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THIRD SESSION
OF THE
SIXTH LEGISLATIVE ASSEMBLY
1947

Chamber Designated 18.7.73



LEGISLATIVE ASSEMBLY

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The Honourable Mr. G. V. MAVALANKAR.

Deputy President :

Khan MOHAMMAD YAMIN KHAN, M.L.A.

Panel of Chairmen :

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Mr. P. J. GRIFFITHS, M.L.A.

Sardar MANGAL SINGH, M.L.A.

Shrimati AMMU SWAMINADHAN, M.L.A.

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Mr. N. C. NANDI.

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Shri SRI PRAKASA, M.L.A.

Mr. C. P. LAWSON, M.L.A.

Sardar MANGAL SINGH, M.L.A.

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LEGISLATIVE ASSEMBLY

Wednesday, 5th February, 1947

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS

EXCLUSION OF INDIANS FROM FRANCHISE IN THE PROVINCE OF BRITISH COLUMBIA IN CANADA.

37. *Seth Govind Das: Will the Honourable Member for Commonwealth Relations be pleased to state:

(a) if Government are aware of the exclusion of Indians from municipal, provincial and federal franchise in the province of British Columbia in Canada; and

(b) the steps that the Government of India are taking in this connection and their result?

The Honourable Pandit Jawaharlal Nehru: (a) Yes.

(b) Government of India have made representations to the Government of Canada urging the desirability of conferring franchise on Indians in British Columbia. The Government of Canada have referred the matter to the Government of British Columbia and it is understood that the question is under the consideration of the Elections Act Committee which has been set up in British Columbia to consider the provisions of the Provincial Elections Act. It is understood the Committee has not yet submitted its recommendations.

Sardar Mangal Singh: May I know from the Honourable Member what other disabilities are placed upon Indians in Canada?

The Honourable Pandit Jawaharlal Nehru: So far as I know, certain other disabilities which follow from this disqualifications are present. That is, they cannot serve as trustees in any municipal, district or rural school or hold any municipal office or serve as jurors; they are debarred from employment by contracts for the Public Works Department and for the sale of Government timber. They cannot be registered as pharmaceutical chemists; they are also debarred from holding foreshore leases or from holding Engineer's certificates under the Boiler Inspection Act. In some occupations like the legal profession, medical profession, etc., it is understood that though the law may not specifically exclude Indians, the societies like the Bar Society manage to exclude Indians by administrative process.

Sardar Mangal Singh: Practically the same reply was given to me two years back. May I know if the Government of India is now moving directly in the matter or if they are still moving through H. M. G.?

The Honourable Pandit Jawaharlal Nehru: No, Sir, directly—directly in this sense. We have not got at the present moment a diplomatic representative in Canada but we have got a Trade Commissioner. We are exchanging diplomatic representatives and we hope that in the course of the next month or two the Canadian High Commissioner will be here and possibly an Indian High Commissioner will go there. But we are actually in direct contact and I may say that during the United Nations General Assembly meeting our delegates raised this question with Canadian delegates directly also and discussed with them.

Prof. N. G. Ranga: Is the Honourable Member aware that the late Right Honourable Srinivasa Sastri made the same complaint in 1921-22 and ever since no progress has been made?

The Honourable Pandit Jawaharlal Nehru: I am not personally aware of that complaint, but I have no doubt that this complaint has been made on many occasions. The House must realize that in these matters it is not very easy to get things done. In the past we have had to move through His Majesty's Government and all that we could do was to send representations. It is no good, I think, to go on sending representations unless something further can be done. I hope—in fact I understand—that they are in favour of removing all these disqualifications and that the matter is being considered by the Provincial Legislature there now.

Babu Ram Narayan Singh: Will the Honourable Member assure the House that things will improve in the near future.

Mr. President: Order, order.

RESTRICTIONS ON INDIANS TO OWN OR LEASE LAND IN KENYA HIGHLANDS AND TO PURCHASE SITES IN NAIROBI AND MOMBASA.

38. *Seth Govind Das: Will the Honourable Member for Commonwealth Relations please state the steps that the present Interim Government propose to take to remove the age-long restrictions on Indians to own or lease land in the Kenya Highlands for agricultural purposes and to purchase or occupy a number of residential sites in Nairobi and Mombasa?

The Honourable Pandit Jawaharlal Nehru: The Interim Government have taken no special steps in regard to the restrictions imposed on Indians in the Kenya Highlands and in Nairobi and Mombasa. This is an old grievance which affects not only Indians but Africans also and many representations have been made. Meanwhile, certain immigration bills have been initiated in East Africa which affect the entry of Indians. An Indian delegation was sent to East Africa and their report is under consideration. Government will take such steps as may be feasible and will continue to exert pressure for the removal of the various grievances from which Indians suffer. It has been our past experience that representations do not help much. The question of Indians abroad is intimately connected with the independence of India and when independence is achieved the status of Indians everywhere will inevitably improve.

Seth Govind Das: Under these circumstances will the Government think it advisable to raise the question of East Africa also in the U. N. O. Conference, as far as the Highlands of Kenya are concerned.

The Honourable Pandit Jawaharlal Nehru: That will be a matter for consideration at the time of the United Nations Assembly or just before that.

Prof. N. G. Ranga: Will care be taken by the Government of India in presenting these claims that no misunderstanding is created in the minds of the Africans that we are trying to claim exclusive rights for ourselves—to the exclusion of Africans?

The Honourable Pandit Jawaharlal Nehru: Every care is being taken to see that Indians do not claim any rights which adversely affect Africans.

REPLACING OF OLD EXPERIENCED EMPLOYEES BY YOUNGMEN FROM TECHNICAL SCHOOLS OF THE C. P. W. D.

39. *Pandit Sri Krishna Dutt Paliwal: Will the Secretary of the Works, Mines and Power Department please state:

(a) if it is a fact that the Central Public Works Department is replacing or proposes to replace the old experienced hands by young men from various technical schools recognised by the Department;

(b) the number of persons who will be discharged as a result of this move; and

(c) if it is a fact that the Railway and the Post and Telegraph Departments are following a common policy which permits recruitment to the subordinate service from out of experienced technicians in the respective workshops?

Mr. B. K. Gokhale: (a) During the war extensive temporary recruitment of personnel not possessing academic qualifications from any recognized technical institution was necessary. A proposal is now under consideration to hold Departmental tests with a view to the elimination of some of these unqualified persons. The nature of these tests and the categories of subordinates who should be required to take them, are under examination. If some men are eliminated as a result of these tests, the vacancies in the respective cadres will be filled up, if and when necessary, by recruitment of qualified persons.

(b) It is not possible to give the figure of persons who may ultimately be discharged at this stage.

(c) It is understood that in the Railway Department a certain proportion of vacancies in the subordinate Engineering cadres are filled by the promotion of staff already employed in the Department or those undergoing a course of apprenticeship in Railway workshops. No engineering qualifications are insisted upon in the case of persons so promoted. In the Posts and Telegraphs Department certain categories of staff employed on technical work receive promotion as a result of departmental examination, through passing which they can earn such promotion although they may lack any specified academic qualifications.

Pandit Sri Krishna Dutt Paliwal: Will Government consider the desirability of following the same policy in the Central Public Works Department which is being followed in the Railway and Posts and Telegraphs Departments?

Mr. B. K. Gokhale: Sir, as I said in reply to (a), the whole question is now under consideration and the point which has been raised will be borne in mind.

NATIONAL MINERAL POLICY.

40. *Pandit Sri Krishna Dutt Paliwal: Will the Secretary of the Works, Mines and Power Department please state:

(a) the decisions arrived at in the conference on national mineral policy held recently in Delhi; and

(b) the scheme of co-ordination of policy among the various provinces in connection with production, conservation and utilization of minerals in the country?

Mr. B. K. Gokhale: (a) and (b). The conference on the national mineral policy was held on the 10th and 13th January 1947 in New Delhi in two sections—one consisting of representatives of trade, commerce, labour and other interests and the other of representatives of Provinces and States. Copies of the agenda and notes prepared by the Department of Works, Mines and Power and of the proceedings of the conference are placed on the table.† Government are now examining the views expressed and a Press Note is likely to be issued summarising the decision reached.

Seth Govind Das: Are Government aware that as far as the Central Provinces is concerned, it is the province which is considered to be very rich in mineral resources but it is the most undeveloped province at present; and will Government consider the necessity of paying special attention to that province so as to have the mineral resources of the province developed immediately?

Mr. B. K. Gokhale: Sir, Government are considering the problem as a whole for the whole of India. Mineral development in provinces is actually a matter for Provincial Governments. I cannot say that any special attention will be paid to any particular province, but the whole problem in respect of the whole of India is under consideration.

† Not printed in these Debates. Copy placed in the Library of the House.—Ed. of D.

Mr. K. O. Neogy: Does the Honourable Member hope to be able to introduce any legislative measure in connection with the recommendations made at this conference?

Mr. B. K. Gokhale: The matter is still under the consideration of the Government.

Mr. Sasanka Sekhar Sanyal: May I know whether any suggestion has been made to foreign companies who are entrusted with the operation of petroleum, asking them to take Indian personnel for training for future purposes?

Mr. B. K. Gokhale: This point was discussed at the Mineral Policy Conference and the Honourable Member might care to look at the proceedings. As I said, the matter is still under consideration. I cannot go any further.

Mr. N. M. Joshi: May I ask whether Government have considered the question of the management of these mines by the State and not merely the question of the ownership of the mines being brought under the State?

Mr. B. K. Gokhale: Both these questions were placed before the Mineral Policy Conference and discussions took place, which will be found in the proceedings. I cannot add anything more.

Dr. Zia Uddin Ahmad: Will the Honourable Member make these proceedings available to the members of the Assembly?

Mr. B. K. Gokhale: They have been placed on the table.† I have also got a copy here.

Shri Mohan Lal Saksena: How long will Government take to arrive at decisions?

Mr. B. K. Gokhale: I am unable to answer that question.

Shri Mohan Lal Saksena: Will it be before the end of this budget session?

Mr. B. K. Gokhale: The matter is being pursued as quickly as possible. I cannot say when Government will take a decision.

SALE OF INDIAN MEDICINES IN MAURITIUS AND PROTEST AGAINST MR. RIDLEY'S STATEMENT *re* ADOPTION OF FRENCH NAMES BY INDIANS.

41. *Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Commonwealth Relations please state:

(a) whether Government are aware that Indians in Mauritius desire to use Indian medicine because it suits their system;

(b) the steps Government propose to take to enable Indian medicines being sold in Mauritius in open market;

(c) whether Government are aware that Indians in Mauritius strongly protest against Mr. Ridley's statement that it is a common custom among Indians there to adopt French name, take to European way of living and then cease to regard themselves as Indians;

(d) whether Government are aware that Indians are forced to change their names and dresses to get higher posts;

(e) whether Government are aware that there is not a single high ranking Indian Officer with an Indian name; and

(f) the steps Government propose to take to enable Doctors qualified from Indian Universities, to join services or start private practice in Mauritius as in East Africa?

The Honourable Pandit Jawaharlal Nehru: (a), (c), (d) and (e). Information is being collected and will be placed on the table of the House as soon as it is received.

(b) and (f). What steps, if any, can or should be taken can be decided only after the information is received.

† Not printed in these Debates Copy placed in the Library of the House.—*Ed. of D.*

IMMIGRATION OF INDIAN LABOUR INTO MALAYA.

42. *Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Commonwealth Relations please state:

(a) if the attention of Government has been drawn to the view expressed by Mr. J. V. Thivy, President of the Malaya Indian Congress, who was one of the Ministers of the Azad Hind Government that the Government of India should ban the immigration of Indian labour into Malaya; and

(b) the steps Government have taken or propose to take to stop the immigration of Indian labour into Malaya in view of the bad labour conditions in that country?

The Honourable Pandit Jawaharlal Nehru: (a) Yes, Sir.

(b) The emigration of unskilled labour to Malaya has been banned since 1938 and the question of stopping further emigration of unskilled Indian labour does not arise. The emigration of skilled Indian labour to Malaya is governed by the provisions of the Indian Emigration Act, under which no such worker is allowed to emigrate unless the Protector of Emigrants is satisfied about the terms and conditions which are proposed to be offered to the emigrant by his employer. Government of India do not, therefore, consider it necessary to stop the emigration of such labour for the present.

Mr. N. M. Joshi: May I know whether skilled labourers are actually being taken to Malaya at this time?

The Honourable Pandit Jawaharlal Nehru: I cannot give the Honourable Member any figures. So far as I know, very few are being taken. I am not quite sure.

INDIAN NATIONALS IN THE UNITED NATIONS SECRETARIAT.

43. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable Member for External Affairs please state how many Indian Nationals are there in the United Nations Secretariat?

(b) Is it a fact that out of 3,000 members of the Secretariat staff only 3 Indians have been appointed?

(c) Have Government expressed their resentment in any communication at this very unsatisfactory state of affairs that exists in connection with the recruitment to the United Nations Secretariat?

(d) How many applications had been submitted by Indians?

(e) What response, if any, has been received to such representation?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). Out of a total staff of 2,992 in October last, the number of Indians was five. One more Indian has since been appointed.

(c) The Government have made strong representations on this matter to the United Nations Secretariat direct and through their delegates to the General Assembly and have instructed their representative on the Administrative and Budgetary Committee of the United Nations and their Liaison Officer at United Nations Headquarters to press continually for the appointment of more Indian nationals in the United Nations.

(d) Government have no information.

(e) Government understand that the candidature of a number of Indians is at present under consideration in the Bureau of Personnel in the United Nations Secretariat.

Mr. Ahmed E. H. Jaffer: May I ask the Honourable Member what steps will be taken to see that all communities including the Muslims get their proper share of the employment in the U.N.O. Secretariat?

The Honourable Pandit Jawaharlal Nehru: So far as Government are concerned, they are at present interested in the employment of competent, efficient

Indians. In all such matters general care is taken that there should be a fair allotment in regard to communities and provinces and the like but the first matter for consideration is merit and merit alone.

Sardar Mangal Singh: When was this representation sent?

The Honourable Pandit Jawaharlal Nehru: Quite a number of representations have been sent. Recently, I believe in the course of the last month, I wrote a personal letter to the Secretary General of the United Nations Organisation.

Sardar Mangal Singh: May I know whether Government have received any reply from them?

The Honourable Pandit Jawaharlal Nehru: We have received replies saying that they are doing their utmost. Till November last, applications were sent direct to the United Nations Secretariat. Since then they have to go through the Federal Public Service Commission here.

EXISTENCE OF URANIUM IN INDIA FOR THE PRODUCTION OF ATOMIC ENERGY

44. *Seth Govind Das: (a) Will the Secretary of the Works, Mines and Power Department please state if Government have made any attempts with a view to estimate the extent of the existence of uranium in India for the production of atomic energy?

(b) If so, with what results?

Mr. B. K. Gokhale: (a) and (b). Attention is invited to the replies given in this House on the 1st November, 1946, to part (a) of Mr. K. C. Neogy's Starred Question No. 156 and to Mr. Manu Subedar's first Supplementary question to question No. 156 on the same date and the reply given in the Council of State to Flight Lieutenant Rup Chand's question No. 133 on the 20th November 1946. Dr. Krishnan has since gone to the United Kingdom. Further developments await his return to India towards the end of February 1947.

Dr. Zia Uddin Ahmad: Have Government received any estimate of the quantity of uranium in this country?

Mr. B. K. Gokhale: Dr. Krishnan is at present in the United Kingdom and when he comes back he will set up an uranium unit. In due course we may get an estimate of the quantity of uranium likely to be available in India.

PURCHASE OF INDIAN GUNNY BAGS IN CEYLON BY THE SOUTH AFRICAN GOVERNMENT

45. *Seth Govind Das: (a) Will the Honourable Member for Commonwealth Relations please state if Government are aware that recently large quantities of gunny bags have been purchased in Ceylon on behalf of the South African Government and the representatives of the South African Government were in Ceylon to fix up the necessary export permission?

(b) Are Government aware that these gunny bags were of Indian origin?

(c) What steps have Government taken to represent the matter to the Ceylon authorities, with a view to check this 'sabotage' of the Government of India policy of imposing economic sanctions against South Africa?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). Yes, Sir.

(c) Necessary representations were made by the Government of India through their Representative in Ceylon and although about 311,000 gunny bags were shipped from Ceylon to South Africa while the representations of the Government of India were under consideration of the Government of Ceylon, that Government subsequently cancelled all outstanding licences and prohibited the export of about 489,000 gunny bags to South Africa.

Seth Govind Das: Before cancelling these licences, when our representative Mr. Aney was already present in Ceylon, may I know how those gunny bags could be exported from Ceylon to South Africa, in spite of his being there?

The Honourable Pandit Jawaharlal Nehru: How can Mr. Aney be expected to sit at the docks, watching every item that is exported?

Seth Govind Das: Did he get any information when that material was being exported?

The Honourable Pandit Jawaharlal Nehru: As soon as he got information he took strong measures about it.

APPOINTMENT OF A PERMANENT TARIFF BOARD

†46. ***Maharajakumar Dr. Sir Vijaya Ananda:** Will the Honourable the Commerce Member be pleased to state if Government propose to set up a permanent Tariff Enquiry Board in the place of the present "ad hoc" Tariff Enquiry Board? If not, why not?

The Honourable Mr. I. I. Chundrigar: The question is under the consideration of Government.

ABOLITION OF CENTRAL ELECTRICITY POWER CONTROL BOARD

†47. ***Maharajakumar Dr. Sir Vijaya Ananda:** (a) Will the Secretary of the Works, Mines and Power Department please state, whether Government are aware that the Central Electricity Power Control Board has proved useful in co-ordinating schemes of power development as between neighbouring provinces and its helpful role in multilateral development of river valleys and the impending irrigation schemes designed to generate power for agriculture and industrialization?

(b) If so, do Government propose to reconsider their decision to abolish the Board?

Mr. B. K. Gokhale: (a) and (b). The Central Electric Power Control Board which administered some of the Electricity Control Orders passed under the Defence of India Rules became extinct on the 1st October 1946 on the expiry of the Defence of India Act. The Honourable Member, however, appears to refer to the Central Technical Power Board which was constituted in 1944 for a period of five years. This Board has been doing very useful work in connection with the Damodar Project and various electrification schemes and there is no proposal under consideration to abolish it.

DUAL RESPONSIBILITY OF THE GOVERNOR OF N. W. F. P. AS GOVERNOR AS WELL AS AGENT TO GOVERNOR GENERAL FOR TRIBAL AREAS

†48. ***Maharajakumar Dr. Sir Vijaya Ananda:** Will the Honourable Member for External Affairs be pleased to state if Government propose to take the necessary steps to end the dual responsibility of the North-West Frontier Province Governor as Governor of the Province as well as Agent to the Governor-General in matters relating to the tribal areas as the first necessary step to the inauguration of a new frontier policy?

The Honourable Pandit Jawaharlal Nehru: I am aware of criticisms having been made in regard to the dual responsibility of the Governor. Any such arrangement inevitably raises difficulties. A change in it will depend on the recommendations of the Advisory Committee and the decisions of the Constituent Assembly.

DIVISION OF QUOTA BETWEEN SHIPPERS FOR THE EXPORT OF COTTON BALES.

49. ***Mr. Ahmed E. H. Jaffer:** Will the Honourable the Commerce Member be pleased to state:

(a) the total number of cotton bales allowed to be exported from India to different parts of the world for the quarter ending December 1946 and for the quarter ending March 1947;

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

(b) the number of cotton bales to be exported from each port;

(c) the reasons for giving 75 per cent. quota to shippers for basic period of 3 years ending March 1939 as compared to 25 per cent. fixed for shippers for the basic period of 3 years ending November 1946, why this preference has been given to shippers of the former basic period compared to those of the latter;

(d) if it is a fact that at the last meeting of the Standing Advisory Committee of the Commerce Department held on 18th November 1946, it was unanimously decided that 50 per cent. quota should be divided between shippers of both these periods; if so, the reason why the recommendations of the Standing Committee were overlooked; and

(e) whether Government propose to issue instructions to implement the recommendations of the Standing Committee and see that the total export of cotton is equally divided between the exporters of both the basic periods?

The Honourable Mr. I. I. Chundrigar: (a) and (b). I lay a statement on the table.

(c) As a rule export of important commodities is allowed through established trade channels. In most cases, the basic period for determining the status of established traders is either 1941-42 or the average of the three pre-war years. Government, however, realises the necessity for giving a share in the export trade to more recent entrants in the trade also. It was in order to provide for them that 25 per cent. of the quota was reserved for exporters of the three yearly period ending November 1946.

It has further been decided to allot quotas to shippers of the latter basic period out of the balances which might accrue on account of shippers of the period 1936-39, who are no longer in business.

(d) It is not correct that it was unanimously decided by the Standing Advisory Committee that raw cotton exports should be apportioned equally between old and new shippers. Only a suggestion to this effect was made by two members of the Committee and the matter was left for decision by the Department.

I gave full consideration to the suggestion but came to the conclusion that it would be unfair to the established shippers to reduce their share to fifty per cent.

(e) Does not arise.

Mr. Manu Subedar: In the permission so far given, it is only the interests of the shippers, that is, the private interests of merchants, are considered. May I know whether the Government will examine the issue whether the export of cotton in future to countries which need it badly may not be used as a counter for a barter agreement in order to get essential commodities needed by this country, such as, food, cloth, steel, timber and various other articles?

The Honourable Mr. I. I. Chundrigar: Government have considered the question, but there are so many other countries from which cotton can be procured by those who require it that it does not appear possible to use cotton exports for barter purposes. But if there is any specific case in which raw cotton exports could be used for barter purposes, Government will certainly examine the question.

Mr. Manu Subedar: Have Government examined the possibility of giving cotton to Japan only on condition that half of it was turned into cloth and brought back here?

The Honourable Mr. I. I. Chundrigar: So far as Japan is concerned, the Honourable Member may be aware that all the surplus production of Japan is taken over by the occupying Administration. Government has taken up with the authorities concerned the question of allocation of a portion of surplus Japanese production to India, and the matter is being pressed by Government.

Seth Sukhdev: As regards part (d) was it not unanimously decided by the Standing Committee that 50 per cent. should be allowed to established shippers and 50 per cent. to the non-established shippers?

The Honourable Mr. I. I. Chundrigar: The Honourable Member may be aware that the minutes of the proceedings show that the suggestion was made only by two Members; and the minutes also show that the matter would be considered by the Government. As I have mentioned in the reply, I have fully considered the question and I find that it would be unfair to the established shippers to reduce their share to 50 per cent.

Mr. Ahmed E. H. Jaffer: My suggestion in this Committee was supported even by the Members of the Council of State. But assuming that this was not unanimously recommended, may I ask the Honourable Member that when we meet tomorrow morning and if this Committee unanimously decides . . .

Mr. President: That is a hypothetical question.

Mr. Ahmed E. H. Jaffer: May I ask the Honourable Member if the Government is prepared to accept the recommendation of the Committee; otherwise what is the use of having a Committee at all?

The Honourable Mr. I. I. Chundrigar: Government will only examine the recommendations of the Committee, but they cannot give an undertaking to accept them *in toto*.

Prof. N. G. Ranga: What are the special reasons which have influenced the Government to give so much concession to the so-called established shippers in preference to the new people who have come in the trade?

The Honourable Mr. I. I. Chundrigar: The Honourable Member may be aware that those people who have been in the business for a long time and who were exporters in the basic period know the requirements of the countries to which exports take place. They know the parties with whom they have got to deal and they know the particular varieties of cotton which find a market in a particular country. If you want to bring in outsiders, you can only bring them in gradually. It is not the policy of Government to make the established shippers the sole holders of a monopoly. It is therefore that the Government would like to have new entrants, but they cannot claim a 50 per cent. share.

Mr. Ahmed E. H. Jaffer: May I ask whether it is the policy of the Government not to accept the unanimous recommendations of the Committee?

Mr. President: It covers the same question again.

Mr. Sasanka Sekhar Sanyal: Is it not a fact that the Government is a party to the unanimous decisions of a Committee in which the Government is represented?

The Honourable Mr. I. I. Chundrigar: The meeting is held to ascertain the views of the Members. After that, the Government has got to examine them and take their own decision.

Sjt. N. V. Gadgil: In view of the fact that it is very difficult for the Government to patronise the established shipper on the one hand and to introduce new ones on the other, would it not be better for Government to take over the whole export trade?

The Honourable Mr. I. I. Chundrigar: There are obvious difficulties in the way, but with regard to particular items the question will be considered.

DIVERSION OF GUNNY BAGS TO SOUTH AFRICA FROM CEYLON.

50. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state if Government have enquired about the firms through which the gunny bags, which found their way to South Africa through Ceylon, were sold?

(b) When Ceylon was taking more than its quota, was not the attention of any authority in India drawn to the possibility of mischievous diversion to South Africa?

(c) Do Government propose to take any steps (i) to deal with the members of the jute trade concerned and (ii) to take an undertaking in future from every purchaser of jute or jute products, that the same shall be used in the country to which it is sent and not be diverted to South Africa?

The Honourable Mr. I. I. Chundrigar: (a) Yes, Sir. The firms concerned are: (1) Austin De Mel Limited, (2) Tillekeratna and Company, (3) Dodwell and Company Limited, (4) Hayley and Kenny Limited, (5) Aristonas, (6) A. P. Appadurai.

(b) The export of jute fabrics to all destinations, including Ceylon, is strictly regulated in accordance with destinational quotas and exports in excess of quotas fixed are not allowed. Ceylon was not taking more than its allotted quota, and the Government of India had no reason to assume that a portion of the quota would be diverted to South Africa.

(c) (i) The firms concerned are outside the jurisdiction of the Government of India. The matter was taken up with the Ceylon Government and assurances obtained with regard to the future.

(ii) It is not necessary to obtain and enforce such an undertaking from individual purchasers, but satisfactory assurances have been and are being obtained from Governments of the territories from which leakage of jute fabrics into South Africa is suspected.

Mr. Manu Subedar: Has the attention of the Honourable the Commerce Member been drawn to a statement of the Ceylon Trade Commissioner to the effect that the exporting firms were Indians and has his attention also been drawn to a violent denial of such a charge by the Ceylon Indian Chamber of Commerce?

The Honourable Mr. I. I. Chundrigar: As has been mentioned, out of the six firms only one is an Indian firm.

Mr. Manu Subedar: What steps do Government propose to take with jute shippers in Calcutta for getting first adequate information of the quantity sold, the destinations and the possible use, if not quite an assurance? The Honourable Member has said that assurance need not be taken, but other steps are being taken. I want to know whether Government will have full information of the destinations and the use to which the lots which are sold by jute shippers of Calcutta will be put to?

The Honourable Mr. I. I. Chundrigar: The Honourable Member is aware that destination quotas are fixed by Government after taking into consideration the requirements of each destination or country. The destination quota is fixed only if Government is satisfied that the importing country requires the jute or jute fabrics for which it makes a demand. The shortage of jute products is so great that Government has practically been compelled to cut down the estimated demand of the various countries, and the ultimate destination quota fixed is hardly sufficient to enable them to make any re-exports. So far, in the case of countries from which leakage was suspected, we have insisted on taking an undertaking from Governments concerned, but not from the importers in those countries, that there would be no diversion to South Africa.

Mr. Manu Subedar: Are Government collecting information as to the substitutes which are being suggested and devised in various countries for jute goods in which India has a predominant interest?

The Honourable Mr. I. I. Chundrigar: Government have examined the question and they do not apprehend any serious competition from substitute fabrics. It would not be economic for those countries to do so.

Seth Govind Das: May I take it that the jute which was being exported to South Africa was from the quota to Ceylon and under these circumstances, will the Government consider the desirability of re-examining the quota to Ceylon?

The Honourable Mr. I. I. Chundrigar: The exports from Ceylon were not of new gunnies sent there, but of certain used gunnies. The representation made to the Government of Ceylon was that "if you allow any exports of new gunnies or used gunnies from your country to South Africa, the Government of India will presume that you have got more stocks than is necessary and that your quota can be cut down". It was after this representation was made that the Government of Ceylon gave the requisite undertaking.

EXTENSION OF THE LIFE OF TARIFF BOARD

51. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state the decision that the Government have reached about extending the life of the Tariff Board?

(b) When is the enquiry on textile, sugar and steel due, and what arrangements do Government propose for such enquiry?

The Honourable Mr. I. I. Chundrigar: (a) The Tariff Board was set up for a period of two years with effect from November 1945 and the question of continuing it for a further period is under consideration.

(b) Attention of the Honourable Member is invited to the Commerce Department Resolution No. 28-T(6)/46, dated the 20th January 1947, a copy of which is laid on the table.

DEPARTMENT OF COMMERCE

RESOLUTION

TARIFFS

New Delhi, the 20th January, 1947

No. 28-T (6)/46.—In their Resolution in the Department of Commerce No. 218-T (55)/45, dated the 3rd November 1945, the Government of India announced the setting up of a Tariff Board to investigate claims for assistance or protection received from industries which have been started or developed in war time.

2. Government have also under consideration the question of continuance of protection to certain industries which were established before the war and were granted tariff protection on the basis of recommendations made by previous Tariff Boards. They have decided to request the Tariff Board, set up under the Resolution referred to in the preceding paragraph, to investigate and advise them with regard to the claims of such industries.

3. Government recognise that, in the present abnormal conditions, it would not be possible to formulate a long term tariff policy in respect of the well established industries.

The Tariff is accordingly requested to hold summary inquiries and advise Government whether, in present circumstances, protection at the existing or at a different scale should be granted for a further year after the 31st March 1947 to the following industries :—

- (i) Sugar;
- (ii) paper and wood pulp;
- (iii) cotton textile;
- (iv) iron and steel.

ORDER

ORDERED that a copy of this Resolution be communicated to All Provincial Governments, all Chief Commissioners, the several Departments of the Government of India, the Political Department, the Private and Military Secretaries to His Excellency the Viceroy, the Central Board of Revenue, the Auditor General, the Director General of Employment and Resettlement, the Director General, Industries & Supplies, the High Commissioner for India in London, the Economic Adviser to the Government of India, the Director of Commercial Intelligence, Calcutta, the Indian Trade Commissioner, London, the Indian Trade Commissioners at New York, Buenos Aires, Toronto, Alexandria, Colombo, Paris, Mombasa, Tehran and Sydney, the Trade Agent, Kabul, His Majesty's Senior Trade Commissioner in India, the American Consulate General, Calcutta, the Canadian Trade Commissioner in India, the Australian Trade Commissioner in India, the Secretary, Tariff Board, Bombay, and all recognised Chambers of Commerce and Associations.

ORDERED that a copy be communicated to the Government of Burma.

ORDERED also that it be published in the *Gazette of India*.

N. R. PILLAI, Secy.

Mr. Manu Subedar: Will the Honourable Member repeat in this House what he said in Calcutta that Government contemplated the expansion of the Tariff Board with a view to expedite the enormous work which it has got in front of it? Will the Honourable Member like to make a statement on that subject?

The Honourable Mr. I. I. Chundrigar: I have already made the statement referred to by the Honourable Member at Calcutta that Government are considering the question of the expansion of the Tariff Board and the decision of the Government will be announced soon.

Dr. Zia Uddin Ahmad: Has the question of protection for rubber been referred to the Tariff Board?

The Honourable Mr. I. I. Chundrigar: I want notice. I think the question of rubber is being dealt with by the Department of Industries and Supplies.

APPOINTMENT OF TRADE COMMISSIONERS

52. ***Mr. Manu Subedar:** (a) Will the Honourable the Commerce Member please state the number of Trade Commissioners who are now functioning abroad?

(b) How many were in Europe before the war?

(c) What arrangements are made for the appointment of more Trade Commissioners, and whether such appointments will take place according to the existing or possible trade?

The Honourable Mr. I. I. Chundrigar: (a) Ten.

(b) Three.

(c) The question of the opening of new offices in other important trade centres in the world is under active consideration, and in this connection the existing as well as the potential trade with those areas will be taken into consideration.

Mr. K. C. Neogy: Are Trade Commissionerships likely to be amalgamated with Consular appointments as and when they are made on behalf of India?

The Honourable Mr. I. I. Chundrigar: No, Sir. Appointments of Trade Commissioners will be kept separate from consular appointments because they have got to discharge entirely different functions.

Mr. Manu Subedar: In view of the fact that India is very much short of steel, not to speak of capital equipments of different kinds, has the Honourable the Commerce Member considered the desirability of having somebody already on the spot in places like Belgium, Czecho-Slovakia who would be able to supply these goods to us?

The Honourable Mr. I. I. Chundrigar: The question of importing steel from these various countries is under the consideration of Government. The difficulties experienced are that the prices demanded by other countries for steel are much higher than the prices prevailing in India. Government allows imports from countries where we can get them at economic prices. The matter has been taken up with the representatives of Government of Belgium and other countries here when they come in to demand jute quotas and we are trying to ensure that India gets the maximum possible quantity of steel from those countries.

Mr. Manu Subedar: May I again press this point a little? Have the Government considered the desirability of having, if not permanent Trade Commissioners, but having travelling representatives who will not only make enquiries of all the available surplus in these goods, but also on Government behalf, not through private trade channels, make bargains or barter agreements for given quantities of steel and other goods which we badly need and offer in their place such surplus commodities as India can give and as those countries require?

The Honourable Mr. I. I. Chundrigar: Government is considering the appointment of a Trade Commissioner in Belgium and after receiving his report, the question will be considered.

Seth Govind Das: Are Government aware that even if steel is purchased at higher price from abroad, still it would be less than what the consumer has to pay for the article in the black market in this country?

The Honourable Mr. I. I. Chundrigar: We are of course allowing imports which as you put it, are at slightly higher prices. But in many cases the prices demanded are very high. The matter concerns the Industries Department who are at present responsible for imports of iron and steel.

Mr. Manu Subedar: Which are the three countries which have got trade representatives now and which had trade representatives before the war and which have not got now?

The Honourable Mr. I. I. Chundrigar: So far as Europe is concerned, we have got trade representatives in London and in Paris and the question of opening trade commissioners' offices in some other countries of Europe is under consideration.

Diwan Chaman Lall: Has the Honourable Member received any report from the Trade Commissioner in Paris ever since his appointment six months ago?

The Honourable Mr. I. I. Chundrigar: Some reports have been received.

Diwan Chaman Lall: Has the Honourable Member received any report regarding his activities since his appointment six months ago?

The Honourable Mr. I. I. Chundrigar: Several enquiries were made of the Trade Commissioner in Paris and he sent reports on the questions referred to him.

Diwan Chaman Lall: Is the Honourable Member aware that this matter was raised in the Standing Finance Committee and it was stated by the Honourable Member's representative that since his appointment six months ago, this Trade Commissioner has not submitted a single report about his activities.

The Honourable Mr. I. I. Chundrigar: Probably he did not send a report of his own. But on the questions which were referred to him, we received reports.

Prof. N. G. Ranga: Is it not the duty of the Trade Commissioner to send periodical reports, apart from the answers to various questions referred to him, by the Government of India?

The Honourable Mr. I. I. Chundrigar: It is a matter of opinion. Perhaps he had nothing of particular importance to report about.

Prof. N. G. Ranga: I am not asking for any opinion at all. Is it or is it not one of the duties of the Trade Commissioner to send periodical reports in regard to his appreciation of the trade conditions in countries where he is appointed?

Mr. President: The Honourable Member wants to know whether such duties are assigned to him?

The Honourable Mr. I. I. Chundrigar: I do not know whether this has been specifically provided for. But I assume it is his duty to send reports.

BALANCE OF TRADE BETWEEN, AUSTRALIA, U. K., CANADA, U. S. A., AND INDIA AND THE NUMBER OF IMPORT LICENCES FROM THE DOLLAR AREAS.

53. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member be pleased to state the balance of trade between India and Australia, India and United Kingdom, India and Canada, and India and United States of America, for and upto the last month for which information is available, for the year 1946-47?

(b) How many import licences for purchase from the Dollar area have been given during the year 1946/47 upto the last date for which figures are available, and what is the total value thereof?

The Honourable Mr. I. I. Chundrigar: (a) A statement showing the balance of trade in merchandise (private) and treasure (private) between British India and (1) Australia, (2) the United Kingdom, (3) Canada and (4) the United States of America in the month of September, 1946 and the six months ending September, 1946 is placed on the table. The figures given in the statement relate only to private trade and do not therefore give an accurate picture of the *real* balance of trade, which is bound to be substantially affected by State trading activities, especially in regard to import of foodgrains from abroad. In particular, in view of large scale imports of foodgrains on State account from the United States, the balance of trade with that country will not be so heavily in our favour as has been shown in the statement.

(b) The required information is being collected and will be placed on the table of the House in due course.

Statement showing the balance of trade in merchandise (private) and treasure (private) between British India and (1) Australia, (2) the United Kingdom, (3) Canada and (4) the United States of America in the month of September, 1946 and the six months ending September, 1946.

(In lakhs of rupees).

Countries and month	Exports and re-exports from British India	Imports into British India	Balance of trade in merchandise	Balance of transactions in treasure India	Total visible balance of trade
1. Australia—					
September, 1946	94	1,23	—29		—29
Six months ending September, 1946	5,57	4,40	+1,17		+1,17
2. United Kingdom—					
September, 1946	5,48	11,06	—5,58	..	—5,58
Six months ending September, 1946	28,23	48,64	—20,41	—15	—20,56
3. Canada—					
September, 1946	87	51	+36		+36
Six months ending September, 1946	3,17	3,70	—53		—53
4. United States of America—					
September, 1946	5,91	3,18	+2,73	—16	+2,57
Six months ending September, 1946	38,83	21,23	—17,60	—16	+17,44

Mr. Manu Subedar: Have Government seen complaints and comments in newspapers, particularly the *Times of India*, Bombay that from America it is ties, lipsticks, creams and various other things that are coming galore to this country and that the exchange available in the hands of the State is being wasted in directions in which it ought not to be wasted?

The Honourable Mr. I. I. Chundrigar: Permission for import is given only after fully considering the exchange available and the requirements of consumer goods in the country.

TREATY OF COMMERCE AND NAVIGATION BETWEEN U. S. A. AND INDIA.

54. ***Mr. Manu Subedar:** (a) Will the Honourable the Commerce Member please state if a treaty of commerce and navigation is being negotiated between United States of America and India?

(b) At what stage are these negotiations?

(c) Is it proposed to send a deputation from India to United States of America?

(d) Will there be any non-official on this deputation?

The Honourable Mr. I. I. Chundrigar: (a) No, Sir.

(b) Does not arise.

(c) No, Sir.

(d) Does not arise.

Mr. Manu Subedar: Is it a fact that the U.S.A. Government offered a trade treaty with this country in 1939 and this country did not accept the offer?

The Honourable Mr. I. I. Chundrigar: The question was fully discussed when this very question was put by the Honourable Member in the last session, and I have nothing to add to what I then stated.

Mr. Manu Subedar: Has the Honourable Member's attention been drawn to the statement of the Secretary to the United States Government that so long as the safeguarding clauses exist in the Government of India Act the U.S.A. Government which wants a treaty with the most favoured nation clause cannot have it and that that is the principal obstacle in the way? If so, what steps are Government going to take to reach a definite treaty with the U.S.A.?

The Honourable Mr. I. I. Chundrigar: I have seen a newspaper report of the statement referred to. The question raised therein is governed by the Government of India Act, 1935, and it is not possible to do anything in the matter at this stage.

Mr. Manu Subedar: May I know if Government have foresworn the assurances given on the floor of this House by Sir Ardeshir Dalal and their predecessor Government that they will as early as possible take every step in order to remove these safeguards from the Government of India Act?

The Honourable Mr. I. I. Chundrigar: I shall require notice of that question, because I do not know what reply was given by Sir Ardeshir Dalal on the subject.

CONGRESS DELEGATION TO THE TRIBAL AREAS OF THE N. W. F. P.

55. ***Mr. Sasanka Sekhar Sanyal:** Will the Honourable Member for External Affairs be pleased to state:

(a) whether his attention has been drawn to the newspaper reports that a congress delegation to the tribal areas of the North West Frontier Province was prevented from proceeding to their destination by the authorities of the Khyber Agency;

(b) whether his attention has further been drawn to the statement of Badshah Khan (Khan Abdul Gaffar Khan) in this matter; and

(c) whether any enquiry has been made by Government, and if so, the results of such enquiry and the action taken or proposed to be taken by the Government of India?

The Honourable Pandit Jawaharlal Nehru: (a) Yes.

(b) Yes.

(c) Yes. A report was called for and the local administration stated that a party of *Khudai Khidmutgars* sought to enter the Khyber Agency by the

Mullagori Road without previously informing the Political Agent. It was further stated that there is no official at this point of entry. The members of the party were, it is said, informed by the local khassadars (tribal police) that they might meet with opposition in villages, if they proceeded, and thereupon, the party decided to return. There was nothing to prevent them from entering the tribal territory on their own responsibility, had they so decided. In these circumstances, no further action was called for in this particular case. General instructions have, however, been issued to the Political Agents by the Frontier Administration that Political workers of any party are free to enter tribal territory on the understanding that no responsibility for their safety can be undertaken, unless they inform the Political Agent concerned and keep to the protected roads. These instructions have been issued because of complaints received that there was some discrimination about allowing some people to enter while others were not allowed to do so.

Mr. Sasanka Sekhar Sanyal: May I know what kind of control is exercised by the Government of India over the Political Department connected with these tribal areas?

The Honourable Pandit Jawaharlal Nehru: I do not quite understand this question. The tribal areas are under the control more or less of the Agent to the Governor General who happens to be the Governor of the province. The Governor of the province in some vague sense is responsible to the External Affairs Department. I cannot definitely define where the line comes in, but in a sense the responsibility is that of the External Affairs Department, but it is exercised through the Agent to the Governor General who presumably is responsible to both the Governor General and the External Affairs Department.

Mr. Sasanka Sekhar Sanyal: In view of the fact that from time to time the Governor of the province as Agent to the Governor General has taken steps and passed orders which were not liked by the Government of India, have the Government of India considered the question of appointing somebody else as Agent to the Governor General, other than the Governor himself?

The Honourable Pandit Jawaharlal Nehru: The Government of India are considering the replacement of large numbers of officers in India by more suitable persons.

COMPOSITION OF U. N. O. SECRETARIAT

†56. ***Mr. Vadilal Lallubhai:** Will the Honourable Member for External Affairs please state:

(a) the country-wise composition of the U. N. O. Secretariat and as to how many Indians are there and in what positions;

(b) whether Government are aware that the Indians at present appointed there are only on lower positions and that there is not a single Indian on any higher position in the whole of the U. N. O. Secretariat;

(c) whether Government are aware that the authorities that are responsible for such appointments are unsympathetic towards many delegations in this respect; and

(d) if so, whether the Government of India propose to demand from the U. N. O. increased representation for India in view of India's growing importance in the international affairs?

The Honourable Pandit Jawaharlal Nehru: (a) A statement has been laid on the table. One appointment of an Indian in a higher grade has since been made and a second is under consideration.

(b) There is one Indian in a higher position.

(c) Government have no reason to think that the authorities concerned are unsympathetic, although unfortunately very few Indians have so far been appointed.

(d) Government are continually pressing for the increased representation of India on the United Nations Secretariat.

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

APPENDIX I (corrected)
Nationality by Salary Groups of United Nations Secretariat Personnel Including London and Geneva Offices and appointments Pending (Less Consultants)
as of 15 October 1946.

Nation.	Under	\$3500	\$5500	\$7500	Over	Total	London.	Geneva.	Grand
	\$3500	5499	7499	9999	\$10,000	Total			Total
Argentina	1		1			2			2
Australia	2	1	3	2	1	9	2		9
*Austria . . . . .	...	...	1		...	1	...	1	2
Belgium	41	13	4	1	1	60	2	3	63
Bolivia . . . . .	...	...	2	...		2			2
Brazil	4	1	2	1		8			8
Canada	31	24	12	3	1	121	3		121
Chile	6	5	1	1	1	14	1		14
China	28	25	10	2	3	68			68
Colombia	1	...	...	...	...	1			1
Cuba	1	2	...	1	...	4			4
Czechoslovakia	10	7	7	2	1	27	4	1	28
Denmark	6	2	4	...	1	13	...	...	13
Dom. Republic	2	2	...	...	...	4	...	...	4
Ecuador	6	1	1	...	...	8	...	...	8
Egypt	1	2	1	...	...	4	...	...	4
El Salvador	1	...	...	...	...	1	...	...	1
France	137	77	34	13	5	266	30	31	297
Greece	2	1	3	...	...	6	...	...	6
Haiti	7	...	...	...	...	7	...	...	7
India	1	1	1	...	...	3	...	...	3

STARRED QUESTIONS AND ANSWERS

Iran	3	2	...	...	...	5	...	5
Iraq . . . . .	...	1	...	...	...	1	...	1
Liberia	1	...	...	...	...	1	...	1
Mexico	1	...	...	...	...	2	...	2
Netherlands	11	3	7	1	1	23	5	26
New Zealand . . . . .	...	1	1	...	...	2	...	2
Nicaragua . . . . .	...	1	...	...	...	1	...	1
Norway	7	4	4	3	1	18	1	19
Panama	3	...	...	...	...	3	...	3 ¹
Philippines . . . . .	...	...	1	...	...	1	...	1
Poland	9	5	3	1	...	21	...	2
*Sweden	1	...	...	...	...	1	...	1
*Switzerland	1	3	3	1	...	8	113	121
Syria . . . . .	...	1	...	...	...	1	...	1
Turkey . . . . .	...	...	...	...	...	...	...	...
Ukrainian S. S. R. . . . .	...	1	1	2	...	4	1	1
Union of South Africa	1	1	1	...	...	3	...	4
United Kingdom	332	61	23	7	6	429	248	3
U. S. A.	1,355	146	72	25	13	1,611	19	448
Uruguay	1	2	...	1	...	4	...	1,911
U. S. S. R.	3	5	3	...	1	12	1	4
Venezuela . . . . .	...	1	...	...	1	2	...	12
Yugoslavia	5	1	1	1	2	10	...	2
State less	5	7	2	1	...	15	1	10
TOTALS	2,078	410	208	68	43	† 2,807	301	185
								12,992

* Non-Member Nation.

† Total includes London Staff (30) but does not include Geneva Staff.

‡ Total less consultants.

INDIANS ON THE EXECUTIVE STAFF OF THE INTERNATIONAL CONFERENCE ON TRADE AND EMPLOYMENT.

†57. *Mr. Vadilal Lallubhai: Will the Honourable the Commerce Member please state:

(a) the present composition of the executive staff of the International Conference on Trade and Employment according to different countries;

(b) are Government aware that this executive is the real vital part of the entire Conference and that there is not a single Indian thereon; and

(c) if so, whether the Government of India have, and if so, with what result, impressed on the Conference the necessity of putting some competent Indians on the Executive staff of the conference in order to secure adequate representation of India and other under-developed countries in view of India's growing importance on the international plane and her peculiar and urgent needs at the present moment; if not, why not?

The Honourable Mr. I. I. Chundrigar: (a) A statement based on the Handbook published in October 1946 by the United Nations Secretariat is laid on the table.

(b) Whether the Executive can be described as the real vital part of the entire conference is a debatable point but the fact remains that there is no Indian on it.

(c) The Government of India have recently approached the U. N. O. for the adequate representation of Indians on the U. N. O. Secretariat staff from which the Trade Conference staff is drawn. No reply has yet been received from the U. N. O.

A statement showing composition of the Conference Secretariat by Countries and Committees.

(Taken from the Handbook) published in October 1946.

Central Office—

Executive Secretary	Mr. E. Wyndham-White	(U. K.).
Secretaries	Miss. E. Johnston	(U. K.).
	Miss. P. Hibbert	(U. K.).
Administrative Assistant	Miss. Mary Saunders	(U. K.).
Secretaries	Miss. D. W. Peaslee	(U. S. A.).
	Miss. M. Brody	(U. S. A.).
	Miss. Frances Parce	(U. S. A.).
	Miss. Anna Freifeld	(U. S. A.).
Deputy Executive Secretary	Mr. J. A. Lacarte	(Uruguay).
Special Assistant	Mr. S. E. Rogers	(Chile).
Legal and Rules of Procedure Officer	Mr. A. P. Renouf	(Australia).

Committee Sections.

Committee I—Employment, Economic Activity and Industrial Development—

Secretary	Mr. J. Stolz	(Czechoslovakia).
Assoc. Secretary	Mr. S. Johnsen	(Norway).
Assist. Secretary	Miss. Mary Greey	(Canada).
Secretary	Miss. D. Newport	(U. K.).

Committee II—General Commercial Policy—

Secretaries	Mr. F. Hilgerdt	(Sweden).
	Miss G. Goldbergerova	(Czechoslovakia).
Assoc. Secretaries	Mr. G. Stern	(Czechoslovakia).
	Mr. A. Loverdos	(Greece).
	Mr. T. Hutchins	(U. S. A.).
Assist. Secretary	Mr. T. Lin	(China).

Committee III—Restrictive Business Practices—

Secretaries	Mr. C. H. Korican	(U. S. A.).
	Miss. Virginia Heller	(U. S. A.).
Assist. Secretary	Miss. C. Wachenheimer	(U. S. A.).
Assoc. Secretary	Mr. A. P. Renouf	(Australia).

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

Committee IV.—Inter-Governmental Commodity Arrangements—

Secretary	Mr. D. R. H. Judd	(Australia).
Assoc. Secretary	Mr. A. Gilpin	(U. K.).
Assist. Secretary	Miss. C. de Hedervary	(Belgium).
Secretary	Miss. J. La Richeliere	(Canada).

Committee V.—Administration and Organization—

Secretary	Mr. Bruce Turner	(New Zealand).
Assist. Secretary	Mr. George Haung	(China).
Secretary	Miss. S. Miller	(U. S. A.).

Joint Committee on Industrial Development—

Secretary	Mr. A. Dorfman	(Argentina).
Assoc. Secretary	Mrs. Margaret F. Berger	(U. S.).
Secretary	Miss. G. Crowe	(U. K.).

CONFERENCE COORDINATION DIVISION.

Liaison Officer	Mr. A. Greenwood	(Canada).
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EDITORS OF JOURNAL.

English Editor	Mr. E. G. Kingsley	(U. K.).
Assistant	Miss. I. Kon	(Poland).
French Editor	Mr. C. Cremieux	(France).
Assistant	Miss. T. H. Salvador	(France).

PUBLICATION OF THE REPORT OF THE WORK DONE BY THE INDIAN DELIGATION TO THE PREPARATORY COMMITTEE OF THE INTERNATIONAL CONFERENCE ON TRADE AND EMPLOYMENT.

†58. *Mr. Vadilal Lullubhai: Will the Honourable the Commerce Member please state:

(a) whether Government propose to publish a Report of the work done by the Indian Delegation to the Preparatory Committee of the International Conference on Trade and Employment held recently in London, and if so, when;

(b) pending the publication of the Report of the said Delegation, whether government propose to make a statement in this Assembly regarding the nature of the work done by the Delegation and as to whether the Indian Delegates were able to stress the problems and needs of under-developed countries in the Committee and mould the International Charter on Trade and Employment accordingly;

(c) if so, in what respects and how the Charter now gives special consideration to the needs of undeveloped and under-developed countries; and

(d) whether Government are aware of some reports appearing in a section of the Press that there was a pronounced divergence of approach among the Delegates of the sixteen nations that met in London and that the Conference failed to narrow down these differences?

The Honourable Mr. I. I. Ohundrigar: (a) Yes, Sir; as soon as possible after the conclusion of the second session of the Preparatory Conference which is due to commence in Geneva early in April 1947.

(b) and (c). As the work of the Preparatory Committee has not yet been completed and the Drafting Committee is now engaged in preparing a Draft Charter Government do not consider it desirable to make any statement on the work done by the Indian Delegation beyond saying that they did, along with other countries similarly situated, lay stress on the special needs of under-developed countries and they hope that a chapter on economic development will be added to the Charter.

(d) As the work of the Preparatory Committee has not yet been completed Government feel that it would be unwise to make a statement on this subject.

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

SITUATION IN THE N. W. F. P. AND THE SPEECH BY THE PIR OF MANKI AT ALIGARH UNIVERSITY

59. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable Member for External Affairs please state if he has received reports of a dangerous state of affairs on the Frontier?

(b) Have Government received protests from Frontier Leaders in this connection?

(c) Do Government propose to take action to prevent a further deterioration of the situation?

(d) Have Government received full report of a speech by the Pir of Manki at Aligarh University in December last, giving a warning to Government in this connection?

The Honourable Pandit Jawaharlal Nehru: (a) Apart from the tribal raid in Hazara district which was effectively dealt with, no reports of the nature indicated have been received.

(b) No.

(c) It is not clear to what the Honourable Member refers but Government are fully aware of their responsibility and propose to take such action as may be deemed necessary.

(d) I have seen press reports of the speech.

Mr. Ahmed E. H. Jaffer: In part (c) I refer to the further deterioration of the situation as a result of bombing and raids on the people of the tribal areas.

The Honourable Pandit Jawaharlal Nehru: There has been no bombing, so far as I am aware, in the last few months. I do not know if the Honourable Member is referring to some previous period.

Mr. Ahmed E. H. Jaffer: I refer to the bombing that took place when the Honourable Member assumed office.

The Honourable Pandit Jawaharlal Nehru: That took place in August last; I do not know if the Honourable Member is asking me to give a history of events on the frontier during the last few months in reply to a supplementary question.

Mr. Ahmed E. H. Jaffer: I do not expect the Honourable Member to give me any history.

IMPORT ON CONTRACT OF MR. SCOTT TO DESIGN THE THIRD WING OF IMPERIAL SECRETARIAT

†60. ***Maharajakumar Dr. Sir Vijaya Ananda:** Will the Secretary of the Department of Works, Mines and Power be pleased to state:

(a) if it is a fact that one Mr. Scott has been imported on contract to design the third wing of the Imperial Secretariat on a high salary; and

(b) if it is a fact that in view of the constitutional uncertainties he has been demanding one-third per cent. of the estimated cost of all his designs irrespective of the fact whether they are executed or not?

Mr. B. K. Gokhale: (a) Mr. Scott of Messrs Baker & Scott, a well-known firm of Architects in England, who were responsible for the construction of the existing Secretariat buildings, was invited by the Government of India in June 1946 to advise them on the design of some new Central Government buildings proposed in New Delhi. His terms included (i) Free airpassage to and from India, (ii) Re-imbusement of excess Life Insurance premium amounting to £85-9-4, (iii) An out fit allowance of £50, (iv) A subsistence allowance of £3 a day while in India, (v) A fee of 20 guineas a day while in India. Mr. Scott was in India for 31 days and a total of Rs. 13,734 has already been paid to him.

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

(b) Mr. Scott has claimed in addition a fee of £12,500 for the services rendered by him as Consulting Architect in India at one-third per cent. on the estimated cost of one building. He has also stated that if, later on, his firm is appointed as architect for the work and authorised to proceed with all the necessary drawings, the fee paid to him would merge in the fees for the whole contract and become part of the total amount due on completion of the building. Mr. Scott's claim has not been admitted and is still under consideration.

APPOINTMENTS TO DIPLOMATIC SERVICE AND TO INDIAN EMBASSIES

61. *Prof. N. G. Ranga: Will the Honourable Member for External Affairs be pleased to state:

(a) if it is contemplated to reserve appointments in the Indian Embassies abroad only or mostly to the England-returned or foreign-returned and educated people;

(b) if so, whether Government are aware that it would affect adversely the interests of the large number of our graduates and other educated in Indian Universities and well-versed in foreign languages; and

(c) if so, whether Government propose to provide special opportunities for Indian graduates and other experienced Indians to equip themselves suitably for diplomatic service?

The Honourable Pandit Jawaharlal Nehru: (a) to (c). The Answer to the first part of the question is in the negative. As for the rest it might be useful if I took this opportunity to give the House some information of the way our plans for the formation of the Indian Foreign Service are developing.

Normal recruitment of young men both to the All-India Administrative Service and to the Foreign Service will be through a single competition conducted by the Federal Public Service Commission, though we shall seek to provide in this competition for certain special requirements for the Foreign Service.

It must be recognised, however, that the new Service cannot be built up entirely by direct recruitment of young men from the Universities and that at the beginning at any rate it will be necessary to provide for an intake of candidates of higher age groups from different walks of life. We have at our disposal a certain number of Indian Officers of the Indian Political Service and other existing services who have had experience of representing their country in foreign lands. We have requested Provinces and Departments of the Central Government to invite and forward to us with their recommendations applications from Indian Officers of the I.C.S. and Provincial Civil Services (and allied services at the Centre) who have the desire and can claim some suitability for employment in the Foreign Service. We have recently seen some of the successful E.C.O. candidates whom the Federal Public Service Commission had designated as suitable for the Indian Political Service and I hope that about 15 of them will now come into the Foreign Service. We intend to call again for applications from E.C.O.'s under the age of 30 (excluding those who have been unsuccessful in the earlier Federal Public Service Commission competition). And finally we shall invite applications from members of the general public between the ages of 25 and 45 who satisfy certain educational and other requirements.

Save of course in the case of those members of existing Civil Services who have already been successful in competitions held by the Civil Service Commissioners in London or the Federal Public Service Commission in India, we shall rely throughout on the Federal Public Service Commission for selection

though I hope to arrange for my own Department to be associated with the Federal Public Service Commission in the final stages of selection.

Prof. N. G. Ranga: Will any special opportunities be given to some competent and qualified women also to be employed in these services, as is being done in other countries?

The Honourable Pandit Jawaharlal Nehru: I hope so.

CONTROL OVER THE POLITICAL DEPARTMENT.

62. *Prof. N. G. Ranga: Will the Honourable the Leader of the House be pleased to state:

- (a) if any conclusion has been reached over the recent conversations regarding the control over the Political Department;
- (b) what are the various points discussed; and
- (c) what have been the conclusions?

The Honourable Pandit Jawaharlal Nehru: (a) to (c). There have been no conversations of the kind referred to. In view of the impending constitutional changes no attempt has been made thus far to deal with this subject separately.

Perhaps the Honourable Member has in mind the question of staffing of posts hitherto held by members of the Indian Political Service on the Frontier. Discussions on this subject took place recently with the Governor and the Premier of the North West Frontier Province and the Agent to the Governor General in Baluchistan. This question is intimately connected with that of the future arrangements for the All-India Administrative Service, which is at present being considered in its wider aspects.

REGISTERED TRADE UNIONS IN BRITISH INDIA.

63. *Mr. Madandhari Singh: Will the Honourable the Labour Member be pleased to state:

- (a) the number of Trade Unions registered in British India in 1946;
- (b) the total number of registered Trade Unions;
- (c) the number of members of Trade Unions in 1946; and
- (d) the list of Trade Unions in each Province and their locations?

The Honourable Shri Jagjivan Ram: (a) and (b). The number of registered trade unions in British India on 31st March 1946 was 1,267. Government is not aware of the number of trade unions registered in Indian States.

(c) The particulars are available only for the year 1944-45. The returns for that year indicate that the total membership of 571 trade unions which submitted returns of membership was 8,88,879.

(d) A few copies of province-wise list of registered trade unions as on the 31st March 1945 are being placed in the library of the House.

INDIANS IN SOUTH AFRICA.

64. *Babu Ram Narayan Singh: Will the Honourable Member for Commonwealth Relations be pleased to state the present position of the struggle of Indians in South Africa and also the steps taken by the Government of India to help those Indians?

The Honourable Pandit Jawaharlal Nehru: Government have taken no specific step in regard to the struggle of Indians in South Africa since the decision of the United Nations Assembly. In accordance with that decision it is natural to expect that the South African Government will take some steps to remove the grievances of the Indians in South Africa. Any such action will

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

be welcomed by the Government of India and will have their co-operation insofar as this is necessary.

It is understood that Indians in South Africa are continuing the passive resistance movement. The Government of India are closely following developments, and will take appropriate steps as soon they consider them necessary.

Seth Govind Das: Have the Government heard anything about the treatment of political prisoners in the jails of South Africa after the Honourable Member made a statement in this House in the last Session of the Assembly?

The Honourable Pandit Jawaharlal Nehru: I think, Sir, something in regard to the treatment has been referred to in the reports received by us, but I cannot give any details at the present moment.

Seth Govind Das: Has the Honourable Member received any report showing whether the treatment in the jails of South Africa has improved after his last statement?

The Honourable Pandit Jawaharlal Nehru: I should not like to give an answer to that without reference.

INDIANS IN BURMA.

65. *Babu Ram Narayan Singh: Will the Honourable Member for Commonwealth Relations be pleased to state:

(a) the number of Indians in Burma before the last War;

(b) the approximate wealth the Indians possessed in Burma before the last war;

(c) the number of Indians killed and the amount of loss incurred by Indians during the last war;

(d) the number of Indians now fully reinstated to their positions as before the war; and

(e) the steps the Government of India have taken or propose to take to restore Indians to their pre-war positions in Burma?

The Honourable Pandit Jawaharlal Nehru: (a) The number of Indians in Burma according to 1931 census was 10,17,825.

(b) No estimate is possible of the various forms of wealth possessed by Indians in Burma before the war.

(c) 12,367 Indians belonging to the armed forces were killed in Burma during the last war. The number of Indian civilians killed during the same period is not known. No estimate of the total financial loss suffered by Indians in Burma is available.

(d) and (e). The question of reinstatement of Indians in their pre-war position is obviously an integral part of the wider question of the reconstruction and rehabilitation of Burma and of her recovery from war devastation. The refugee Government of Burma at Simla prepared various schemes for the post-war reconstruction of the country and in connection with the preparation of these schemes both the leaders of Burma Indian interests as well as the Government of India maintained close contact with the Government of Burma. The Government of India also accredited a Representative to the Government of Burma. The civil Government returned to Burma in October 1945 and shortly after the headquarters of the Government of India's Representative were also moved from Simla to Rangoon. Indians have been associated with the various measures taken since for the restoration of the economic life of Burma. The Government of India have also maintained the utmost vigilance to ensure that Indians derive their legitimate share of benefit from the various reconstruction measures adopted by the Government of Burma. The Government of India have also taken all possible measures to facilitate the return of

evacuees to Burma and have helped in the restoration of export and import trade between India and Burma. Considering the economic devastation caused by the last war Indians have made considerable progress towards rehabilitation of their position in Burma. No statistics of such Indians can, however, be given at this stage.

STRIKES IN COAL FIELDS.

66. ***Babu Ram Narayan Singh:** Will the Honourable the Labour Member be pleased to state the number of strikes in coal fields in the year 1946, the reasons for those strikes, and the steps taken by Government to put an end to them?

The Honourable Shri Jagjivan Ram: About 100 strikes were reported to have taken place in coalfields in 1946. A statement showing the number of days and the workers involved is placed on the table. The main demands related to recognition of unions, increase in wages and allowances, liberalisation of schemes for provident fund and bonus, grant of weekly rest and holidays, security of service and complaints regarding supply of grains, cloth, etc. The officers of the Central Industrial Relations Machinery have been taking all possible steps to mediate between the employers and the workmen. The Central Government recently appointed a Wage Enquiry Committee to enquire into the question of wages in the coal industry. As the Honourable Member is aware, the Industrial Employment (Standing Orders) Act has recently come into force and is expected to have the effect of stabilising conditions of employment in the industry.

Further, direct measures taken by Government for improving the conditions of colliery workers, *e.g.* housing, medical services, etc. will also improve matters considerably.

Statement showing the number of strikes, their duration and the number of men in voted—1946-47 (January).

	One day or less	2 days	3 days	4—7 days	For 2 weeks	For a month	For 2 months
Number of strikes	41	8	14	26	3	4	...
Number of men involved	53,476	3,300	4,700	23,580	12,900	5,102	...
January, 1946	...	...	...	...	...	...	...
February, 1946	...	...	...	...	...	...	...
March, 1946	...	...	...	...	...	...	...
April, 1946	...	...	...	...	...	...	...
May, 1946	...	...	...	...	...	...	...
June, 1946	...	...	...	...	...	...	...
July, 1946	...	...	...	...	...	...	...
August, 1946	3	...	...	...	...	...	...
September, 1946	7	...	...	...	...	...	...
October, 1946	46	...	...	...	...	...	...
November, 1946	24	...	...	...	...	...	...
December, 1946	15	...	...	...	...	...	...
January, 1947	2	...	...	...	...	...	...
Total	97	...	...	...	...	...	...

Seth Govind Das: Have the Government received any reports from the Parasias area of Chindwara district in the Central Provinces about certain strikes which have recently taken place there?

The Honourable Shri Jagjivan Ram: I want notice of this question.

SYMPATHY BY INDIANS FOR THE VIET-NAMESE PEOPLE.

66-A. *Prof. N. G. Ranga: Will the Honourable Member for External Affairs be pleased to state:

(a) whether Government are aware of the feelings of sympathy felt by all sections of our people for the Viet Nameese people in their fight for freedom;

(b) whether Government have made the French Government aware of the Indian trends of public opinion against the French offensive against the Viet Nam. and

(c) whether Government have suggested to the French Government the advisability of coming to an early amicable settlement with the Viet Nam?

The Honourable Pandit Jawaharlal Nehru: (a), (b) and (c). Government are fully alive to the feelings of sympathy for the Viet Nameese among all sections of Indian public opinion, and themselves share those feelings. There is no doubt that the French Government are aware both of these sentiments, which have frequently been expressed by members of the Government in public utterances, and otherwise, and of the universal desire in India that the fighting in Indo-China should be ended at the earliest possible moment.

UNSTARRED QUESTIONS AND ANSWERS.

REGISTERED TRADE UNIONS IN INDIA

13. Seth Govind Das: Will the Honourable the Labour Member be pleased to state:

(a) the number of registered Trade Unions in India;

(b) how many of these are recognised by the Central Government?

(c) how many are recognised by the various Provincial Governments, and private employers;

(d) whether Government are aware of any cases where the recognitions are being cancelled; and

(e) if so, what is their number giving reasons in each case?

The Honourable Shri Jagjivan Ram: (a) There were 1,267 registered trade unions in British India on the 31st March 1946.

(b) 44.

(c) Government have no information except for major ports. 12 unions have been recognised by the statutory major port trusts at Bombay, Calcutta, Karachi, Madras and Chittagong.

(d) Not in the case of any Union recognised by the Central Government.

(e) Does not arise.

POSITION *re* UNEMPLOYMENT INSURANCE

14. Seth Govind Das: Will the Honourable the Labour Member be pleased to lay on the table of the House a statement showing the position with regard to unemployment Insurance in this country?

The Honourable Shri Jagjivan Ram: There is so far no scheme of unemployment insurance in India. The possibility of evolving a scheme which could be applied to selected industrial areas or to specific industries is being examined by my Department.

**APPOINTMENT OF INDIAN AND EUROPEAN I.C.S. AS JUNIOR OFFICERS IN THE
EXTERNAL AFFAIRS DEPARTMENT**

15. Prof. N. G. Ranga: Will the Honourable Member for External Affairs be pleased to state:

(a) whether it is proposed to appoint a number of European and Indian I.C.S. Junior officers to the External Affairs Department in preference to superintendents and others in the Department; and

(b) whether Government propose to promote to higher posts those who are already in the Department?

The Honourable Pandit Jawaharlal Nehru: (a) No, Sir. The posts to which I. C. S. and Indian Political Service officers are appointed belong to a different category from those to which Superintendents can normally be promoted.

(b) Promotions in the Ministerial Establishment are recommended by a committee of departmental officers presided over by a Joint Secretary, and great care is taken in selection, the fullest weight being given to the claims of those who are already serving in the Department. A number of promotions have been made recently from among officials serving in the Department.

CONSTRUCTION OF PEONS' AND DAFTRIES' QUARTERS

16. Pandit Sri Krishna Dutt Paliwal: (a) With reference to the reply to clause (iii) of part (b) of Starred Question No. 48, asked by Mr. C. P. Lawson on the 29th October, 1946, will the Secretary of the Works, Mines and Power Department be pleased to state the location where the 250 Peon and Daftry quarters are proposed to be constructed by Government?

(b) Has the construction been taken in hand? If not, why not?

(c) If the work has been taken up when do Government expect these quarters to be ready?

(d) What is the design and shape of these quarters?

(e) Will arrangements of water, electricity, lavatory and bathroom be made in them? If not, why not?

Mr. B. K. Gokhale: (a) The quarters are proposed to be located at Timarpur in Old Delhi.

(b) No. The work has not yet been sanctioned.

(c) Does not arise.

(d) and (e). The design of these quarters and the other conveniences to be provided in them are now under the active consideration of Government.

MOTION FOR ADJOURNMENT.

IMPOSITION OF PUNITIVE FINE AND TAKING OF HOSTAGES FROM NANDIHAR TRIBES.

Mr. President: With reference to the adjournment motion of the Honourable Member, Mr. Siddiq Ali Khan, I have received an intimation that His Excellency the Governor-General has been pleased to grant his consent to the moving of the motion.

The motion as I stated day before yesterday, is to discuss "an urgent matter of public importance, namely the punitive fine and the barbarious and medieval practice of taking hostages imposed on Nandihar tribes in January 1947."

Will the Honourable Member please state as to how the matter is urgent now?

Mr. Siddiq Ali Khan (Central Provinces and Berar: Muhammadan): The matter is urgent because the occurrence took place when the Assembly was not sitting and the adjournment motion was tabled on the very first day. The

[Mr. Siddiq Ali Khan.]
importance and the urgency of the matter lies in the fact that I respectfully differ from my Honourable friend the Member in charge of the External Affairs Department when he said that it was every day occurrence in the North-West Frontier Province. For his information and for the information of the Honourable Members in this House, I beg to state that this is the first time that punitive fine was imposed in Hazara District.

Khwaja Nazimuddin (Burdwan and Presidency Divisions: Muhammadan Rural): This matter is urgent because hostages are still being detained by the Government of India, and unless the policy is revised and action is taken they cannot be released. So the matter is very urgent.

The Honourable Pandit Jawaharlal Nehru (Member for External Affairs and Commonwealth Relations): I fail to see the urgency of this matter or the appropriateness of raising it here. But in view, if I may say so, of the insinuation made in this motion which might mislead this House and the public, I shall welcome a discussion on this motion.

Mr. President: If the House wants a discussion I should certainly allow the motion, and we will take it up at Four of the Clock today.

NOMINATION OF THE PANEL OF CHAIRMEN.

Mr. President: I have to inform the House that under sub-rule (1) of rule 8 of the Indian Legislative Rules, I nominate Syed Ghulam Bhik Nairang, Mr. P. J. Griffiths, Sardar Mangal Singh and Shrimati Ammu Swaminadhan on the Panel of Chairmen.

COMMITTEE ON PETITIONS.

Mr. President: I have to announce that under sub-order (1) of Standing Order 80 of the Legislative Assembly Standing Orders the following Honourable Members will form the Committee on Petitions:

- (1) Syed Ghulam Bhik Nairang.
- (2) Shri Sri Prakasa.
- (3) Mr. C. P. Lawson.
- (4) Sardar Mangal Singh.

According to the provision of the same Standing Order the Deputy President will be the Chairman of the Committee.

PRESS (SPECIAL POWERS) BILL

The Honourable Sardar Vallabhbhai Patel (Member for Home and Information and Broadcasting): Sir, I beg for leave to introduce a Bill to
12 Noon continue certain special powers conferred on the administration in the Chief Commissioners' Provinces for the better control of the dissemination of undesirable matter.

Mr. President: The question is:

"That leave be granted to introduce a Bill to continue certain special powers conferred on the administration in the Chief Commissioners' Provinces for the better control of the dissemination of undesirable matter."

The motion was adopted.

The Honourable Sardar Vallabhbhai Patel: Sir, I introduce the Bill.

RUBBER (PRODUCTION AND MARKETING) BILL.

Mr. President: The House will now take up further consideration of the motion moved by the Honourable Sri C. Rajagopalachari on the 3rd February of a Bill to make provision for assistance to the rubber plantation industry by regulating export from and import into British India of rubber and the sale of rubber therein and by other means.

Mr. Leslie Gwilt (Bombay: European): Sir, when the House rose on Monday I was speaking on the European Group's motion for the reference of this Bill to a Select Committee, and I said that we in this Group felt that the first step that Government should take to prevent the rubber industry from becoming a fundamentally uneconomic one should be to establish forthwith a research station comparable in efficiency and of the scientific level of those farther East. I also drew attention to the fact that Malaya, with the largest output of rubber in the world, produced some 90 per cent of her manufacture in standard sheet and at a price some 15 to 20 per cent below India's. Also, Sir, I drew attention to the fact that there is a general belief that India's rubber is never likely, to be in a position to compete against the price of rubber in the world's markets, for not only her climate but also her soil is unsuitable for the quality rubber from the Dutch East Indies and Malaya. I also asked whether it is entirely the factors of soil and climate that have restricted the output of rubber in this country, or whether it was not due to the absence of the high degree of scientific research that is to be found in Malaya and in the Dutch East Indies and for that reason I made the proposal that they did. I made mention of the fact that rubber should and can be a very important source of foreign exchange. I believe for instance that today India produces the highest quality tyres in the world. That possibly is largely fortuitous for she is producing tyres if not wholly, largely manufactured from natural rubber. But there is no question but that she is doing so from a raw product substantially higher in cost than that prevailing in the world's markets, and if this state of affairs continues, she will not be able to compete—I mean of course in export markets. It seems to us in this Group that if the rubber industry is to prove the asset that it should be to India, there will need to be the greatest measure of co-operation by everyone concerned not only between the research institute we have recommended but also between the planters and manufacturers.

Now, Sir, to turn to the details of the main provisions of the Bill. The preamble explains that the Bill is designed to make provision for the assistance to the rubber plantation industry. The Members of the Board which the Bill seeks to establish should therefore obviously be predominantly representative of the planting industry, but I shall deal with that question further later. Out of a total of 22 individuals that it envisages to be Members of the Board, nine are representatives of the Planters' Association and but two representatives of so important users as the manufacturers. And here, Sir, I would like to enquire why unlike members of the Planting Associations, who can nominate their representatives, the members of the Rubber Manufacturers are to be nominated by the Central Government. Surely, the manufacturers are as much entitled to nominate those that are going to represent them on the Board? I take it for granted that the Government are satisfied that the Governments of the States of Travancore and Cochin are receptive of the provisions of the Bill and are going to assist in its smooth working. Otherwise, the scheme envisaged by the enactment is in our opinion doomed to failure at its inception for not only is 80 per cent of the rubber produced in India, grown in Travancore, but in a Board of 22 Members 14 are directly or indirectly representatives of the States.

Clauses 8, and particularly 8 (b) (1) and 17 provide the Board and the Provincial Government with very far-reaching powers in regard to permits and

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approval, and as the Bill provides no principle by which these rules shall be administered, every planter, dealer and manufacturer will be at the mercy of the Board or of a Provincial Government: and my Group must take the strongest possible exception to this lacuna. I hope, Sir, that Government will be prepared to accept amendments in Select Committee. I hope too they will enunciate certain principles by which the Board and the Provincial Governments will do justice to all concerned.

In clause 15 the Central Government, after consultation with the Board may, by notification in the official gazette, fix the price at which rubber may be sold; this Group doubts the wisdom of price fixation being imported in this manner and that such powers should be given to the Board as at present constituted. We emphasize that either price fixation should be outside the scope of this Bill or a separate machinery be set up for this purpose. In any event, Sir, in view of the possible trend of the price of rubber and its effect upon the export trade of manufactured goods, it is surely only fair to the manufacturer that the price at which they purchase rubber produced internally shall bear a close relation to that prevailing in the world's markets, and I understand, Sir, that the manufacturers would be prepared to accept a formula whereby they would purchase rubber at world prices whatever be the relation between the internal cost of production and those prices. But this of course would mean that if the internal prices rose above world prices, there would need to be a subsidy to bridge the gap.

Clause 12 provides for the imposition of a rubber cess but as my honourable friend, the mover of the Bill will appreciate, this will merely tend to increase the price of rubber internally. At the moment, Sir, I believe there is a shortfall of virtually some 3,000 to 4,000 tons of standard sheet rubber between that produced in the country and required by tyre manufacturers, and it is not I am sure the intention of Government that the motor car and transport industries—and I am glad to see that the Transport Member is in his seat—both of which are very heavily taxed, should be the more greatly taxed by enforcement upon tyre manufacturers, the production of a standard of tyre that will not stand up to average mileage.

If a tyre is made of inferior rubber it must last for an appreciably shorter mileage than one made of standard sheet rubber. Until such time, therefore, that India is in a position to produce the present short fall of standard sheet—and we hope that the time will prove a short one—Government should import or permit the manufacturers to import by a system of licensing the amount of the short fall.

Before I close I would again emphasise the urgency of the problem of a scientific research station comparable with those in the Far East to assist the industry and more particularly the smaller growers who are in a majority and also to assist in conditions which are at present recognised as handicapping the Indian planter in the production of not only the yields, but also a quality, comparable with rubber produced in Malaya and the Dutch East Indies. Unless this is done and unless all concerned, and particularly the Indian States, are prepared to cooperate in the achievement of the objects of the Bill, then, Sir, we contend that the House is being asked to pass a fundamentally uneconomic piece of legislation which in the course of years will cost India dearly. Sir, I move.

Mr. President: Amendment moved:

"That the Bill be referred to a Select Committee consisting of the Honourable Mr. Jogendra Nath Mandal, the Honourable Sri C. Rajagopalachari, Rao Bahadur N. Siva Raj, Sri A. K. Menon, Shri D. P. Karmarkar, Sri M. K. Jinachandran, Haji Abdus Sattar, Haji Ishaq Seth, Mr. Muhammad Rahmatullah, Mr. P. J. Griffiths and the Mover, with instructions to report by the 1st April, 1947, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, after the father faint praise given to this Bill by the Honourable Mr. Gwilt I would like to take this opportunity of giving the moral justification for this Bill which, unfortunately, does not find a place in the official statement of Objects and Reasons.

The House may remember that Indian rubber was produced for a long time as a raw material and exported. It went from India to the Mincing Lane in London, where it was auctioned and the price which was thus realised was given to the producers in this country minus such advances as they had received from the managing agents, mostly British firms and generally the position of India in regard to rubber was that she was a producer of the raw material. Since those days manufacturing activity on a large scale has started here and the two most important firms manufacturing are the Dunlop Rubber Co. (a British concern) and the Firestone Rubber Co. (an American concern). As Mr. Gwilt has rightly said there is a short fall, that is India does not produce in certain qualities, at all events, all that India requires.

I want to draw the attention of the House to the plight of these poor rubber growers during the war period. It was an exclusive monopoly purchase by Government for Government and war purposes and the price given to these people was in the neighbourhood of eight to fourteen annas, when the world price would easily be Rs. 5 to Rs. 7 or even Rs. 10 per pound. In other words, these unfortunate plantationwallahs and the growers of rubber were prevented by Government intervention from realising the full world value of their output. I do not wish to refer to what would have happened had they been permitted to receive a full and free price. One of the consequences would have been that the sterling balances would have increased so much and those who are now arguing in other directions ought to remember that amongst the unfortunate producers in this country who were penalised or compelled arbitrarily to accept lower prices were the rubber growers of this country. These unfortunates who were prevented from collecting a reserve of any kind during the war period are now faced with a crisis in that trade, because foreign Governments no longer apprehending any immediate war are not collecting large reserves and large accumulations have remained in the Far East and tapping is going on very heavily. Everybody wants exchange or something to give for which he can get something and prices in the world have fallen. One of the factors which the Honourable the Minister for Industries and Supplies mentioned in the Statement of Objects and Reasons is undoubtedly the production of synthetic rubber which, as I understand, the U. S. A. is not willing to give up, because it is a reserve on which they can fall back in the event of hostilities.

Now, Sir, looking at the Bill this question to my mind raises a good many important and far-reaching issues, some of which it is my intention to draw the attention of the House to. I would look at this matter in the light that Indian rubber production gets freed from London by this Bill and the final link is broken. We shall fix our own prices, our own conditions and we shall determine how much we want from outside and on what terms. Lest the British interests should be apprehensive as to what will happen to their manufacture I may assure them that manufacturing activities in India would be as much the care and concern of this Government as the interests of the producers of the raw materials, and doubtless some kind of equitable balance would be drawn between the requirement of the producers and the requirements of the manufacturers. But, Sir, the point which I wish to bring out is that it is nothing unusual for India to have to give protection to its agricultural commodities. We have the standard case of the wheat duties which are still, I believe, on the Statute Book and the House may remember that we had to pass a Protective Duties Bill against the entry of broken rice

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 from Malaya into Madras in order to protect the rice producers. We have a heavy cotton import duty to protect the cotton producer of this country. We have duties for the protection of steel, cloth, cement, sugar and various other things which we produce. This is an extraordinary phenomenon which is something that ought to make any Government sit up and take notice, if they were not working in the kind of departmentalism in which I find unfortunately they are working. Each person on the Treasury Bench, I am sorry to say, is thinking only in terms: Does it concern my department? If it does not concern his department, then he is not concerned with it. But we as taxpayers and as consumers of goods are concerned and I do draw the most pointed attention to this phenomenon, in which almost every kind of commodity has got to be protected. The Indian textile industry could not have survived in this country had it not been protected to the extent of 75 per cent by a duty against Japanese imports. I am mentioning these phenomena because most of them are again on the tapis. The Tariff Board is conducting a kind of enquiry. What kind of enquiry can take place in the course of a week or two I do not know. These are very large questions. But we are told that the Tariff Board is examining these questions. Which set of men could examine these questions with that fullness and attention to all its aspects which is required in the course of a week or two. It is not a phenomenon which covers only one industry. We in this country are in a state of very high inflation with the result that the price of almost everything that we want is higher in this country than in outside countries. Almost any outsider could undersell us. In the case of rubber it was mentioned that India could be undersold to the extent of 10 to 20 cents. I do not know. This is a phenomenon which needs very careful investigation as to whether our whole basis of valuation in this country for most articles is not wrong, whether we are not exposing ourselves to aggressive attacks from outside, not only in the field of manufacture but also in the field of raw materials and whether a lopsided economy of this kind can survive for a very long time.

Now, Sir, I am not worried about soil or climate or any other reasons which raise the cost of production in this country. This is our soil and our climate. We shall produce what we can and consume what we can. We are not going, merely on the plea of cheapness, to permit an established industry or established activities to be brought down. In this connection I would like to mention that there is a rather heavy bias in this House as well as outside in favour of organised labour and of the factory type of industry. But if all the plans which have been made were carried out, the factory type is not likely to absorb a million or two million persons additional to what they are today. What happened to about 98 million other age group men capable of doing work? I assume that about 40 to 50 million out of them are fully and properly engaged, but in my opinion there is a margin of about 40 million persons—males—capable of working who are on the margin, who are constantly in anxiety, who can be displaced into unemployment or into penury and death by every turn and twist of prices throughout the world and more particularly the price levels in this country. It is this large section who, in my opinion, are covered to some extent by the operation of the Bill which the Honourable Member for Industries and Supplies has brought. It is in support of this class who are deriving their livelihood from this that this Bill has been brought and that this Bill will be administered. This section of rubber producers who were deprived of their just dues during the war, who were not permitted to earn a fair price but subjected to an arbitrary low control price, and that not in the interests of India, this section which deserves our moral help is going to receive help from this measure.

Now, Sir, with regard to this world price I ought to say something. If other countries in the world pay their men less, or if in Java and elsewhere they get

labour conditions which we would regard as semi-slavery, if other countries have got surpluses and are anxiously wanting rupees and are therefore trying to sell something to us at phenomenally cheap prices, if other countries intend to dump goods into our country for some economic or other purposes, are we going to be guided by this fiction, are we going to be racketed into unwise actions by merely the fiction that the world price of a particular article is lower than the price which can be established under Indian conditions? That is the question, Sir, which I ask and I say that sometimes the world price compels us to bring our price down at least in those markets where we have a common range, competition and contact and sometimes India compels the world to raise its price. The last one is the case with gold and silver. We are sick of hearing for the last twelve months that Indian gold and silver prices are out of all parity with world prices, that they will tumble down, that this, that and so many other things will happen. The world price has had to be raised in order to meet the situation in India as at least in this particular direction India has shown greater foresight and greater appreciation of world factors. I was saying that except to suit our economy and our purpose we ought not to be deterred by the bogey of world prices in any particular article. In India in particular, as I have said, the large series of productions, both agricultural and manufacturing operations, are all protected. But this is a very unhealthy state of affairs and is something which wants very close looking into.

With regard to clause 15 in which power is being taken to fix prices I would say that when the prices were to be fixed at a lower figure for control purposes for the so-called "war objects" nobody from any quarter raised any voice, and now when prices are to be fixed in order that these producers may get a reasonable livelihood and may not be thrown out of their legitimate and proper activity I think it is very disappointing that any quarter should raise the question as to whether full powers should not be taken to fix prices as provided in clause 15. I trust that neither clause 36 nor clause 15 of this Bill will be modified, in the Select Committee discussions. Clause 36 gives power to the Central Government to make rules on provisions hereunder and on such other matters as the Central Government may deem fit and proper. I think these powers may be necessary. They will be inevitably necessary if and when major changes occur in the world. Sir, there are people in the United States who are anticipating a major economic downward tendency in 1947. There are others who put it at next year. But should any such thing occur, certainly I want the Government of the country to be free overnight to say what it considers proper in the interests of the parties concerned in these measures.

With regard to Indian States I do not know—and I hope the Honourable Minister for Industries and Supplies will make it clear in his closing remarks—to what extent co-operation has been definitely asked for and to what extent undertaking has been given by the two major States concerned with rubber production. I entirely agree that if there is not the fullest co-operation an all-India control of rubber would not only miscarry but would probably have many mischievous and unforeseen consequences.

The manufacturing interests in rubber which have grown up are welcome in this country because we would much prefer to export finished articles rather than the raw material. If we have a surplus I would much rather that India sent out cotton cloth than cotton at all times; I would much rather see this done in other fields also. So in this field I feel that the manufacturing interests are welcome, but they must not expect any pampering at the expense of the very much larger number of persons concerned in the growing of rubber. The improvement in quality, in tapping methods and in the selection of new seeds and so on, which are indicated and for which I believe this country has made substantial contributions to the United Kingdom for many years—to the rubber

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research which has been carried on in the United Kingdom—I do not know why those results for which we have already paid heavily have not been adopted. They have not been made available. They have not been enforced or subsidised and assisted in this country. There was mention of new research in the field of rubber. While the world is going on with new inventions of all types, new plastics and new substitutes for rubber, we have not yet made any serious advance in rubber technology. I hope that the cess will not be nominal but that it will be substantial and that we shall make good the lost opportunities in the matter of rubber technology. It has been now proved that rubber is one of the strategic requirements of the world and it is only just and fair that our Government should take care that rubber production is not only not discouraged but that it expands. If a slight extra price gives a flip to the extension of rubber production it would be all to the good and for the purpose of rubber manufactures, may I say that both Ceylon and Burma are constitutionally different countries but they are within the economic ken of India and I trust that our Government will be in a position to have arrangements with those countries, tripartite arrangements, to share in the research and in the results of technological findings and also some kind of price relationship and pool. Sir, I support this measure.

Dr. Zia Uddin Ahmad (United Provinces, Southern Divisions, Muhammadan Rural): The issue before the House, from this side, is not whether rubber should or should not be protected. Even the Fiscal Commission on page 60 of its report included the rubber industry explicitly as one of the objects to be studied by the Tariff Board. I share the views expressed by Mr. Manu Subedar that India has been very badly treated during war time. The prices were fixed not by the producer but by the purchaser, not only in cases of rubber but also in tea, hides and skins, and a variety of other things. I said repeatedly during war time there were two prices, one internal and the other external. The former was fixed by the black-market and the latter by the Supply Department and difference between the two was enormous. I agree with Mr. Manu Subedar that this kind of thing which we had to face in war time must now disappear and every producer must have a fair value for the articles he sells.

When we pass legislation in this House, whether silently or by the counting of votes, we also share the responsibility for those measures and therefore we have the full right to express our opinions and make suggestions to the Government members and if our suggestions are reasonable and good, they should have no hesitation in adopting them. This legislature is still governed by the 1920 Act and during all these years we have evolved a code of procedure which it is desirable that the members of the Interim Government should follow. **Whatever the future may be, so far as the present Interim Government is concerned,** they should honour the traditions that have been built up during the last 27 years. (*An Honourable Member*: What are they?) Study the literature and you will find them. I have got very high respect for my distinguished friend the Honourable Mr. Rajagopalachari. I came into contact with him in that famous Unitary Conference in 1931 when he tried with some success to reconcile the irreconcilable opinions. He has always been using his influence to achieve the objects he had in view but when we express our differences, it is not in his personal capacity but in the capacity of the representative of the Government. We have criticised Government in the past and we will do so in the future, not with the object of cursing them but pointing out our own viewpoints and pressing upon them that they should not make up their mind beforehand by private discussions in their own party meetings of the measures coming up and making us only talk as school boys in a debating society. I think we should all have equal privileges to offer our suggestions and they should be given due weight if they are good. I always speak with diffidence but I say that our

suggestions should receive the careful consideration of members if they are reasonable.

As regards protection, ever since the publication of the Fiscal Commission's report, the Assembly accepted the policy of protection and this legislature repeatedly endorsed the policy of protection. This view was expressed in very forcible words by the Fiscal Commission itself. They said 'Our conclusions **therefore are that in the interests of commerce generally and particularly of the masses of the people, in the interests of agriculture and the necessity for steady industrial progress and for the maintenance of a favourable balance of trade, the policy of protection should be recommended and should be applied with discrimination** and then in the next chapter they say that they expect as a postulate the existence of a thoroughly competent and impartial organisation **in the shape of a Tariff Board, which shall inquire into the condition of industries and recommend whether protection should or should not be extended to any particular industry.** They recommended that protection ought to be accepted as policy of this legislature and we did accept it. We have already given protection to 12 major industries and a large number of minor industries in the famous Bill of Sir Joseph Bore in 1932. As a condition precedent to the granting of protection, the Tariff Board mentioned certain points which ought to be inquired into. They say that the industry must be one possessing natural advantages such as an abundant supply of raw material. The second thing is that the industry must be one which will eventually be able to face world competition without protection. I think it is desirable that these things should be inquired into. I wanted a report from my friends showing the method of the protection of the rubber industry and its present condition. I got no report of any kind and the only information that I got was that some producers came to the Honourable Member in charge of Industries and they pleaded their case. The Honourable Member was satisfied that the case was just and right and he accepted their demand; hence this Bill followed. This kind of argument is of the same type as the one which Mr. Balfour adopted at the time of making his famous Declaration on Palestine. I was told by the late Lord Lothian, when he came to deliver the convocation address at Aligarh, that a deputation of the Jews came to Mr. Balfour and pleaded for the award of a home where they may settle and govern themselves. Mr. Balfour was satisfied, and he issued his famous Declaration about the future Government of Palestine. No inquiry was made by any party in the United Kingdom. What the result was, we have all seen. I said to Late Lord Lothian that the British Government is not more powerful than God. He looked hard at me. I said, "God has said in the New Testament that the Jews will never have a government of their own". When God has denied them government, how can the British Government give them a government in Palestine? The later history has shown that the step taken by Mr. Balfour without considering all the facts were wrong. Therefore, it may be that a certain deputation come to the Honourable Member and he formed his judgment without recourse to the inquiry which has already been described in detail by the Fiscal Commission. It may lead to the same type of conclusion as was adopted by Mr. Balfour, who was misled by a deputation of the Jews so far as the administration of Palestine is concerned. I have already said that I am not opposed to the protection of rubber. In fact, it has already been recommended by the Fiscal Commission and this step ought to have been much earlier. This matter ought to have been referred to the Tariff Board about 15 years ago and not allowed to wait for such a long time. Still, it does require some kind of consideration.

In the first place, I have got no knowledge and the Honourable the Mover of the Bill did not give any information as to what was the argument behind it. My information is that there is a very narrow band of latitudes where rubber

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can grow. It cannot grow on either lower or higher latitude outside the band. So, there is a very small portion of land where rubber can grow.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): But the rubber can be expanded.

Dr. Zia Uddin Ahmad: Rubber can be expanded but the earth cannot be expanded. That is the difficulty. Somebody ought to have explained to us the whole thing so that we could vote with conscience.

Shri Sri Prakasa: Who votes with a conscience!

Dr. Zia Uddin Ahmad: I am also told that the production of India is one-seventy-fifth of the total production of the world. No Tariff Board has given these figures and I want an authoritative statement on this particular point. If the production is so small, then the Honourable Member ought to have mentioned this fact, so that we could make a definite suggestion about it.

As regards rubber plantation, it ought to have been taken up much earlier by the Agriculture Department, without any Bill or the Committee of the kind he has mentioned. We have got a Council of Agricultural Research. They take interest in cotton and all kinds of other things and they could have also taken interest in the better protection of rubber. This they could have done much earlier without any suggestion or legislation on our part.

Then, Sir, there are one or two fundamental objections which I have to this particular Bill. In the first place, I very strongly object to monopoly. When you have a control on the sale of the articles, even their possession is a punishable offence. That being the case, this measure will not be very pleasant and will not be attractive. This idea has been taken practically from the opium industry. But in the case of opium the Government has the monopoly of sale and they can restrict its sale. In the case of rubber, Government has not got the monopoly. Therefore, I do not see any reason why the possession of rubber should be made a penal offence. After all, you cannot have in this country a price for rubber which is higher than the world price. It must be at the same level. If our manufacturers of rubber will get the raw material at a price higher than that paid by the manufacturers in other countries, then they will be very much handicapped in the world market. Therefore, it is desirable that the manufacturers of the rubber goods should get their raw material at the same price as the manufacturers get in other countries. In other words, the value of the raw material or rubber should approximately be the same as the value in the world. This is a point which ought to be considered. If it is overlooked, then it may affect our manufacturers adversely.

Then, Sir, I do not see any reason for the enormous control which is envisaged in this Bill. There is at present all round control; control from A to Z. A control of this kind is not desirable in the case of any industry or trade. In the first place, it raises the price-level, which is not very desirable. Secondly, it really eliminates competition. Even capitalists like Dalmia, Birla and Tata welcomed the other day in the Air Conference that they must have competition, but it should be of a healthy type. But in the present Bill competition has been eliminated altogether. You have really licensed persons who will purchase and then you will probably have a permit for purchasing these things. If this Bill becomes the law with all these controls at every stage, then it will be a very bad precedent and I must protest against it. My protest is of the same type as that of a man who was crying and weeping that his fowl had died. People asked him why he was weeping so profusely and they offered him several fowls so that he might not be very unhappy. He replied that it was not because of the death of the fowl that he was weeping but because Angel Isra'il had seen the house. Today he has killed my fowl, tomorrow it may be my wife and the

day after I myself. So, it is not control on this particular commodity that I am afraid of, but the fact that the Honourable Member has now shown the way to his colleague. My Honourable friend has directed Angel Israil to come to this country and he will influence every other Honourable Member. If the control of the type that is envisaged in this Bill is adhered to, then this mal enthusiasm will spread to other articles also and then we will be living in a country of controls. Everything will be controlled. Tomorrow not only commodities will be controlled, but also birth control will be introduced. Life will become a complicated problem. I warn the Honourable Member to take note that with every additional measure introducing controls, he is adding one more edifice for the swift onrush of communism in this country. What will be the result of over control over such things. The natural consequence will be that there will be a demand from the communists that everything should be nationalised. Why should anybody monopolise possession of any thing in the world. Let everything be state owned and state controlled. (*An Honourable Member—what about self-control?*): May I just remind my Honourable friend who interrupts me of a story. A man appointed a driver. After some time, he said, 'I want a screw-driver'. He said he could not appoint two drivers. Then the driver was told to go away. The self-control demanded by my friend is like the demands of screw-driver. If you introduce controls, then they will naturally be for the advantage of the communists. It is certainly not for the benefit of the consumers, not for the benefit of the common people. The natural conclusion will be that if these controls are intended to benefit a few capitalists, then the communists will ask why not bring everything under state control so that the benefit may go to all the people. This method of excessive control envisaged in the Bill is really laying out as it were cement road for the communists to come along and drive a coach and four. That is the real danger of bringing Bills of this kind. As far as the minorities are concerned, they stand to suffer the most. I myself experienced great difficulty in the matter of purchase of iron and steel from the people who are licenced dealers. These licenced dealers would always refuse to sell things to me even though they had stock. In one case I had to approach Mr. Waugh who was then Supply Member and pointed out to him that the merchants had stock with them but they would not sell it to me. Compulsion of sale to everybody irrespective of his religion or political persuasion is not provided in the Bill. I am afraid this system of licensing has increased the difficulties of people who are not among the favoured class. On this ground also this system of control envisaged in the Bill ought to be scrapped and it is not desirable to introduce it.

Another point which I wish to bring to the notice of the House is this: that this Bill should remain on the statute book only for a certain number of years I suggest ten years. You must see how the Bill works in actual practice for a certain number of years and then you may extend it or modify it if necessity arises. Do not have a permanent measure on the statue book. If no time limit is placed for this measure, then the attention of the future Government may not be directed on the hardships caused by the measure and the future Government would not take any steps to remedy the defects. There will be an opportunity for the future Government to review this measure, if a time limit is not fixed. My reason for fixing this ten year limit is this. I am told—I do not know how far it is correct—that if a rubber plant is planted, it takes seven to ten years to derive benefits therefrom. You can actually get flowers from the rubber plants only after seven or eight years. I think ten years would be a reasonable time to see the working of this Act.

The next point which I wish to stress upon is this, that you must have an official Chairman for this body. I do not like to have an elected Chairman to carry on this important executive work. If the chairman is appointed by Government, he will be responsible to Government. If he is elected by the

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committee, he will be responsible to the members of the committee. The members of the committee are drawn mostly from the class who would be benefitted by rubber control.

Then as regards the rule making power of the Central Government mentioned in clause 36, I have got a very great apprehension. I have sad experience about the rule making power embodied in the Defence of India Act. The Defence of India Act was a two clause measure. I myself was a party in enacting that measure into law. It was a harmless Bill containing only two clauses. But it contained a provision similar to the one continued in clause 36 of the present Rubber control Bill. The rule making power vested in the Central Government under the Defence of India Act gave rise to a big volume, in fact the rules framed thereunder became more voluminous than the Indian Penal Code itself. That is the danger against which I want to guard this House. In my amendment, I have suggested that the rules framed under this clause 36 should be laid before the House, and the Members of the Legislature ought to have an opportunity of criticising the rules and suggesting amendments or alterations or modifications. In other Bills where the Central Government had fortified themselves with such rule making powers, attention has been repeatedly drawn to the danger lurking therein and efforts were made to bring the rules within the powers of discussion in this House. I agree with my Honourable friend Mr. Manu Subedar that the rule making power should be there. But a proviso should be put in on the same analogy that we had in the case of similar Bills where similar rule making powers were given to the Central Government. My Honourable friends over there have got very unpleasant experience of the working of the Defence of India Act and the rules framed thereunder. These rules were administered by the Government of the day in a manner which was not very pleasant to the people. Whatever may be the form of Government of the future, I do not want that that Government should use their powers in a similar way. The legislature ought to be given power to criticise the rules and modify them if they are not in the best interests of the people, because after all it is only the elected members of the legislature who are the legitimate guardians of the interest of the people of the country.

Another point to which I should like to draw the attention of the House is this. In matters of this kind we always have over representation of the interest of the industry and the poor consumers' interest always go by the board. In this case we must take into consideration the interest of two classes of people, firstly consumers and secondly, those industrialists who will use this particular article as raw material. These are the two most important factors which ought to be included and they should be fully represented. Once when Sir Joseph Bore was piloting a measure, I pointed out to him the absence of provision for representing consumers' interests when he turned back and said that he himself was representing consumers' interests. Then I retorted him by saying that if so, then he was a bad specimen of consumers. I pity the consumers whose interests are safeguarded by him. The consumers will never be safeguarded by men of his class. I do urge that this question of over protection and control at every stage should be minimised. There should be some kind of freedom of trade. The greatest enemy of trade is monopoly, here you have created a virtual monopoly for a particular class of people. We are appointing commodity corporation recommended by Krishnamacharya Committee, why another corporation. It is impossible under these circumstances for honest trade to flourish and progress and it is impossible to safeguard the interest of common people. These are the points which I should like the Select Committee to keep in mind when considering the Bill.

Mr. N. M. Joshi (Nominated: Non-Official): Sir, I shall occupy the attention of the House only for a couple of minutes. My object in rising is to draw the

attention of the Government of India and of the Assembly to a defect in this measure which is of some importance. This measure is likely to affect the interests of those people who are engaged in the production of rubber and also in the distribution of rubber and the articles made of rubber. I therefore feel that in constituting the Board of Control, in the proposals made in this Bill, there should be adequate representation of those people who are working in this industry as workers. I request the Government of India and also this legislature to provide sufficient representation for the working classes who are engaged in this industry in the constitution of the Board. The Board as proposed by the Government of India consists of 20 Members. I would like the Government of India to provide adequate representation to workers in this industry. I had given notice of amendment proposing that the workers who are engaged in this industry should be given representation of three in a Board of 20. I am quite sure that the Government of India will consider this proposal made by me as very modest. And I hope they will accept it. If the Bill is considered in the course of the day I shall move my amendment; but if

I P. M. it is sent to the Select Committee I would ask the Government of India to propose an amendment providing for adequate representation of workers engaged in this industry and in this trade. I hope the Honourable Member in charge will comply with my request.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): Sir, I rise to add an observation or two to what has fallen from previous speakers. It is obvious that the measure before the House is of a rather unusual type. What we are trying to do by this legislation is not to give protection to a manufacturer as is usually done. That is justified on many grounds, one of them being that as protection is given to a particular industry it is likely to justify that protection by standing competition with outside manufacturers within a reasonable period of time. Another element that is considered is that that particular industry has abundant raw material. As it happens, through this legislation we are seeking to protect the production of the raw material itself, thus involving as a consequence necessary protection to the manufacturer, arising out of the raw material. In the past, protection was given to the cotton textile industry and the iron and steel industry and other industries and the protection has been found to be proper and deserving. In this matter I share the apprehension of some of my Honourable friends here as to the period of time in which fulfilment of the idea would come. Our present production, I am told, is about 16,000 tons or thereabouts as against about 5,000 or 6,000 tons near about Malaya. We are going to give protection by about 20 p. c. The world price is about Rs. 60 to 65 per cwts. and the protected price will be about Rs. 75 per cwt. To justify this 20 p. c. protection given to the rubber producing industry the Honourable Member should in fairness to this House give us an exact idea as to the period of time in which he hopes this industry to be a self-sufficient industry in the sense that it will stand fair competition in the open market.

Secondly, consequent upon this measure I am afraid rubber manufacture itself—not the raw material but the finished product—will have to be given equal protection as against finished things that may be imported from abroad. That of course will be a separate subject by itself. But in these days one of the principal evils is the rising spiral of prices, and experience shows that a rise in the price-level of one commodity affects the price-levels of other commodities. In such times I think it behoves us to consider how far the passing of such a legislation would be fair to the present economic conditions of the country. Secondly, it has often been seen that whenever we think of such problems there is one party affected by the economic rise that is often forgotten. We remember the rubber grower, we remember the manufacturer, but we do not seem to be exactly remembering the consumer. In clause 4, for instance, we

[Shri D. P. Karmarkar]

find that out of 22 people in the Board, there will be ten members connected with the rubber growing industry in addition to any people nominated by the provincial Governments. It is far more likely than not that this Board will be dominated by those interested in the rubber growers, and they naturally will have more particular care to take about their own interests rather than the interests of other people. We had an example in the Cotton Textile Control Board where, as far as I could see, the consumers' interests were the last interests to be looked into. Lest such a thing should happen I suggest that consumers' interests should also have adequate representation in the Board itself. As to how that can be done I am not on sure ground because at the moment there is no rubber consumers' association. I suppose this House is sufficiently interested to represent the consumers' interests also; but I find an anomaly that this House does not find any representation on this Board. Of course it gets it through the Government of India; but, to be frank, we are not sure of the present position of the Government of India. So I suggest that there should be an element of representation of this House also on the Board,—about two Members,—to represent the consumers' interests.

Thirdly, I find that clauses 18 and 20 relating to restriction on possession of rubber and licences for planting and replanting are of a very serious character. That observation applies also to clause 29 which deals with prosecutions. Strangely enough, the Bill is not content to entrust that power to the Central Government but also gives it to the Board, which in my view is a very dangerous thing. We know that the Board is to consist of persons who are directly interested in the rubber industry and it is not unlikely that they may develop a bias. Certainly in the matter of prosecutions it is the State which is concerned and the State alone should have discretion in the matter of prosecutions. I therefore strongly urge that an amendment should be made in that clause.

At this stage, Sir, that is all that I have to say.

The Honourable Sri C. Rajagopalachari (Member for Industries and Supplies):

Sir, I am very grateful to Honourable Members who have contributed a great deal to the work of the Select Committee which I propose to accept in accordance with the motion of the Honourable Member who spoke at great length on the substance of the matter as well as on the need for improving the Bill. I shall begin by giving an assurance to the House that this Bill has been taken up after full consultation with the States who are substantial partners in this concern. In fact it is fairly well known that a certain State is the major producing concern in India. But it is not possible to leave it entirely to the States to deal with the situation because the manufacturing concerns are outside and we are largely interlinked with the world-market with reference to the produce. Therefore it is that coordinated legislation is necessary and the Government of India are proceeding on the assumption and on assurances already given that the States will by parallel legislation cooperate thoroughly in the matter of execution of this plan.

Then with regard to research I wish to assure again that every effort will be made by the Government of India to help research and the Board is constituted for that purpose in order to initiate research and to look to its being carried out properly. And the excise that is also provided for here is mainly intended for that purpose and not for any independent revenue purpose of the Government of India. It is intended to improve the production and it is intended to be left entirely at the disposal of the Board which consists of all persons who have interest in the matter.

Then there were general observations with regard to protection and many fundamental matters were taken up for discussion. But I would submit to Honourable Members to look at this proposal not as if it were a Defence of India

measure or anything of that nature. I would ask rather the Honourable Members to remember that this is eminently a scheme for co-operation and not for any purposes of a totalitarian character; it is for co-operation, and in the particular position in which rubber growing in India is placed in the world it is very necessary.

References were made to the interests of consumers. Let it be remembered here that the first consumers in this present case are the rubber manufacturers and they can be counted on the fingers of ones hand. The secondary consumers who purchase from the rubber manufacturers the goods made out of this raw material are scattered all over the world. It should be remembered that it is very easy to control and protect a thing where all processes of distribution are within our own country, but where the produce of this raw material or the manufactured goods have to be exported abroad in large measures and has to face a world market, protection becomes rather a complicated matter. I think, therefore, Honourable Members should not look upon this as merely one instance of an easily extendable proposition. We had to deal with this matter in a particular way, and that is why we leave the matter in the hands of the Board which is constituted of persons who are in close touch with the matter in hand. Here I want again to draw Honourable Members' attention to this that it is essentially a co-operative concern that we are proposing to establish. The Board cannot really override the interests of the consumers as was feared by certain Honourable Members; they cannot arbitrarily push up prices which cannot work. Unless they fix reasonable prices which can be worked in the world market with which it is linked, the prices will breakdown, and therefore no fear whatsoever need be entertained that there will be any oppression of the producers in the sense in which Honourable Members use the word 'producers'. The main consumers are manufacturers and those manufacturers will look to their own difficulties and I am sure they will give suitable advice to the Board which will be constituted.

I am very grateful to the Honourable Member who spoke in support of the Bill—Mr. Manu Subedar. He has explained what he rightly called the moral background of this proposal, and I endorse almost everything that he said, and I need not take up the time of the House repeating it. We cannot undo what has been done in the past. If people have made profits, they are there, and we cannot exactly take measures to punish them for having made those profits. We cannot confiscate those profits. But what he has said is true that we should not tolerate any crocodile tears on the part of those who have made heavy profits. But there are no such tears shed or attempted to be shed. The manufacturers have as a matter of fact behaved very well in the matter of co-operation here. I may mention for the information of the Honourable Members that we had a conference and they have agreed even before the passing of this Bill into law to a very reasonable interim arrangement about price. It was a very promising event that they agreed in anticipation so fairly in the matter, so that the rubber growers are no longer in any anxiety. Therefore, I submit we should work with confidence, and I think there is every ground for working with confidence. In this Board that we are going to set up there will be no room for exploitation. They will have to work within limits of reasonableness if they want their rules and their decrees to be actually worked out in practice.

Mr. President: Is the Honourable Member likely to take some time?

The Honourable Sri C. Rajagopalachari: Just a few minutes.

Mr. President: Then we had better adjourn now.

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. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

The Honourable Sri C. Rajagopalachari: I am sorry that Dr. Zia Uddin Ahmad is not present in the House. He appears to want it both ways. He wants freedom of trade as well as a competitive system. He wants protection. It is rather difficult to protect the article in question with also freedom of trade which he seems to desire. It is necessary, however, to do something and the best that is possible is conceived and put forward in this Bill. I repudiate the suggestion that this is an insignificant thing which may be ignored. The relative proportion of India's rubber production to world production is not the point. There is intrinsic and absolute importance attaching to the rubber production in any particular country, and it is necessary therefore that we should protect it whatever may be the proportions with reference to world production. It is during times of crisis that this will be seen and when there is no crisis we should not ignore this fact. Therefore we have to protect the rubber plantation even though it may be a difficult proposition. The Board, I am confident, as now constituted, and it may be improved in Select Committee, will no doubt advise proper measures for meeting all the points involved. I have confidence, because there is so much earnestness of purpose which one could see even in the course of the discussion.

I do not wish to take up more time but I just wish to say a word about the Select Committee. Again, it is a pity that Dr. Zia Uddin Ahmad is not here. He said we make up our decisions beforehand and in party meetings and we do not take the House into confidence and do not invite full discussion. The very composition of the Select Committee which I propose to accept will show that that this charge is not true. The composition of the committee is good. The Select Committee will have the fullest opportunity to improve the Bill in every way, keeping in mind the interests of all parties, and I do not think the House will fail to accept the reasonable recommendations of that Committee.

Sir, in commending the Bill, I accept the amendment for reference to a Select Committee, and the House, I hope, will accept the proposal.

Mr. President: The question is :

"That the Bill be referred to a Select Committee consisting of the Honourable Mr. Jogendra Nath Mandal, the Honourable Sri C. Rajagopalachari, Rao Bahadur N. Siva Raj, Sri A. K. Menon, Shri D. P. Karmarkar, Sri M. K. Jinachandran, Haji Abdus Sattar Haji Ishaq Seth, Mr. Muhammad Rahmatullah, Mr. P. J. Griffiths and the Mover, with instructions to report by the 1st April, 1947, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

COFFEE MARKET EXPANSION (AMENDMENT) BILL.

The Honourable Sri C. Rajagopalachari (Member for Industries and Supplies): I beg to move :

"That the Bill further to amend the Coffee Market Expansion Act, 1942, be taken into consideration."

This again, Sir, I might say, is a Bill to establish co-operation rather than for any purpose such as we were familiar with at the time of the war. The producers have to be protected. The producers cannot be protected unless they combine and unless they get a statutory frame-work for carrying out their operations. It is in that view, just as in the case of rubber, that the Coffee Market Bill has been put forward. There is a law which has been in operation in almost the same terms but that will cease to have effect in the coming June.

It is necessary to make that measure permanent and at a recent meeting of all the coffee growers they unanimously resolved that this law should be made permanent and in order to do that the present amending Bill has been brought forward. We propose to delete the clause limiting the period of the existing law. The same conference which wanted the provisions to be continued has also requested changes in the constitution of the Board which are incorporated in this Bill. This Bill is practically in the terms desired by the Conference which met recently in order to safeguard the position and without a statutory provision like this, the Coffee industry will not be able to stand up to the difficulties.

With regard to the motions for amendments I shall deal with them later.

Mr. President: Motion moved :

“That the Bill further to amend the Coffee Market Expansion Act, 1942, be taken into consideration.”

There are two amendments in the name of Mr. Jaffer. But he is not present here. Mr. Menon.

Sri A. K. Menon (West Coast and Nilgiris: Non-Muhammadan Rural): What I propose to do is not to oppose the Bill but just bring into notice a disadvantage under which one section of coffee growers is suffering in India. There are two kinds of coffee grown in India: Robusta coffee and Arabica coffee. Three-quarters is Arabica and one-quarter is Robusta. On the Board that was existing all these years until this Expansion Act, there were only representatives of Arabica coffee. There were no representatives of Robusta coffee. Robusta coffee is grown extensively in South India, and the extent to which it is grown in one taluk of the Malabar District contained in my constituency will be clear from the fact that the area there grown with Robusta coffee is 15,000 acres, and the number of registered holders exceeds 3,000. The total production may be taken to be 1,000 tons covering 1/5th of the total Robusta coffee in India. The Board was all the while being weighted with Arabica growers and Robusta coffee growers had no representative at all on the Coffee Board up to this time. No doubt some of the Arabica growers were also growers of Robusta coffee, but their main interest was Arabica coffee. Moreover Robusta coffee growers are small plantation growers, whereas Arabica coffee growers are large plantation growers. In the Board the interests of Robusta coffee growers were always outweighed by the interests of the Arabica growers. As illustrations of how Robusta growers suffer I may point out two instances. In 1943-44 when the price of coffee was settled by the Board the price of Arabica coffee was reduced for some reason or other from Rs. 100 to Rs. 90 and the price of Robusta coffee was reduced from Rs. 85 to Rs. 69 for no reason. All the same I might point out that even a fastidious coffee drinker cannot easily distinguish Robusta coffee from the Arabica coffee by its flavour, if the former is properly fried. Nevertheless they reduced the price of Robusta coffee by about one-third, whereas they reduced only to the extent of Rs. 10 in the case of Arabica coffee. Therefore there is a large grievance in my district as far as Robusta coffee growers are concerned that they do not get proper representation on the Coffee Board. As a result of their agitation, in the new Coffee Expansion Board no doubt one seat has been provided for these Robusta coffee growers. Item (viii) says “One person nominated by the Malabar-Wynaad Coffee Growers’ Association.” That association consists entirely of Robusta coffee growers. All the other thirteen seats given for the growers are all more or less represented by Arabica coffee growers.

If you look at it from the point of view of production or from the point of the extent of cultivation that is being conducted, it will be seen that they will be entitled to at least one-third or 1/4th of the seats provided for the growers. The total acreage of coffee cultivation is about two lakhs and odd and of these Robusta is grown on 45,000 acres and the rest is Arabica coffee. Even on this basis it will be seen

Mr. N. M. Joshi (Nominated Non-Official): Will the Honourable Member kindly explain to us what is Robusta and what is Arabica coffee?

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Will the Honourable Member also explain what is Coffee?

Sri A. K. Menon: Robusta is a plant which can be easily grown. Arabica is a plant that has to be tended more carefully. Moreover Robusta can be grown at lower altitudes, whereas Arabica can be grown on higher altitudes. Wynaad and some other places are about 2,000 feet high and there only Robusta is grown. If Robusta coffee is to be exterminated, because Arabica coffee is considered by some fastidious folks as the better coffee, then the extinction of a large body of growers will take place. Notwithstanding that it is considered by some as inferior coffee, there is a large demand for it. About 1/4 or 1/5 of the whole quantity of coffee grown is Robusta and there is a great demand for it in Ceylon and other countries. Even if it is considered to be an inferior coffee, there are many people who depend upon it and it can be grown in lower altitudes. You may if you think proper, limit the acreage but as a matter of fact I may tell you that we have been using this coffee in Malabar and we do not find any difference in taste when this coffee is compared to the Arabica coffee. This propoganda that Robusta is inferior is being done because a larger number of growers belong to the Arabica class.

If you look at it from the point of view of production this Robusta coffee ought to get better representation. The total quantity consumed in 1945-46 was about 24,000 tons and of these 6,000 tons was Robusta and 18,000 tons was Arabica. Looked at from this point of view also, one-third or 1/4th of the number of seats allotted to growers ought to go to Robusta growers. Only one seat is given to them. They have suffered already so much in the previous Board that was constituted for lack of proper representation. This is seen by one or two illustrations. As I have already said they reduced the price in 1943-44 of Robusta from Rs. 85 to Rs. 69, whereas in the case of the Arabica coffee the price was reduced by only Rs. 10, viz., from Rs. 100 to Rs. 90. Again in 1943-44 the points of Robusta were reduced. There are certain points accorded to show superiority and inferiority. The points of Robusta were reduced from 68 to 66 for no justifiable reason, whereas the points of Arabica Coffee were allowed to remain the same. In all these ways the Robusta coffee growers are suffering unduly. Therefore my request to the Government is that some means might be found whereby these Robusta coffee growers are given proper representation on the Board. There are several ways of doing it and Government can easily do it. One objection that is raised is that there can be no representation on the basis of classification of the coffee. Representation can be given only on a regional basis. No doubt that is a good argument. Recently the Robusta Coffee Growers Association has been formed and representations have been made to the Government by means of petitions and there is no reason why this association should not be given a seat upon the Board. Moreover, there is another way of doing it. I find that the UPASI are given seven seats out of 14 in the Board. There are several associations which are affiliated to the UPASI. This UPASI are given three seats directly on the Board and its constituents are given four seats, altogether seven seats out of a total of 14. Why cannot they reduce one out of the seven and give it generously to the Robusta Coffee Growers Association of South India? This association has been formed no doubt only recently and it may be said that it is very difficult now to provide a seat for a new association that has been recently formed. My request then to the Government will be that one more seat might be given for the time being to the Malabar Wynaad Coffee growers. Subsequently it could be changed in favour of the Robusta Coffee Growers Association of South India. There is nothing wrong in giving two seats instead of one as at present to this Wynaad Malabar Growers Association, because it will be seen that 1/5 of the Robusta coffee is grown in that taluk. Therefore my submission to the Government is that the interests of the Robusta coffee growers might be properly taken care of

and one more seat be given to them. I am quite prepared to go to the extent of accepting the position that the Madras Government, which have been provided with one seat to be nominated on the Board, may be asked to nominate two, and you can suggest that, of these, one seat is to be reserved for the Robusta coffee growers. Then there will at least be a person to move and another person to second any proposal or proposition, as otherwise there is not even that chance on the Board, there being only one single representative of Robusta coffee growers on the Board under the Bill as framed at present. Therefore, my request to the Government is to find out one more seat, either for the All-India Robusta Coffee Growers Association or for the Malabar-Wynaad Coffee Growers' Association, or one nominated seat reserved in favour of one full Robusta grower or planter.

These are my suggestions. I hope the Government will consider them because the Robusta growers are suffering very much. They do not get fair dealing at the hands of the Board that existed so far. I hope at least in the future Board some protection will be given to their interests.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): Sir, I strongly support the plea made by my Honourable friend, Mr. Karunakara Menon. He has made out a very strong case. He has proved how the non-Malayalee interests are over-represented on this Board and how the Malabar interests, or Robusta coffee growers' interests as my friend prefers to call them, are very much neglected. He has suggested two ways of setting this thing right. But the difficulty that I have to face is that there is no amendment on the Order Paper. It is unfortunate that there is no amendment to carry out what my friend desires. What I would like my Honourable friend the Member in charge to consider therefore is whether in clause 3, sub-section (2), clause (c), sub-clause (viii), instead of saying "one person nominated by the Malabar-Wynaad Coffee Growers' Association" he will agree to an amendment saying "two persons nominated by the Malabar-Wynaad Coffee Growers' Association". It will be for you, Sir, to suspend the rules and allow this amendment to be made. That is possible. Otherwise the only way out is for my Honourable friend to carry out the other suggestion of Mr. Karunakara Menon, that is, to issue instructions to the Madras Government that in nominating their quota they should take care to nominate one person for the Malabar-Wynaad interests. With regard to that the House may not feel very happy because there would be statutory obligation on the Madras Government to do so. I would therefore request that the first suggestion should be carried out and that the Honourable Member should declare here in this House that he has no objection to this amendment; and I would request you, Sir, to suspend the rules and allow this amendment to be made. In any case, I request that justice should be done to the very much neglected Malabar interests.

The Honourable Sri C. Rajagopalachari: I will give the consideration that it deserves to what has been suggested in spite of the difficulties which also have been admitted. I might mention lest I be misunderstood that this Bill has to cover matters of agreement between several Provinces and States. It would appear easy to the House to accept the suggestion that "one" may be made into "two" and it may appear rather stingy on my part to say "no". Honourable Members should keep in mind that if the balance is disturbed by increasing representation in one special case and two persons are to be nominated by an Association, there are so many associations some of which are perhaps bigger to which only one person each has been allotted. That is the difficulty. I may mention therefore that it may be easier to accept the other suggestion that an instruction may be given to give the due balance to the variety of coffee referred to, by way of executive instruction rather than by upsetting the balance between the various Associations and Provinces and States which are all involved here. I also submit that it was a unanimous conclusion of a

[Sri C. Rajagopalachari]

conference at which these proportions have been fixed. That makes it more difficult. The *Robusta* coffee representatives were also present there. I therefore hope that I won't be misunderstood if I find difficulty in accepting the suggestion made. As for the executive instruction there can be no difficulty. I move that the Bill be taken into consideration.

Mr. President: The question is:

"That the Bill further to amend the Coffee Market Expansion Act, 1942, be taken into consideration."

The motion was adopted.

Mr. President: We shall now take the Bill clause by clause. The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: Clause 3.

Mr. N. M. Joshi: I move:

"That in clause 3 of the Bill, in part (d) of the proposed sub-section (2) of section 4 of the Act, between the words 'nominated' and 'by' wherever they occur, the words 'after consultation with the labour organisations concerned' be inserted."

Sir, you may have observed that I have modified my amendment slightly. For the words "in consultation" I have used the words "after consultation" I have also added the wording "concerned" after "labour organisations" at the end of my amendment. These small changes may be permitted by you, and by the House. I have made the changes in order that my amendment should be made more acceptable to Government.

Sir, the Government of India has very kindly given three representatives on this Board for labour interests. I am suggesting that those Governments who will have the responsibility of nominating labour representatives on this Board will consult the labour organisations concerned in nominating those persons, I feel that the Government themselves may consult the labour organisations before nominating persons, but I thought it better to make a suggestion in this clause itself, that they will be well advised in consulting labour organisations before nominating labour representatives on this Board. I hope, Sir, the Government of India will accept my amendment.

Mr. President: Amendment moved:

"That in clause 3 of the Bill, in part (d) of the proposed sub-section (2) of section 4 of the Act, between the words 'nominated' and 'by' wherever they occur, the words 'after consultation with the labour organisations concerned' be inserted."

The Honourable Sri C. Rajagopalachari: I accept the amendment, Sir, in view of the alteration in language, the words will be "after consultation with the labour organisations concerned". In accepting it let me say for the information of the House that after all probably less than 300 workmen are really concerned in this matter, but it is a matter of principle and I accept the suggestion.

Mr. President: The question is:

"That in clause 3 of the Bill, in part (d) of the proposed sub-section (2) of section 4 of the Act, between the words 'nominated' and 'by' wherever they occur, the words 'after consultation with the labour organisations concerned' be inserted."

The motion was adopted.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): I move:

"That in clause 3 of the Bill, to the proposed sub-section (2) of section 4 of the Act, the following new part be added, namely:—

'(e) two persons elected from amongst themselves by the members of the Legislative Assembly of the Central Legislature'."

Sir I do not want to be long on this. I hope this amendment will be acceptable to the Honourable Member.

Mr. President: Amendment moved:

"That in clause 3 of the Bill, to the proposed sub-section (2) of section 4 of the Act, the following new part be added, namely:—

'(e) two persons elected from amongst themselves by the members of the Legislative Assembly of the Central Legislature'."

The Honourable Sri C. Rajagopalachari: May I suggest that instead of up-
3 P.M. setting the balance to such an extent, because other Governments too are concerned in the agreement upon which we are introducing this Bill, it may be reduced to one person and that may perhaps facilitate the representation of the Robusta coffee easily enough.

Haji Abdus Sattar Haji Ishaq Seth: It is difficult for me to understand how my Honourable friend can accept one person and, not two. If it is a question of agreement, it is an agreement, whether it is one or two or more. My Honourable friend is new to this House but in many of the other Bills which were introduced in this House for constituting such boards, we did in this House insist upon having our representative. I am not happy over having only one member. It is very difficult in this House to have complete representation for all interests concerned if we elect one member. It has always been agreed by the Government that wherever an election is held the election should be for two or more. Therefore I would request my Honourable friend to reconsider the matter. If you agree to only one, it will be very difficult for us to choose our representative. I would ask the Honourable Member to accept the amendment as it stands.

Mr. N. M. Joshi: I have always opposed in this House any proposals that the Legislature should be represented on these subordinate boards. I have taken the view that the Legislature is a supreme governing body and it should not accept a place either by election or by nomination on any bodies whose work the Legislature will have to supervise. The Legislature can exercise its control through its own representatives, the Ministers and to elect or nominate two or three representatives on these boards weakens in my judgment the authority of the Legislature. Experience shows that the members who go to these bodies put the case, not of the Legislature but of their particular bodies. Therefore I would like the Legislature to seriously consider whether it should accept a position of subordination in this manner.

The Honourable Sri C. Rajagopalachari: I am much impressed by what Mr. Joshi has said and I am sure other Honourable Members have been equally impressed. I think it is not a wise thing, as he says, to provide for this kind of what may be called subordinate representation. (*An Honourable Member:* "What about Select Committees?") Select Committees are not subordinate bodies. They are advisory committees of the Assembly itself. Here the important point is price fixation and the Board has not any statutory power finally to fix the thing. It is Government that issues the necessary orders, so that the Legislature has always ample opportunities to check and control and regulate the operations in this matter. I therefore commend to the House what Mr. Joshi has just said and would ask the mover of the amendment to withdraw it also.

Shri D. P. Karmarkar: I find myself in a position of difficulty to withdraw the amendment. We were insisting on five but have only asked for two, in consultation with the Honourable Member.

Mr. President: Then I will put the amendment to the House.

The question is:

"That in clause 3 of the Bill, to the proposed sub-section (2) of section 4 of the Act, the following new part be added, namely:—

'(e) two persons elected from amongst themselves by the members of the Legislative Assembly of the Central Legislature'."

The motion was negatived.

Clause 3 as amended was added to the Bill.

Clauses 4 and 5 were added to the Bill.

Mr. President: The question is:

"That clause 1 stand part of the Bill."

Mr. Shyax A. Lal (Government of India: Nominated Official): Sir, I move:

"That in clause 1 of the Bill, for the figures '1946', the figures '1947' be substituted."

Mr. President: The question is:

"That in clause 1 of the Bill, for the figures '1946', the figures '1947' be substituted."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sri C. Rajagopalachari: Sir, I move:

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

Mr. President: The question is:

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

The motion was adopted.

FACTORIES (SECOND AMENDMENT) BILL.

The Honourable Shri Jagjivan Ram (Labour Member): Sir, I beg to move:

"That the Bill further to amend the Factories Act, 1934 (Second Amendment), be taken into consideration."

The Bill is a very simple one. It is an enabling measure calling upon the Provincial Governments to ask factories employing 250 or more workers to have canteens in their factories. The usefulness of such canteens has been proved during the war time and many countries have taken to it. In our country as well many of the factories have taken to it and it has been proved to be beneficial to the workers. The measure is to enable the Provincial Governments to ask factories to have canteens for the benefit of the workers. The other amendment in it is merely consequential. When section 34 of the Act was last amended, the proviso was not amended accordingly. The amendment seeks to bring it into line with the amendment that was last done. With these words, I commend the Bill for consideration.

Mr. President: Motion moved:

"That the Bill further to amend the Factories Act, 1934 (Second Amendment), be taken into consideration."

Mr. N. M. Joshi (Nominated: Non-Official): Sir, I would like to say a few words at this stage on this Bill. The provision of canteens is a useful measure for the welfare of the working classes, but the provision of canteens is not necessary only to those people who go to factories. There are other industries in which workers work and canteens are useful to them also. A large number of people work in mines; some others work on plantations; and some others work in docks and canteens are necessary for all these workers. I therefore, thought that when the Government of India decided to take up this measure of labour welfare, they should have drafted a Bill which would make the provision applicable to all workers and not only to the workers in factories.

Unfortunately, the Government of India—I do not know why—have adopted a wrong method of proceeding with this matter. Some time ago they passed a measure for providing holidays. It is a measure of useful labour welfare. But holidays are necessary not only for those people who work in factories; they are necessary for people who work in mines, in docks and on plantations. Unfortunately, the Government of India—I do not know why—are proceeding by a wrong method. It is not my general practice to attribute motives which may not be quite good motives to anybody. I, therefore, find it difficult to understand what the motive of the Government is. What appears to me is that this policy results in very slow progress. I do not say that the object of the Government is to move slowly, although it is generally the way of the Governments to move slowly. Government are now providing canteens for workers in factories and it will take another six months or a year for them to bring another Bill for providing canteens for workers in mines; another year for providing canteens for workers on plantations and yet another year for providing canteens for workers in docks. That way, the Government generally like to spend time and make it appear to the public that they are passing progressive measures. I think the Government of India should give up this practice. Whenever they take up any measure for labour welfare, they should first find out whether they could not bring forward a piece of legislation which will make the welfare measure applicable to all workers. Unfortunately, I have to state this point and bring it to the notice of the Legislature because the habit is growing on the Government. I had to point that out when Government introduced a Bill for providing holidays with pay. Unfortunately, Government did not pay any heed to my suggestion; but this habit is again growing on them, as I said. They have brought forward legislation for dealing with health insurance. Health insurance is a matter in which all workers are interested and not only factory workers. Health insurance is necessary for mine workers, dock workers and plantation workers. Therefore, I would like the Government of India to consider this matter very seriously whether they are not wasting the time of the Legislature by bringing forward these measures in parts. If they want to show to the public that they are taking measures, I think the public is more discerning

The Honourable Shri Jagjivan Ram: Are you talking with that view?

Mr. N. M. Joshi: Even if they find that in one Bill you have covered a large ground, they will give you credit for it. But if you frame ten Bills for a matter which could be done in one Bill, the public will find that out and will not understand your motives, for doing so, if they do not attribute wrong motives to you. I, therefore, feel that the Government of India should give up this wrong practice. That was the first point which I wanted to make on this Bill.

The second point is that in this Bill the Government are taking a very hesitant and halting step. They propose to give powers to the Provincial Governments to establish canteens in factories which employ 250 persons or more instead deciding that there shall be canteens established in all factories employing 250 persons or more. This, again, is a wrong policy of empowering the Provincial Governments to do something. The bad effect of this policy is that in a country where there should be uniformity, you destroy the chances of uniformity if you leave matters to Provincial Governments. There are eleven provincial governments in this country. If you merely authorise provincial governments to establish canteens in factories, then it will take a very long time to have canteens in all the provinces and consequently the good employers in those provinces where governments are slow are placed at a disadvantage. I have always found the employers and representatives of employers insisting upon simultaneous labour legislation being introduced in all the provinces. But somehow the Government of India have again chosen the wrong method of

[Mr. N. M. Joshi]
 procedure. They authorise the provincial governments to take measures which they themselves should have provided for by their own legislation. I do not know why the Government of India should do that. Hereafter if Government of India have to take up any measure for labour welfare, they should introduce that measure themselves and not leave it to the provinces, because there are two disadvantages in the method of leaving these things to be done by provinces. First is uniformity is destroyed, the rules framed are different in different provinces. Some Governments act quick, some slow and therefore uniformity is destroyed.

Shri Sri Prakasa (Benares and Gorakhpur Division: Non-Muhammadian Rural): Foodstuffs will be different.

Mr. N. M. Joshi: Yes, foodstuffs also will be different. In any case, I am only thinking that when these canteens are established in factories, they should be established in all the provinces. I do not want to discriminate in favour of my province or against some other province. I therefore suggest that when the Government of India undertake these measures, they should take the responsibility of introducing these measures themselves and not leave it to the provinces. I propose to move an amendment and I hope that the Government of India would accept the amendment. I have nothing more to say at this stage. I shall reserve whatever I have to say at the time clauses are taken up.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): Sir, I am in agreement with my Honourable friend Mr. Joshi on one point only that so far as the establishment of these canteens is concerned, it ought to be made an all India affair, so that there will be real uniformity between one province and another all over India. After all it is not right that some provinces should establish canteens or should provide minimum convenience to workers while others should lag behind. Therefore, I hope that suitable amendments will be made in this Bill before it is passed into law in this regard.

Coming to the other point, namely factories which employ less than 250 workers, I do not know why this distinction has been thought necessary. Even those factories which employ less number of workers ought to be expected to establish canteens and maintain these canteens. There are certain seasonal factories. They escape from many of the duties, social and economic which the factory owners are expected to perform. In regard to this at least, they should be expected to provide the minimum convenience for workers. Take for instance rice mills, oil mills, sugarcane mills.

The Honourable Shri Jagjivan Ram: Are they not factories?

Prof. N. G. Ranga: There are seasonal factories and they employ a large number of people for weeks in certain months. These workers do need elementary conveniences.

The Honourable Shri Jagjivan Ram: They will be included.

Mr. S. C. Joshi (Government of India: Nominated Official): They are included as a matter of fact.

Prof. N. G. Ranga: I have nothing more to say.

The Honourable Shri Jagjivan Ram: Sir, I do not propose to examine all the points raised, for if I do so at this stage, I am afraid, I shall have to repeat some of the arguments when the amendments are taken up. I want to meet some of the points now with a view to see whether some of the amendments of which notice has been given are not moved. Mr. Joshi has raised a number of points. As far as the present Government is concerned, it yields to none in its sympathy for labour. As regards mining labour, plantation labour and other categories of labour, we want that they should also have welfare measures in the same way as industrial labour. But there are obvious difficulties. In the

case of mining labour and plantation labour, we have not got even that much legislation as we have for industrial labour. We do not believe in the theory that either we bring in a comprehensive legislation or wait for that time. We want to do what we can possibly do with the utmost speed and with that purpose, we have brought in this Bill. Our intention is not that these amenities should not be given to labour in plantation or mines or dockyards. As a matter of fact, we propose to bring in legislation for plantation labour and dockyard labour and others and we will cover all the labour as soon as we can. Mr. Joshi talked of many things, health insurance, unemployment insurance, old age pensions and all other things. In considering these things, we shall have to take into consideration the condition of the country as well. How far can we go under the social set up in our country. We have to proceed cautiously and to give the workers as much benefit as we can. As regards making this measure compulsory for all factories, I do not agree with that view. In the present abnormal conditions when there is scarcity of food grains and other things, many things ought to be taken into consideration. The provincial governments are the proper authorities which will take all these factors into consideration before asking the factories to open canteens.

About lowering the number of employees, as my Honourable friend Prof. Ranga suggested, there are obvious difficulties. While considering the establishment of canteens, we must bear in our mind the social difficulties as well, and the diffidence of workers to take advantage of the amenities. If we are going to enforce this provision for all factories, for factories employing a smaller number of workers, there might be difficulty. Even if factories run canteens, sufficient number of workers may not be forthcoming to take advantage of them. In that case, the canteen will be a costly affair and it will not be beneficial to the workers themselves, if the things sold there are costly. Taking all these things into consideration, the number fixed is quite reasonable. With these words, I commend the Bill for the consideration of the House.

Mr. President: The question is:

“That the Bill further to amend the Factories Act, 1934 (Second Amendment), be taken into consideration.”

The motion was adopted.

Mr. N. M. Joshi: Sir, I move:

“That after clause 1 of the Bill, the following new clause be inserted, namely :—

‘2. In Chapter III of the Factories Act, 1934, after section 19 the following section shall be inserted namely :—

‘19A. In every factory wherein more than 250 workers are ordinarily employed, an adequate canteen shall be provided for the use of the workers’.”

What I am seeking by this amendment is that the Government of India lays down a law that in every factory where there are more than 250 persons employed, there shall be a canteen. There will be no further direction than this from the Government of India. All the rest will be done by the provincial governments. The provincial governments also are empowered to make rules regarding the sort of canteens that should be provided for by them and what should be the other details regarding the canteens.

Sir, the Honourable Member in reply to my argument that a matter of this kind should not be left to the provincial Governments said that to apply the rule regarding the provision of canteens to all the factories will be very difficult. I do not see the difficulty. We have provided that in every factory where more than 20 persons are employed drinking water should be provided. The Honourable Member may say that there will be difficulty in providing drinking water

The Honourable Shri Jagjivan Ram: That is not the idea of a canteen.

Mr. N. M. Joshi: I understand that the provision of water and the provision of tea are different things. Tea requires hot water and drinking water is cold. So when we make it compulsory for factories to provide pure drinking water for the employees and also other sanitary provisions, I do not see why tea should be difficult to provide in a factory where 250 persons are employed. We are not in this Bill defining what a canteen should be; we are leaving that to the provincial Governments. A canteen may consist merely of the provision of tea or of the provision of meals; the provincial governments shall decide in what factories meals should be provided and in what factories tea only shall be provided. Therefore what I propose is that there shall be some provision for giving refreshment to workers where more than 250 men are employed, just as we are providing in the Factory Act itself that the workers shall be provided with drinking water and also with some other facilities. I really do not see why the Government of India should oppose this. In my previous speech I pointed out the dangers of lack of uniformity in the legislation, the danger of some provinces going much further than other provinces. And I have found that many good provisions in the Factories Act have remained practically a dead letter on account of labour welfare having been handed over to the whims of the provincial governments. The difficulty of the provincial governments is this: The Bombay Government say that unless the Bengal Government takes action they cannot, and the U. P. Government say that unless the Madras Government takes action they cannot.

An Honourable Member: We do not take our cue from other Governments.

Mr. N. M. Joshi: Unfortunately I do not belong to any province but to the whole of India and so I do not plead for any one particular province. I will give you an example. The present Factory Act enables the provincial governments to insist upon sheds being provided to the factory workers, to be used as a canteen or where the workers can take rest and take their food. Very few of the provinces have acted upon that provision because the whole thing is left to the provincial governments. I therefore again appeal to the Honourable Member that my amendment seeks nothing but to make a rule that there shall be a canteen in every factory where more than 250 workers are employed. I am prepared to leave everything else to the provincial governments; you may leave it to the provincial governments to decide what constitutes a canteen,—whether it should be a tea shop or a regular hotel.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): I have not been able to understand one thing. While speaking of canteens and the provision of refreshment for workers the Honourable Member said that drinking water shall be provided. Are Government so inhuman that they do not provide even drinking water?

Mr. N. M. Joshi: Under the Factories Act it is compulsory upon all factory owners to provide water; that is all right.

Sir, I hope the Government of India will accept my suggestion; I do not think there will be any inconvenience to any one. The desire of the Government of India to have canteens for factory workers will be better satisfied and fulfilled by my proposal rather than by their own proposal.

Mr. President: Amendment moved:

“That after clause 1 of the Bill, the following new clause be inserted, namely :—

“2. In Chapter III of the Factories Act, 1934, after section 19 the following section shall be inserted namely :—

“19A. In every factory wherein more than 250 workers are ordinarily employed, an adequate canteen shall be provided for the use of the workers”.

The Honourable Shri Jagjivan Ram: Sir, I do not see my way to accept this amendment because, if accepted, it will defeat the very purpose of the

Bill. My intention is that if a canteen is to be provided it should be a substantial canteen. By a canteen we do not simply mean that some provision should be made to provide workers with tea, as Mr. Joshi suggests.

Mr. N. M. Joshi: Something is always better than nothing

The Honourable Shri Jagiwan Ram: If we make it compulsory from here it is just possible that many of the factories, in order to evade the Act, will provide just for tea or some such simple thing, as Mr. Joshi has suggested. But if you leave it to the provincial governments they will see in which factories these are necessary and where these are practicable; and they will enforce this law on those factories alone. So this discretion must be left to the provincial governments.

Mr. President: The question is:

"That after clause 1 of the Bill, the following new clause be inserted, namely:—

'2. In Chapter III of the Factories Act, 1934, after section 19 the following section shall be inserted namely:—

'19A. In every factory wherein more than 250 workers are ordinarily employed, an adequate canteen shall be provided for the use of the workers'."

The motion was negatived.

Mr. N. M. Joshi: Sir, I move:

"That in clause 2 of the Bill, in sub-section (1) of the proposed new section 33A for the word 'may' the word 'shall' be substituted."

Mr. President: I do not find any notice of this amendment.

Mr. N. M. Joshi: Notice was given in the last session.

Mr. President: I do not find it in the order, paper.

Mr. N. M. Joshi: That is not my fault, Sir.

Mr. President: Apart from that, the Honourable Member will see that his last amendment having been negatived this falls through as a consequence.

Mr. N. M. Joshi: That I am prepared to accept.

Mr. President: Then there can be no discussion on this point.

Mr. N. M. Joshi: There is another amendment, and that is also from the last Session. I gave notice when the Bill was brought forward. There is no rule by which the amendment given notice of at the proper time can lapse. It is the fault of the people who do not keep the records properly.

Mr. President: That is not so. I will refer the Honourable Member to the particular provision. It is Standing Order No. 4:

"On the termination of a Session, all pending notices, other than notices of intention to move for leave to introduce a Bill, shall lapse, and fresh notice must be given for the next Session."

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): In fact the Honourable Member should not have been allowed to move his other amendment.

Mr. President: Notice of the other amendment was given. The Standing Order is there.

Shri Sri Prakasa: The Standing Order may be waived for the sake of an old sitting member.

Mr. President: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: Clause 3.

Mr. President: The question is:

“That clause 3 stand part of the Bill.”

Mr. N. M. Joshi: Sir, I want to say something on this clause.

Mr. President: It is too late. I moved the motion and sat down but no one got up to speak. I have already put the question; it is too late. The question is:

“That clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

Mr. President: Clause 1.

Mr. Shavax A. Lal (Government of India: Nominated Official): Sir, I move:

“That in clause 1 of the Bill, for the brackets, words and figures ‘(Second amendment) Act, 1946’, the brackets, words and figures ‘(Amendment) Act, 1947’ be substituted.”

Mr. President: The question is:

“That in clause 1 of the Bill, for the brackets, words and figures ‘(Second amendment) Act, 1946’, the brackets, words and figures ‘(Amendment) Act, 1947’ be substituted.”

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Shri Jagjivan Ram: Sir, I move:

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

Mr. President: Motion moved:

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

Mr. N. M. Joshi: I would like to say a few words on this motion. The Government of India in my judgment is not making a proper use of the time of the Legislature by not bringing forward more comprehensive Bills. They have brought forward in this Bill a clause which on account of my own negligence I could not discuss much though I would like to have done so. That is the proviso to section 34 in which they have sought to make a slight change which I would like to have seen amended; it is the proviso to Section 34 of the Indian Factories Act. That proviso enables the factories which have to work continuously to work longer hours. Generally the factories in India at present work 48 hours, but factories where the process has to be continuous throughout the day are allowed to work 56 hours in a week. Ordinarily these factories are iron and steel factories in which the furnaces have to be kept burning throughout the day and throughout the week as they cannot be allowed to cool down. The people who work near these furnaces are the most hardest worked people; their work is most difficult; they have to work near intensive heat. If there are any people for whom shorter hours are necessary, they are for this class of people. Unfortunately when the Factories Act was amended, the Government of India did not make any change in the hours of work of these people. In my judgment if hours of work are to be reduced first, they should be reduced in the case of people who have to work in these factories where furnaces have to be kept burning continuously. I should have thought that when the Government of India were amending this section, they would amend this provision and would reduce the hours of work for these people. But that has not been done. I hope that the Government of India will not penalize those workers who have to do the hardest job. Instead of extending the hours of work from 48 to 56, I would have reduced them from 48 to 40, but, unfortunately, the ways of the Government of India are strange. I feel the Government failed in their duty in not amending this section sufficiently, and I hope they will take the earliest opportunity to bring about this reform. Otherwise there is nothing in the Bill to which any one can take objection; it is a small measure. The Honourable Member will admit that it is an extremely small measure, and a measure of extremely limited usefulness because they have left

the whole thing to the Provincial Government. But, as I have said, there is nothing in the Bill to which one can take objection.

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): I welcome this measure. While doing so, I remind the Honourable Minister for Labour of the piteous plight of the millions of labourers who work in the coalfields of his own province and request him to bring a comprehensive measure extending the benefit of the measure to them.

With these words I again support the Bill.

The Honourable Shri Jagjivan Ram: I have nothing much to add. A comprehensive amendment of the Factories Act is being prepared and it will be probably introduced in this Session of the House. These small amendments were taken up during the last Session and the intention was that this measure would go through during that Session. But unfortunately it was crowded out and we have to bring it again during this Session.

As regards the hours of work of 56 hours in a week, that is a consequential amendment. Well, Sir, I do not agree with Mr. Joshi that it will work as a hardship to the worker when the provision is there for compensatory holidays and for giving them the double rate of their usual wages for the extra hours of work done in the factory. That goes to the benefit of the worker. For that reason I support that measure and commend the Bill for being passed.

Mr. President: The question is:

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

The motion was adopted.

INDIAN RAILWAYS (AMENDMENT) BILL

The Honourable Dr. John Matthai (Member for Transport and Railways): Sir, I beg to move:

“That the Bill further to amend the Indian Railways Act, 1890, be taken into consideration.”

The purpose of this Bill is a very simple one. At present Honourable Members are aware that the liability of railways in respect of the safe return of goods entrusted to them is of the same character as that of a bailee under the Indian Contract Act. That is to say the railways would be liable for compensation if goods are lost or destroyed or have deteriorated in the course of transit unless it can be shown that they have exercised the care which a person of ordinary prudence would. That is the general position with regard to goods carried by railways. There is however a class of excepted articles, in respect of which the liability of the railways is limited. These articles are listed in the Second Schedule to the Indian Railways Act. They are articles of special value, rare articles, works of art and so forth. In respect of them, the provision in the Railways Act is that railways would be liable if the value of the article does not exceed Rs. 100, but in respect of articles exceeding Rs. 100 in value, the railways would not be liable unless they are declared and insured. The point of this measure is to raise this minimum value of articles which require insurance from Rs. 100 to Rs. 300. The matter has been under discussion for quite a long while now between the Railway Department and the Chambers of Commerce, and this figure of Rs. 300 has been arrived at as a result of these discussions. So if this Bill is passed into law, the position will be that railways will be liable even in respect of excepted articles for compensation if the value does not exceed Rs. 300 as against Rs. 100 at present. Beyond that, they will not be liable unless the articles are declared and insured. I beg to move that the Bill be taken into consideration.

Mr. President: Motion moved:

“That the Bill further to amend the Indian Railways Act, 1890, be taken into consideration.”

Shri Sri Prakasa (Banares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, it seems to me that the Railway is trying to escape its liability. The railway is a common carrier and as things are it has a monopoly of this business. There are no other methods by which one could send one's goods from one place to another. All the old methods have died out because of the competition of the railway. The bullock carts have gone: the camel carts have gone: the horse carriages have gone: and the railways have come. The Honourable Member knows that is a fact; and so it seems to me at least that the railway should take full responsibility for the payment of any goods that are lost in transit whether they are worth less or more than Rs. 300.

It is a most amazing thing that they are willing to take responsibility for goods that are worth only upto Rs. 300 and refuse to take responsibility for things that are worth Rs. 1,000. Usually they might be allowed to neglect small things but they ought to take responsibility for the more valuable goods. Here it is just the other way round. The Honourable Member says that he would take responsibility for things that are worth less than Rs. 300 but not for things worth more than Rs. 300. I ask him and his colleagues in Government as to where else we are to go when we have to send our goods from one place to another; and if we entrust a certain thing to the railway, we have reason to expect that the things will be delivered properly at the other end, and if there should be an accident and consequent loss or damage, surely the railway should be responsible, if not for the loss and damage, at least for the payment of proper compensation to the person who has suffered that loss and damage.

The thing that seems to me so reasonable does not evidently seem the same to my Honourable friend. I understand that he had his grouse when he lost his goods before he became a Member of Government. It seems that he carried on a long correspondence with his own predecessor when he himself was out of office and someone else was where he is now, for loss of goods of the Tata's to the extent of one lakh or so. But when he comes up here, he seems to have changed his opinion completely. It is said in my language that it is the Chair that makes a man speak. It is not the man that speaks, but the Chair that makes him speak. And whoever the incumbent may be, he who speaks from there seems to speak the same language.

If that is so, we in the House can derive very little satisfaction from the change of the personnel of the Government of India. But if the Government does come forward with a new ideal and is really considerate to the needs of the people, then of course we must welcome that Government. I certainly expect my friend, the Honourable the Railway Member, to extend a more sympathetic consideration to this problem and not to forget the days when he used to lose his goods and had not to carry them.

The Bill has been brought before the House is too limited in scope and does not go far enough. I do think that the Honourable Member will so amend the Bill so that the responsibility of the railway should be recognised in all cases; and that every person who entrusts his goods to the railway for carriage from one place to another, is assured that the goods will either reach safely or will be fully compensated for if they are lost or damaged in transit. The other day I gave the example to my Honourable friend of the loss of two very valuable parcels of books. They certainly were worth more than Rs. 300; and under this law the sender of those parcels cannot claim anything from the Honourable Member. That, if I may say so, without meaning any harm, is most unfair and unjust. I do think the Honourable Member will recognise the justice of my claim and amend his Bill accordingly.

Mr. President: It is four o'clock. We have to take up the adjournment motion.

MOTION FOR ADJOURNMENT

IMPOSITION OF PUNITIVE FINE AND TAKING OF HOSTAGES FROM NANDIHAR TRIBES-

Mr. Siddiq Ali Khan (Central Provinces and Berar: Muhammadan): Sir, I move:

"That the House do now adjourn."

I thank you for giving me this opportunity of voicing on the floor of this House my feelings on a subject which has exercised the minds of a large number of people in the country. I wish to make it clear at the outset that there is nothing communal about the motion which I am making. The raids of the tribal people on certain villages in the settled districts of the N. W. F. P. resulted in losses of life and property to Muslims as well as Hindus. Sir, in support of this I can quote the authority of Dr. Khan Sahib, the Congress Premier of the N. W. F. P., who has publicly stated that the victims of the raids made from across the border included Muslims as well as Hindus and that this was not a communal matter at all. I wish further to make it clear that neither I nor the party to which I belong are in any way opposed to the idea of protecting the life and property of the people in the settled districts of British India from raids by independent tribes across our frontier. We are willing to support reasonable actions and suitable policies for the prevention of such raids and for the protection of our fellow compatriots. Nor do we in any way approve of or lend conniving sympathy to these depredations. The life and property of our compatriots in the Frontier Province is as dear to us as to anyone else. We are as much interested in maintaining peace in the N. W. F. P. as anyone can be. I have sought this opportunity, however, to raise my voice of protest against two things. (1) The utter ignorance which the External Affairs Department has shown in understanding and appraising the causes of these raids; and (2) the barbarous and revoltingly inhuman nature of the punishment which this Government claims to follow enlightened and civilised principles, has imposed on the tribes.

[At this stage Mr. President vacated the Chair, which was then occupied by Mr. Deputy President (Khan Mohammad Yamin Khan).]

I and some of my friends have made careful enquiries into the reasons which prompted the independent tribes to raid our villages. Enquiries made on both sides of the border show that the main reason for the trouble was the refusal of the shopkeepers of these villages to sell certain necessities of life to the tribes except at exorbitant black-market prices. The tribal people concerned have always depended on the markets of these villages for their purchases of cloth, sugar, kerosene oil and such other necessities of life. I presume that the amounts of these commodities given by the controlling and rationing authorities to the shopkeepers of these villages are fixed on the basis of making certain allowance for the demand of the buyers from across the border. The difficulties which the blackmarketeters of these villages created for the tribesmen were simply awful. The Muslims consider it a sacred duty to their dead to shroud them in Kafan at the time of burying them. You will be surprised to hear that the tribal people who came to buy a few yards of cloth for Kafan had to pay Rs. 200 which at controlled price would not cost more than Rs. 15 or 20. This was the condition about the essential commodities which the tribes needed and this was what eventually infuriated the tribal people and prompted them to use force.

Sir, I have explained this real background of the trouble not as a justification of the reprisal on the part of the tribes. My purpose is to emphasise that if the External Affairs Department had properly understood this background and the real cause of the trouble, it would have recommended and taken a different course of action for the purpose of dealing with the problem and preventing the recurrence of the trouble.

Khan Abdul Ghani Khan (North West Frontier Province: General): What other course would you suggest?

Several Honourable Members: Don't mind him. Go on.

Mr. Siddiq Ali Khan: I have got a lot of suggestions to make but there is no time. You will have the right of reply.

Khan Abdul Ghani Khan: You read on!

Mr. Siddiq Ali Khan: Because I do not want to make any irresponsible speech, I have taken particular care to write out my speech as the gravity of the occasion demanded.

By overlooking this aspect of the question and blindly resorting to force and coercive methods, the Government may for the time being terrorise and impose its will on the tribes but it will not solve the real problem of ensuring peace on the frontier.

The second point which it was my purpose to make relates to the punishment which has been imposed on the tribes concerned. Sir, I can understand fines in cash or even in kind, although it will be folly to overlook the fact that if the fines are excessive so as to cripple the financial means of the tribes, you also indirectly force them to repeat the depredations on British Indian soil whenever they can and thus recoup themselves for their bare necessities of life.

But, Sir, I concede the principle of fines and there can be two opinions about the question whether the fines imposed upon them this time were excessive or not. One thing, however, which I cannot understand and I am sure no one in this House will be able to understand is the taking of hostages from the tribes. Sir, what is the purpose of taking hostages? Is this House to understand that if the tribes concerned committed another raid on British Indian territory the External Affairs Department will behead these 40 or 50 persons who have done nothing. If this is not the purpose then what is the meaning of taking these hostages? It was originally given out that the tribes had been required to surrender 40 hostages in the words of the External Affairs Department "as an earnest of good behaviour". The number has subsequently been increased to 53. Even if we had a legally declared war against these tribes, all these 53 persons would be our prisoners and it would shock the civilised world if we were to murder them as a vicarious punishment for the sins of others. I hope that the External Affairs Department will not quote precedents in support of the barbarous practice. The Government which occupied those treasury benches in previous days was not responsive or responsible to public opinion as the present Government claims to be. The present Government swears by principles of freedom and enlightened democracy. It claims to represent India's civilisation and culture. Is the taking of hostages and torturing or killing them in order to impose good behaviour on others in conformity with these claims and professions?

Sir, let the present Government not behave in a way which will make us, the citizens of India, hang down our heads in shame. We are fighting for equal status for Indians with other nations of the world and with the nationals of other countries. Let not our Government indulge in mediaeval and barbaric practices which will militate against our claims which we were anxious that world opinion should accept.

Sir, in conclusion I would beg of my colleagues in the House to consider this question on merits alone and not to let their party affiliations or sentiments influence their opinion. Sir, I move.

Mr. Deputy President: Motion moved:

"That the House do now adjourn."

Khan Abdul Ghani Khan: If the Honourable the Leader of the House wishes to make a statement I would sit down.

Mr. Deputy President: The Honourable Member must go on.

Khan Abdul Ghani Khan: Sir, I am the only representative of the province whose barbarity, inhumanity and brutal and primitive actions are being discussed

on the floor of this House today. I take it that when the Nawab Sahib talks about these measures, the Provincial Government is as responsible as the Central Government because the action must have been taken with the consultation and on the advice of the Frontier Government. So I am going to take the whole situation in Hazara as a whole with the action of the Central Government and the Provincial Government. Day before yesterday Sardar Mangal Singh introduced another motion in this House when he drew large circles in the air and said it was an organised attempt on the part of a people to murder people of a different community. I understand Sardar Mangal Singh's exaggeration and I also understand his anxiety and anger because people of his community have been killed in Hazara unfortunately. He thought and he still thinks that the punishment given to the people was lenient. May I point out to him that the sentence was given more as a protective cure than as a punishment? A reciprocal raid by Government troops into the Tribal territory would have undoubtedly pleased his Sikh heart, but it would have made it impossible for the Sikh to remain for a minute in Hazara and for ever. The fine and hostages are reasonable because they have worked. It therefore shows that the punishment was adequate. The madness has subsided and people are going back to their homes and work. The casualties have not been very many compared to the unarmed civilised provinces in India. We in the Frontier succeeded where my friends of Bengal and Bihar failed. We nipped this plague of self destruction in the bud, and whatever tools we used were good tools. Only a fool would think of tying a horse with a chain which may be used for tying an elephant. I said, Sir, that I can understand Sardar Mangal Singh's anger and his anxiety. But I cannot understand the reasons behind the motion moved by my Honourable friend, Nawab Siddiq Ali Khan. The law of his own religion, the law of Islam, the law of *Kisas*, if it had been in operation in the North West Frontier Province, would have awarded the sentence of death to fifty-five people because fifty-five people were killed, and burnt as many villages in the Tribal Territory as were burnt in Hazara. Surely, a fine and a security of good behaviour is soft compared to them. Yet my Honourable friend finds it hard, barbaric and uncivilised. Therefore I cannot understand the reasons. I cannot understand how any action taken for the protection of innocent women and children could be barbaric. Murder of women and children and ordinary peaceful citizens is the greatest crime against man and all his institutions. Any step taken towards abolition of murder is a great virtue. Actions can be judged only by intentions. When one man kills another for his own good, you call him a rogue and hang him. When one man kills another for the good of the society, you call him a judge and honour him. Hostages taken for the protection of the lives of human beings, of women and children, hostages taken in the name of home, peace and justice, that ordinary human justice which you owe to another because he too is a man—how could such hostages be called anything but good and wise? How can anyone resent the peace and tranquillity that that action has brought about? How can anyone call them barbaric inhuman unless one was so blinded by communal feelings as not to differentiate between virtue and crime. Sir, I submit that the taking of hostages is neither good nor bad; it is neither primitive nor modern. It all depends upon the intention and the result. If a thing is done with a good intention and the result is good, it is good. There is no other way of judging it. I was rather surprised when day before yesterday the intellectual and thoughtful Leader of the House agreed that the system of taking hostages was primitive. He was perhaps carried away by the label and did not have time to examine the action. Justice looks at human beings only as men and not as Hindus, Muslims and Sikhs. I wish somebody could drill that into the helpless and confused heads of the ministries of Bihar and Bengal. May I remind my warm-blooded communal heroes that the Hindu who kills a Muslim kills an Indian, as surely as a Muslim who kills a Hindu? The Pathans are ashamed of the few accidents. And the fact that my Honourable friend says that the acts were done because of black marketing rates, makes them more shameful. But we are proud of the action that the public has taken, the Provincial and the Central Government have

[Khan Abdul Ghani Khan]

taken. We are proud to tell India that at least in one province there are people who are big enough to stand up to the ideal of justice and humanity in spite of the most terrible provocation. We, Pathans, pride ourselves that though you call us primitive and barbaric, we were the only people who protected, for the sake of humanity and kindness, a hopelessly small and unpopular minority and that the actions that we took to accomplish this are not barbaric but the very essence of culture. Peace and security are the birth-rights of every subject, of every nation. A government that cannot give security and peace to its subjects is as deserving of being called a government as a broken lamp is of being called the moon. It is no use making arrangements for post offices and roads and trains and canals and prosperity for man if you cannot make arrangements for his safety and his home.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): And also for taking hostages.

Khan Abdul Ghani Khan: That is the first duty of Government. I asked your spokesman to suggest a different thing and he could not do so. Peace is a field in which you can sow culture and progress, those two words which you are so fond of using in India. There can be no progress without peace either for the Hindus or for the Muslims. Bihar and Bengal are both India. Unfortunately for India and those of us who love India. To see one countryman kill another, and to see a third one gloat over it and use the slaughter for political benefit, is something that shocks and disgusts the mind of a simple Pathan like me and hurts the very name of Indian culture and Indian chivalry. I want to appeal to the manliness of Indian that if they must kill, let them kill men only and not helpless women and children. Learn to fight.

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): Preach these things in Bihar.

Khan Abdul Ghani Khan: Let us not give the world the impression that we are hysterical cowards. Let us not disgrace our manliness while we are disgracing our country. Sir, the Nawab Sahib is a believer in Pakistan—so are you, Sir—whose whole idea of justice and security, both internal and external, is based on using as hostages millions of members, millions of their subjects, who will live in Pakistan as minority. This idea has been spoken from every platform in India. Yet my Honourable friend's cultured soul is shocked when we use the same medicines in microscopic doses for the protection of the Indian people against a people over whom we have no other hold. I challenge him to suggest any remedy which will obviate the aerial bombardment of these areas. I say, Sir, that this adjournment motion is an effort to back political murder in the name of political blindness and it is duty of every thinking man in this House to reject it. Sir, I oppose it.

Sardar Mangal Singh: (East Punjab: Sikh): I rise to oppose the motion. The motion before the House seeks to condemn the Government for taking too much action against the tribes. My complaint is just the other way about. I gave notice of a similar motion to condemn the Government for not taking sufficient action. My Honourable friend Mr. Ghani Khan referred to my feelings and said that it would have gladdened my heart if the troops had marched into the tribal territory. I wish to assure him that that is not my object. My complaint was that the Government of India did not take any preventive action when the feelings of the tribes were being excited. The Government of India was sleeping. They did not take any sufficient preventive action to save the destruction of human lives and property in the settled districts. I wish to assure my Muslim friends that Sikhs too desire very anxiously to have cordial and friendly relations with our Muslim brethren. We wish to live in peace and friendship with them. We know that we have to live together and in a friendly manner.

Now, Sir, coming to the subject of the motion, the first incident took place on the 7th December 1946 when the village of Battal was attacked by the tribal people. At that time 12 or 13 people were killed and an equal number was wounded and the bazaar was looted and burnt. On the next day the village of Oghi was attacked and similarly some people were killed. Some people were injured and the bazaar was looted and burnt.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Those who were killed and injured were Muslims?

Sardar Mangal Singh: They were Muslims belonging to the tribes, those who came to attack. They were killed by the constabulary, I am told. They were not peaceful citizens of this side of the border. Three days later a lorry load of more than 50 people was going to Mansehra for safety. It was attacked. 14 people were killed, 27 were injured and the whole lot was looted. This was on the 11th December 1946. I want to ask the Government of India—what did they do after that. We do not hear anything till the 3rd January 1947 when the troops are said to have reached the village of Oghi and announced their terms next day and what are those terms which are considered barbarous. The terms are a cash fine of Rs. 75,000. May I ask the Government of India what was the amount of property looted and burnt? It is more than 2 lakhs. The fine is only about 45 per cent. commission out of the looted property. Then they had to pay 75 rifles. The population of the tribes is about a lakh and most of them are armed. It is presumed that out of this one lakh 40 to 45 thousand are armed and only 75 rifles are taken. Is this punishment barbarous? As regards the morality of the hostages I am sure the Honourable the Leader of the House's shoulders are broad enough to defend it.

The point I wish to make is that the Government of India in the first place did not take any preventive action, although they were very well aware that meetings were being held in that part of the country and inflammatory speeches were made. Torn leaves of the Quran Sharif and photos of wounded babies were being exhibited and the reports were sent to the Political Officers of the Government of India. But the Government of India did not move. In the second place when the incident had happened, the Government of India took more than 3 weeks to send any troops to the village of Oghi or to order the march of the troops into tribal territory. If the Government of India would have ordered that march, there was nothing wrong in it. Those people came and destroyed the lives and property of people in the settled districts and it was the duty of the Government of India to send troops to punish these people, so that similar occurrences may not happen again. There is nothing wrong in it and yet the Government of India kept quiet for more than 3 weeks. After three weeks' inaction, the punishment that the Government of India gave was extremely lenient as the Honourable the Leader of the House himself said day before yesterday.

At the conclusion of this communique dated the 12th January the Government of India itself admits that the fines imposed represent no more than a fraction of the annual income of the tribesmen in money and of their stock of rifles and are less in value than one half of the estimated damage to property alone caused by the raids. I submit that the Government of India deserve condemnation not because they imposed these punishments and not because these punishments are barbarous, but the Government of India should be condemned for their inaction, in the first place, inordinate delay in taking action in the second place and for taking very inadequate action to meet a situation like this in the third place. I will beg of the Government of India to take up this question and consider very seriously that this sort of thing should be stopped in the future.

I am sorry my Honourable friend to my left did not make any concrete suggestion. I thank him for his good wishes that there should be peace and

[Sardar Mangal Singh.]

that life and property of everybody should be protected. I agree with him there, but he did not mention any concrete proposal. I think it is time that the Government of India should actively take up this matter. They should appoint a Committee of experts or do something else and take some concrete action. This problem has been before our country for the last one century and we have not been able to solve it so far. We used to say before that the Government of India is deliberately keeping up this show in order to provide occasions for the exercise of their military or to terrorise the Indian people, particularly, the Hindus, to justify their alarmist military expenditure. We used to say that before. But now that our own Government has come in power in Delhi, we should take up this question in right earnest and settle it once for all.

Sir, I will very strongly insist that a peaceful condition should be created in all these tribal areas, and one of the proposals which could be commended to the Government of India is that all these unsettled territories should be occupied by the Government of India. There is no other way. You are keeping a very powerful tract for the breeding of dacoits and there is no reason why we should not occupy those places. Give them good education; improve their economic conditions by all means, but do not have a breeding ground for dacoits and robbers of our country.

An Honourable Member: Do you want to make them slaves?

Sardar Mangal Singh: Are you slaves? Without creating peaceful conditions in those areas, these repeated attacks cannot be prevented. We are prepared to consider any other practical and concrete suggestion from my Honourable friends of the Muslim League. The Mover has simply condemned the Government and has not suggested any concrete proposal as to what could be done in the matter. With these remarks I oppose the motion.

Mr. Deputy President: The Leader of the House.

The Honourable Pandit Jawaharlal Nehru (Member for External Affairs and Commonwealth Relations): If you want me to speak, I will speak. I wanted to say something right at the commencement, but then other Members caught the eye of the Chair.

Mr. Deputy President: The Chair is not compelling the Honourable Member to speak, but that seems to be the desire of the House.

Diwan Chaman Lall (West Punjab: Non-Muhammadian): The point is that the Leader of the House may make a statement now and the debate goes on. It does not necessarily mean that the debate terminates with the speech of the Leader of the House.

The Honourable Pandit Jawaharlal Nehru: Sir, of the adjournment motions that come before the House from time to time I venture to say that there has been none with such little justification as this one. In fact, if I may confess it, it was the amazing lack of justification in this motion which made me ask the President to give the House time to listen to what can be put forward for a resolution which seems to me to lack substance of every kind. I was anxious also that this matter be debated in this House because there has been so much said and so much is being said directly or obliquely or by insinuation about various things happening in the Frontier that a debate here would probably not only enlighten the House but the country. So far as I am concerned or so far as the Government is concerned inevitably we would have to follow the policy which was commendable to this House and the country. We have no other alternatives before us. If a policy suggested by us does not commend itself to the House, we have to change that policy or we have to resign. Therefore, I am glad of this opportunity because we will be able to know at least the temper of the House in regard to such matters. I have no doubt that on future-

occasions we may have to come up before the House for more guidance and directives as to how we should proceed about the general policy, which we may pursue.

I am glad that the Honourable Mover of this motion has said that there is nothing communal about this. Unfortunately, there is on this subject, though not in this motion, a great deal of communal passion and communal criticism. There is, if I may say so, a great deal of misuse of language. The subject is worthy of discussion, but I do submit to this House that the language of this motion itself and the language that the Honourable Mover used about barbarous inhumanities, etc., is a complete misuse of language or ignorance of language. Some of the facts have been stated and I shall state the facts still further, if necessary.

Now, there are two or three points. This motion is perhaps confined to one particular issue, which is inevitably mixed up with the larger issue of policy in the Frontier. That is a big issue and I do not think I would be entitled to take up the time of the House over it even if I was prepared for it. Nothing has been a greater burden on my mind during these last five months since I have been in charge of my Department than this question of the policy to the pursued on the Frontier. I took an early opportunity to go to the Frontier. Ever since then I have thought about it. I have many ideas on the subject and some of them have been discussed among my colleagues. Ultimately, we felt that in view of other developments elsewhere—in the Constituent Assembly and in the Advisory Council, which is particularly meant, among other things, to deal with tribal areas—it would perhaps not be desirable for a new policy to be initiated from the External Affairs Department. So, for this reason as well as for other reasons we did not attempt to initiate that new policy, though at the same time inevitably we tried to give a new orientation to such policies as were being pursued. There were other difficulties, of course, because our problem, whether it is a Frontier problem or any other problem, is connected and is affected by various developments in India. This very instance about which this motion has been brought was in a sense a reflection of something that happened elsewhere in India. And we thought that because of this close connection with all-India events, it could not be wholly isolated from them and it had to be taken together. Perhaps an attempt to hasten a change there without due consideration of an all-India problem may not yield results or might yield wrong results. In other matters, undoubtedly, as Member in charge of the External Affairs Department, I am fully responsible for anything that may happen in the Frontier in regard to this Department. I do not for an instant deny any responsibility or disclaim it. Nevertheless, the House knows well that any head of the Department has got the machinery and apparatus which he inherits, he cannot function just as he wills unless that machinery and apparatus are changed. Now, Sir, the frontier machinery and apparatus have been trained in a particular way for over 100 years. It is not so much the question of the present personnel. The personnel there for years past have been trained in a particular way. It is a way with which I have little sympathy and naturally because that policy was laid down long ago with different objectives and today, with an entirely different approach, few people can have sympathy with that policy. I do not propose to argue whether that policy in the past succeeded or failed. But I would certainly submit that it is totally out of keeping with the present day. And so, it was a peculiar question, a big question before us, how far with this present machinery and apparatus of government in the Frontier province, trained in this past policy, we can use them, how far we can initiate new policies without some other changes also. So, for these reasons we decided not to put forward any radically new policy for the moment, but wait rather for the Advisory Council and the Constituent Assembly to consider these matters. But if, however, occasion arises and some day this policy is to be considered, the House

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may take it that it will be placed before it for consideration before any vital change is made.

Now, Sir, coming to this particular matter, it is obvious that no Government can tolerate wanton outrages, murder, raid, arson, etc. No Government can refuse protection to its people when they are attacked and no Government is worth the name if it is incapable of giving that protection. It is an obvious statement with which the Honourable Mover himself agreed. Yet, unfortunately for us, we see today in various parts of India that in spite of every effort outrages have been committed, are being committed. My Honourable friend Sardar Mangal Singh talked about preventive action. Quite rightly he is justified in drawing attention to that fact. It is quite possible—I cannot definitely say—that something that might have been done might have prevented something that happened after. We can always be wise after the event, but all over India some kind of preventive action is necessary. If we forget the yesterdays, we have the tomorrows to look after. We are thinking of that, we are trying to do it, but owing to certain unfortunate happenings, a certain atmosphere has arisen which enables these things to happen and which encourages them. We have to face that. No doubt this House and the country will face it and put an end to it. But for the moment. I should like this Honourable House and the Honourable Member Sardar Mangal Singh to remember, when he asks us about this preventive action, this context in which this thing has occurred when such things or similar things have happened in many parts of India. If we failed in other parts of India, if somebody failed in other parts of India, it is perhaps understandable why we failed in the Frontier province for a little while.

Well, Sir, what happened there in so far as this border raid is concerned? On the 7th and 8th December, 1946, a large body of transborder tribesmen raided the villages of Battal and Oghi. During that raid two market places were burnt down, 15 Hindus and two Muslims were killed, bazaars were burnt and looted. There were other petty outrages in the district. On the next day or two days after, a lorry load of Hindus, mainly women and children who were trying to escape were stopped and there was a general massacre of the occupants of that lorry. Fourteen were killed, chiefly women and children, and 27 were wounded.

Now, Sir, practically speaking these are the main incidents which happened in connection with this border raid. I have to meet two arguments, firstly that we were slow and lenient, and secondly that we were barbarous and mediaeval. The two really cancel each other. I put it to the House, I will give the facts to the House and leave the House to judge them. Immediately this happened, within a day or two of it, we were seized of the facts, we gave very earnest consideration to various proposals that were put before us from those in authority in the frontier over this tribal area. The proposals were that we should bomb these territories from the air. The House knows that we have been averse to bombing, we are averse to bombing. Powerful arguments were adduced that this was the safest course, the humanest and the quickest way of putting an end to the problem. We were told that there was danger that if we did not put an end to this, it might spread, it might affect other tribal territories round about. We were told that the settled areas also were in danger. It was a very difficult proposition for us because we took the responsibility of the danger of this trouble spreading. On the other hand we were totally averse to this bombing business. I must confess that I spent a very difficult day and very difficult two nights thinking over this problem and consulting others. I came to the conclusion for a variety of reasons that we should not bomb. In the meanwhile we had been waiting for further news about the developments in the Hazara district and this further news confirmed us in our conclusion. It has been suggested by Sardar Mangal Singh that

we did not do anything for three weeks till January. Well, Sir, that is not correct. At that time we decided straightaway two things. First, of course that the Frontier constabulary should immediately go there and protect the citizens. Those who were easily available were there within a day or two and they did protect. In fact in one or two places they came into conflict with the raiders. But the bigger operation necessitated troops being collected there. It was decided to send a brigade immediately. But we were informed by the military that it would take some days, it would take about a fortnight before a full brigade could be gathered there. Meanwhile, of course, the House will remember that the armed constabulary and others were protecting the people.

Mr. Deputy President: The Honourable Member has two minutes more.

Some Honourable Members: But if the House so desires, he can be given some more time.

Mr. Deputy President: Is it the pleasure of the House that the Honourable Member should be allowed some more time to finish his speech?

Several Honourable Members: Yes, yes.

Mr. Deputy President: If the House so desires, I have no objection. The rules are imperative that during the debate on an adjournment motion no speech shall exceed fifteen minutes. That is so far as the Chair is concerned, if the House agrees, as it has done now, I can give him more time. The Honourable Member may go on.

The Honourable Pandit Jawaharlal Nehru: So that while the frontier constabulary was holding the fort—if I may say so—protecting the people, the brigade was gathering there and it did gather there. When the brigade was there early in January these terms were announced, because there was no point in terms being announced until there was nobody to enforce them. The terms, as the House has already heard, were a fine of Rs. 75,000, 75 rifles and 40 hostages. I need not say much about the money part or the rifles,—it was undoubtedly lenient. So far as the question of hostages is concerned, it sounds awful, and the Honourable Mover of this motion asked us if we are going to behead the hostages and the rest of it. As a matter of fact the House will remember that many of these tribesmen are continually taking hostages from us. It is a daily practice and a frequent practice. Every person kidnapped is a hostage held up for ransom and sometimes comes to a worse end. Now the real question before us is how we are to face this contingency and stop this, and I shall be very glad if any Honourable Member would help us in finding a solution. This taking of hostages means keeping certain persons handed over more or less as detenus—not in prison but under some restraint—till the terms are fulfilled and till there is an assurance that no further trouble will occur. It is unfortunately a custom which has been prevailing there for some time past in the frontier areas. Whether I liked it or not, I did not myself feel justified in coming in the way of the local authorities who have been functioning in that way, and telling them that they must not do this, without being able to give them an alternative. But I prevented them—not I of course but Government prevented them—from indulging in air operations.

(At this stage Mr. President resumed the Chair.)

If I went on to tell them not to do this or that who was going to be responsible for the safety of the people or the prevention of any further disorder? It sounds awful but I do not think that keeping 40 or 50 or 60 men under restraint is so awful. The House will remember that thousands have been kept under restraint in various parts of India; it is not a measure of barbarity or anything. I do not like it to happen, but it really means that certain persons who have misbehaved are kept in detention for a while. So that I do submit that there is nothing in it. We could not have done it previously, perhaps we might; I do not know; but what we did has in effect been justified by events and nothing

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further has happened. We have to find a balance between two factors; one is that we must make the evil-doers feel that they have done wrong and we must prevent them from continuing it and they must see that if they persist in it they will be punished. The second is, not to go so far as to make them feel humiliated and revengeful so that they may revert to their evil-doing afterwards. That balance is a difficult balance, but I think in this particular matter we did succeed in arriving at that balance and found some kind of middle way avoiding either extreme. And you can judge that from this that since the first two or three days of these raids when a number of murders and looting occurred nothing further has occurred; we could keep them in check, whether with the constabulary or the armed forces. Secondly, when these terms, which are supposed to be terrible, were announced, they were accepted very soon. It was not necessary for our armed forces to enter the tribal territory; before they entered it they were accepted and part payment was made immediately. I do not know if complete payment has yet been made. But about three-fourths of the payment was made, rifles were given, most of the hostages were given; and the leading Maliks of that area accepted those terms and promised good behaviour. So that such a terrible incident ended in relatively less ill-feeling than it might have done; and, as one Honourable Member said, the people who had run away from their homes are returning to their homes. That too is a sign of how soon we are trying to go back to normal conditions.

I do submit that in those conditions Government, whatever their many failings might be, have succeeded remarkably in dealing with this particular situation; and I do submit further that this motion which condemns Government for their barbarity has absolutely no justification whatever. There is no question of barbarity, we dealt with the situation with extreme leniency and justice.

Maulana Zafar Ali Khan: Sir, I support the motion with all the emphasis at my command. I am one of those who are strongly of the view that the deadlock in India cannot be solved unless the Hindus and Muslims join together and give up the attitude that they have taken up for some time past to the detriment of the country's interests. After all, as my Honourable friend said, we have to live in this country willy-nilly like brothers and like friends and create conditions which would lead to a healthy atmosphere. As regards the tragedy that occurred on a small scale in the frontier province when many people were killed and looted and a lot of harm done to them, it has been pointed out that the attack of the tribesmen was on villages where Muslims also live. So Muslims and Hindus and Sikhs all suffered together. Although the province happens to contain an overwhelming population of Muslims some of them also were killed. So it is not a communal question at all. In explaining the causes that led to these raids the Honourable Mover pointed out that the necessities of life were lacking. These poor people who dwell in caves and mountain ridges went to the cloth market to buy a winding-sheet for one of their dead and they could not get one unless they paid two hundred rupees. Then they could not get sugar or oil and they had to go to the black market. That created in their minds a feeling of hostility towards the British Government whom they began to look upon as their dead enemy. Then there were other causes. In Bombay many Pathans were stabbed and murdered outright. Those who escaped went back to their country and gave their kinsfolk the story of their sufferings. This also created among these people a revulsion of feeling against the British Government. Then there was another big cause. Khan Abdul Ghaffar Khan and Dr. Khan Sahab had run away with the idea that these tribesmen ought to be civilised and taught the lesson of European culture. These people, as we all know, from the time of Alexander and during Moghul rule also, have remained independent, and would not sell their freedom for anything. So they began to think that the Government of India was their dead end and ought to be punished, and so they came down and began

their raids, took away some booty, killed some people and went back. My Honourable friend, Sardar Mangal Singh, is very much upset at the happenings in tribal areas. He wants the Government of India to order its troops to march into the tribal territory and occupy it outright, and he asked us, the Muslim League Party, to put forward a substantial proposal to bring about an end to these happenings I give him the reply; it is in one word—Pakistan. Partition India into two parts—Western Section and Eastern Section for Muslims, and the rest of India for Hindus. If they are sane enough, they will take my advice. Pakistan is coming.

Pandit Sri Krishna Dutt Paliwal (Agra Division: Non-Muhammadan Rural): Not by these murders.

Maulana Zafar Ali Khan: As regards Sardar Mangal Singh's threat that he would occupy the tribal territory, let him read his own history and let him read the fate of Hari Singh Nalwa.

Sardar Mangal Singh: What did he do?

Maulana Zafar Ali Khan: My friend has regaled the House with a cock and bull story about children, babies and bones being brought into public meetings and shown to excited Pathans with torn leaves of Koran in order to excite them to violence, I am very glad he has given up one part of the story today. The other day he told us that the Aligarh boys had gone to the Frontier Province and incited the people there to violence. This is absolutely wrong. Muslim University boys did go to the Frontier Province for helping in the election campaign, but to say that they incited people to violence is doing them grave injustice. I think he ought not to take up the attitude that he has done. I assure him that as Mussalmans we believe that it is our duty to protect the rights and interest and privileges of minorities. Our Koran says: "Let not the fact that a people happen to be hostile to you impel you to do injustice to those people; do justice because that is near to piety." This is what Koran has taught us and we cannot go beyond the teachings of Holy Koran.

Sardar Mangal Singh has stultified himself; he says one thing here and another thing there: he should learn the art of consistency. I think the days of his gratification are numbered.

Sardar Mangal Singh: Let us see.

Maulana Zafar Ali Khan: With these words, Sir, I resume my seat.

Dr. Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): The issue in this particular motion is not that we want to justify in any way the action of those persons who killed innocent people. Confiscation of guns and collection of a little money is not also the issue before us. The real issue is keeping the hostages which will not serve any useful purpose, and which instead of improving the situation will make it worse.

To start with I would like to tell the House some conversation which I once had with Sir James Grigg. I was complaining against the institution called village *bania*, and told him that this institution was permitted by the British Government. He replied that this is not the creation of the British Government, but the Mughals also had the same thing. He added that in the Frontier every big landlord has got his own *bania* and very often there are family feuds over insulting one another's *banias*. My Honourable friend, Mr. Abdul Ghani Khan, who is unfortunately not here will certify this story. I replied that these *banias* in Frontier are more or less like banks. These landlords keep their money with them, and they do not care whether any *bahi khatas* are kept or not, and when a good deal of money is gathered by *bania* and they find that they cannot pay further, then the bank is liquidated—that is they kill that *bania* and bring someone else in his place. That is how it goes on in the

[Dr. Zia Uddin Ahmad]

Frontier. That was the conversation I had with Sir James Grigg. The real cause at the bottom of all this trouble is that these people whose houses have been looted and who have been killed had been lending money on an unusually large scale. On this occasion the debtors thought that all the money that they paid was really deposited in the bank, and they wanted to liquidate the bank and take the money back. So really speaking it is an economic problem, and not the one which has been made out by my Honourable friend, Sardar Mangal Singh, namely that there is a big plot behind it. Sardar Mangal Singh ought to be very careful about what he says; he should not indulge in this extravagance because he is living in a house of glass and if he begins to throw stones indiscriminately his own glass house may be broken. I may remind him that all the trouble which we had in the United Provinces, Bihar and Bengal was led by Sikhs who had been employed there. Some of them carry their swords in the name of *Kirpan*. I remember the debate on the floor of this House about the *kirpan*. I raised this question and they said the length will be only 3 centimeters while in fact they are nowadays wearing *kirpans* which are 39 inches. I never heard of any religious symbol which is used for killing purposes. A man may have an emblem of sanctity.

Lala Deshbhandu Gupta (Delhi: General): Sir, is the Honourable Member relevant?

Dr. Zia Uddin Ahmad: I was only replying to Sardar Mangal Singh.

Mr. President: Order, order. The Honourable Member may address the Chair.

Sardar Mangal Singh: Can he give a single instance in Delhi during the communal tension that any Sikh attacked any Muslim with a *kirpan*, although every Sikh was carrying 3 feet long *kirpans* all the time.

Mr. President: The Honourable Member will confine himself to the motion which is in respect of "punitive fine and the barbarous and medieval practice of taking hostages imposed on Nandihar tribes in January 1947."

Dr. Zia Uddin Ahmad: I would be reluctant to bring this up again but he brought up the Aligarh Students before this House when he said.....

Sardar Mangal Singh: Will he deny that the students did not go there?

Mr. President: Order, order. The Honourable Member, Dr. Zia Uddin Ahmad may speak.

Dr. Zia Uddin Ahmad: No. The point was irrelevant but because irrelevancy was used by my friend and irrelevancy can only be replied by another irrelevancy.

Coming to the question of hostages, the real point at issue was that by keeping the hostages with you, you are not going to solve the problem. I wish the example set by the Government of the North West Frontier Province may be followed by other provinces specially Bihar. That is the way in which friendly relations are to be restored. But by creating doubt in the minds of the tribesmen that their lives may not be safe and also the possibility of wrong rumours being spread among the frontier people that their hostages have been killed may lead to fresh troubles in future. So it does not serve any useful purpose in keeping the hostages. Our request is that these things should be removed. They should be sent back in order to maintain good relations between the two parties and I am sure that if negotiations are started and these persons are returned and allowed to go home and work, probably better relations will prevail and these things will be forgotten. It is our earnest desire that the Hindus and Muslims should live on peaceful terms. It is the wish of the Government of the North

West Frontier Province that there should be no disturbances between the border tribes and the people in the Hazara District. We on this side by no means desire that any bad relations should exist. I admit that keeping hostages will be a constant source of future trouble. If you show generosity I am sure the Muslim mind specially Pathans will always appreciate generosity. Pathans will show it much more because he feels it much more than the people in other parts of the country. If you want to make them very friendly, the best way is to show them generosity. Treat them kindly and at the same time compensate those people who have suffered and then this problem will be solved more satisfactorily than by keeping hostages.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, I move:

"That the question be now put."

(Mr. Tamizuddin Khan rose in his seat).

Mr. President: Will the Honourable Member resume his seat? As no one seemed eager to catch my eye, I wish to call upon the Honourable Member to reply. I will now allow one more speaker.

Haji Abdus Sattar Haji Ishaq Seth: The motion has been moved by us here and we have a number of speakers. As a matter of fact the Member in charge has spoken and we have to reply and it is for us to express the wish when to close. The fact that nobody was standing is due to the fact that we did not realize that Dr. Zia Uddin had finished. As a matter of fact the Deputy Leader of the Party has not spoken.

Mr. President: I am not going to help Members who are not keen. In their conduct they must show that they are quite keen to catch the President's eye. Otherwise, I cannot help them. But a reasonable debate has to be there. When the request for putting the question was made many Members had spoken.

Haji Abdus Sattar Haji Ishaq Seth: Only one Member of the Party has spoken.

Mr. President: It is not a question of one Member of this or that party. A large number of speakers has spoken. One more speaker may be allowed. Mr. Nazimuddin may speak and then I shall put to the House the closure motion. I am very sorry that the considerations advanced by the Honourable Member cannot hold. I am going to allow one more speaker.

Khwaja Nazimuddin (Burdwan and Presidency Division: Muhammadan Rural): I would like to make it quite clear that the object of bringing forward this adjournment motion was for the purpose of fixing the attention of the public to the policy of taking hostages. It is an admitted fact that as far as this House is concerned, there is no recognised opposition. At the same time it is also recognised that without opposition and criticism Government Members are apt to become irresponsible: Government becomes slack and inefficient. Besides the Members of this House have a duty to their electorate and therefore it is necessary that important questions should be placed before the House and the public so that the Government may correct their attitude by the force of public opinion. Sir, the Leader of the House, although denying the justification for this motion took a considerable time in explaining the policy and stated that there were good grounds for the motion and it was necessary that the whole question should be explained and I think to a large extent he will agree that the explanation that he has given will be helpful in dealing with this question. But, Sir, what I would very much like to ask the Members of the Government is whether there is a change in their policy or not? Whether the present Interim Government, which is composed of representatives of two major parties is going

[Khwaja Nazimuddin.]

to act differently to the previous Government, which was largely composed of Britishers and I. C. S. officials? Is there going to be a change in their outlook, in their angle of vision, in the policy which they are pursuing? Or am I to accept the statement of my friend, Mr. Sri Prakasa that it is the Chair that speaks and whoever sits there speaks the same language? Am I to understand that the present Leader of the House is going to pursue the same policy as has been pursued by his predecessors. Is it not a fact that on the floor of this House from these very Benches where I stand now, representatives of his party have on numerous occasions condemned this policy of bombing and taking of hostages? Is it not a fact that the previous representatives of that party, when they were sitting here have criticised in the strongest terms this policy of taking hostages and what is more Pandit Nehru, the cultured civilised Indian spoke from his heart when he admitted that the policy of taking hostages is barbarous but Pandit Nehru, the Member for External Affairs, has to sing in a different tune when he stands up to defend the censure motion. I maintain that you cannot cite a single instance of any civilised government at the present time going in for a policy of taking hostages.

The Honourable the Leader of the House is trying to raise the status of India in the comity of nations. I ask him: can he look these civilised nations in the face when he here tries to defend the policy of taking hostages? He has said that these hostages are something in the nature of detenus or people detained without trial under the previous Government and even under the present Government. I beg to differ from him. In the cases of persons detained without trial there was generally a case made out that these people (it may not be correct) were taking part in some kind of subversive activity, whereas the principle behind the system of hostages is that it is not necessary that the persons whom you have asked to be surrendered to you as hostages should be actually themselves participants in a hostile act. Usually important men or relations of important men are asked to be surrendered as hostages, persons who have had nothing whatsoever to do with the commission of the crime. And I feel that there is a vast difference between the policy behind detaining persons without trial and asking for hostages.

There is another aspect of this question which I would also like to place before this House and that is this. After all the representatives of a party are at the head of this Government and they want to pursue a certain policy, viz., if there had been outrages, if there had been acts of violence, drastic steps should be taken to see that there is no recrudescence or recurrence of the trouble. As a policy one can understand it and there will be a great deal of support for it. Every right-thinking man will support a policy like this but what surprises me most is why here the representatives of that party declare this as their policy, while the representatives of that party sitting as members of the Government in other provinces are not prepared to follow that policy. While wholesale murder, arson, loot, outrages on women have been performed, we find that there is no question of imposing punitive fines or taxes or arrests or punishment of the offenders.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Has it been done in Noakhali?

Khwaja Nazimuddin: Yes. In Calcutta.....

Mr. K. C. Neogy: Have punitive fines been imposed in Noakhali?

Khwaja Nazimuddin: In Calcutta there have been a very large number of arrests.....

Mr. K. C. Neogy: What about Noakhali? That is the question?

Khwaja Nazimuddin: There is no similarity In Noakhali the number of arrests is very large.

Mr. K. C. Neogy: What!

Khwaja Nazimuddin: Yes. There has been a very large number of arrests in Noakhali.

Mr. K. C. Neogy: What about punitive fines?

Khwaja Nazimuddin: A large number of people have been arrested and they will be placed for trial. But I find a total absence of these conditions and these measures in Bihar and it is admitted that nothing compared to what has taken place in Bihar has taken place anywhere else.

Mr. K. C. Neogy: Have you been to Noakhali?

Khwaja Nazimuddin: I know the full facts.

Mr. K. C. Neogy: You know them from here!

Mr. President: Neither Noakhali nor Bihar is under discussion here. While moving the adjournment motion the Mover said that it was absolutely non-communal and the question is whether certain measures are permissible for improving those who are supposed to be recalcitrant. Neither Noakhali nor Bihar need be brought into the discussion.

Mr. K. C. Neogy: The Honourable Member himself is responsible for these interruptions.

Khwaja Nazimuddin: Therefore I maintain that there can be no objection if the same policy is pursued all over India by the party in power. Sir, I maintain that under the present circumstances I would strongly urge upon the Honourable the Leader of the House that as far as hostages are concerned he should immediately take steps to see that the hostages are released, because it is not a thing which he himself admits he can justify or defend. He has admitted his inability to change this policy, because he says that this policy has been pursued for a long time and the officers concerned believe in this policy. But, Sir, I maintain that this is a defeatist attitude and we expect from the Honourable the Leader of the House something more than that defeatist attitude. I can quite see that perhaps at the time he was not in a position to take a different course but now that this question has been brought to his notice and he himself admits that these cases necessitate a change, I hope he will justify what he says by taking steps to get these hostages released.

I am very glad to find that he is strong enough to resist the demand for bombing. There is only one condition in which bombing can be justified, that is to prevent an immediate attack, to prevent outrages, to prevent the burning of houses, murder and slaughter. Bombing then comes under the same category as firing by police. But bombing as a punitive measure after events have taken place is not quite justifiable, and his predecessors in this House have always condemned it in the strongest terms and I hope that he will never yield to this temptation of bombing as a punitive measure.

Mr. President: The question is:
"That the question be now put."

The motion was adopted.

Mr. Siddiq Ali Khan: Sir, I do not wish to exercise my right of reply in view of the fact that undue advantage has been taken of the brute majority to stifle the debate.

Several Honourable Members: Order, order.

Sardar Mangal Singh: May I ask the Honourable Member one question?

Mr. President: Order, order.

Mr. President: I am putting the motion before the House. The question is:

"That the House do now adjourn."

The Assembly divided:

AYES—16.

Abdul Hamid Shah, Maulvi.
 Abid Hussain, Chaudhury Md.
 Ghazanfarulla, Hafiz M.
 Habibur Rahman, Mr.
 Ishaq Seth, Haji Abdus Sattar Haji.
 Ismail Khan, Hajee Chowdhury Mohammad.
 Jaffer, Mr. Ahmed E. H.
 Killedar, Mr. Mohammad M.

Nairang, Syed Ghulam Bhik.
 Nazimuddin, Khwaja.
 Siddiq Ali Khan, Mr.
 Siva Raj, Rao Bahadur N.
 Tamizuddin Khan, Mr.
 Yamin Khan, Khan Muhammad.
 Zafar Ali Khan, Maulana.
 Zia Uddin Ahmad, Dr.

NOES—64.

Ahdul Ghani Khan, Khan.
 Adityan, Sri S. T.
 Ambegaokar, Mr. K. G.
 Anthony, Mr. Frank R.
 Banerjee, Sree Satyapriya.
 Bhalja, Mr. G. S.
 Bhattacharyya, Rai Bahadur Devendra Mohan.
 Chaman Lal, Diwan.
 Chatterjee, Dr. J. C.
 Dani, Mr. G. B.
 Deshmukh, Dr. G. V.
 Gadgil, Sjt. N. V.
 Gangaraju, Sri V.
 Gokhale, Mr. B. K.
 Gole, Mr. P. B.
 Gounder, Sri V. C. Vellingiri.
 Govind Das Seth.
 Gupta, Lal Deshbandhu.
 Hans Raj, Raizada.
 Himmatsinhji, Col. Kumar Shri.
 Hiray, Sjt. B. S.
 Jagannathdas, Sri.
 Jagjivan Ram, The Honourable Shri.
 Jhunjhunwala, Mr. B. P.
 Jogendra Singh, Sirdar.
 Joshi, Mr. S. C.
 Karnmarkar, Shri D. P.
 Kharegat, Sir Pheroze.
 Lahiri Choudhury, Srijut Dhirendra Kanta.
 Lal, Mr. Shavax A.
 Mahapatra, Sri Bhagirathi.
 Maitra, Pandit Lakshmikanta.

Mangal Singh, Sardar.
 Manu Subedar, Mr.
 Masani, Mr. M. R.
 Matthal, The Honourable Dr. John.
 Menon, Sri A. K.
 Mukhopadhyay, Mr. Nagendranath.
 Mukut Bihari Lal Bhargava, Pandit.
 Narayanamurthi, Sri N.
 Nehru, The Honourable Pandit Jawaharlal.
 Neogy, Mr. K. C.
 Oulsnam, Mr. S. H. Y.
 Paliwal, Pandit Sri Krishna Dutt.
 Patel, The Honourable Sardar Vallabhbhai.
 Panjabi, Mr. K. L.
 Rajagopalachari, The Honourable Sri C.
 Ram Narayan Singh, Babu.
 Ramayan Prasad, Mr.
 Ranga, Prof. N. G.
 Reddiar, Sri R. Venkatasubba.
 Saksena, Shri Mohan Lal.
 Salve, Mr. P. K.
 Sanyal, Mr. Sasanka Sekhar.
 Satakopachari, Sri T. V.
 Sharma, Mr. Krishna Chandra.
 Sharma, Pandit Balkrishna.
 Sinha, Shri Satya Narayan.
 Sri Pragasa, Shri.
 Sukhdev, Seth.
 Swaminadhan, Shrimati Ammu.
 Turner, Mr. A. C.
 Varma, Mr. B. B.
 Vinchoorkar, Sardar N. G.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 6th February, 1947.