there are millions and millions of others in this country who are not of the same persuasion as the Muslim League. Unless we learn the real and true meaning of the word democracy, such cut motions are futile, they are academic discussions which lead us nowhere, which leave us where we were and will leave Honourable Members on the Treasury Benches for years to come sitting where they are and will leave Honourable Members opposite on the same Benches.

Sir Muhammad Yamin Khan: Vote against them.

Sir Cowasjee Jehangir: I am going to oppose the cut motion realising that behind it there is nothing solid and unless I realise and am made to realise that the meaning of the word 'democracy' is really beginning to be understood in my country, I will go on continuing to vote against such cut motions.

The Honourable Sir Sultan Ahmed: Mr. President, Sir, I confess I listened with deepening disappointment to the speeches made by my Honourable friends opposite, for I had not ceased to entertain the hope that, even though their purpose is to censure the Government, their statements do not indicate a constructive approach, some *faint modicum* of a realistic appreciation of the situation facing the country, on which might be based our endeavours for the future. Instead, we have been treated to long disquisitions on generalities, we have listened to allegations and charges which have been answered times out of number from the Treasury Benches. It is not necessary for me to deny the sincerity of purpose of my Honourable friends opposite, but if only their idealism had been graced with practical judgment, or a sense of reality, we should not now have been in this predicament.

The Honourable the Deputy Leader of the Congress Party made a speech by which he threw stones at other Departments, there was bribery in the Supply, Commerce and Food Departments, appointments were being made by Government by nepotism, the whole of the price control was rotten and so on but he gave his whole case away by saying, 'I am against the Indian Members'. Sir, with that feeling in his mind and heart, I never expected any justice from him. I, however, belong to that school of thought which follows the doctrine of *ahimsa*. I am not against the Congress Party. I have only real pity for them and nothing else.

My Honourable friend Sir Yamin Khan asks us to resign and rise superior to the occasion. I only wish my Honourable friend could turn round to the Congress party and ask them to rise superior to the occasion and come to his party and come to some understanding with that party.

My Honourable friend, Mr. Neogy, apprehended that the speeches delivered on the floor of the House on behalf of some of my Honourable friends opposite will not be broadcast or sent overseas. I can give him that assurance that they will be. But I should like a request to be made by them because personally I feel that I will be doing a good turn to them if I do not send their speeches abroad, because—and I say so without meaning any disrespect to the House—the standard of the debate, until it was raised by an Honourable Member on the Treasury Benches and the Deputy Leader of the Muslim League, did not reflect much credit on this House. Sir, it is but natural that my Honourable friends should seek to put the best construction on their actions and their attitude in the past. To this I cannot and do not object. But I quite decline to agree that they have the sole monopoly of public spirit, political judgment

[Sir Sultan Ahmed.]

or even of patriotism; and I must say emphatically that the cause of the country is in no way less dear to us than to any of my Honourable friends on the opposite side of the House, even though we do not so often make public demonstration of lofty motives. Sir, the appeal to ideal motives does not sanction all the conduct that is ostensibly based on it. Things would be simple if all people drew identical conclusions from the same data. There would then be no disagreements or misunderstandings and all could march shoulder to shoulder to the common goal. Unfortunately the world is made far otherwise. The man who wants to achieve anything in this world of action has to take account of the character and policy of others and arrive at a practical compromise on which both could co-operate. It is not the part of a political adult to sulk in a corner because he cannot have the moon. By asserting their own lofty patriotism my Honourable friends opposite do not prove the depravity of Government. Their righteous indignation only unfits them for co-operation with others and condemns them to a sojourn in the sterile wilderness when so many worthwhile tasks await them if they will.

The attack made against Government is that it has spurned the offer of co-operation from the representatives and leaders of the people. I should like to discuss this in a little detail. My Honourable friends, Sir Frederick James and Sir Cowasjee Jehangir, just referred to that incidentally. Government have always been conscious of the magnitude of the task which confronted them, much more acutely conscious of it because of their fuller knowledge than the political parties could be. They have been so acutely aware of the advantages of public support that they have tried to secure the good will of the political leaders again and again and in spite of repeated disappointments. I am not claiming for Government any moral superiority on this score; for, both on general and practical grounds it was their plain duty to take the people with them if they could. But the charge of spurning co-operation comes with ill grace from quarters that have not only turned down every practical suggestion made by Government but have been unable to make a single counter-proposal which, given the facts of the situation, could be seriously considered. Sir, long before the war broke out the complaisance of the British Government towards totalitarian regime was a favourite subject of attack, and the Congress leaders who now condemn the anti-fascist war never lost an opportunity to inveigh against fascism. It may have been expected that these leaders who were more anti-fascist than the anti-fascist champions would have been the first to support the war against fascism when it did come; but to their appeals for support the response that Government got was an offer only of "Moral support"; and that only if Government could give satisfactory replies to a questionnaire on first principles. Sir, was this for any lack of trying by Government, any lapse of manners, or courtesy, any tactless approach or disregard of the self-assumed claims of the Congress? By no means. Of whatever else Government may be accused even our opponents cannot fairly claim that it stood upon its dignity and declined to make approaches to political leaders. Almost the first thing the Viceroy did was to send for the leaders of the two main political parties in the effort to enlist their co-operation in the prosecution of the war. What he got in reply was plenty of sympathy for Poland, etc.; a series of demands for clarification on points of principle but no practical help. Not daunted by this, Lord Linlithgow got into touch with the leaders of all important political parties in the country, hoping that he might be able to evolve a common line of approach to the war question. He found a great deal of misgiving about the future constitution of India and also a great amount of uneasiness amongst the minorities. He therefore made a public statement promising satisfaction on both counts; first, that the future constitution could modify the scheme of the Act of 1935—and this is very important to remember—and that the task of revision would be primarily left to us Indians; and secondly, that the interests and sentiments of the other parties would be taken fully into account. As a practical step in the meanwhile he suggested the formation of a consultative group comprising both provincial and State repre-

representatives to be associated with the Central Government in the prosecution of the war. Subsequently he made efforts to establish a practical compromise between the Congress and the Muslim League, on which could be based the appointment of Indian leaders to the Governor General's Executive Council as well as the formation of provincial ministries on agreed lines. The Viceroy's reward was, bitter reproaches and denunciations. His public statement was taken as a refusal of the Congress demands. The Congress ministries were therefore recalled so that they might not be contaminated by association with the war. The move towards a comprehensive Congress-League reconciliation was regarded as importing irrelevant communal matters into an essentially political question. The Congress refused even to discuss it and the whole proposal fell through.

The Congress of course did not confine itself to reproaches and denunciations. After recalling the Ministries and making section 93 administrations inevitable, a circumstance for which the Government is now being blamed, they set about to elaborate a plan for a Constituent Assembly. It was to be elected on adult franchise, it was to represent everybody, and by its labours all difficulties of adjustment of conflicting interests were to vanish like the mist before the rising sun. Unfortunately, this splendid confidence in theorist solutions was confined to the Congress. Hardly had the plan been formulated before it was denounced by almost every other political party.

Then we came to the celebrated Poona Offer, the offer of the so-called "hand of friendship". As so much has been claimed for it, it is worth while considering it a little more closely. It called for an immediate and unequivocal declaration of the full independence of India. The Congress Working Committee's resolution then went on :

"As an immediate step to give effect to it, a provisional National Government should be constituted at the Centre which, though formed as a transitory measure, should be such as to command the confidence of all the elected elements in the Central Legislature and secure the closest co-operation of the responsible Governments in the Provinces. The Working Committee are of opinion that, unless the aforesaid declaration is made and a National Government accordingly formed at the Centre without delay, all efforts at organising the material and moral resources of the country for defence cannot in any sense be voluntary or as from a free country, and will therefore be ineffective. The Working Committee declare that, if these measures are adapted, it will enable the Congress to throw its full weight into the efforts for the effective organisation of the defence of the country."

Mr. K. S. Gupta: Why this inflection?

The Honourable Sir Sultan Ahmed: The resolution promised support for the defence of the country on condition that a National Government was formed at the Centre as the first step towards giving effect to the independence of India. As to the nature of this National Government, nothing precise was said except that firstly, it should command the confidence of all the elected elements in the Central Legislature; and secondly, that it should secure the closest co-operation with the responsible Governments in the Provinces. If this meant anything, it implied the co-operation of all political parties in the Legislature, but the Congress who sponsored the scheme made no effort whatever to reach a preliminary agreement with the other political parties as to the lines on which the National Government was to be formed. On the other hand, the reactions from the other parties showed that they would have nothing to do with such a proposal, nor, I may add, even now they have done anything with such a proposal. This in itself was enough to put it out of the field of discussion. Then again, the proposal in effect was to entrust the extensive powers of the Centre in war time to the control of a Central Legislature which had been devised for very different circumstances. It is remarkable that the impracticability of such a proposal was not realised. The proposition also bristled with difficulties and objections. There was the question of how the close co-operation of responsible Governments in the Provinces was to be obtained, there was the practical problem of how the National Government was to be constituted and how it was to function, and there was the question of how the expression "the defence of the country" was to be interpreted.

[Sir Sultan Ahmed.]

Under the circumstances, the Government can hardly be blamed for being unable to accept the Poona Offer. But the indignation with which the Government's attitude was greeted made it perfectly clear that the Congress leaders lived in a world of dreams in which they alone were the effective reality, and that it was their aim and purpose to gain control of the Government on their own terms without regard to the sentiments or interests of any other parties in the country.

The Government however did not rest there. They had been busy with other plans more suited to the realities of the situation. This was the proposal for the expansion of the Executive Council of the Governor General. Lord Linlithgow announced this plan in his statement of the 8th August, 1940. The statement also contained clear declarations regarding the framing of the future constitution after the war; at the same time it sought to allay the natural anxieties of the minorities by giving their rights and interests the guarantee of explicit assurances.

The plan for the expansion of the Council had much to commend it. It did not make any drastic change in the constitution which would have required prolonged negotiation and adjustment. It did not commit the political parties to giving up their basic claims; it only called for a suspension of party controversy in the interests of a cause which all parties professed to have at heart. Unwearied by failures the Viceroy consulted the Congress and the Muslim League leaders before making the declaration. And I want the House to note this: The Congress President refused so much as to even see the Viceroy to discuss it, and the promising scheme could not be implemented as intended.

The publication of the Viceroy's declaration of the 8th August was a blow to Congress hopes and ambitions, and it reacted accordingly. There followed the symbolic Satyagraha movement which claimed only to vindicate abstract matters of principle, but in practice served to propagate a movement of opinion hostile to the waging of war. The strangest circumstance of all was that the Congress still professed not to intend any embarrassment to the war effort. I can only say on this hypothesis the actions of the Congress leaders argued either strange credulity on their part or a failure to appreciate the logical consequences which in such experienced public men would be indeed remarkable.

Such was the record of the Congress in the first part of the war, in the anxious months in which France capitulated and the heroic efforts of England alone prevented a total Axis victory. In such circumstances the Government had ample justification for giving up the vain hope of reconciling the irreconcilables and for pursuing their course regardless of political disagreements. But they thought otherwise.

Dr. G. V. Deshmukh: The Honourable Member had better finish his speech.

The Honourable Sir Sultan Ahmed: My Honourable friend says that I should finish. I do not propose to accept his advice and I will go on.

The political parties had refused to join the Executive Council

Mr. Abdul Qayum: On a point of order. I think it was arranged that the Honourable Member will speak for twenty minutes so that there is time enough for division.

The Honourable Sir Sultan Ahmed: You will have the division all right. I will finish.

An Honourable Member: Please tell us who wrote this speech?

The Honourable Sir Sultan Ahmed: I wrote it myself.

The political parties had refused to join the Executive Council; the Viceroy therefore did the best he could in the circumstances by proceeding with his original plans of expansion but appointing to the Council public men standing aloof from the main parties. I can assure my Honourable friends opposite that we did not join the Executive Council because of personal ambition or for love of office. Office was not necessarily a bed of roses for the new Members of the Executive Council. In many cases it involved sacrifice of professional careers,

and led to political and personal misunderstandings and attacks. We accepted membership of the Governor General's Executive Council because we fully realised that in the circumstances of the time the first task on which Indians should concentrate was the defence of the country and the defeat of Axis aggression; in other words we looked upon the Councillor's office as a job of work to be done and to it we subordinated all personal and party sentiments.

One other step was taken by the Government. Since the war is fought on lines of global strategy, there was the risk of India's interests going by default in the higher counsels of the war direction, and to prevent this the Government secured from His Majesty's Government the right of appointing representatives of India to the Imperial War Cabinet. (Interruption.) Of course everything is nothing so far as my friends go.

So far, it could at least be argued, as an excuse for the wilfully self-centred policies of the political parties, that the war was a remote event which did not directly menace the existence of the country. The conditions became very different at the end of 1941 when Japan emerged in her true colours and strong points in the adjacent countries vital to the defence of India, Singapore, Rangoon, Burma itself, rapidly fell before her aggressive arms.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): How many more pages?

The Honourable Sir Sultan Ahmed: One might have expected that such a direct danger, which was made more acute by a simultaneous sweep forward of German forces up to the very frontier of Egypt, would have sobered public opinion and brought about a realisation of the need to put the war first, forgetting party controversies till they could be more opportunely pressed. But the Congress remained impervious even to these considerations of national self-preservation. An opportunity to co-operate on honourable terms without loss of face or prestige was provided by the Cripps Offer of March, 1942. Of the nature of the offer, which was unthinkable advantageous to the cause sponsored by the opposition parties, I cannot do better than refer the Honourable Members to the speech delivered in this House the other day by His Excellency the Viceroy.

One has only to compare the cautious terms in which previous declarations to India have been phrased, even as recently as at the passing of the Act of 1935, with the precise and far-reaching declaration in the Cripps Offer to realise the distance that India has travelled in the direction of her political goal. That even such an offer could be rejected out of hand is a measure of the political unrealism of our leaders. It gives me no pleasure to say it, but the stubbornness and scorn of compromise which have lost so many splendid opportunities to the country is lamentable to reflect upon.

I know Honourable Members opposite will take me to task for saying this; but this is not the view of myself alone. Mr. Rajagopalachari is not a member of the Government and I would refer my Honourable friends to his statement. He does not hold any office under the Crown and even my Honourable friends opposite will hardly venture to question his sincerity or his patriotism. This is what Mr. Rajagopalachari says:

"Looking back, it is now easy to see that the sending of Cripps Mission was an act of political insight which gave an advantage to British imperialism, while our rejection of the offer betrayed a lamentable lack of foresight. It was a great mistake to have broken off negotiations when, for whatever reason, the British Government was in its most yielding mood. With the whole country deeply anxious over the problems of food and clothing, many should now be feeling in their heart of hearts that the power to deal with these problems at the Centre and with great authority in the provincial field was worth taking up on any terms."

The attitude of the Congress after the Cripps Mission and the disastrous consequences which followed are fresh in public memory.

Dr. G. V. Deshmukh: As a matter of request, could you let us know how long more you will take?

The Honourable Sir Sultan Ahmed: I am not bound to tell you. Please sit down. You have come today after being absent from the Assembly for five weeks. I have been sitting here day after day. We know why my Honourable friend, Dr. Deshmukh has come today.

Dr. G. V. Deshmukh: Therefore, I think you might take a little relief and give way. It would also be of relief to the House!

The Honourable Sir Sultan Ahmed: I bet it will be!

Mr. Abdul Qaiyum: There was an agreement between the Parties.

Mr. President (The Honourable Sir Abdur Rahim): The agreement was that the Government Member replying would have 20 minutes or even more if necessary.

The Honourable Sir Sultan Ahmed: From a political party of the standing of the Congress the country was undoubtedly entitled to expect a wiser and more sober policy. It was a threat not merely to the established Government, but to the other parties since it was proposed to seize by process of coercion what should have been gained by negotiation. And as such it was interpreted by the other parties, especially by the minority interests. In the grave situation which was brought about by the unwise and precipitate course adopted by the Congress it is pleasant to reflect that such large masses of opinion held rigidly aloof.

So much needed to be said in justice to the Government. But no purpose is served by recriminations, however deserved. The past is over and done with; the future lies before us full of hopes and possibilities. Even in the political field, His Excellency the Viceroy has recently re-asserted that the Cripps Offer remains open. Its implementation awaits only an agreed demand from the political parties.

Opportunities of service even in the *interim* period are open to those who bring to it the spirit of co-operation. Great tasks await us. The war is in its last phase. The world has to be reclaimed from fear and want and set on the broad basis of security and progress. In India itself vast fields lie open for reconstruction; our people are still poor and ignorant, woefully lacking in health and the spirit of progress. All this can be redressed soon if we all take a hand in the future task, united in a common spirit of service. In the political field, the future constitution has to be framed. It is not too early to undertake a study of the lines on which this should be done. To all these fruitful tasks the future calls to us. I appeal to my friends to forget the bitterness of party controversy, to realise the practical needs of the situation, and to seek a wise moderation as the only basis of a united endeavour. If in the interests of the country they will do this, they may still repair the errors and omissions of the past and earn the gratitude of the present and future generations.

If our friends opposite think that we are incapable of being of any use for the impending tasks which I have just mentioned, I hope they will permit me to offer a few remarks, but not without reminding them of what they have done. Their party committed the greatest blunder when they went out of office in the provinces without the express consent of their constituencies and they let their electorates down. I am constrained to say that they betrayed their country and their electorates at a most critical period. (Opposition Benches: "Oh! oh!") We, however, welcome their presence in full force here today and I know why they come. Dr. Deshmukh has come today only for one purpose. But if their presence is only to attempt to give us a few defeats on cut motions, then I suggest to them that they are wasting their energy for no good purpose, but if they are here also to attempt to arrive at some understanding with the other parties, then they will have our most sincere and combined good wishes. If

5 P. M. they do so, for once they will act as realists and pave the way for the realisation of the ambitions for which they and we have been aspiring.

Mr. President (The Honourable Sir Abdur Rahim): The question is :
"That the demand under the head 'Executive Council' be reduced to Rs. 1."

The Assembly divided :

AYES—50.

Abdul Ghani, Maulvi Muhammad.	Krishnamachari, Mr. T. T.
Abdul Qaiyum, Mr.	Lahiri Chaudhury, Mr. D. K.
Abdullah, Mr. H. M.	Laichand Navatrai, Mr.
Azhar Ali Mr. Muhammad.	Liaquat Ali Khan, Nawabzada Muhammad.
Banerjee, Dr. P. N.	Maitra, Pandit Lakshmi Kanta.
Bhutto, Mr. Nabi Baksh Illahi Baksh.	Mangal Singh, Sardar.
Chattopadhyaya, Mr. Amarendra Nath.	Murtuza Sahib Bahadur, Maulvi Syed.
Chettiar, Mr. T. S. Avinashilingam.	Naidu, Mr. G. Rangiah.
Choudhury, Mr. Abdur Rasheed.	Nairang, Syed Ghulam Bhik.
Choudhury, Mr. Muhammad Hussain.	Nauman, Mr. Muhammad.
Das, Mr. B.	Neogy, Mr. K. C.
Datta, Mr. Akhil Chandra.	Pande, Mr. Badri Dutt.
Deshmukh, Dr. G. V.	Parma Nand, Bhai.
Deshmukh, Mr. Govind V.	Ramayan Prasad, Mr.
Essak Sait, Mr. H. A. Sathar H.	Raza Ali, Sir Syed.
Fazl-i-Haq Piracha, Khan Bahadur Shaikh.	Reddiar, Mr. K. Sitarama.
Gupta, Mr. K. S.	Satyanarayana Moorthy, Mr. A.
Gupta, Mr. R. R.	Sham Lal, Lala.
Habibar Rahman, Dr.	Siddique Ali Khan, Nawab.
Hans Raj, Raizada.	Siddiquee, Shaikh Rafiuddin Ahmad.
Hegde, Sri K. B. Jinaraja.	Subbarayan, Shrimati K. Radha Bai.
Hosmani, Mr. S. K.	Umar Aly Shah, Mr.
Ismail Khan, Hajee Chowdhury Muhammad.	Yamin Khan, Sir Muhammad.
Kailash Bihari Lall, Mr.	Yusuf Abdoola Haroon, Seth.
Kazmi, Qazi Muhammad Ahmad.	Zafar Ali Khan, Maulana.

NOES—48.

Ahmad Nawaz Khan, Major Nawab Sir.	Krishnamoorthy, Mr. E. S. A.
Ambedkar, The Honourable Dr. B. R.	Kushal Pal Singh, Raja Bahadur.
Ayers, Mr. C. W.	Lawson, Mr. C. P.
Azizul Huque, The Honourable Sir M.	Maxwell, The Honourable Sir Reginald.
Benthall, The Honourable Sir Edward.	Miller, Mr. C. C.
Bewoor, Sir Gurunath.	Muazzam Sahib Bahadur, Mr. Muhammad.
Bhagchand Soni, Rai Bahadur Seth.	Mudaliar, The Honourable Dewan Bahadur
Caroe, Sir Olaf.	Sir A. Ramaswami.
Chandavarkar, Sir Vithal N.	Ogilvie, Sir Charles.
Chapman-Mortimer, Mr. T.	Piars Lall Kureel, Mr.
Chatterji, Mr. S. C.	Kaisman, The Honourable Sir Jeremy.
Daga, Seth Sunder Lall.	Richardson, Sir Henry.
Dalal, Dr. Sir Ratanji Dinshaw.	Roy, The Honourable Sir Asoka.
Dalpat Singh, Sardar Bahadur Captain.	Shahban, Khan Bahadur Mian Ghulam Kadir
Gwilt, Mr. E. L. C.	Muhammad.
Habibur-Rahman, Khan Bahadur Sheikh.	Sheehy, Sir John.
Haidar, Khan Bahadur Shamsuddin.	Siva Raj, Rao Bahadur N.
Imam, Mr. Saiyid Haidar.	Spence, Sir George.
Inskip, Mr. A. C.	Srivastava, The Honourable Sir Jwala Prasad.
Ismael Alikhan, Kunwer Hajee.	Stokes, Mr. H. G.
James, Sir F. E.	Sultan Ahmed, The Honourable Sir.
Jawahar Singh, Sardar Bahadur Sardar Sir.	Sundaressan, Mr. N.
Jehangir, Sir Cowasjee.	Thakur Singh, Capt.
Kamaluddin Ahmad, Shams-ul-Ulema.	Trivedi, Mr. C. M.
Khare, The Honourable Dr. N. B.	Tyson, Mr. J. D.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 14th March, 1944.