

Wednesday, 20th November, 1946

COUNCIL OF STATE DEBATES

(OFFICIAL REPORT)

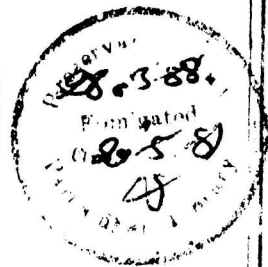
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TWENTIETH SESSION

OF THE

FOURTH COUNCIL OF STATE, 1946



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COUNCIL OF STATE

Wednesday, 20th November, 1946

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

MEMBER SWORN:

The Honourable Shri Rajendra Prasad (Food Member).

QUESTIONS AND ANSWERS

ARMS LICENCES WITHDRAWN IN CALCUTTA

124. THE HONOURABLE MR. G. S. MOTILAL : (a) How many arms licenses have been withdrawn in Calcutta and for what reasons ?

(b) Is it a fact that some responsible persons, who held licenses, fired a few shots on an attacking mob, have been dispossessed of their arms and their servants have been arrested ? What action have Government taken ?

THE HONOURABLE MR. A. E. PORTER : (a) and (b). I have made enquiries and the information furnished by the Government of Bengal is as follows. No arms licences have been withdrawn in Calcutta since 16th August. Weapons have been seized for breaches of law from seventeen persons of whom three have been warned and discharged while cases against the others are under consideration.

THE HONOURABLE MR. G. S. MOTILAL : From whom and how many weapons have been seized ?

THE HONOURABLE MR. A. E. PORTER : I have not got that information. The only information furnished by the Bengal Government is what I have read out.

THE HONOURABLE MR. G. S. MOTILAL : Will the Honourable Member make enquiries about this ?

THE HONOURABLE MR. A. E. PORTER : Yes, Sir.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Will Government consider the repealing of the Arms Act so that a section of the community is not handicapped for want of arms when there is lawlessness and disturbance ?

(No answer.)

STATEMENT BY MR. GHAZANFAR ALI KHAN

125. THE HONOURABLE MR. G. S. MOTILAL : (a) Has Government's attention been drawn to a report in the *Statesman* of 5th November, 1946 that the Honourable Mr. Ghazanfar Ali Khan, a member of the Cabinet, while addressing a Delhi audience said that "It was the duty of every Muslim to invite people of other religions to embrace Islam. In fact they wanted all Indians to become Muslims" ?

(b) Are Government prepared to permit making of such statements by Government members ?

THE HONOURABLE MR. A. R. NISHTAR : (a) Government have noticed the the different versions of the Honourable Member's Urdu speech, which appeared in different newspapers. It may interest the Honourable Member to know the main point of the speech, which I have ascertained from my Honourable colleague was as follows :—

"Allusions had been made by the previous speaker at the meeting to the allegation made in certain quarters that the Muslim League had given a seat out of its

own quota to a representative of the Scheduled Castes in order to win them over to the Muslim religion."

Referring to this allegation, my Honourable colleague, the Health Member, made it clear that conversion through coercion or bribery was forbidden by Islam and that it was entirely erroneous for anybody to suppose that the Muslim League was trying to convert the Scheduled castes by offering them the bribe of a seat in the Executive Council out of its own quota. My Honourable colleague went on to emphasise that while the method of coercion or bribery for purposes of conversions was forbidden to Muslims, it was the duty of every Muslim to invite every non-Muslim to accept the faith of Islam, which every true Muslim believed to be the best spiritual and moral code for the individual and collective lives of mankind. It was, he further said, the duty of every Muslim to extend this invitation not only to members of the Scheduled castes, but to every non-Muslim in this country and to all nations of the world.

(b) Members of the Government must be free to express their personal views on such matters.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Is this the reason why so many conversions have been made in East Bengal ?

THE HONOURABLE MR. A. R. NISHTAR : I would submit, Sir, that this has nothing to do with the question.

THE HONOURABLE MR. G. S. MOTILAL : May I put one supplementary question ?

THE HONOURABLE THE PRESIDENT : It might provoke other questions. I do not think the Council of State is the place for ventilating this sort of grievances.

THE HONOURABLE MR. G. S. MOTILAL : You will realise, Sir, that it will not provoke other questions. The question is, is this the Government's view or is it the view of the Honourable the Leader of the House ?

THE HONOURABLE MR. A. R. NISHTAR : So far as the speech is concerned that is the view expressed by my Honourable colleague who made the speech. So far as (b) is concerned, it ought to be the view of everybody. I would like on behalf of the Government to make it clear that it is a religious matter and so far as religious matters are concerned every person is free to express his personal opinions in his individual capacity, not as a member of the Government.

THE HONOURABLE THE PRESIDENT : I think this was quite apparent from your previous reply to the question.

ALLEGED MEMORANDUM TO THE CABINET DELEGATION BY HIS EXCELLENCY SIR OLAF CAROE ON THE TRIBAL AREAS

126. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** Are Government aware that a memorandum believed to have been drafted by the Governor of the N.-W. F. Province, Sir Olaf Caroe, was presented to the British Cabinet Mission at New Delhi, in April last, pointing out the danger of handing over the administration of the tribal areas to the Congress members of the Government particularly Hindus ? If so, will Government place a copy of it on the table ?

THE HONOURABLE MR. A. R. NISHTAR : The Government of India have no information.

PARTICIPATION BY THE INDIAN DELEGATION IN THE DISCUSSION ON THE DANUBE QUESTION

127. **THE HONOURABLE PANDIT H. N. KUNZRU :** (a) Is it a fact that speaking at the Plenary Session of the Peace Conference on the 14th October, 1948, M. Molotov referring to the discussion on the Danube question in the conference said "What interest has India in this question.....for the sake of adding its voice to the voice of other delegations and following in the wake of Britain, the Indian

Delegation took an active part in the settlement of this question and in no way as an impartial country and in no way as a delegation animated by the desire to seek a correct solution of this question." ?

(b) Was the Indian Delegation under the control of the present Central Government or is it true as alleged by M. Molotov that the Delegation was subjected to "external pressure" ?

THE HONOURABLE MR. A. V. PAI : (a) Yes.

(b) The delegation was provided with a brief and received from time to time instructions on important points from the Government of India. After the inauguration of the Interim Government these instructions were sent by that Government. Inevitably a considerable measure of discretion was given to the delegation and it was not always possible to send instructions on every new point that arose. Government are not aware of any external pressure being brought to bear on India's delegation but it is usual in such conferences for various countries and interests to canvass for support of their respective propositions.

THE HONOURABLE PANDIT H. N. KUNZRU : With regard to part (b) of the question, have Government taken any steps to clear the position of the Indian Delegation from the charge brought against it by M. Molotov ?

THE HONOURABLE MR. A. V. PAI : Government did not consider it necessary to take any steps in that direction.

RE-UNION OF GOA, ETC., WITH THE MOTHER COUNTRY

128. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** Are Government aware that the people of Goa, Damaun, Diu and of other foreign possessions in India, have expressed a desire for re-union with the mother country, on the principle of self-determination in the new constitution ? What steps are being taken, or are proposed to be taken to consider their claim and give them this right ?

THE HONOURABLE MR. A. V. PAI : Government are not in a position to say what the people of Goa, Damaun, Diu and other foreign possessions in India desire regarding a re-union with the mother country. They are aware however that some such sentiments have been expressed. They feel that the right time to consider the question of the foreign possessions in India will be at a later stage when the constitution of India takes shape.

REPARATIONS FROM GERMANY

129. **F/Lt. THE HONOURABLE RUP CHAND :** (a) Will Government lay on the table a statement showing particulars of German machinery and equipments which are to be brought to India as reparations ?

(b) Will they state the approximate date when the equipment may be expected to reach India and the manner in which it is proposed to be utilised ?

THE HONOURABLE MR. Y. N. SUKTHANKAR : (a) The Honourable Member's attention is drawn to the answer given on the 7th November on the floor of this House to Part (b) of question No. 19 by the Honourable Raja Yuveraj Dutta Singh. It is not possible to say at present what further plants and machinery will be allocated to India against her share of reparations.

(b) Arrangements are being made for the inspection and taking over charge of the Wagner Plant at site but it is not possible to say now when the plant will actually be removed to India. Nor any decision has been taken by Government as to how the plant will be utilised on arrival in India.

TAXATION ENQUIRY COMMITTEE

130. **F/Lt. THE HONOURABLE RUP CHAND :** Will Government state when they propose to set up the Taxation Enquiry Committee as proposed by the Honourable the Finance Member in the course of his speech while presenting the budget estimates for the year 1946-47 ?

THE HONOURABLE SIR CYRIL JONES : The matter is under consideration and Government have not come to a final decision.

TEXTILE MACHINERY

131. F/LT. THE HONOURABLE RUP CHAND: Will Government state:

(a) Whether arrangements have been completed for the import of Capital equipment for textiles from Britain into India and for the manufacture on a reciprocal basis of textile machinery parts in this country ?

(b) Whether it is a fact that negotiations with regard to the proposals referred to in (a) above have been hanging fire since 1942 ; if so, the reasons therefor ?

(c) Whether there has been opposition from Lancashire cloth manufacturers to the proposals for enabling India to produce more cloth and for importing new textile machinery on the ground that the export market for Lancashire would suffer thereby ?

(d) The reasons for the delay in the arrival of textile machinery and equipment and the steps which the Government have taken to expedite its import in view of the urgent need of replacing and supplementing the worn-out machinery in India ?

(e) Whether it is a fact that a considerable quantity of British-made cloth, including woollens, has arrived in India and more shipments are soon expected, while the allotment of shipping space to bring machinery is being delayed.

THE HONOURABLE MR. M. W. M. YEATTS : (a) The Government of India have decided, on the basis of the recommendations of the Post-war Planning Committee (Textiles), how much textile machinery should be set up in each Province and State, and import licences for all or practically all of this machinery have been issued. Negotiations regarding the manufacture of textile machinery parts in this country are in progress at present.

(b) No, Sir.

(c) The Government of India are not aware of any such opposition.

(d) The delay is due to the slow rate of industrial reconversion to peace-time production and to labour shortage. The Government of India have urged upon the Government of the United Kingdom the importance of India's requirements of textile machinery being met as quickly as possible. An important function both of the India Supply Commission in London and the India Supply Mission in Washington is to give all possible assistance to Indian industrialists in securing quick deliveries against their orders. There is at present a Textile Machinery Delegation in the U. K. who are doing whatever is possible to expedite delivery.

(e) Imports of British-made cloth are needed to relieve the shortage in India. There is no question of these imports ousting imports of machinery by reason of lack of shipping space. As already indicated, the impediment to imports of machinery is not lack of shipping space but lack of manufacturing capacity.

THE HONOURABLE MR. HOSSAIN IMAM : Has the Government taken any steps to reallocate the portion allotted to a Province which has refused to have textile mills ?

THE HONOURABLE MR. M. W. M. YEATTS : No, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Does the Government propose to do something ?

THE HONOURABLE MR. M. W. M. YEATTS : I cannot pronounce yet on Government's intentions.

132.*

ATOMIC RESEARCH COMMITTEE

133. F/LT. THE HONOURABLE RUP CHAND: Will Government state whether any steps have been taken to exploit atomic energy for industrial purposes in India, especially in view of the fact that most of the raw materials required to generate atomic energy are easily available in this country ?

(Question No. 132 was withdrawn by F/Lt. the Honourable Rup Chand.)

THE HONOURABLE MR. M. W. M. YEATTS : Yes, Sir.

The Council of Scientific and Industrial Research have constituted an Atomic Research Committee for formulating proposals for the generation and exploitation of atomic energy in India from raw materials available in this country and to maintain liaison with similar bodies in other countries so that India may keep in touch with developments in more advanced countries like the U. S. A. and U. K. This Committee has further set up two Sub-Committees i.e. (1) a Sub-Committee for the geophysical survey of thorium bearing and associated minerals in Travancore, and (2) a Sub-Committee for formulating a plan for a geophysical survey of the uranium, thorium and associated minerals in the rest of India.

2. The Geological Survey of India have also deputed geologists to survey the raw materials likely to be of use in the generation of atomic energy. In addition, the Council of Scientific and Industrial Research have sanctioned a grant of Rs. 1,10,000 to Professor M. N. Saha for researches on nuclear physics in the Calcutta University and a grant of Rs. 32,000 to Professor H. J. Bhabha, Director, Tata Institute of Fundamental Research for the establishment of a betatron.

THE HONOURABLE MR. HOSSAIN IMAM : Is there any supply of the requisite kind of uranium 235 in India ?

THE HONOURABLE MR. M. W. M. YEATTS : I do not know as such, but there are, of course, radiant minerals available in India. The object of this is to make a thorough study of every possible source.

THE HONOURABLE MR. M. THIRUMALA ROW : Is it a fact that the Council of Scientific and Industrial Research under the guidance of Sir S. S. Bhatnagar had deputed Dr. Parthasarathi to carry out investigations into atomic energy ?

THE HONOURABLE MR. M. W. M. YEATTS : I could not say. It may be so.

THE HONOURABLE MR. M. THIRUMALA ROW : I want to know whether the Department is further utilising the services of this gentleman, who has already got some experience.

THE HONOURABLE MR. M. W. M. YEATTS : I think it is probable. The Council, as the Honourable Member knows, is a separate body which can pursue its own activities to a large extent.

THE HONOURABLE MR. M. THIRUMALA ROW : Is it not working under the guidance and control of the Member in charge and the Secretary of the Industries and Supplies Department ?

THE HONOURABLE MR. M. W. M. YEATTS : No. The Member in charge of that Department is the President of that body. I have no administrative connection with it. It conducts its own activities.

THE HONOURABLE MR. M. THIRUMALA ROW : Will the Honourable Member see to it that the experience already gained by Dr. Parthasarathi is not wasted by entrusting this department to another gentleman ?

THE HONOURABLE MR. M. W. M. YEATTS : I shall certainly make a note of that.

RELEASE OF RAILWAY ROLLING STOCK

134. F/LT. CHE HONOURABLE RUP CHAND : Will Government state :

(a) Whether it is a fact that the military authorities have released for civilian use only about 15 per cent of the Railway rolling stock taken by them in war-time ?

(b) Whether Government are aware that there is still great overcrowding in trains ?

(c) The steps which Government propose to take to get a large quantity of rolling stock released from the military at an early date in view of the great inconvenience being suffered by railway passengers ?

THE HONOURABLE MR. D. D. WARREN : (a) No. Up to 1st November, 1946, the Defence Department have released approximately 46 per cent of the stock loaned to them during the war.

(b) Yes. Government are aware that there is still, unfortunately, overcrowding in trains.

(c) The Defence authorities are being constantly pressed for the release of stock at a quicker pace for civilian use.

THE HONOURABLE MR. G. S. MOTILAL : What percentage of locomotives have been released ?

THE HONOURABLE MR. D. D. WARREN : I have not got the information with me but I am under the impression that all the locomotives have been released.

THE HONOURABLE MR. M. THIRUMALA ROW. Can the Honourable Member give us the probable time by which normal conditions can be restored on railways ? When is it likely that we can get back all the rolling stock that has been loaned out to the military ?

THE HONOURABLE THE PRESIDENT : That is a hypothetical question.

THE HONOURABLE MR. HOSSAIN IMAM : We want to know when the Defence Department propose to release all the stock ?

THE HONOURABLE THE PRESIDENT : The Honourable Member (Mr. Thirumala Row) put the question in a different way.

THE HONOURABLE MR. D. D. WARREN : I am not able to make any forecast, but as I have already stated, we are constantly pressing the Defence authorities for the release of stock.

PRODUCTION OF CERTAIN VARIETIES OF CLOTH

135. THE HONOURABLE PANDIT, H, N, KUNZRU: (a) What was the total production of (i) cloth, (ii) dhoties, (iii) shirting and (iv) longcloth in the country in 1938-39 and 1945-46, respectively

(b) What steps have been taken by Government to increase the supply of cloth, particularly of dhoties, shirting and longcloth.

(c) Have Government considered the desirability of reducing the varieties of cloth now manufactured and providing for the increased production of dhoties, shirting and longcloth? If so, with what result?

THE HONOURABLE MR. M. W. M. YEATTS. (a) A statement giving the available information is placed on the table of the House.

(b) Government have taken the following steps :—

(1) Promulgation of the Textile Industry (Control and Production) Order, 1945, the main provisions of which are (a) devotion of 60 per cent of mills' capacity to the production of the most popular types of cloth and (b) imposition of restrictions no mills in respect of the number of counts of yarn to be spun and the types of cloth to be manufactured from those counts.

(2) Imposition of a 17½ per cent limit on the production of dyed and printed cloth.

(c) Yes, Sir, Government have always had this in view and have gone as far as seems practicable at present.

THE HONOURABLE MR. G. S. MOTILAL : How many varieties have been reduced ?

THE HONOURABLE MR. M. W. M. YEATTS : I cannot give the number off-hand ; but quite a number.

THE HONOURABLE MR. G. S. MOTILAL : Are not there as many as 4,000 varieties ?

(No Answer.)

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Is my Honourable friend aware that a large quantity of drill and dyed cloth is sent to the villages and lies unused there ?

THE HONOURABLE MR. M. W. M. YEATTS : That may be so. But the Government of India's function is to make a block allocation to a Province or State

what is done within that Province or State is the distribution concern of its own Government.

THE HONOURABLE MR. G. S. MOTILAL : Have not goods accumulated with the mills ?

THE HONOURABLE MR. M. W. M. YEATTS : I do not know.

THE HONOURABLE PANDIT H. N. KUNZRU : Will Government take steps to find out whether the quantity of drill that is manufactured is more than what the country needs ?

THE HONOURABLE MR. M. W. M. YEATTS : Certainly.

Statement showing the production of certain varieties of cloth in 1938-39 and 1945-46

(All figures in million yards,)

Year	Total production of cloth	Dhoties	Shirting and longcloth
1938-39.	4,289	1,455	1,040
1945-46 (April-November-8 months only) .	3,160	792	810

NOTE :—The term 'Dhoties' includes 'Sarees, Lungis, Angochas, Dupatas, etc,

SALE OF YARN AND CLOTH IN THE BLACK MARKET

136. THE HONOURABLE PANDIT H. N. KUNZRU : Are Government aware of complaints as regards the sale of yarn and cloth by the cotton mills in the black market? Have they enquired into the matter? If so, what are the conclusions which their enquiry has led them to?

THE HONOURABLE MR. M. W. M. YEATTS : I can well believe that some mills show their production somewhat less than it is, and sell the balance in the black market. But Government have received only a few complaints of this black marketing by mills. In one case the Bombay Government have been asked to prosecute a mill, but the case has not yet come into court. The Madras Government have launched a prosecution against a mill. Two other cases are under investigation.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member name those mills against which action is proposed ?

THE HONOURABLE MR. M. W. M. YEATTS : I do not think it will be proper to name the party to a case in this House.

THE HONOURABLE MR. G. S. MOTILAL : Is it only one mill in Bombay ?

THE HONOURABLE MR. M. W. M. YEATTS : One prosecution. There have been other cases. In 1944 Government took over some mills in Bombay and elsewhere and worked them because of this sort of thing.

THE HONOURABLE PANDIT H. N. KUNZRU : Is it a fact that some time ago the millowners of Bombay said that they had sold a certain proportion of their yarn to hand-loom weavers and that Government found that the quantity actually received by the hand-loom weavers was substantially less ?

THE HONOURABLE MR. M. W. M. YEATTS : I do not know of any actual report to that effect but something of that sort undoubtedly is one of the channels of leakage which exist in this rather big, complicated, difficult and thankless control.

THE HONOURABLE MR. M. THIRUMALA ROW : Are Government aware that some of the accused in these cases are contending in the Courts that since the Ordinance has expired, they are free to do whatever they like ?

THE HONOURABLE MR. M. W. M. YEATTS : They may contend that, Sir, but I do not think they will contend with any success.

THE HONOURABLE MR. HOSSAIN IMAM : What steps have Government taken to keep a watch on these mills which were taken over in 1944 due to their mis-management and propensity to black-marketing ?

THE HONOURABLE MR. M. W. M. YEATTS : These mills are no longer under control. After being run for some months by Government they were handed back in 1945.

THE HONOURABLE MR. HOSSAIN IMAM : Were they handed back because the mis-management had reformed ?

THE HONOURABLE MR. M. W. M. YEATTS : I think, Sir, that it was probably to give them a chance to show a change of heart.

THE HONOURABLE MR. HOSSAIN IMAM : Are Government satisfied that they are not now indulging in those activities which caused their being taken over ?

THE HONOURABLE MR. M. W. M. YEATTS : It is a most difficult thing. We would need to have not only a hundred arms and a hundred eyes but we would need something like a million. We do our best. It is really a case of putting your ear very close to the ground and if you hear a fairly continuous sound you feel something is there and then you have to specially go after that.

INDIANS IN MALAYA

137. THE HONOURABLE PANDIT H. N. KUNZRU : (a) Have Government chartered any ships or otherwise provided any facilities to enable such Indian labourers in Malaya as want to return to India to do so ?

(b) What is the number of such labourers who have returned to India since the conclusion of the war and the number of applications by Indian labourers for passages to India ?

THE HONOURABLE MR. A. V. PAI : (a) The Government of India have directed a ship on the Indian register to ply between Madras and the Malayan ports from 18th November. A press Note regarding this was issued on the 6th November, 1946 ; a copy of it is laid on the table of the House.

(b) The number of Indians who returned to India during the period April to September, 1946 is about 8,000. There is no information as to how many of them were labourers. The number of applicants for passages to India is reported to be about 27,000.

THE HONOURABLE PANDIT H. N. KUNZRU : How many people will the ship that is on the Indian register and that has been chartered by the Government of India be able to bring in each trip to India ?

THE HONOURABLE MR. A. V. PAI : 1,800, Sir.

THE HONOURABLE PANDIT H. N. KUNZRU : Who will pay for the passages of the Indian labourers ?

THE HONOURABLE MR. A. V. PAI : The passages of destitute labourers will be paid out of the Indian Immigration Fund, Malaya.

THE HONOURABLE PANDIT H. N. KUNZRU : What about the others who have practically lost their all during the war ?

THE HONOURABLE MR. A. V. PAI : In such cases the Government of India's representative has discretion to provide free passage at the expense of the Government of India.

THE HONOURABLE PANDIT H. N. KUNZRU : Can Government state what proportion of the labourers who have so far returned been able to avail themselves of this concession ?

THE HONOURABLE MR. A. V. PAI : I am unable to give an answer to that particular question now.

PRESS NOTE

INDIAN REPATRIATES FROM MALAYA.

The Government of India have directed the S.S. GALAGOPAL to proceed to Singapore and other Malayan ports from Madras to bring Indian repatriates who are waiting for passages to India. She is expected to make four round voyages between Madras and Malaya during the period November 18, 1946 to January 18, 1947.

Evacuees and others who are in possession of Passage Registration Certificates for Malaya issued by the Civil Passage Priority Controller for the Far East, Government of India, Commonwealth Relations Department, New Delhi, and who wish to avail of this opportunity are advised to contact the Agents at the Scindia Steam Navigation Co. Ltd., 108, Angappa Naicken Street, George Town, Madras.

SHORT NOTICE QUESTIONS AND ANSWERS

THE HONOURABLE THE PRESIDENT: Honourable Members, I have duly received notice of three Short Notice Questions. One of them, question No. 138 has been already circulated among all the Honourable Members and I therefore need not read it. Of the other two questions, one is from the Honourable Pandit Hirday Nath Kunzru and the other from the Honourable Raja Motilal. I am bound to read those to you as they have not been circulated. Under our procedure it is usual for the President to read them. The Honourable Pandit Kunzru's question runs as follows :—

“Will the Honourable Dr. Rajendra Prasad be pleased to make a statement on the situation in the Province of Bihar which he visited recently and where he toured extensively and spent several days ?”

The other question is by the Honourable Raja Motilal and runs as follows :—

“Will the Honourable Dr. H. N. Kunzru be pleased to make a statement on the situation in the Province of Bengal which he visited and toured recently?”

I have already given great consideration and examined the Rules and Standing Orders. I have admitted the Honourable Mr. Hossain Imam's short notice question. I am also pleased to state that I will admit the question of the Honourable Pandit Kunzru. But I regret very much that I am unable to accept the Honourable Raja Motilal's question, as I see that it offends against Standing Order 13 (2). But if the Honourable Raja Motilal desires to put any question to the Honourable Member, I shall allow him to do so. I cannot officially admit this short notice question and make it a precedent.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR (Madras : Non-Muhammadan): May I raise to a point of order, Sir, as to the interpretation of the rules which you have just now given? I am only putting it on the ground of a correct interpretation of the rules. You have admitted two questions, Sir, addressed one to the Leader of the House and the other to the Honourable Dr. Rajendra Prasad.

THE HONOURABLE THE PRESIDENT: They are Government Members of the House. Standing Order 13(1) governs such questions being put to Government members of the House, not to non-official members of the House.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: I will put this point to you for consideration. You must have admitted the questions, Sir, under rule 8 which says :

“A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the member to whom it is addressed”.

You drew a distinction between a non-official member and a member of the Government. May I draw your attention, Sir, to clause (1) of Standing Order 13 which says :—

“A question addressed to a member of the Government must relate to the public affairs with which he is officially connected, or to a matter of administration for which he is responsible”.

I take it, Sir, that the members of the Government to whom the questions have been addressed could not be brought under either of these categories. If you admitted the questions addressed to them merely as members of the House under rule 8, I want you to reconsider your decision about the third question. Would you not

allow Dr. Kunzru also, a member of the House, to make a statement on a matter of public concern which is specially within his cognizance because of his recent tour in Bengal? If of course the member of the Government answered that question which was within his sphere of duties, I have nothing to say. If both the Leader of the House and Dr. Rajendra Prasad can answer questions on this particular matter, only because of the special knowledge they have as members of the House and not as members of Government, of happenings in East Bengal and Bihar, I think, Sir, on the Rules and Standing Orders, both a non-official member and any other member of the House stand on the same footing under rule 8 and also under Standing Order 13.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras : Non-Muhammadan) : Before you proceed further, Sir, I want to know what has happened to my Short Notice Question couched in identical terms as the question of my friend Raja Motilal. I sent that question day before yesterday. I do not find even mention of it by you.

THE HONOURABLE THE PRESIDENT : I over-ruled that question on the same ground on which I have over-ruled Raja Motilal's question.

THE HONOURABLE MR. M. THIRUMALA ROW : Should I not know what has happened to this question?

THE HONOURABLE THE PRESIDENT : This is not the forum for that enquiry.

THE HONOURABLE MR. M. THIRUMALA ROW : This is the place where I can demand an answer. I am entitled to a reply from the Chair. I protest against the way in which my question in identical terms has been treated. It was due to me that a reply should have been sent by the office.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA (Bihar : Non-Muhammadan) : On a small but totally different point of order, Sir. A few days ago two members of this House gave notice to you of a question, Haji Syed Muhammad Hussain and Syed Mohamed Padshah Sahib Bahadur. They were numbered as question No. 129. They were circulated. Later on we got a notice cancelling that circulation. Now I find that you have admitted today a question put by Mr. Hossain Imam. When I read and compare these two questions, I find they are both addressed to the Leader of the House; and if Mr. Hossain Imam's question can be admitted, the first question can also be admitted; or if that has been rejected, Mr. Hossain Imam's question stands on no different ground. Certainly we are rather anxious to know how Mr. Hossain Imam's question has been treated differently by you.

THE HONOURABLE THE PRESIDENT : Your objection is practically the same as that of Sir Gopalaswami Aiyangar.

THE HONOURABLE MR. HOSSAIN IMAM : May I make a submission? I have nothing to say except that Standing Order 13 is specific and I think you were right in accepting it *in toto*.

THE HONOURABLE PANDIT H. N. KUNZRU : I do not think that the interpretation put by my Honourable friend so speciously on rule 13 can be supported by others.

THE HONOURABLE THE PRESIDENT : May I remind Honourable Members that they cannot discuss these matters? When a question is placed before me and my ruling is given, it will decide it one way or the other.

THE HONOURABLE MR. GHAZANFAR ALI KHAN (Health Member) : Nobody can question your ruling.

THE HONOURABLE MR. G. S. MOTILAL (Bombay : Non-Muhammadan) : You said you are going to decide. Certainly you will not shut out discussion whether the question is admissible or not, and you will hear the member before you decide.

THE HONOURABLE THE PRESIDENT : I have already said so before. This question is under discussion. I will allow anybody who wants to put a supplementary question to do so, if I allowed the original question.

THE HONOURABLE MR. G. S. MOTILAL : Before you finally decide, you will allow us to have our say on the Point of Order and consider what will be urged by some members of this House. My question is in identical terms as the question of the Honourable Dr. Kunzru, and rule 8 is very clear on that point—

THE HONOURABLE THE PRESIDENT: Sir Gopalaswami Ayyangar has read that rule.

THE HONOURABLE MR. G. S. MOTILAL: I should like to know why this question is to be disallowed. Some reason should be assigned so that we can understand the reason for your ruling.

THE HONOURABLE MR. HOSSAIN IMAM: A matter of public concern within his special cognizance.

THE HONOURABLE THE PRESIDENT: The difference between 13(1) and 13(2) is very important. It is a marked distinction which Honourable Members have overlooked and which probably they have not correctly interpreted. The distinction between clause (2) and clause (1) lies in the fact that the member should be responsible the most important word in clause (2) is "responsible". I will read 13(2).

"A question addressed to a non-official member must relate to some Bill, resolution or some other matter connected with the business of the Council for which that member is responsible".

If it is a Bill or a Resolution or any other such motion then he is certainly responsible for that Bill or Resolution or Motion. Therefore this difference has been read.

THE HONOURABLE MR. G. S. MOTILAL: May I draw your attention to part (1) of this Order 13? If it is addressed to a member of the Government it must relate to the public affairs with which he is officially concerned. Now the Leader of the House is not concerned with the particular affair on which he is to be questioned; and independent of this the legislative rule provides that a question may be asked of any member of the House. The rule does not say that it should only be addressed to a member of the Government. It can be addressed to any member of the House. It is for you now to give the ruling.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: I want to submit one point. This—

THE HONOURABLE THE PRESIDENT: It is not usual for a member who has already taken part in the matter to stand up again to make a reply.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: I hope you will give me that little piece of indulgence.

THE HONOURABLE THE PRESIDENT: I have been giving the House considerable indulgence this morning.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: A question can be put only to a member. Either he is an ordinary member or he is a member of Government. If it is an ordinary member, the question can be allowed only under the terms of rule 8.

THE HONOURABLE THE PRESIDENT: You have said all that before and you are repeating the same thing.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR: There is no answer to rule 8.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: May I respectfully remind you that you have not answered my point—the disallowance of the question of Mr. Padshah Sahib and Muhammad Hussain and acceptance of the question of Mr. Hossain Imam?

THE HONOURABLE THE PRESIDENT: Will you allow me to do so? The same argument has been advanced by Sir Gopalaswami Ayyangar and Raja Motilal. According to you both, clause (2) would be wholly redundant and there was no necessity for framing that clause. I do not read it in the way in which you read it. The Honourable Pandit Kunzru on this occasion is not responsible for any Bill or resolution or any matter connected as a member of the House and I therefore disallow the question. That is my interpretation of Standing Order 13(2).

THE HONOURABLE PANDIT H. N. KUNZRU: May I put a further question? Is my Honourable friend the Leader of the House answering a question?

[Pandit H. N. Kunsra.]

relating to the public affairs with which he is officially connected or a matter of administration for which he is responsible?

THE HONOURABLE THE PRESIDENT (to the Honourable Mr. Hossain Imam): Will you please put your question?

138. THE HONOURABLE MR. HOSSAI IMAM: Will the Honourable the Leader of the House be pleased to make a statement on the situation in the Provinces of Bihar and Bengal which he visited with his colleagues from the 2nd November to 10th November?

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House): Sir, I feel considerable diffidence in making a statement on the subject to which the Honourable Member's question relates. Some of the reasons are obvious. The Government are not yet in possession of full details about the happenings that have formed one of the saddest chapters in the history of this country. It is not yet possible to give any accurate idea of the damage that has been done to life and property in various parts of the country. Besides, one of the Provincial Governments affected has appointed an Inquiry Commission, whose members include some of the most eminent men in the judiciary of this country, to enquire into the disturbances, and I should naturally hesitate to say anything which may possibly embarrass those engaged in this enquiry. One must also cautiously avoid saying anything that may start a controversy and further accentuate bitterness which it should be the object and endeavour of all of us to remove. Since, however the Leader of the other House made a statement the other day in reply to a short notice question of a similar nature, it would, I think, be unfair to the Honourable Members of this House if I refused to answer the present question.

As Honourable Members are aware, a conflict between strongly cherished political ideologies caused a certain amount of controversy resulting in strained relations between the two communities. In July last the growing tension manifested itself in the form of communal rioting in Ahmedabad in the Bombay Province. This proved to be the first of a series of tragic events, some of them of colossal magnitude. After a few more incidents at various places there occurred the unfortunate tragedy of Calcutta resulting in huge loss of life and property to all sections of the population. A disturbance on a big scale soon followed in Bombay and still continues in the form of murderous attacks on individuals. Then came news of serious trouble in Baniabad in the Muzaffarpur District of Bihar, a Province which had already attracted the notice of leading and responsible public men, including Mr. Gandhi, for its growing spirit of general lawlessness. Towards the middle of October disturbances broke out in Noakhali in Eastern Bengal. One cannot but feel extreme pain over the happenings in that area where it is estimated that between 200 and 300 innocent persons lost their lives. This was bad enough; but unfortunately certain news agencies and a section of the press indulged in such gross exaggerations and presented their exaggerated versions in such a lurid light that even responsible leaders of public opinion were misled and some of them issued panicky and inflammatory statements making matters much worse. This propaganda had the effect of increasing tension throughout the country, leading soon after to killing, looting, arson, forced conversions, rape and abduction of women on a big and organised scale over a wide area in the Bihar Province. At this stage, as Honourable Members of this House are no doubt aware, four Members of the Interim Government, including myself, decided to visit the riot affected Provinces of Bengal and Bihar. In Calcutta we met the representatives of the Bengal Government and influential leaders of both the communities and an effort was made to set up a peace committee to advise the Bengal Government with regard to the measures necessary for the restoration of peace. A general strike was threatened at Calcutta during those days but fortunately better counsel prevailed and before we left we were informed that the idea had been given up. What we saw in Bihar was beyond our imagination. The tragedy that has occurred in that province is unparalleled in peace time. We had originally planned a very brief visit to Patna; but the conditions we saw made it imperative that at least two of us should prolong our stay in Bihar and tour the countryside. Accordingly the Honourable Pandit Jawahar Lal Nehru and myself stayed behind and did what we could to help in checking the prevailing lawlessness.

There are various estimates about the loss of lives and property during this mass uprising of one community against another in Bihar. For obvious reasons it is impossible to give any accurate figures, but reliable evidence indicates that the number of those killed is somewhere in five figures and the damage to property would amount to several crores. The situation in Bihar is reported to be improving, though fresh outbreaks of violence have occurred in certain parts of that unhappy province.

A few days back and not very far away from Delhi there occurred another instance of communal frenzy when a huge mob of villagers turned a religious fair at Garhmukteshwar in the U.P. into a scene of mass murder, arson, loot and abduction of women. Another Member of the Interim Government, the Honourable Mr. Ghazanfar Ali Khan, visited Garhmukteshwar and other affected areas.

A serious aspect of this long chain of tragic events is the problem of rehabilitation. In East Bengal the task of rehabilitating the unfortunate victims is reported to be proceeding with the cooperation of the Bengal authorities and Mr. Gandhi. The immense problem of the refugees and rescue of abducted women in Bihar and elsewhere has, however, yet to be tackled. It is reliably stated that there are over a hundred thousand homeless persons huddled in refugees' camps—in some cases without a roof over their heads—and in the houses of some private persons in Patna and a few other towns of Bihar. Food, clothing, medical help and proper shelter are their immediate needs. When these have been provided, this mass of refugees will present quite a difficult long term problem.

This is, in short, a tale of tragic happenings which have brought shame on this country in the eyes of the civilized world. It is time that all those who are in a position to influence the public made a serious and whole-hearted effort to impress on the people of this country the basic fact that no party can secure its political objective by killing, looting and arson. It would be sheer madness for any one community to think that it can wipe off the other by resorting to such methods. As Qaaid-e Azam Mr. Jinnah emphasised in a recent public appeal we may have our political differences but it will help neither party to try to resolve them by killing innocent neighbours and their women and children or burning and looting their houses. The most important contribution that we all can make towards the restoration of peace in this country is to refrain from doing or saying anything, that may further create controversies or embitter feelings. I appeal to the Honourable Members of this House, the elder statesmen of the country, to use their great influence in putting out the flames of this orgy and restoring peace and goodwill in the country. We in this country claim to be the inheritors of great and noble civilizations and it is up to us to see that by our deeds we do not bring disgrace on our traditions of culture, humanity and chivalry. It is only by adhering to these noble traditions that we can ever hope to reach our cherished goal of true freedom. May God guide us to the right path.

THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal : Non Muhammadan): Where from did the Honourable Member get the figure of 200 only as killed in East Bengal and why has he not said anything about the thousands of conversions and forcible marriages and abductions of women in East Bengal as was reported by Miss Muriel Lister ?

THE HONOURABLE THE PRESIDENT: The Honourable the Leader of the House has expressed himself in a general way on the matter which includes every form of crime.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: But he has not said anything about the forcible conversions and abductions of women and forcible marriages in East Bengal.

THE HONOURABLE MR. HOSSAIN IMAM: I think supplementary questions are not allowed on statements.

THE HONOURABLE MR. G. S. MOTILAL: The Honourable the Leader deprecates as much the abductions and conversions as murders.

THE HONOURABLE MR. S. K. ROY CHOWDHURY: But he has not said anything about them.

THE HONOURABLE MR. A. R. NISHTAR : I, Sir, without any hesitation and with all the emphasis at my command condemn all the happenings—whether murder, forcible conversion or abduction—and that should be the duty of everybody. They have been condemned so many times before and I would condemn them again as many times as my Honourable friend wants.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I put a question ? Why has he omitted all reference to the Tipperah district in his statement ?

THE HONOURABLE MR. A. R. NISHTAR : As the Honourable Member knows I had no opportunity to visit that area.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Did my Honourable friend visit Ahmedabad, to which he has referred ?

THE HONOURABLE MR. A. R. NISHTAR : No, that is why I have not gone into details concerning Ahmedabad.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Can the Honourable Member tell us what is the number of refugees in Eastern Bengal ?

THE HONOURABLE MR. A. R. NISHTAR : It is a large number; but the actual number is not available to me.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Has he any knowledge to the effect that responsible persons think that the number is between 50,000 and 100,000 ?

THE HONOURABLE MR. A. R. NISHTAR : I am not in a position either to confirm or to contradict it.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will Government take steps to inquire whether it is a fact that 50 Harijan houses were burnt down and looted in Bhagalpur district, and that 576 Hindus were killed by stabbing and gun-shots in Bihar ?

THE HONOURABLE MR. A. R. NISHTAR : So far as these two allegations are concerned, at any rate for my own information I shall try to inquire into them.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that the disturbances started in Bihar on the 25th October and that the Prime Minister of Bihar demanded military help on the 28th ? When was he afforded military assistance ?

THE HONOURABLE MR. A. R. NISHTAR : I want notice of the question.

THE HONOURABLE MR. HOSSAIN IMAM : May I give this information, because I was present when this demand was made ? This demand was made on the 31st October, at 6 P.M.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : When was military aid given ? The Honourable the Leader of the House will make inquiries about that.

Another supplementary question. Will the Government of India find out whether it is a fact that the Bihar Government are spending today Rs. 40,000 a day in Patna alone in maintaining refugee camps and feeding refugees ?

THE HONOURABLE MR. A. R. NISHTAR : If my Honourable friend wants it, I shall have no hesitation in making inquiries about it.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Would the Honourable the Leader of the House kindly inquire ?

THE HONOURABLE MR. A. R. NISHTAR : I know that they are spending some amount. The very fact that they are spending a huge amount, as my Honourable friend puts it shows that the number of refugees to be provided for must be very large.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : May I therefore take it that the Government of India think that the amount which the Bihar Government are spending on refugees is commensurate with the requirements of the refugees ?

THE HONOURABLE THE PRESIDENT : That is what the Honourable Member thinks; that is not a question.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : What I said was this. May I take it from the reply given to me by the Leader of the House that the amount spent on the maintenance of the refugees by the Bihar Government is commensurate with their needs ?

THE HONOURABLE MR. A. R. NISHTAR : I am not in a position to answer that question affirmatively.

May I, Sir, on a point of explanation, state that I am prepared to answer as many supplementary questions as my Honourable friends want to put, but let me point out that no question should be put which will in any way create difficulties in the way of the Government of that Province. That is why I do not propose to enter into a discussion of certain matters, because it will embarrass the Provincial Government and we should not do anything to embarrass them. Subject to this, I am prepared to answer as many questions as the Honourable Members want.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : I am not putting questions in that spirit, but I feel that suppression of facts will lead to more trouble. Virus and poison always breeds in the shade. May I therefore ask the Government of India to inquire of the Bihar Government whether it is a fact that a large number of lethal weapons were brought from outside Bihar and that numerous mosques were turned into arsenals ?

THE HONOURABLE MR. A. R. NISHTAR : I have been to Bihar but nobody ever mentioned that to me.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : My request is would the Honourable the Leader of the House inquire ?

THE HONOURABLE MR. A. R. NISHTAR : If it had been a fact, it would certainly have been brought to my notice. I was in constant touch with the members of the Bihar Government and other influential people, and they would certainly have referred to it.

(Several Honourable Members rose to ask supplementary questions.)

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Mr. President, I come from Bihar, and I am the only elected non-Muslim member representing Bihar, and on this occasion I should be permitted to put a few questions.

THE HONOURABLE THE PRESIDENT : The Honourable Member has already put many questions as regards Bihar, and they have been answered.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : The whole question refers to Bihar, and we cannot help it. I am only putting these points to the Leader of the House so that inquiries can be made. I do not expect that he has ready answers with him. I think it will help if the Government of India make inquiries. It is in that spirit that I am asking my questions.

Is it a fact that a League M. L. A. was caught by the police while taking delivery of lethal arms at Darbhanga railway station ?

THE HONOURABLE MR. A. R. NISHTAR : That is not a fact so far as my information goes. I am sorry to say that if such questions are put and I am forced to refer to the conduct of certain individuals, it would be very distasteful to my Honourable friend. We should avoid that.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Have the Government of India found out why so mysteriously the Governor of Bihar was absent from the province of Bihar from 28th October to 5th November ?

THE HONOURABLE MR. A. R. NISHTAR : We were told that he went to receive his wife.

THE HONOURABLE MR. HOSSAIN IMAM : The number of days which my Honourable friend gave is wrong.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Apart from the number of casualties, what is the amount of damage suffered in Calcutta ?

THE HONOURABLE MR. A. R. NISHTAR : May I refer the Honourable Member to the following sentence in my statement :—

“After a few more incidents at various places, there occurred the unfortunate tragedy of Calcutta, resulting in huge loss of life and property to all sections of the population.”

What else does the Honourable Member want ?

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS (East Bengal : Non-Muhammadan) : As one hailing from East Bengal, I would request you, Sir, to allow me to put a few questions to the Leader of the House in connection with the outrages in East Bengal. The Honourable the Leader of the House was pleased to state that the Government was taking steps for rehabilitation. May I know from him what steps have been taken by the Government in the matter of the return of abducted women in Eastern Bengal ?

THE HONOURABLE MR. A. R. NISHTAR : So far as this matter is concerned, my information is based entirely on the reports in the Press, which are available to Honourable Members also. Officially I have no information about it.

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS : Second question. Is the Honourable the Leader of the House aware that an I. C. S. officer deputed by the Bengal Government to inquire into rape cases reported—according to a report published in *The Hindustan Standard* of Calcutta on the 5th November—that in the Chandpur sub-division of Tippera there were 800 cases of rape and 400 cases of outrages on young girls ?

THE HONOURABLE MR. A. R. NISHTAR : As I have already pointed out, unless I have personal or official information, it would not be desirable on my part to confirm such allegation. I have already warned Honourable Members, and I will request them again, to be very careful in accepting press reports, whether they relate to Bengal or to Bihar.

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS : My third question is : Has the attention of the Honourable the Leader of the House been drawn to to-day's *Hindustan Times* of Delhi as to the difficulty which Mahatma Gandhi and other members of the peace committee are meeting with in bringing about peace and normal conditions, due to the obstinacy of the aggressive community in not allowing the return of these women to their homes ?

THE HONOURABLE MR. A. R. NISHTAR : My previous reply covers this question.

THE HONOURABLE MR. M. THIRUMALA ROW : Has the attention of the Honourable the Leader of the House been drawn to the statement in the press that unless orders from the Muslim League High Command issue, it will not be possible for the majority community in East Bengal to allow Hindus to return and settle down peacefully in that area ; and if his attention has been drawn to it, will he do all that is possible for him to see that the Muslim League policy is changed in the proper direction ?

THE HONOURABLE MR. A. R. NISHTAR : There is no question of changing the policy of the Muslim League ; and, replying to my Honourable friend as a member of the Muslim League, I may tell him that the highest personage in our organisation is Quaide-Azam Mahomed Ali Jinnah, and he has emphatically and in very strong terms condemned these happenings and appealed to everybody to help in the restoration of peace. I think this is the final word, and the strongest word, that can be said from the Muslim League side.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I will put a question which will not embarrass him. He said that to the best of his knowledge rehabilitation of the sufferers in East Bengal was proceeding smoothly.

THE HONOURABLE MR. A. R. NISHTAR : I did not use the word “smoothly”.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I thought he used it. It was proceeding, shall we say, and I thought from his manner that he thought that it was satisfactory. May I know from him what steps have been taken by the Government of Bengal in connection with the rehabilitation of the people who have

suffered there in East Bengal and also what steps have been taken to enable the thousands of Hindus who have been forcibly converted to Muhammadanism to return to their faith as this must be an essential part of rehabilitation and the restoration of law and order ?

THE HONOURABLE MR. A. R. NISHTAR : As for details I have already said that I am not in a position to give the details. But the information that I have got so far is that the Bengal Government, in co-operation with Mr. Gandhi, who fortunately happens to be there, are proceeding with the scheme of rehabilitation of the refugees. Whether that scheme will ultimately succeed or whether it will proceed smoothly or not, it is not for me to say and I cannot vouchsafe it. I can however, say this much that the rehabilitation question is being tackled by the Government of Bengal in consultation and in co-operation with Mr. Gandhi.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : It means that for weeks after this tragedy in East Bengal occurred the Government there really took no steps to rehabilitate them and I am in a position to say from my own personal knowledge that this is a fact.

THE HONOURABLE THE PRESIDENT : Pandit Kunzru, will you now put your short notice question ?

THE HONOURABLE MR. HOSSAIN IMAM : The Question hour is over now.

139. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Will the Honourable Rajendra Prasad be pleased to make a statement on the situation in the province of Bihar which he visited recently and where he toured extensively and spent several days ?

THE HONOURABLE SHRI RAJENDRA PRASAD (Food Member) : Sir, it was not my intention to make any statement at this stage which would lead to any controversy or counter-questions and in that respect I fully reciprocate the feelings of the Leader of the House that we should not make any statements or say anything which leads to further acerbation of feeling which is bad enough all over the country at the present moment. I would also have followed the Leader of the House in not making any statement of my own which would add to the difficulties but, unfortunately, statements have been made even on the floor of this House which lead to an impression, which is certainly left on my mind, that things have happened in Bihar which are not of all proportion to, and beyond all comparison with, things which have happened in other parts of the country, particularly in Bengal. Knowing Bihar as I do and knowing what has happened there, I cannot subscribe to that statement and I must say that things, bad as they are, regrettable and deplorable as they are—and I condemn all these things with the greatest emphasis that I can command—I cannot say that things there are any worse than what they are in Eastern Bengal or what they have been there for the last more than 4 or 5 weeks. In the first place, the situation there was brought under control within 3 or 4 days or 5 days at the most, and I believe the situation could have been brought under control earlier still if military aid had been available sooner and if the attention of all people all over the country, including Mahatma Gandhi, had been drawn to it earlier and he had announced the fast which he did announce after getting information about events there which had a great salutary effect on the people in that province. In the second place, I desire also to say that at the present moment things are perfectly quiet, and although we received a telegram yesterday that some trouble had arisen in another corner of the province, Government have received information since then from the Government of Bihar which says that everything is quiet there. So, this isolated incident which has occurred after 10 or 11 days since the last events in the worst affected districts has not affected the province as a whole and I hope it is only an isolated incident which will have no repercussions or any bearing in other parts of the province.

As regards rehabilitation, there is a large body of refugees concentrated in various camps in the towns of Bihar and also in some villages and I say this on the authority of what I saw there that they are taking all possible steps to give them food, to give them clothing, and to give them shelter so long as they are there and the next step will be to ask them to go back, and I hope the influence of all members here as well as outside will be exercised in favour of inducing the refugees to go back to their

[Shri Rajendra Prasad.]

respective places now that peace has been restored and calm prevails; and the sooner that is done the better it will be not only for those refugees but for all concerned.

Another point which I wish to emphasise is that in the matter of giving relief to the sufferers, the Government of India is not directly concerned. It can only come in as an adviser to the Provincial Government. But I would suggest that the influence of the Government of India as also of the individual members should be exercised in such a way as to bring about some sort of parity in the matter of damage that has been done. Some sort of parity has been brought about by the mob but now that relief is being organised and the rehabilitation problem will be taken up, I hope the two Governments mainly concerned, the Government of Bengal and the Government of Bihar, will exchange notes, will find out what they are doing each in its own province to help these poor people, and in this respect I would appeal to all members to exercise their influence with their respective Governments or the Government with which they have influence to induce them to act in that way.

As regards the future, I can only join in the appeal which has been made by the Leader here and by others outside this House that all should join in bringing about a calm atmosphere and the preaching that is going on day in and day out, in the press, on the platform and elsewhere, by whomsoever it may be, should cease. Unless that ceases there can be no hope that peace will be restored quickly or at all, and I am therefore asking all concerned to observe a certain amount of silence in this matter and to see that nothing is said which leads to a further deterioration of the situation.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I have one more question for my Honourable friend. Can it be concluded from the information at present available that the number of people who have been killed during the disturbances in Bihar would reach five figures ?

THE HONOURABLE SHRI RAJENDRA PRASAD : So far as I have been able to judge, it is absurd to think that the figure is anything like five figures.

THE HONOURABLE MR. HOSSAIN IMAM : What is the Honourable Member's estimate of casualties in Bengal ?

THE HONOURABLE SHRI RAJENDRA PRASAD : I have no estimate.

THE HONOURABLE MR. HOSSAIN IMAM : The Honourable Member said there was parity in killing in Bengal and Bihar.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Does my Honourable friend realise that they could not be murdered if they had been converted ?

THE HONOURABLE MR. HOSSAIN IMAM : I have asked a question and I await the reply.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-Official) : I would rather ask you, Sir, to stop all questions. If more questions are put, the worse it will be for our country. Will you please exercise your discretion and disallow further questions ?

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN (United Provinces West : Muhammadan) : My friend is afraid that there may be a riot here.

THE HONOURABLE MR. HOSSAIN IMAM : There is my question to be replied. I had asked as to the measure of parity between the killing in Naokhali and Bihar if he has got no estimate of killings in Bengal.

THE HONOURABLE SHRI RAJENDRA PRASAD : I never said there was parity in killing. I said parity in damages. As regards the number killed, I do not commit myself to anything.

THE HONOURABLE MR. HOSSAIN IMAM : Then on what basis does the Honourable Member say that five figure is absurd ?

THE HONOURABLE SHRI RAJENDRA PRASAD : For the simple reason that it is absurd.

THE HONOURABLE MR. HOSSAIN IMAM : Has he visited the area ?

THE HONOURABLE SHRI RAJENDRA PRASAD : Some parts.

THE HONOURABLE MR. HOSSAIN IMAM : Is he prepared to give us the extent of the area which has been affected and the thoroughness effected ?

THE HONOURABLE RAI BAHADUR S. K. DAS : After an expression of regret and condemnation of all these communal disturbances, I would like to draw the attention of our esteemed—

THE HONOURABLE THE PRESIDENT : You are making a speech.

THE HONOURABLE RAI BAHADUR S. K. DAS : As to the five points suggested by the leader of the Congress Socialist Party, Mr. Achyut Patwardhan, for the solution of these communal disturbances—

THE HONOURABLE THE PRESIDENT : I disallow your question. Please sit down. I think the Honourable the Leader of the House and the Honourable Dr. Rajendra Prasad have very fully and candidly answered all the questions both in connection with Bihar and also in connection with Bengal. They have laid the fullest information before the House and I agree with Sir David Devadoss that any more questions will cause unnecessary bitterness between the two major communities and trouble in the country. I therefore disallow any more questions.

THE HONOURABLE MR. HOSSAIN IMAM : I had already put a question and the Honourable Member was going to reply. The Honourable Member had stood up to reply.

THE HONOURABLE SHRI RAJENDRA PRASAD : The question, as I understood it, was as to the extent of the area which was affected in the disturbances in Bihar. I can answer that question. There are 16 districts in the province of Bihar. Out of these disturbances occurred in 5 districts. In the district of Saran at the town of Chapra, the headquarters ; and about 3 or 4 villages were affected by the disturbances.

That is one district. Then we come to the district of Patna. Patna district has got 4 sub-divisions. Disturbances occurred in 3 sub-divisions.

THE HONOURABLE MR. HOSSAIN IMAM : Which was free ?

THE HONOURABLE SHRI RAJENDRA PRASAD : Dinapore. I am not aware of any disturbance in Dinapore. But the area which was most affected by the disturbances was the sub-division of Bihar and certain portions of Sadr Sub-division was also affected. Then we come to Monghyr. Two thanas out of 24 or 25 thanas were affected. And in Bhagalpur disturbance took place in the town of Bhagalpur and in one or two other places.

THE HONOURABLE MR. HOSSAIN IMAM : In 2 Sub-divisions—and Sadr—

THE HONOURABLE SHRI RAJENDRA PRASAD : I have not heard of any thing very serious happening in Sadr sub-division ; only in—sub-division.

In Monghyr serious disturbance was in Sadr Sub-division ; not much in J. area. But serious disturbance took place in the Sadr sub-division in Tarapur area. In Gaya district, there was disturbance in part of Jahanabad sub-division and—

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN : I want to put a question—

THE HONOURABLE THE PRESIDENT : If I allow you, I will have to allow other members.

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN : The two leaders having seen the two sides, or every side, of the question, have the Government of India been able to come to any decision as to what is the solution to stop these disturbances ? That is a question which ought really to be put.

THE HONOURABLE THE PRESIDENT : He has already said he does not know what things are going to happen and he cannot foresee the future.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I know whether there has been any forcible conversion of Hindus to Islam in Bihar ?

HONOURABLE THE PRESIDENT : You have already asked that and it has been answered.

BRIGADIER THE HONOURABLE SIR HISSAMUDDIN BAHADUR : Nominated Non-official : I think the House should be very grateful to both leaders for the speeches made in such peaceful cooperation. There is no good gained by the two major parties fighting. It will create more trouble in the country. It will do more harm than good, Sir.

THE HONOURABLE THE PRESIDENT : We will now proceed with legislative work which is very little. I will adjourn the Council after a few words of farewell from myself.

INDIAN TEA CONTROL (AMENDMENT) BILL

THE HONOURABLE MR. Y. N. SUKTHANKAR (Nominated Official) : Sir, I beg to move :

"That the Bill further to amend the India Tea Control Act, 1938, as passed by the Legislative Assembly, be taken into consideration."

Sir, this is a simple Bill whose examination need not detain the House unduly long. As Honourable Members are aware, India is a party to the International Tea Agreement and cannot export anything more than the total export allotment agreed upon from year to year, nor could a pound of tea be exported unless it is covered by an export licence. Each estate registered with the Indian Tea Licensing Committee, which is a statutory body, receives an appropriate quota and that quota has to be translated into an export licence which relates to a particular financial year before tea could be exported. Suppose I am a proprietor of a tea estate and my quota is 100,000 lbs. I obtain an export licence, which is valid for 1946-47 if I wish to export my tea this year. Suppose I am unable to ship all that tea and a balance of 50,000 lbs. is left. I do not lose my right to export the balance. But I go to the Indian Tea Licensing Committee before the 14th April of the following year and apply to them for a special export licence which enables me to export tea in the following year. Now in prewar days the special export licence was valid only for a period of two months, namely, during April and May, but on account of the war conditions and in order to such difficulties connected with freight and shipping the special export licence was made valid for full twelve months and it is the arrangement which we want to change now. We want to go back to the prewar arrangements as the freight and shipping position has eased very considerably.

Honourable Members may well ask me if, apart from this desire to go back to the conditions existing before the war and the easing of the situation as regards shipping and freight, there are any practical difficulties involved in the existing arrangements or any practical advantage arising from this Bill. My answer to that is "Yes". As Honourable Members are aware, at the moment, all the exportable surplus often is purchased by the Ministry of Food under the bloc purchase scheme but the question of terminating this scheme and permitting private export is under the active consideration of Government under the existing arrangements we find that much more export quota is kept alive than the actual quantity often available for export. Unless we reduce the period of validity of the Special export licences from twelve months to two months there is a definite risk that private exporters may utilise the special export licences to draw upon tea reserved for the internal market.

Sir, I consider that this is a salutary Bill, in so far as it ensures return to normal conditions and safeguards the internal market. I therefore trust that the Bill will receive wholehearted support from the House.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. Y. N. SUKTHANKAR : Sir, I move :

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

REGISTRATION OF TRANSFERRED COMPANIES (AMENDMENT) BILL

THE HONOURABLE MR. Y. N. SUKTHANKAR (Nominated Official) : Sir, I beg leave to move :—

"That the Bill to amend the Registration of Transferred Companies Ordinance, 1942; as passed by the Legislative Assembly, be taken into consideration."

Sir, this again, is a simple Bill, which signalizes a return to normal conditions. The Registration of Transferred Companies Ordinance, 1942, was promulgated in that year in order to enable Companies operating in different parts of the Empire to come over to and be registered in India so as to operate effectively from here as some of those parts were overrun or in danger of being overrun by the enemy. After the termination of hostilities some of these Companies wanted to go back to where they came from and others wanted to continue in here. As far as the Companies which were registered under this Ordinance and wanted to stay on in India were concerned the position was free from difficulty. There is registration under the Ordinance subject to certain conditions produced in some legal effect as if they were registered under the Indian Companies Act, 1913, but as regards Companies which wanted to go back, they could do so only if the Ordinance was cancelled. The Companies registered under it and wanting to continue in India lost all the advantages accruing from the Ordinance. On the other hand, if the Ordinance remained those companies which wanted to serve India would continue to be registered in British India as well as become Companies registered elsewhere, which would create an awkward position. This Bill, therefore, seeks to cancel the registration of such Companies under certain conditions. I may add for the information of the Honourable Members that due care will be taken to safeguard the position and the interests of the creditors to the various Companies whose registration would be cancelled. I may also add for their information that a similar amending Bill in exactly similar circumstances has been passed in the United Kingdom.

Sir, I move.

The Motion was adopted.

Clause 2 and 2A was added to the Bill.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. Y. N. SUKTHANKAR : Sir, I move :

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

FAREWELL ADDRESS BY THE PRESIDENT.

THE HONOURABLE THE PRESIDENT : Honourable Members, as this is the last time I am presiding in this Council before I adjourn the House *sine die*, I would like to address a few words of farewell. For 14 years I have held the office of President of this Council—the longest period on record—due to circumstances necessitating extension of the life of the House from time to time. I have during these 14 years had my lips closed and took no part outside or in this Council in political matters, except performing my duties as President.

As many of you—old friends—are aware, I commenced my public career 58 years ago and have been in the Central Legislature for the last 38 years of which the last 14 years have been in the capacity as President of this Chamber. During these years I had opportunities of meeting and working with great men and great politicians like the Rt. Honourable Srinivas Shastri, Sir Sivaswamy Iyer, Mr. G. K. Gokhale, Sir Surendranath Banerjee, Pandit Madan Mohan Malaviya and Sir Dinshaw Vachha. They were all men of distinction, great ability and representative status from all parts of India. I had during this long period, as a Member of the Supreme Legislative Council, and later during the last 22 years in this Council, exceptional opportunities of learning many things concerning the progress and advancement of our country.

Nearly 60 years ago, when the Congress held its first Session in Bombay, few realised that they would see the beginnings of full independence of India within such a short space of time. Through the untiring efforts of His Excellency Lord Wavell, who has already distinguished himself as a great Viceroy and Governor-General of India, we are able to see in this House and in the Assembly during this Session leader

[Mr. President.]

and representatives of various parts of India forming a Coalition Interim Government and who will in the not distant future participate in achieving the consummations which every Indian has aspired to see for many years—and that is a free and independent India. It is a matter of sincere gratification that through the efforts of our popular Governor-General as well as the exercise of sound judgment by Mr. Jinnah, the Muslim League has also joined the Interim Government. The work and progress in both the Houses which during the last few years were not marked with any great measure of harmony, are, happily, now conducted in an atmosphere of mutual trust and concord. This is indeed very welcome for after the last few weeks' distressing events, which unfortunately are still continuing, the two major communities and even minority communities have fully realised that for achieving our full freedom we must be united in a sincere spirit of give and take and thus earn the respect and attention of the great nations of the world.

The responsibility of every class and community is all the greater in the background of the dark tragedies witnessed in Calcutta, Noakhali, Dacca, Bombay, Bihar and other places which incidentally have plunged the whole country into a state of social and economic disorganisation. Not a day has passed without our hearing of the sorrowful news and distressing tales of murders, looting, arson and other horrible crimes. But I have not the smallest doubt that the sagacity of our new administrators who have taken charge of their office will soon find a solution of this grave and distressing division of opinion between the two major communities and that their efforts will succeed in a short time, with the assistance of His Excellency the Governor-General and the aid of the loyal Police and Military, to restore peace and tranquility will effect re-union between them. The task before our administrators is a serious one, but with tact and courage, I have no doubt they will be able to form an everlasting union of friendship between the two great communities of India. The minority question is a very important one, depending on the treatment accorded to them and if it is handled in the right manner, the Interim Government will receive their unqualified support as well as win their affection and approbation.

Honourable Members, I do not propose to deal with the past history of the Indian Legislature, nor with important periods during which from time to time reforms were introduced by the British Government, which have all collectively contributed to test the ability and skill of our Indian politicians in the matter of successful governance of our country. I desire, with your permission, to refer only to two important subjects today. During the last few years there has been a division of opinion in many parts of India as regards the advisability of bicameral Legislature—the Lower and Upper Houses—in India at the Centre. Whatever may be the opinion about having or not having two Houses in the Provinces, I am definitely of opinion that at the Centre there should be two Houses, both the House of Representatives and the Senate, or whatever you may choose to call them. In the Parliaments of all great nations there have been two Houses, each having separate and individual entities and functions, the Upper House generally consisting of elder and mature statesmen enjoying powers of revision or alteration, on many important questions. Its necessity and propriety have been impressed upon us by the events of the last few years; and whatever else may happen in our march towards democratic freedom, I trust India will not recede from the position it has consistently taken up so far as bicameral legislature at the Centre is concerned. I also pray that you and your successors in office always maintain the prestige and great traditions of this house. The many years that I have occupied this chair, I have contributed my humble efforts towards that ideal.

The other question I wish to refer to is whether on the advent of full Responsible National Government, India should remain within the British Empire or secede from it. I am fully aware of the feeling among many young politicians about it; and it is also true that the British Government have given option to India to remain within the Empire or to get out of it. But I trust you will permit me to say a few words on this point. I am referring to it because not only in the present state of affairs, with the pronounced division between the two great parties, marked with the absence of mutual distrust and a spirit of toleration, but also because of the trend of affairs in and around Asia, it would be better to remain within the Empire. We have embarked

on governance of our country whose component parts are not yet quite integral or well-knit. India is still a Subcontinent with diverse populations, living in different areas with different religions and conflicting habits. Moreover, the resources of our country are out of proportion to the needs and requirements of an extensive Empire. These have to be augmented in various directions in order to make our country self-supporting, so that the different Provinces become economically wholly self-sufficient and self-reliant. It is true that India today is a creditor country, but our resources are more illusory than real. And what is going to take place in the near future one cannot envisage with equanimity. It is, therefore, absolutely essential that we must fully build up our economic resources in all directions, industrialise the country expand our trade and commerce widely, make our farmers and agriculturists prosperous, happy and contented and enable every Province to exist on its own resources before we contemplate severance of India from the Empire.

You are aware of the past history of India, how different dynasties came into existence and how different communities governed in succession. Our foremost effort should therefore be to obtain our sterling balances in order to expand industrially and to make failures of crop as events of the past. Let us not be in a hurry to go in for ambitious and expensive schemes of development which the Western nations adopted only after many years of stewardship of Government. Let us lay the foundations of our Government on financially sound basis and be also assured of a stable national income. As the Honourable Sardar Vallabhbhai Patel wisely and pertinently observed the other day, "We must govern or learn to govern before we enter into hazardous undertakings. We must put our foot on solid ground before we rush into dangerous waters." I commend these observations to the peoples of India generally through their leaders and representatives who are Members of the central Legislature. When we have laid the solid foundations of the Indian Empire in matters of industrialisation and economic advancement, when we have created a truly national army by giving our boys suitable and adequate Military training, and equipped them with weapons required for the protection of our country, it would then be time for us to consider the question whether India should remain within or walk out of the British Empire.

One more word and I have done. I say farewell to this House and to everyone of you. The hour of parting is always sad, but I have the consolation that my health with the support and indulgence of my colleagues permitted me for so many years to preside over their deliberations. I stand before you for the last time, with my memories spread back for much over a generation, but I assure you that as long as I live I shall continue to watch with deep interest the proceedings of this House and the work done by you and your successors. Now, I need only remind you, that as elder statesmen the older we grow the wiser we must act, act not merely in the service of the present but for the good of the future, and again not merely for the India of today but for the India which we all fervently look forward to a United Nation, sensitive to her own self-respect and sensible of the respect of the great nations of the world.

I must also tender my grateful thanks to the entire staff including my Secretaries past and present and the Assistant Secretary, Rai Sahib A.K. Gupta, all of whom have for many long years given me loyal and valuable help. I am also under deep obligations to the Press generally, headed by their indefatigable unofficial leader, Sir Usha Nath Sen, for giving true and wide publicity to the labours of my Honourable colleagues in this House.

With these few words, I now adjourn the Council *sine die*.

Honourable Members, as I may not meet many of you again, I will request you to shake hands with me before we part.

(Honourable Members then shook hands with the Honourable the President.)

The Council then adjourned *sine die*.