

Friday, 17th November, 1944

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OF THE

FOURTH COUNCIL OF STATE, 1944



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COUNCIL OF STATE

Friday, 17th November, 1944

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

QUESTIONS AND ANSWERS

CLASH BETWEEN VILLAGERS OF PARVATODIPETA AND MILITARY OBSERVATION CORPS IN THE MADRAS PRESIDENCY

107. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Is it a fact that a clash occurred between the villagers of Parvatodipeta, near Chicacole (Madras Presidency) and members of the Military Observation Corps on the 15th September as a result of which two villagers were killed and one injured as officially announced ?

(b) Will Government state the full facts of this occurrence and also whether any enquiry was made ; and, if so, by whom and with what result ?

(c) What steps have been taken in the matter by Government or the military authorities concerned ? What is the nationality of the members of the Observation Corps who were involved in this occurrence.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) Yes, Sir.

(b) and (c) Full details are not yet available, but the incident appears to have been the result of alleged molestation of women by some Indian soldiers. The matter has been investigated by the local Civil and Military Police authorities and the soldiers have been handed over to the Civil authorities for trial.

UNITED NATIONS WAR CRIMES COMMISSION

108. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Will Government state whether India is represented on the United Nations War Crimes Commission, which is believed to be engaged in examining the list of war criminals to be tried or otherwise dealt with after the defeat of Germany and Japan ?

(b) If not, did Government press in this respect the claims of India as a country occupying a position of vitally strategic importance and which has contributed magnificently in men, money and war materials, towards the defeat of the Axis Powers ?

(c) If India has been given a seat in the United Nations War Crimes Commission, who represents India on this commission ? Will Government state on the authority of India's representative whether it is a fact as stated by Reuters Political Commentator that "not only Hitler but Himmler, and Goebbels as well together with other notorious members of the Nazi regime, are not at present on the list of criminals which is being examined by the United Nations War Crimes Commission" ?

THE HONOURABLE SIR FIROZ KHAN NOON : (a) Yes.

(b) Does not arise.

(c) (first part) I would invite the Honourable Member's attention to the reply given by me on the 16th February 1944 to his question No. 8. As regards the second part Government is not at present in a position to reply.

THE HONOURABLE MR HOSSAIN IMAM : Will the Honourable Member elucidate that reply which he gave earlier ?

THE HONOURABLE SIR FIROZ KHAN NOON : I did it purposely in order to encourage in the minds of Honourable Members the habit of finding out whether that question has already been answered or not. I would like you to take the trouble of reading so that you might remember not to ask questions which have already been answered.

NOTE.—All questions in the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

THE HONOURABLE MR. HOSSAIN IMAM : Is this question on all fours with the last question ?

THE HONOURABLE SIR FIROZ KHAN NOON : Exactly the same question. I have already said that it is the High Commissioner for India in London who represents India on this Committee.

PLACING OF " THE TIGER STRIKES " AND " THE TIGER KILLS " IN THE LIBRARY OF THE HOUSE

109. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government state whether the books " The Tiger Strikes " and " The Tiger Kills " which record deeds of Indian Soldiers in the African campaigns are placed in the Council Library ? If so, when were they placed in the Library, and who is the author of these books ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : A copy of the " Tiger Strikes " was placed in the Library on the 9th August, 1943.

The " Tiger Kills " is in print and a copy will be placed in the Library as soon as it is ready.

Both the publications were written by officers of the Public Relations Directorate.

THE HONOURABLE MR. HOSSAIN IMAM : It means that the Government of India paid the cost of its publication ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : As far as I know, yes, Sir.

JAPANESE SUBMARINE NEAR BALUCHISTAN COAST

110. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Is it a fact that a Japanese submarine landed near the Baluchistan coast on or about the 24th March last a party of 12 Indian soldiers consisting of V. C. O.'s and N. C. O.'s selected by the enemy from among the prisoners captured in Malaya ?

(b) What is the story told by them regarding the treatment meted out by the Japanese to the Indian prisoners of War ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) Yes, Sir.

(b) They told vividly the appalling conditions under which prisoners of war in Japanese hands were forced to live ; their lot appears to have been one of bad food, insufficient clothing and insanitary living accommodation, exhausting labour and continual humiliation from the Japanese. They were beaten on the slightest provocation and some of them who had incurred the wrath of the Japanese by opposing their inhuman methods of treating prisoners were cruelly tortured and put to death.

RESPONSIBILITY FOR POSTAL AND TELEGRAPH CENSORSHIP

111. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is it a fact that the responsibility for postal and telegraphic censorship of correspondence entering or leaving India has been entrusted by the Government of India to the Commander-in-Chief in India ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Yes, Sir.

NUMBER OF INDIAN CASUALTIES IN THE PRESENT HOSTILITIES

112. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is it a fact that the number of Indians killed, wounded, missing and made prisoners of war, since the commencement of hostilities, are 5,912, 13,230, 17,810 and 72,848 respectively as disclosed by Mr. Churchill in the House of Commons on or about the 4th April last ? Will Government state the number of Indian casualties under different heads in land forces, air forces, and the navy ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : The answer to the first part is in the affirmative. As regards the second part, I lay a statement on the table.

NOTE.—All questions in the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

Statement

	Killed	Wounded	Missing	Prisoner of War
Army	5,787	13,122	17,801	72,848
Navy	65	74
Air Force	60	34	9	..

THE HONOURABLE MR. HOSSAIN IMAM: Up to what date have these casualties occurred, Sir? The statement was made on the 4th April. Did it refer to casualties up to March or for the first 4 years of the war?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: I think I must ask for notice of that question.

RECRUITMENT OF INDIAN LADY DANCERS

113. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Has the attention of the Government been drawn to the following advertisement which appeared in the "Hindustan Times", dated the 23rd August, 1944 (Dak Edition):—

"Wanted Indian Lady Dancers for Military Public Liaison. Pay Rs. 100 to Rs. 150 and other facilities. Report personally before 25th August. Mr. Lalit Commar, Suite 24, Hotel Regal, Fatehpuri, Delhi" For what purpose these appointments are made; and what part these lady dancers are intended to play in winning the War?

(b) How many of them have so far been appointed; and how many of them still remain to be appointed?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) Government have seen the advertisement. The appointments are made in the Art Group of the Military Public Liaison Organization of the Public Relations Directorate. The object of this organization is to obtain from the public the fullest possible support for and co-operation with India's fighting forces and one of the methods adopted to achieve this object is the provision of entertainments for the public by touring Indian Theatrical amusement parties or Art Groups in which the lady dancers take part.

(b) Eight have so far been appointed and two more are required.

"OUR INDIAN EMPIRE" PAMPHLET

114. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that the pamphlet "Our Indian Empire" which was distributed to British officers proceeding to posts in the Indian Army has been withdrawn by the War Office? Will Government place a copy of it in the Library?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: The answer to the first part is in the affirmative. As regards the latter part, a copy has been placed in the Library of the House.

THE HONOURABLE MR. HOSSAIN IMAM: Will His Excellency the Commander-in-Chief explain why it was withdrawn?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: It was withdrawn because it was out of date. The information contained was no longer accurate.

NUMBER OF PERSONS RECRUITED IN INDIA FOR SEA, LAND AND AIR SERVICES

115. THE HONOURABLE SIR DAVID DEVADOSS: Will Government state:—

(a) The number of persons recruited in India for all the three combatant services: Sea, Land and Air?

(b) The number of persons recruited in India for non-combatant services?

(c) The number of persons recruited in India for clerical and menial services?

(d) The number of persons likely to be demobilized in all the services?

(e) If it is against war effort or public interest to give the total number of persons likely to be demobilized, state the number of persons who were recruited from the Province of Madras and who are likely to be demobilized?

NOTE.—All questions in the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

(f) What provision is proposed to be made for the maintenance after demobilization of the persons recruited for all the services in India ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) to (d). It is not possible in the interests of security to give this information.

(e) I am unable to answer the first part in the interests of security. As regards the latter part, it is not possible at this stage to say how many people recruited from Madras are likely to be demobilized.

(f) The policy is to resettle officers and men in civil life after demobilization. Plans for resettlement are under preparation and it is hoped that details will be completed well before the demobilization begins. Those who may not secure civil employment immediately after demobilization will have deferred pay to fall back upon in some cases, and in others their accumulations in savings schemes and Provident Funds.

THE HONOURABLE SIR DAVID DEVADOSS : What about people who have been recruited for labour corps and other services which are not permanent ? What arrangements have been made for them ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : So far as I know, the arrangements are very much the same but I can get more detailed information on the subject and will be glad to give it to the Honourable Member.

THE HONOURABLE SIR DAVID DEVADOSS : Thanks.

CITIZENSHIP AND IMMIGRATION OF INDIANS IN THE U. S. A.

116. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** (a) Will Government state how far the question of granting the right of citizenship and immigration to Indians in the U. S. A. has progressed ; and when is the appropriate legislation likely to be placed on the Statute Book of that State ?

(b) Are Government aware that about 400 American residents in India have submitted a representation to the United States Congress supporting legislation permitting the immigration of Indians under quota system and making them eligible for United States citizenship ?

THE HONOURABLE SIR MAHOMED USMAN : (a) The latest information available to the Government of India which has also appeared in the Press, is that the Immigration and Naturalisation Sub-Committee of the United States Senate has commenced public hearings on a Bill introduced by Senator Langer for the admission to United States citizenship of Indians who entered the United States before the 1st July 1924. Two other measures of wider scope, which have been introduced in the House of Representatives, await consideration. The Government of India are unable to say what the fate of these Bills will be, or when they are likely to be placed on the Statute Book.

(b) The Government of India understand that a memorial which had the support of 352 Americans resident in India who are engaged in missionary and other work was forwarded by cablegram to the Home Boards of the various Missions requesting them to bring this matter to the notice of members of the American Legislature.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Have the Government of India made any representations to the Government of the United States of America since the matter was discussed in this House ?

THE HONOURABLE SIR MAHOMED USMAN : I must ask for notice of the question.

TRIBESMEN OF THE NORTH-WEST FRONTIER OF INDIA

117. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** Have Government formulated any definite plans for overcoming the possibility of trouble and incursions from the tribesmen on the North-West Frontier of India, in post-war period ? If so, what are the main features of the plan ?

THE HONOURABLE SIR MAHOMED USMAN : Government have forces, military and civil, on the North West Frontier adequate for dealing with any such incursions which may occur. Moreover the subject is receiving the active attention of the Government of India. Pending the results of their examination, it is not possible to indicate Government's plans for the future.

NOTE.—All questions in the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

APPOINTMENT OF A REPRESENTATIVE OF INDIA IN MOSCOW

118. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is there any proposal of appointing a Representative of India in Moscow ? If so, when is the proposal likely to materialise ?

THE HONOURABLE SIR MAHOMED USMAN : No, Sir. The second part does not arise.

INDIA'S POSITION AT THE PEACE CONFERENCE

119. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Will Government state whether after the conquest of Germany, India, which has taken such a conspicuous part in the War, will be allowed a seat in her own rights at the Peace Conference along with the representatives of the Allied Nations ?

(b) Have Government pressed the claim of India on His Majesty's Government ? If not, do they propose to take necessary steps now in that direction ?

THE HONOURABLE SIR FIROZ KHAN NOON : Government have not yet considered this question but the Honourable Member may be reminded that India did find representation at the Peace Conference at the end of the last war and there is no reason why she should not be represented this time.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Who will select the representatives of India ?

THE HONOURABLE SIR FIROZ KHAN NOON : Through proper channel.

INDIAN INTERNEES IN FRANCE

120. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Is it a fact that a large number of Indian students, merchants and others were interned in France by the Vichy Government since the fall of France ?

(b) Will Government state the approximate number of such Indians and their whereabouts as well as their present condition ?

THE HONOURABLE SIR MAHOMED USMAN : (a) The Government of India are not aware that any Indian was interned by the Vichy Government in France.

(b) Does not arise.

PROGRESS OF THE BILL TO GRANT CITIZENSHIP OF INDIANS IN THE U. S. A.

121. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government state at what stage is the Bill in America to grant Indians the right to acquire U. S. citizenship ; and when is the legislation likely to come into operation ?

THE HONOURABLE SIR MAHOMED USMAN : The attention of the Honourable Member is invited to the reply given by me today to his question No. 116.

AMENDMENTS OF THE GOVERNMENT OF INDIA ACT, 1935

122. THE HONOURABLE MR. G. S. MOTILAL : Will Government place on the table a statement of amendments made in the Government of India Act of 1935 since the outbreak of the present war ?

THE HONOURABLE SIR MAHOMED USMAN : After the outbreak of the war the Government of India Act, 1935, has been amended or supplemented by the following Acts of Parliament ; a copy of these is available for reference in the Library of the House.

1. The Government of India Act (Amendment) Act, 1939.
2. The India and Burma (Miscellaneous Amendments) Act, 1940.
3. The India and Burma (Emergency Provisions) Act, 1940.
4. The India and Burma (Postponement of Elections) Act, 1941.
5. The India (Federal Court Judges) Act, 1942.
6. The India and Burma (Temporary and Miscellaneous Provisions) Act, 1942.
7. The India (Attachment of States) Act, 1944.
8. The India (Miscellaneous Provisions) Act, 1944.

THE HONOURABLE MR. HOSSAIN IMAM : Are all these Acts in operation or are they to be enforced ?

NOTE.—All questions in the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

THE HONOURABLE SIR MAHOMED USMAN : I think the Honourable Member can draw his own inference from his experience as a public man of long standing.

IMPORT OF WHEAT AND OTHER FOODGRAINS

123. THE HONOURABLE MR. G. S. MOTILAL : What is the total quantity of imports of wheat received in this country since 1st November, 1943? Whether any other food grain has also been imported during the said period; if so, what is the quantity received?

THE HONOURABLE MR. B. R. SEN : 5,12,234 tons of wheat and wheat products, 1,27,889 tons barley, 4,416 tons maize and 4,500 tons rice have been imported into this country since 1st November 1943.

THE HONOURABLE MR. G. S. MOTILAL : Can you say from which countries?

THE HONOURABLE MR. B. R. SEN : I am not in a position to disclose the sources.

INTERVIEWS TO MEMBERS OF THE CONGRESS WORKING COMMITTEE

124. THE HONOURABLE MR. G. S. MOTILAL : What are the conditions which have been prescribed by the authorities under which family members of the members of the Congress Working Committee have recently been allowed to interview the detenus?

THE HONOURABLE MR. E. CONRAN-SMITH : The conditions are the same as for other security prisoners. The Rules are in the Library of the House.

COMMISSION OF ENQUIRY ON BOMBAY EXPLOSION

125. THE HONOURABLE MR. G. S. MOTILAL : Will Government state:—(a) With regard to the 14 inadequacies of action set forth at page 24 of the First Report of the Commission of Inquiry on Bombay Explosion, what steps have been taken by Government to prevent a recurrence of the same?

(b) What steps Government have taken to compensate the sufferers?

THE HONOURABLE MR. D. D. WARREN : (a) I would refer the Honourable Member to the Resolution of the Government of India, dated September 12th, 1944, a copy* of which is laid on the table. I would also refer him to the Press Note issued on the 28th October setting out the main lines of action taken to prevent a repetition of such occurrences.

(b) I would refer the Honourable Member to the Government of India Press Communique, dated the 30th May 1944, dealing with the scheme of compensation and to the Bombay Explosion (Compensation) Ordinance, 1944 (Ordinance No. XXXII of 1944, dated 1st July 1944). A Claims Committee and two Claims Commissioners have been appointed in pursuance of the Ordinance and payments are being made to applicants on the basis of awards determined by these two bodies.

LOSS OF LIFE AND PROPERTY IN THE BOMBAY EXPLOSION

126. THE HONOURABLE MR. G. S. MOTILAL : Will Government state:—(a) What is the total loss of life and property caused to the people by the explosion?

(b) How much compensation is, or will be, paid by Government?

(c) Will the amount of compensation be debited to the Government of India or to His Majesty's Government?

(d) Whether Government have received the second Report; if so, when will it be published?

THE HONOURABLE MR. D. D. WARREN : (a) As regards the first part of the question, I would refer the Honourable Member to Chapter V of the first report of the Commission of Inquiry, Bombay Explosions, a copy* of which is laid on the table. As regards property, it will not be possible to frame any reasonable estimate of the damage till all the claims have been received and considered, i.e., till after the 30th November.

(b) I would refer the Honourable Member to paragraphs 3—6 of the Government of India Press Communique, dated the 30th May 1944.

(c) The matter is under consideration.

(d) Government have received the second report and will publish it shortly.

*Not printed. Copy placed in the Library of the House.

PACIFIC RELATIONS CONFERENCE

127. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Have Government received any invitation to send representatives of India to the next Session of the Pacific Relations Conference to be held in Washington in January next? If so, who are likely to be sent and will suitable non-official Indians be included among them?

THE HONOURABLE SIR MAHOMED USMAN: No, Sir.

COMMONWEALTH RELATIONS CONFERENCE

128. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Have Government received any invitation to send representatives of India to the next Session of the Commonwealth Relations Conference which will be held in London in February next? If so, who are likely to be sent and will suitable non-official Indians be included among them?

THE HONOURABLE SIR MAHOMED USMAN: No, Sir.

MANAGEMENT OF BENGAL AND ASSAM RAILWAY BY THE AMERICANS

129. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government state the terms and conditions, if any, under which the Americans in India were allowed to take over the operations of the Bengal and Assam Railway in last March, indicating the financial and administrative implications, if any, of this arrangement?

(b) Will Government lay on the table or in the Council Library a copy of the document under which this arrangement was sanctioned?

THE HONOURABLE MR. D. D. WARREN: (a) On certain sections of the Bengal and Assam Railway, train running is in charge of, and being performed by, American Transportation Units with the assistance of the Bengal and Assam Railway Transportation staff. All other functions of the Railway are under the control of the General Manager. The financial and commercial arrangements of the Bengal and Assam Railway remain unaltered. The services of the American Transportation Units are being given free of charge.

(b) Government regret that they are not prepared to do so.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is there anything confidential about this document?

THE HONOURABLE MR. D. D. WARREN: Yes, Sir. In the interests of security it is not possible to lay the document on the table.

INDIA'S POSITION AT THE PEACE CONFERENCE

130. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: With reference to the reply of Mr. Attlee in the House of Commons on or about the 18th October, 1944: "The only countries which had the right to be represented at the Peace Conference were those which had participated in the War as belligerents," will Government state whether India will be represented at the Peace Conference?

THE HONOURABLE SIR FIROZ KHAN NOON: I refer the Honourable Member to my answer to his question No. 119 this morning.

UNITED KINGDOM COMMERCIAL CORPORATION

131. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Has the attention of Government been drawn to the following statement of Sir John Anderson, Chancellor of the Exchequer in the House of Commons, on or about the 17th October, 1944:—

"The services of the United Kingdom Commercial Corporation would be needed for at least 18 months after the War with Germany, and perhaps longer"?

(b) Have Government protested against the continuance in India of the activities of the U. K. C. C.?

THE HONOURABLE MR. RAM CHANDRA: (a) Government have seen a press report to this effect.

NOTE.—All questions in the name of the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar.

(b) The Honourable Member's attention is invited to the reply given in this House on the 2nd March 1943 to part (a) of his question No. 76 regarding the duration of the activities of the United Kingdom Commercial Corporation.

HUNGER-STRIKE IN THE BHAGALPUR JAIL

132. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: Will Government state the steps taken by Government to examine the correctness of the allegations and grievances referred to in the editorial columns of the 'Indian Nation', Patna, dated Wednesday, the 25th October, 1944, regarding the hunger-strike in Bhagalpur Jail and the causes leading to it?

THE HONOURABLE MR. E. CONRAN-SMITH: The matter relates to jail discipline which is the concern of the Provincial Government. The Government of India do not intend to take any steps.

SUPPLY OF TEA TO THE FOOD MINISTRY OF THE U. K.

*133. THE HONOURABLE MAULVI ALI ASGAR KHAN: (a) Will Government state the names of the Tea Estates which have entered into a contract to supply Tea to the Food Ministry of the United Kingdom?

(b) Is it a fact that all the Tea Estates owned by English Companies have entered into such a contract, if not, which are the such Tea Estates that have not got such contract?

(c) Among the Indian owned Tea Estates how many Estates have got such contract and how many have been refused and what is their percentage?

THE HONOURABLE MR. RAM CHANDRA: (a), (b) and (c). The information is being collected and will be laid on the table in due course.

EXPORT QUOTA OF TEA

*134. THE HONOURABLE MAULVI ALI ASGAR KHAN: Is it a fact that price of Export quota is only a nominal one and Tea Estate having entered Government contracts will buy Export Quota to their advantage and may export full quantity whole Tea Estate having no contract with food ministry is obliged to dispose of the Export Quota for normal price to their loss?

THE HONOURABLE MR. RAM CHANDRA: According to the market report issued by the Calcutta Tea Brokers' Association, the price of tea export quota on the 7th and 8th November 1944 was 9 pies per lb. An export quota is transferable under the provisions of the Indian Tea Control Act and its price is regulated by the normal laws of supply and demand. Government have imposed no restrictions on the sale or purchase of export quotas by tea estates and any tea estates in possession of an export quota may enter into a contract for the supply of tea to the Ministry of Food, provided that it is able to comply with prescribed conditions regarding quality, etc.

MOTOR ACCIDENTS CAUSED BY MILITARY PERSONNEL IN INDIA

*135. THE HONOURABLE MAULVI ALI ASGAR KHAN: Will Government lay on the table cases of motor accidents caused by the military personnel in India during the last three years and what compensation has been given to the injured and the relatives of those who were killed?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: The information asked for is not readily available and its collection would involve an amount of time and labour not justifiable in war-time. I may, however, assure the Honourable Member that the utmost attention is given to the training of soldier drivers at the various schools of instruction established all over the country and the necessity of careful driving is being continuously impressed upon the drivers of military vehicles. Breaches of instructions resulting in accidents are dealt with sternly and all claims for compensation are considered on their merits.

RELEASE OF POLITICAL PRISONERS ON PAROLE TO ATTEND LEGISLATURE

*136. THE HONOURABLE MAULVI ALI ASGAR KHAN: Do Government propose to release the political prisoners on parole to enable them to attend the session of the Indian Legislature?

THE HONOURABLE MR. E. CONRAN-SMITH: No.

NOTE.—Questions 133 to 136 were not put and answered as the Honourable Member was absent.

COST OF BUILDINGS, ETC., BUILT FOR THE U. S. A. PERSONNEL, ETC.

137. **THE HONOURABLE MR. HOSSAIN IMAM :** Will Government state the approximate cost of buildings, roads, bridges, airports, air fields, air stripes built for U.S.A. personnel and for S.E.A. Command up to 31st March 1944 and how much cost was charged to H. M. G. and to the Government of India ?

THE HONOURABLE SIR CYRIL JONES : Information regarding the cost of works for the United States Forces in India for the period up to the 31st December 1943 was given in the Press Note on the subject of Reciprocal Aid published on the 3rd September 1944. Similar information relating to the subsequent period will, it is hoped, be published shortly. As regards works relating to the South East Asia Command the information asked for is not available and its collection would involve an expenditure of time and labour that would not be justifiable in war time. The cost of such works is allocated between India and His Majesty's Government in accordance with the principles of the Financial Settlement.

THE HONOURABLE MR. HOSSAIN IMAM : Is it a fact that a statement was made in this House that the cost of South-East Asia Command will be borne by H. M. G. ?

THE HONOURABLE SIR CYRIL JONES : No, Sir. I think the statement made in this House was that the constitution of the South-East Asia Command would not affect the allocation of defence expenditure between H. M. G. and the Government of India.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member enlighten the House on the functions of South-East Asia Command ? Is it for the conquest of Burma, or only for the safety of India ?

THE HONOURABLE SIR CYRIL JONES : I suggest that that does not arise out of this question.

DEBITING TO INDIA OF REVERSE LEND-LEASE HELP TO U. S. A.

138. **THE HONOURABLE MR. HOSSAIN IMAM :** Will Government state whether it is a fact that all help of reverse lend-lease character to U.S.A. personnel engaged in sending supplies to China is debited to India ?

THE HONOURABLE SIR CYRIL JONES : The question of the incidence of the cost of supplies and services rendered to the personnel referred to is under consideration.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member make a full statement on this matter when it is decided ?

THE HONOURABLE SIR CYRIL JONES : The suggestion will be considered.

CASUALTIES IN THE INDIAN ARMY DURING THE LAST FIVE YEARS OF THE WAR

139. **THE HONOURABLE MR. HOSSAIN IMAM :** Will Government state the casualties suffered by the Indian Army in each of the five years of the war, giving separate figures of killed, wounded, missing and prisoners of war ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Sir, I lay a statement on the table.

Statement

Firm figures of casualties are not available for each year, but the total casualties sustained by the Indian Army at the end of the 5th year of war were :—

Killed	15,115
Wounded	39,275
Missing	11,556
Prisoners of war	73,803

TOTAL CASUALTIES IN THE WAR

140. **THE HONOURABLE MR. HOSSAIN IMAM :** Will Government state the total casualties in each of the following regions giving the number of killed, wounded, missing and prisoners :—(i) U.K., (ii) France, (iii) Italy, (iv) North Africa, (v) Abyssinia, (vi) West Asia (Middle East), (vii) East Asia, (viii) Burma, (ix) India Proper and (x) on the seas ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Sir, I lay a statement on the table.

Statement showing casualties sustained by the Royal Indian Navy, the Indian Army and the Indian Air Force in various theatres from the beginning of the war up to September 1944.

	Killed	Wounded	Missing	Prisoners of war
U. K. and France	21	8	1	306
Italy	2,492	9,871	386	278
North Africa and Middle East	2,702	4,116	458	11,036
Abyssinia, Sudan, Eritrea and Somaliland	818	4,044	1	1
East Asia, Hongkong and Malaya	350	820	2,546	61,304
Burma and India	8,520	20,527	8,172	768
On the seas	448	80	7	111
Total	15,351	39,466	11,571	73,804

IMPORT OF COTTON

141. THE HONOURABLE MR. HOSSAIN IMAM : Will Government state the total import of Egyptian, African and American cotton in each of the last 3 years and in the current year.

THE HONOURABLE MR. RAM CHANDRA : A statement giving the information asked for by the Honourable Member is laid on the table.

Statement showing imports of Egyptian, African and American cotton into British India during the years 1941-42, 1942-43, 1943-44 and the first four months of 1944-45 (April-July).

From	1941-42	1942-43	1943-44	(In tons) 1944-45 (April-July)
Egypt	34,026	36,329	43,431	21,409
East Africa and Anglo-Egyptian Sudan	102,190	48,971	31,901	20,951
United States of America	201	2	Nil	Nil

THE HONOURABLE MR. HOSSAIN IMAM : Is it a fact that Defence requirements for finer goods have increased inordinately since this import increased ?

THE HONOURABLE MR. RAM CHANDRA : I must ask for notice of this question.

AVAILABILITY OF *maida* IN BIHAR.

142. THE HONOURABLE MR. HOSSAIN IMAM : Will Government give the following information about *maida* (wheat superfine flour) :—(i) The date from which import from the Punjab was forbidden; (ii) The price in Patna and Gaya just before this date; (iii) The price on 1st November 1944 or thereabout in Patna and Gaya of *maida*; (iv) The reason for prohibiting the import of *maida* into Bihar; (v) What action the Central Government propose to take to make *maida* available in Bihar at prices in keeping with rice prices in Bihar?

THE HONOURABLE MR. B. R. SEN : (1) Imports into Bihar from the Punjab were regulated in accordance with the Punjab Movement Control Order from the 15th of April 1943.

(2) and (3) On the 14th of April 1943, the prices of *maida* at Patna and Gaya were Rs. 16-1-0 and Rs. 16-6-9 per maund respectively, and on the 1st of November, 1944, the prices were Rs. 21-4-0 and Rs. 22-6-0 per maund respectively.

(4) All movements of wheat and wheat products are regulated under the Basic Plan. Under the original Plan no wheat allotment was considered necessary for Bihar as it had a wheat crop above the normal.

(5) The Central Government have recently allotted 3,000 tons of imported wheat products to Bihar which Bihar should receive shortly. In addition 10,000 tons of wheat has also been allotted. It is further understood that the Bihar Government propose to reduce the prices of wheat and wheat products in the near future.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Centre keep a watch on the prices ?

THE HONOURABLE MR. B. R. SEN : The Centre exercises general supervision over prices in the Provinces.

SHORT NOTICE QUESTION AND ANSWER

IMPORT OF FOODGRAINS INTO INDIA

143. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : (a) Will Government state whether their attention has been drawn to a answer recently given in the House of Commons that the Government of India have not so far applied to the U. N. R. R. A. authorities for import of food grains into India ;

(b) Is it a fact that the Government of India have not so far applied for such relief ?

(c) If so, why have they not applied for help ; and

(d) Do they propose to approach the U. N. R. R. A. authorities now to relieve the shortage of food in this country ?

THE HONOURABLE MR. RAM CHANDRA : (a) I have seen a Press report to this effect.

(b) Yes.

(c) The question did not arise, as the amendment bringing famine or disease stricken areas in India within UNRRA's activities was passed only recently.

(d) Government will consider this.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : With reference to part (c) of the question, will the Honourable Member state when the amendment was passed ?

THE HONOURABLE MR. RAM CHANDRA : About the end of September.

THE HONOURABLE PANDIT HIRDAY-NATH KUNZRU : Will Government consider the matter now, or have they been considering the matter since the amendment was passed ?

THE HONOURABLE MR. RAM CHANDRA : Sir, as was explained by the Honourable the Food Member in this House when the food position in India was under discussion, U. N. R. R. A. has got no foodgrains itself ; it can obtain its supplies through the machinery of the Combined Food Board, and this machinery is available to India also. The question therefore arises whether India stands to gain anything by pooling her demands along with those of other liberated areas which will obtain their supplies through U. N. R. R. A. or whether India can obtain sufficient supplies through existing channels.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Has that matter not been considered yet ?

THE HONOURABLE MR. RAM CHANDRA : It has not yet been finally decided.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary) : Sir, I lay on the table copies of the Declaration of Exemption under section 6 of the Registration of Foreigners Act, 1939, as published with the notification of the Government of India in the Home Department—

- (1) No. 1/17/44—Political (E), dated the 15th April, 1944 ;
- (2) No. 1/19/44—Political (E), dated the 20th April, 1944 ;
- (3) No. 1/22/44—Political (E), dated the 2nd May, 1944 ;
- (4) No. 1/24/44—Political (E), dated the 9th May, 1944 ;
- (5) No. 1/24/44—Political (E), dated the 21st September, 1944 ;
- (6) No. 1/24/44—Political (E), dated the 21st September, 1944 ;
- (7) No. 1/28/44—Political (E), dated the 16th June, 1944 ;
- (8) No. 1/29/44—Political (E), dated the 22nd June, 1944 ;
- (9) No. 1/30/44—Political (E), dated the 12th September, 1944 ;
- (10) No. 1/31/44—Political (E), dated the 22nd June, 1944 ;
- (11) No. 1/32/44—Political (E), dated the 27th June, 1944 ;
- (12) No. 1/33/44—Political (E), dated the 27th July, 1944 ;
- (13) No. 1/34/44—Political (E), dated the 29th July, 1944 ;
- (14) No. 1/35/44—Political (E), dated the 9th August, 1944 ;
- (15) No. 1/36/44—Political (E), dated the 15th August, 1944 ;
- (16) No. 1/38/44—Political (E), dated the 22nd August, 1944 ;
- (17) No. 1/39/44—Political (E), dated the 14th October, 1944 ;
- (18) No. 1/43/44—Political (E), dated the 11th September, 1944 ;
- (19) No. 1/45/44—Political (E), dated the 7th October, 1944 ;
- (20) No. 1/46/44—Political (E), dated the 25th September, 1944 ;
- (21) No. 1/47/44—Political (E), dated the 4th October, 1944 ;

- (22) No. 1/48/44—Political (E), dated the 7th October, 1944 ;
 (23) No. 1/49/44—Political (E), dated the 18th October, 1944 ;
 (24) No. 1/52/44—Political (E), dated the 27th October, 1944 ;
 (25) No. 1/53/44—Political (E), dated the 26th October, 1944 ;
 (26) No. 1/54/44—Political (E), dated the 3rd November, 1944 ; and
 (27) No. D. 2706/44—Political (E), dated the 15th April, 1944.

No. 1/17/44—Political (E).
 GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 15th April, 1944.

DECLARATION OF EXEMPTION.

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

1. Mr. William K. Miller, and

2. Mr. Holland Hunter,

members of the United States Foreign Economic Administration in India, for so long as they remain in their present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/19/44—Political (E).
 GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 20th April 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Miss Margaret M. Mallon, U. S. national, Assistant Representative of the Overseas Operations Branch of the United States Office of War Information, for so long as she remains in her present post.

A. W. LOVATT

Under Secretary to the Government of India.

No. 1/22/44—Political (E).
 GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 2nd May 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Edward R. Barlow of the Overseas Operations Branch of the U. S. Office of War information, as long as he remains in his present post.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/24/44—Political (E).
 GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 9th May 1944.

DECLARATION OF EXEMPTION.

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

(1) Miss Dorothy Goodwin,

(2) Mr. Andrew V. Corry,

(3) Mr. Paul Johnstone, and

(4) Mr. Henry O. Diamond,

United States nationals, for so long as they are employed in India under the supervision of the Special Representative in India of the United States Foreign Economic Administration.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/24/44—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 21st September, 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Messrs. Wallace M. Larson and William A. Gheradi U. S. citizens, members of the Foreign Economic Administration China Mission staff for work in India, for so long as they remain in their present employment.

A. W. LOVATT.

Deputy Secretary to the Government of India.

No. 1/24/44.—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 21st September, 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act 1939 (XVI of 1939) and in partial supersession of the Home Department Declaration of Exemption No. 1/24/44—Political (E), dated the 9th May 1944, the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939 except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Henry O. Diamond, U. S. citizen, an employee of the United States Office of War Information, for so long as he remains in his present employment.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/28/44—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 16th June 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners shall not apply to, or in relation to Messrs. Arthur Hale, Gustaf Adolph Sword, Robert Arthur Jones, George Vivian Sayles and Paul Sebestyen, members of the U. S. Office of War Information, for so long as they remain in their present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/29/44—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 22nd June, 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Miss Ruth Merrell, an American national, and an employee of the United States Foreign Economic Administration Office in India, for so long as she remains in her present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/30/44—Political (E).
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 12th September, 1944.

DECLARATION OF EXEMPTION.

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

Mr. Thomas A. Goss, Business Manager in the U. S. Office of Foreign Economic Administration at New Delhi,
for so long as he remains in his present employment.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/31/44—Political (E).
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 22nd June, 1944.

DECLARATION OF EXEMPTION.

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

(1) Mr. W. L. Shinnick, clerk in the Bombay office of the U. S. Office of War Information,
(2) Mr. Lloyd Griffin, in charge of the U. S. Office of War Information/Operations in Calcutta,

- (3) Mr. Porter McKeever,
(4) Miss Helen Gywnn,
(5) Mr. Charles A. Caldwell,
(6) Mr. J. R. Andrus,
(7) Mr. John Dwyer,
(8) Mr. Stanley Allen, and
(9) Mr. C. R. Horton

employed in the Psychological Warfare Section of the United States Office of War Information.

for so long as they remain in their present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/32/44—Political (E).
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 27th June, 1944.

DECLARATION OF EXEMPTION.

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

A. W. LOVATT.

Under Secretary to the Government of India.

No. 1/33/44—Political (E).
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 27th July 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. James V. Sampselle, Port Engineer in the U. S. War Shipping Administration, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/34/44—Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 29th July 1944.

DECLARATION OF EXEMPTION.

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

- | | |
|--|--|
| (1) Mrs. Martha M. deWilde, Office Manager, U. S. Foreign Economic Administration; | } Assistants in the U. S. War Shipping Administration; |
| (2) Mrs. Selma Y. Janow, employee of the U. S. Foreign Economic Administration; | |
| (3) Mr. Franklin E. Griffin, | |
| (4) Mr. William Henry Moroney, and | |
| (5) Mr. Harold Kraus, | |
- for so long as they remain in their present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/35/44—Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 9th August 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Robert B. Landis, a member of the U. S. Foreign Economic Administration, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/36/44—Political (E).
GOVERNMENT OF INDIA
HOME DEPARTMENT.

Simla, the 15th August 1944.

DECLARATION OF EXEMPTION

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. John L. Plank, Foreign Representative for the Recruitment and Manning Organization of the War Shipping Administration at Calcutta, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/38/44—Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 22nd August 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Robert G. McClurkin, an employee of the U. S. Foreign Economic Administration, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

[17TH Nov. 1944]

COUNCIL OF STATE
No. 1/39/44—Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 14th October, 1944.

DECLARATION OF EXEMPTION.

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

- | | |
|-----------------------------|------------------------------|
| 1. Miss Sevilla McMillan, | 8. Mrs. Betty T. Friendlich, |
| 2. Miss Flora B. Ludington, | 9. Miss Priscilla Leslie, |
| 3. Miss Lucille Dudgeon, | 10. Miss Eugania Bedell, |
| 4. Miss Nancy Bean, | 11. Mr. Teg Grondah, |
| 5. Mr. Collin McMillan, | 12. Mr. Fred Rosenhauer, |
| 6. Mr. Harold Courlander, | 13. Mr. Oren Stephens, and |
| 7. Miss Florence F. Brown, | 14. Mr. Sydney B. Wood, |
- for so long as they continue to be employed in the United States Office of War Information.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/43/44—Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 11th September, 1944.

DECLARATION OF EXEMPTION.

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

1. Mr. James L. McCamy, U. S. citizen, being sent by the United States Foreign Economic Administration on an inspection trip to India, and
2. Mr. Lester H. Christen, U. S. citizen, being sent by the United States Foreign Economic Administration as a member of a mission sponsored by the Army-Navy Petroleum Board, the British Government and the Foreign Economic Administration, to determine the necessary requirements of drum sheet, tin and terneplate for plants in India, for so long as they remain in India in their official capacity.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/45/44—Political (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 7th October, 1944.

DECLARATION OF EXEMPTION.

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

1. Mr. Harvey Leonard Shephard, a member of the U. S. Foreign Economic Administration at Calcutta.
2. Mr. Philip L. Kelsner, a representative of the U. S. Foreign Economic Administration who is on an inspection trip, and
3. Mr. Bernhard J. Paulson,
4. Mr. B. McCarty, and
5. Mr. James R. Billman, clerks in the U. S. Mission, for so long as they remain in their present posts.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/46/44—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 25th September, 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mrs. Beatrice B. Whitham, U. S. citizen, an employee of the U. S. Consulate at Bombay, for so long as she remains in her present employment.

A. W. LOVATT,

Deputy Secretary to the Government of India

No. 1/47/44—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 4th October 1944.

DECLARATION OF EXEMPTION.

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

(1) Miss Frances W. Page, Clerk in the U. S. Consulate at Bombay.

(2) Mr. Berry O. Baldwin, Chief of the Stock Records and Control Section of the China Supply Division of the Foreign Economic Administration, New Delhi.

A. W. LOVATT,

Deputy Secretary to the Government of India

No. 1/48/44—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 7th October, 1944.

DECLARATION OF EXEMPTION.

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

1. Miss Ruth Teasdale,

3. Miss Helen Kirkpatrick, and

2. Mrs. Marjorie Clubb,

4. Miss Elinor N. Stevens,

United States citizens, Clerks in the U. S. Consulate at Calcutta, for so long as they remain in their present employment.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/49/44—Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 18th October, 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Walter C. Hand, U. S. citizen, Business Manager of the United States Foreign Economic Administration Office at New Delhi, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/52/44-Political (E).
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 27th October 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Lee G. Seymour, U. S. citizen, for so long as he is employed with the Foreign Economic Administration, China Mission, New Delhi.

A. W. LOVATT,

Under Secretary to the Government of India

No. 1/53/44-Political (E.)
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 26th October 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Arthur W. Smith, U. S. citizen, Port Representative of the United States War Shipping Administration, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/54/44-Political (E).
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 3rd November, 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Robert M. Bruns, U. S. citizen, Attache in the Office of the Personal Representative of the President of the United States at New Delhi and American Vice-Consul at Calcutta, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. D. 2706/44-Political (E).
GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 15th April 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Raymond Gerald Sweeney, U. S. national and an employee of the United Seamen's Service, Incorporated, 39, Broadway, New York City, for so long as he is so employed.

A. W. LOVATT,

Under Secretary to the Government of India.

STANDING COMMITTEE FOR THE DEPARTMENT OF INDUSTRIES AND CIVIL SUPPLIES

THE HONOURABLE THE PRESIDENT: With reference to the announcement made by me on the 14th November, 1944, regarding nominations to the Standing Committee to advise on subjects in the Department of Industries and Civil Supplies, I have to announce that the following Honourable Members have been nominated for election to that Committee:—

1. The Honourable Mr. Abdool Razak Hajee Abdool Suttar.
2. The Honourable Mr. G. S. Motilal.
3. The Honourable Mr. J. M. B. Gibbons.

There are three candidates for three seats and I declare them duly elected.

MOTION *RE* POSITION OF INDIANS IN SOUTH AFRICA.

THE HONOURABLE THE PRESIDENT : Before the Motion is moved, I may inform Honourable Members that there are many Honourable Members desirous of taking part in the discussion on this important Resolution, and I have therefore to adhere to the usual Standing Order, that is, 15 minutes will be allowed to each speaker.

THE HONOURABLE MR. RABINDRA NATH BANERJEE (Commonwealth Relations Secretary) : Sir, I move :—

“ That the position of Indians in South Africa be taken into consideration.”

Sir, after the full dress debate which the Honourable Member in charge of the Department of Commonwealth Relations initiated in the Lower House only ten days ago, I take it that this House will not expect a long speech from me on the woeful tale of the sufferings of our countrymen in South Africa.

THE HONOURABLE THE PRESIDENT : I may point out to the Honourable Member that he can speak for half an hour if he wishes ; that is the time allowed under the Standing Order.

THE HONOURABLE MR. RABINDRA NATH BANERJEE : I will therefore only content myself with setting out briefly the recent events which have led up to the situation that confronts us today.

Exact and up-to-date statistics are not available, but it is estimated that there are in South Africa 2½ lakhs of Indians. About four-fifths of this Indian population, that is, about two lakhs, are domiciled in the province of Natal, the balance being distributed between the provinces of Transvaal and Cape of Good Hope. The European population in Natal exceeds the Indian population by 6,000. Of the Indian population of the province of Natal about 45 per cent., that is to say, about 88,000 are resident in the town of Durban. The European population of the town of Durban is about 95,000.

Prior to the enactment of the Pegging Legislation in 1943 there were no restrictions on the right of Indians to occupy and acquire landed property in the province of Natal. In certain private transfers of property between Europeans what is known as an Anti-Asiatic Clause used to be included. The effect of this, so far as I know, was that after the transfer of such property to Asiatics the original transaction used to be invalidated. Pegging Legislation was passed to put a brake on the penetration of Indians into European quarters. Under the Pegging Legislation Indians can acquire and occupy lands and houses in European quarters only on a permit issued by the Union Minister of the Interior. The Pegging Legislation was passed in great haste in April last year in spite of repeated protests and representations from the Government of India. The incidence of the legislation falls primarily on the Indian community, and in practice, therefore, the legislation has been discriminatory against Indians. This discriminatory legislation naturally caused the strongest resentment both in India and amongst the Indians in South Africa. After the legislation was passed the Government of India decided to proceed rather slowly, because, as promised during the passage of the Pegging Bill, a Judicial Commission was appointed for making an enquiry into the housing needs and civic amenities of the Indian community. About this time Field Marshal Smuts also proposed to receive a deputation of representatives of the Indian community. In view of the intense public feeling the Government of India, however, made it perfectly clear to the Union Government in April this year that Indian opinion would not be satisfied except by concrete action, and that, unless the discussions which were then in progress between the Union Government and the representatives of the Indian community resulted, within a reasonable time, in some solution acceptable to us, we would be compelled to take counter-measures. What is known as the Pretoria Agreement followed, and the conclusion of the agreement was announced on 19th April. By this agreement representatives of the Union Government and of the Natal Indian Congress came to the understanding that a licensing board consisting of two Indians and two Europeans with a European with legal training as Chairman should be constituted, and that this licensing board should control and

[Mr. Rabindra Nath Banerjee.]

regulate the future occupation of property for residential purposes in such urban areas where the question of Indians living in close proximity to Europeans might cause friction. Apart from this control and regulation of such juxtapositional residential occupation, there were to be no other restrictions on Indian interests in land. All restrictions other than this contained in the Pegging Act were to be withdrawn. In particular it was understood that there was to be no restriction on the right of Indians to acquire properties of any kind in the country. Sir, we wanted the Pegging Legislation to be withdrawn, and therefore did not regard this agreement as an ideal solution. The majority of the local Indians, however, accepted it as a working compromise, and for the first time the Union Government accepted the principle of settling such disputes by voluntary agreement rather than by statutory compulsion. We, therefore, acquiesced in the agreement and decided to give it a chance.

This agreement was to be embodied in legislation, and an Ordinance was to be introduced to this end in the Natal Provincial Legislature. A draft Regulation of Residential Occupation Ordinance was accordingly published in the Natal Provincial Gazette on the 2nd June. The Ordinance was introduced in the Natal Provincial Council on the 19th June, and was referred to a Select Committee. Reactionary European elements in Natal, however, organised a campaign of opposition to the Ordinance, and this opposition went on hardening progressively. It was on the 17th October that the report of the Select Committee on the draft Ordinance was presented in the Natal Council. The Select Committee produced an amended Ordinance which is now called the Residential Property Regulation Ordinance.

I may explain very briefly the effect of this amended Ordinance. Under the Pegging Act occupation and acquisition of "any land or premises" can be allowed only on a permit issued by the Union Minister of the Interior. Under the Pretoria Agreement and the original Natal Occupation Ordinance, which was drafted in conformity with its terms, only occupation of any dwelling for residential purposes required a license to be granted by a licensing board of mixed composition. Under the amended Ordinance occupation and acquisition of residential properties can be allowed only on a license issued by the licensing board. Provision for the control of acquisition of residential property is thus a definite departure from the Pretoria Agreement and the first Natal Occupation Ordinance. In effect, Sir, by retaining the restriction on acquisition the amended Ordinance reproduces for residential property the objectionable features of the Pegging Act. The Licensing Board's control of occupation and acquisition of residential property is to be extended immediately to all boroughs and townships in Natal. Under the agreement and the original Ordinance the control of occupation was to be enforced only in Durban in the first place, and was to be extended to other local bodies only on the recommendation of the Provincial Licensing Board. Under the agreement and the original Ordinance, in granting licenses for occupation the Licensing Board had to make allowances for natural residential expansion of either racial group into contiguous streets, roads or localities. This is omitted from the amended Ordinance under which the Board will have to take into account the views of local bodies and any scheme of town planning which may be adopted or contemplated by them. The House should know that the Indian community do not have even municipal franchise in Natal. This position is obviously designed to facilitate the execution of plans of what has been called racial zoning which are now under contemplation. This amended Ordinance is also to be one of a number of measures for a comprehensive long-term programme of town extension and racial zoning. A housing board is to be set up with power to pre-empt properties offered for sale to Indians in European quarters. I may add that these new measures really forestall the results of the labour of the Broome Commission which is still investigating this very problem of the housing of Indians. The amended Ordinance thus contains radical alterations of the terms of the Pretoria Agreement and the provisions of the original draft Occupation Ordinance. I may inform the House that before the conclusion of the Agreement, the Natal Indian Congress presented to Field Marshal Smuts a memorandum setting out their demands. This Memorandum was officially recognised as the Pretoria Agreement. Field Marshal Smuts' telegram of the 18th April to His

Excellency the Viceroy also referred to control of only occupation as the object of the Agreement. The original draft Ordinance, which had the concurrence of Indian representatives and was published in the Provincial Gazette on the 2nd June, also provided for the regulation and licensing of occupation only. "It is thus clear that the control of acquisition and some of the other provisions obviously involve a definite violation of the Pretoria Agreement.

The contention that the amended Ordinance does not go back on the Pretoria Agreement is not now seriously maintained. We have been told, Sir, that without such departure from the Agreement in respect of the control of acquisition of residential properties the original Ordinance stood no chance of being enacted by the Natal Provincial Council. We have maintained, Sir, that by concurring in the Pretoria Agreement the Union Government accepted responsibility for the enactment of the necessary implementing legislation. Such legislation can be passed by the Union Parliament but our suggestion to have it passed by that Parliament has not been accepted.

Without surrendering their inherent right, the Indian community, in deference to the sentiment of Europeans, however unreasonable it might be, agreed to the regulation of the occupation of property for residential purposes in urban areas where the question of Indians living in close proximity to Europeans might be a live issue. Indians thus accepted the principle of segregation by agreement only as regards residence. This principle of voluntary agreement, Sir, we maintain, had great potentialities for the solution of the racial problem in the Union. It is a thousand pities that this principle has now been thrown overboard and no efforts have been made by the Union Government to carry with them the local Indian opinion in such reasonable modifications of the original proposals as were considered essential to the enactment of the Ordinance. The principle of agreement could perhaps have been applied successfully without intensifying racial bitterness when schemes of post-war town planning came to be implemented. Europeans made a genuine grievance of Indian penetration only in the town of Durban, and to the best of our information, Indian penetration has not been a live issue in any other urban centre. It passes our comprehension why such far-reaching measures, which are admittedly justified only as a part of post-war reconstruction plans, should be linked with the implementation of a solemn agreement and rushed through while the whole Commonwealth is in the grip of this devastating war. The apprehensions of the Indian community that undue advantage is being taken of the present occasion to rush through such measures to prejudice their future interests do not thus appear to be exaggerated. We have had sprung upon us fully elaborated measures the result of which will be, as the Honourable Member stated the other day, "to relegate the large and progressive Indian population in Natal to a position of permanent inferiority".

This is the situation, Sir, with which we are now faced. I have initiated this discussion to explain to the House that the Government of India have not spared any efforts to avoid the situation. We have throughout maintained the maximum possible pressure on the Union Government and if we have not succeeded in preventing this anti-Indian legislation, it is not due to any lack of vigilance or exertions on our part. I have already said, Sir, that our representations and protests against the Pegging Act last year went completely unheeded. When that Act was passed in spite of our protests, the Government of India made their sentiments clear in a Press Communique. The following extracts from the Communique would bear quotation:—

"The Government of India cannot but regard this news with profound regret and concern. Since the Union Government first published their intention to legislate on these lines the Government of India, through their High Commissioner, have made three urgent representations to the Union Government. In principle they have consistently maintained the view, frequently expressed before, that legislation restricting the rights of Indians in South Africa does not offer an acceptable solution of the Indian problem in that country and is at the same time a serious cause of offence to Indian sentiment everywhere. * * * They cannot ignore the apprehensions aroused in Indian minds by the extension of statutory restrictions upon the Indian community. Opinion in India has unanimously protested that the Legislation is repugnant, unnecessary and inopportune. With that opinion the Government of India are in full accord."

As the Honourable Member made it clear in his speech the other day, the Government of India fully share the feelings of the Indian community in South Africa and the public in India aroused by the Union Government's latest anti-Indian

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measure. The Honourable Member gave in the lower House details of the action we have taken at various stages since the middle of April. We have addressed remonstrances to the Union Government on six occasions during this period and left them in no doubt, that unless a satisfactory solution were evolved, we would have no alternative to taking counter-measures. I hope, Sir, the House will be satisfied that Government have done all that they could to prevent the enactment of this legislation. It is not generally realised that anti-Indian agitation in South Africa is nearly 60 years old. Ever since 1885 discriminatory measures against the Indian population have been adopted in South Africa. It will take me too far afield to enter into these details, but I only wish to emphasise that this is not the first time when such discriminatory measures have been adopted against Indians. The present is thus but one of a long series of discriminatory measures, although it has had the effect of the last straw on the camel's back. Thus, the position is not that the present Government of India are responsible for all the woes of the Indian community in South Africa. To wipe out the accumulated grievances of two generations is a task of no ordinary magnitude. It is true, Sir, that South Africa is formally a unit in the British Commonwealth of Nations, but even as such theirs is a virtually independent Government and the House will realise that such a Government is not likely to be amenable to advice or pressure even from His Majesty's Government in matters affecting the self-interest of the ruling classes. The House is also aware, Sir, that most, if not all, of the discriminatory measures in South Africa apply formally to all Asiatics. There is a sprinkling of Japanese and Chinese nationals in the Union who are also affected by these measures. It is interesting, Sir, to note that the Governments of these two independent countries have not so far been able to protect their nationals completely from these measures involving racial discrimination. I realise, Sir, that it is probably owing to the infinitesimal number of their nationals in this country that they have had no incentive to taking strong action in the matter. But I have drawn attention to this minor fact to demonstrate to the House the extreme difficulty of obtaining relief in such matters by the normal methods of international intercourse. What other really effective action the Government of India can take is not thus a simple question.

This brings me to the measures which the Indian public have urged for the redress of the grievances of our countrymen in South Africa. Our Legislature passed the Reciprocity Act last year. As the House is aware, we have already brought into force all the effective provisions of that enactment. The two other retaliatory measures which have been demanded unanimously and insistently are the recall of our High Commissioner and the severance of trade relations. I regret, Sir, I am not yet able to add anything to the statement which the Honourable Member made the other day on these two measures. I can, however, assure the House that the Government of India have not certainly decided not to resort to these two measures. They are considering them most energetically from day to day. But the House will realise that the decision, particularly that about the severance of trade relations, would be a momentous one and Government may perhaps be given some time to gauge the full implications of the measure. Our grievances are 60 years old, Sir, and I hope the House will agree with me that lightning speed is not perhaps essential in all the circumstances of this case. Now that the Government and the people are at one with each other in this matter, I feel, Sir, that the public may not grudge the Government some margin of discretion in regulating the pace and dimensions of their diplomatic operations. The Union Government have been told that the Government of India now hold themselves free to take such counter-measures as they can. Our repeated representations drawing their attention to the deplorable repercussions of their action have not carried any weight. However limited may be the actual incidence of the application of the Reciprocity Act, the fact that we have been driven to this extreme, we hope, Sir, will be some measure to the Union Government of the depth and intensity of Indian resentment at the affront they have offered to Indian sentiment and should be some evidence that the Government of India are now in deadly earnest about the grievances of their nationals in the Union. That we have made a beginning in the enforcement of retaliatory measures should also be some evidence that we can take such other measures as may be open to us. I can repeat to the House the Honourable Member's

assurance in the Lower House that our inability to make an immediate announcement on these two measures should not be attributed to any lukewarmth on our part and the assurance that no undue delay will occur in taking a final decision.

One word more, Sir. The Government of India are unable to agree that they are interfering in the domestic affairs of the Union of South Africa. The bulk of the Indians in South Africa are the descendants of those whom the Government of India sent out in a spirit of helpfulness and co-operation to provide the manpower to develop the country, sometimes in response to the importunities from the then Governments of the country. The Government of India cannot therefore abandon even now, and certainly not once for all, their moral responsibility for obtaining the recognition of the rights of their nationals as full citizens of the country of their adoption. Once that goal is reached, Sir, and all discrimination against them ceases, the Government of India will certainly have no more occasion to interfere in the affairs of the Union. The struggle for this objective will certainly be kept alive now and in the future and we are not likely to stop till our goal is reached.

The House will perhaps join with me, Sir, in concluding by expressing the hope that better counsels may yet prevail and it may yet be possible for us to defer extreme action. Sir, I move.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras : Muhammadan) : Sir, we are grateful to the Honourable Commonwealth Secretary for the frank manner in which he has put the matter before this House, but certainly our gratitude would have been much greater if he had been able on this occasion to announce any decisions taken by the Government of India. I hope, Sir, however that the indulgence which the Honourable Member has asked from this House to allow the Government of India to take time to come to a decision will not make the decision to be delayed. We are alive to the fact that the Government of India have been somewhat vigilant in this matter, but nevertheless they have not been quite so active and quite so quick in their decisions as they ought to have been. I hope that the Government would try to come to decision on this very important question in as quick a manner as possible and take action without avoidable delay.

Sir, time and again the question of the treatment of our nationals abroad has come before this House. But this time this question has come up in a form and in a manner which admits of no half measures. This question now demands of us a solution which does not admit of palliatives, a solution which will once for all give a quietus to this question in this country. There is no room now for the delusion that verbal protests and negotiations for compromise will be of any avail. The ugly reality of the situation is unmistakably borne in upon us that a nation which is intoxicated with power and blinded by racial prejudice, becomes deaf to all appeals to reason and the only argument that it can understand is the argument of a tooth for a tooth and an eye for an eye. That we in this country have decided to take the course which has been forced upon us and to abandon the ordinary way of coming to settlement by negotiation and peaceful means. That we have decided to change our old practice and to take the new course of action which has been forced upon us, has been made perfectly manifest in the few days during which this question has been discussed in the Legislature and in the press.

There can be no doubt in the minds of those who have followed the trend of feeling in this country that the feeling of indignation or resentment is universal in this country, that every one in this country, whether official or non-official, every one irrespective of his party affiliations or his politics feels equally and utterly provoked at this exhibition of racial arrogance, unabashed and naked selfishness and utter lack of sense of fairness and gratitude on the part of South Africa. The speech which the Commonwealth Secretary has just made and the speeches which the Honourable Member in charge of this portfolio and the Honourable the Leader of the Assembly made in another place have been such as could fittingly have been made by Members of the Opposition benches. There is no mistaking the fact that there is no one in this land who has any attachment to this land and who has any sense of fairness, who is not prepared to go to the utmost length to vindicate the honour and self-respect of India in this matter. We hope that the Honourable Dr. Khare, who is in charge of this matter and who did not care and rightly did not care to mince

[Sayed Mohamed Padshah Sahib Bahadur.]

matters when he spoke on this question in another place, will see to it that every possible weapon in the retaliatory armoury of the Government of India will be employed, and employed with force and vigour, in vindicating the prestige, the honour and the self-respect of India and safeguarding the rights of our nationals in South Africa.

Sir, the history of the relations of this country with South Africa has been, as the Honourable the Secretary has stated, a series of broken pledges, acts of ingratitude and repression, acts of inhumanity and injustice on the part of Whites in South-Africa. Indians, as has been just stated, had been cajoled, coaxed and decoyed in order to go to the country and help the White settlers in developing it. Indians had toiled and laboured hard to help White settlers in South Africa to develop the country. By their honest and hard labour Indians have contributed quite substantially to the growth, development and prosperity of that country. Not only this, but India has done more, and that in the very recent past. By the valiant part which the Indian soldier had played in North Africa even as recently as a year ago, the Indian soldier had kept the enemy from the door of South Africa. But for the success of the Allies in North Africa, a success for the achieving of which the Indian soldier had fought so valiantly and shed his blood so willingly, but for this success and for the substantial contribution by the Indian Army, South Africa would today have been a scene of death and devastation.

But, Sir, what is the reward that India received at the hands of the White settlers in that country? Even while the praises of the Indian soldiers were still being sung and tributes were being paid for the victories which they had helped to win in North Africa, the White settlers in that country made a presentation of the Pegging Act to the Indian nationals within the inhospitable borders of that ungrateful country, South Africa. I do not want to recount any more all the acts of injustice and ingratitude and selfishness perpetrated by the White settlers. Suffice it to say that for all the yeoman services rendered to that country by Indians that country had nothing but indignities, disabilities and sufferings to heap upon the devoted heads of our nationals in that country. Therefore, as has been quite rightly stated by the Commonwealth Member in another place, our patience is now exhausted and we are now determined to take to another course which we hope will bring real and effective results.

We are told that if we put into action all those retaliatory measures which even with our limited powers we may be able to enforce against that country, there is the possibility of some inconvenience being experienced by the people here. But as has been stated, and stated quite rightly by the Honourable the Leader of the Assembly, on the occasion of this debate in that House, India will not grudge anything in sacrifices and to forego any conveniences which it now enjoys on account of its connections and relations with South Africa. As Sir Sultan Ahmed said in the other House, Indians will even go without shoes if it comes to a question of showing our real feeling in this matter to the people of that country. If it comes to India launching upon severance of economic relations, the loss of wattle bark is not going to influence us at all on an occasion like this. If it comes to that, as has been observed by Sir Sultan Ahmed, we will go without shoes, but I am sure it will not be necessary for India to do it because I understand—I come from the south where tanning is a very important industry—that a substitute for that is available in Bihar which is another kind of bark, which can very well be used for tanning skins for which wattle bark is now being used.

I want to make one more remark in this connection. This will affect not only India but also Africa because we know that Africa will not be able to find any market for wattle bark elsewhere in the world, if India refuses to buy it, and the whole of its wattle bark will have to rot.

Great Britain has her responsibility too. This is a very momentous occasion, and His Majesty's Government cannot look on this matter with indifference or unconcern. It is an irony that General Smuts who has been crying himself hoarse about the unity of the Commonwealth, has been the author of the present trouble which threatens to endanger this unity beyond all redemption. The issue which the action of General Smuts in Africa has raised is a crucial issue, and it will have to

be settled if Great Britain, wishes that the Commonwealth, for the unity and stability of which she is fighting, should survive this war. The issue that has been forced on us makes us suspect whether Indians will have a place in the Commonwealth of which there has been so much talk. This question will have to be settled in a manner which will give satisfaction to the people of India and to all coloured peoples in the world, and unless this issue is settled satisfactorily and with the active and immediate help of Great Britain, there is a great danger before us, and I hope that His Majesty's Government will take as quick steps as possible to settle this question in the best and most expedient manner.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Mr. President, the deadlock with which we are confronted in South Africa with regard to the position of Indians who went there at the invitation of the Natal Government, and who have been settled there, for generations, though highly regrettable, was not at all unexpected. For two years the questions raised by the Pegging Act which cast a wholly unmerited slur on the Indian community, have been under consideration between the South African Government and the Government of India. As my Honourable friend, Mr. Banerjee, pointed out, the Government of India left no stone unturned to warn the South African Government of the reaction of its policy in India, but its warnings went unheeded. South Africa decided, in spite of the protests of the Government of India, to pursue a policy of racial discrimination of which Indians have been victims for about three generations. After the explanation which Mr. Banerjee has given of the provisions of the Pegging Act, the Ordinance introduced after the Pretoria Agreement was arrived at, and the New Residential Property Regulation Ordinance which was recently passed by the Natal Provincial Council, it is not necessary for me to go into the details of these measures. I should, however, like to point out, indeed I am forced to point out, that the hope entertained by the Government of India, after an agreement had been negotiated between some representatives of the Indian community and General Smuts, that the position of Indians would be adequately safeguarded was a delusion. The Government of India have for more than a generation been protesting against not merely the adoption of racial policies, but also placing on the Statute Book any law which discriminates against Indians as a class. By giving their moral support in the words of my Honourable friend Dr. Khare, to the agreement arrived at between the representatives of the Natal Indian Congress and General Smuts they have abandoned their old position. I understand the reasons which led them not to oppose the agreement which is known as the Pretoria Agreement, but I cannot but regret the lack of foresight on their part in this connection. We are fighting not to obtain a few concessions for Indians here and there, but in order to secure the observance of the principle that the Indian, indeed the Asiatic has as much right to be treated fairly as a European or an American. The Government of India, by following the line of least resistance and giving their moral support to the Pretoria Agreement, have in the end not only failed to safeguard the position of the Indian community, but have considerably weakened the stand taken by us for more than a generation in regard to the absolute necessity for the observance of racial equality in South Africa. Sir, till my Honourable friend Dr. Khare spoke in the Legislative Assembly the other day I was unaware of the fact that the Government of India had in any way supported the Pretoria Agreement.

THE HONOURABLE MR. RABINDRA NATH BANERJEE: We did not address any official correspondence to the Union Government signifying our moral support. We simply let it have a chance. We acquiesced in it. That is what the Honourable Member intended by "moral support".

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: No correspondence may have passed between the Government of India and the Union Government but what I should like to know is whether the Government of India advised their High Commissioner in South Africa to support this agreement.

THE HONOURABLE MR. RABINDRA NATH BANERJEE: We did not oppose it.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I must say, then, that the language used by Dr. Khare in the other House was rather unguarded.

[Pandit Hirday Nath Kunzru.]

It has given the whole country the impression that the Government of India expressly agreed to the terms of the Pretoria Agreement. This agreement, had it not been objected to by the Natal Provincial Council, would have been embodied in an Ordinance. An Ordinance is as much a Statute as any legislation passed by the South African Union Parliament. The terms of the Pretoria Agreement would have governed the occupation of residential property by Indians in predominantly European areas. Had this Ordinance been placed on the Statute-Book, there would have been a law discriminating in terms against India. Indians were, therefore, never happy with regard to the Pretoria Agreement. I think Mr. Srinivasa Sastri once gave expression to this opinion and pointed out that the Pretoria Agreement would be of little use to the Indian community if it involved, as it seemed to involve, a recognition of the racial inferiority of Indians to Europeans. However, Sir, as the Pretoria Agreement has been torpedoed by the Natal Provincial Council itself, I shall not dwell on it any more.

It is pertinent, however, Sir, to point out the differences between the Pegging Act and the Ordinance that has been recently passed. It should be borne in mind in the first instance that the Pegging Act applied to Durban only. It could be applied to other areas also but only after Proclamation in the Gazette by the Governor General. The new Ordinance applies to the whole of Natal except such areas as may be exempted from its provisions by the Administrator of Natal. The procedure which this Ordinance follows is thus the reverse of that followed by the Pegging Act. The Pegging Act lays down restrictions on the acquisition and occupation of property in predominantly European areas and in the first instance, it imposed these restrictions only in Durban. The new Ordinance, however, applies to the whole province and to all areas, whether predominantly European or not. Again, Sir, the Pegging Act was, according to the promise given by the Union Government, to last only for three years. It was passed in 1943 and unless its life was renewed it would have expired in 1946. The Ordinance however, will be a permanent measure. It imposes for ever the stigma of inferiority on Indians. It is clear, therefore, that the new Ordinance goes much further in the practical enforcement of a racial policy, an anti-Asiatic and anti-Indian policy in South Africa than the Pegging Act.

Apart from this, Sir, a very important fact has to be borne in mind in considering the effect of the new Ordinance on the future position of Indians, not merely in South Africa but throughout Africa. We all know, Sir, that other parts of Africa, which are under the British Crown, have been infected in some measure with South African ideas. The Union Government have been trying for about 25 years to bring all these territories within the orbit of their policy. It has been their aim to have practically one Dominion from Uganda to South Africa following the same racial and colour policies which have unfortunately commended themselves to the Europeans of South Africa. Unless, therefore, we take steps now to protest vigorously against the policy embodied in the Natal Ordinance, we shall be endangering the position of the Indians in other parts of Africa. If we allow the Indians of South Africa to be reduced to the position of helots without the strongest protest that we can make, and resorting to the strongest action that we can take, the fate of Indians in East Africa and other parts of Africa which are included in the British Empire will be sealed. It is necessary, Sir, that we should take immediate and vigorous action against the arrogant whites of South Africa.

It is a pity, Sir, that General Smuts who always preaches the Sermon on the Mount outside South Africa should follow policies inspired by the worst racial and colour prejudice in South Africa. It is significant that anti-Indian legislation should have been passed in Natal where the British community preponderate. It is not because of the prejudice of the Dutch against us that this measure has been passed, but because of the opposition, the bitter opposition, of the British community to the acceptance of any measure which would reduce the scope of the anti-Indian policy of the Union Government. Another fact that we should bear in mind in this connection is that the Indians who are now in Natal are almost entirely South African born. Sir Shafaat Ahmed Khan who was here about a year ago told us that only 13 per cent. of the Indians in South Africa were above the age of 45. In these circumstances, Sir, the enormity of the action taken by the South African Government will be clear to all sides of the House.

Now what is the action that we should take? This subject has been discussed more than once in this House and Government have been repeatedly asked during the last two years to ask His Majesty's Government to amend the Government of India Act in such a way as to permit the authorities to prevent the acquisition of the franchise by South African nationals in this country. They have also been asked repeatedly during the last two years to ask the Secretary of State to debar South Africans from appointment in the superior Indian services like the I.C.S. and the I.M.S. We have also asked on more than one occasion that no South African officers should be kept in the Indian Army and that they should not be allowed in any circumstances to command even a small number of Indian troops, nay, even a single Indian soldier. I should like to know from the spokesman of the Government what action they have taken in regard to these repeated demands of ours. Apart from this, there are only three other measures that could be taken, namely, the enforcement against South Africans in this country of the provisions of the recently passed Reciprocity Act, the recall of the High Commissioner and the enforcement of economic sanctions. I am glad that action has been taken under the Reciprocity Act against South Africans in this country. But I should like to know whether rules have been made under the Act in order to enable the Government of India to implement the policy recently announced by them effectively in practice. As regards the remaining two measures, I agree with my Honourable friend Mr. Banerjee that they are of a serious character. We have therefore refrained from doing anything in this connection in haste. They have been under consideration for 18 months and more. But our patience has now been exhausted. Our efforts to bring about an amicable settlement have met with no response from South Africa. The purpose of appointing an agent to the Government of India in South Africa under the terms of the Capetown Agreement has not been fulfilled. The position of Indians is becoming worse and worse day by day and nothing can be more galling than the humiliation imposed upon the Indian community, in South Africa and indeed upon the whole of India, by the legislation recently passed by the Natal Council. If the Government of India are not prepared to take vigorous action now can they ever be expected to take such action? Unless, Sir, they are prepared to retaliate, and retaliate with all the power at their command, India will be treated and will deserve to be treated, with contempt in every part of the world. I ask, Sir, therefore that economic sanctions should be enforced against South Africa without any avoidable delay. I know that our own trade will be hit thereby, but we cannot allow financial considerations to have any weight with us in a matter, which concerns our national honour and self-respect.

There are only two important items in the trade between India and South Africa which require consideration in this connection. We receive wattle bark from South Africa and send it, apart from other things, a large quantity of jute. We must therefore refuse to buy wattle bark from South Africa and to export our jute there. This is the only way in which we can apply economic sanctions to South Africa. At present there is a Trade Agreement between South Africa and India and we can, I understand, refuse to export jute to the Union of South Africa only after this Agreement has been denounced. I ask therefore with all the strength at my command that the Government of India should immediately denounce this Trade Agreement. The Agreement will cease to be effective only three months after its denunciation. There is therefore no time to be lost. Action must be taken by the Government of India without a moment's delay in this connection. If Government follow this policy, they cannot retain the High Commissioner in South Africa. If they do so, they will run the risk of being asked by the South African Government to recall him. Will they wait till the High Commissioner is turned out by the South African Government or will they consult their own self-respect and that of the country for whose administration they are responsible and standing forth as the champion of its honour first impose economic sanctions and then as a necessary corollary recall the High Commissioner? I recognise that these measures will not bring South Africa to heel, but whether we can compel South Africa to refrain from following a racial policy or not, it is incumbent on us to do what we can to vindicate our national self-respect. We cannot go on bearing insults day after day meekly simply because we have not got sufficient power to compel South Africa to pursue an enlightened policy. We can only do what lies in our power and make

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it clear both to His Majesty's Government, who are bound to come to our aid at this juncture but from whom so far we have received only half-hearted support, and also to the whole world that South Africa is at this moment when we are supposed to be fighting in furtherance of human freedom and dignity acting against those principles which alone can ensure the establishment of friendly relations and the maintenance of peace as throughout the world and mortally insulting Indians who have made an invaluable contribution to the expulsion of the Axis powers from Africa and are fighting gallantly on the side of the Allies. Let us remember that we are fighting today not merely our own battle but the battle of the entire continent to which we belong. If we fail now, we shall have every reason to be cursed by the whole of Asia whose trust we shall have betrayed.

Sir, I once more ask the Government with all the strength at my command to act, and act immediately and energetically, to impose economic sanctions without a moment's delay and to recall their High Commissioner, because his presence in South Africa has served no useful purpose and is today only a bitter reminder of our humiliating position.

THE HONOURABLE DR. N. B. KHARE (Commonwealth Relations Member): Sir, I feel called upon to intervene in this debate at this stage because my Honourable friend Pandit Kunzru in his impassioned and very highly patriotic speech has accused the Government of India of lack of foresight and failure to safeguard the interests of Indians in South Africa and to recognise the principle of racial equality. This is the gravamen of his charge against the Government of India.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: May I remove a misapprehension from the mind of my Honourable friend? I made those remarks with reference to the language used by him in his speech the other day in the Assembly. He did not say that the Government of India acquiesced in an arrangement arrived at between the representatives of the majority of the Indian community in Natal and General Smuts; he went much further and said that the Government of India gave the arrangement their moral support. I was compelled, therefore, to observe that the Government of India had been guilty of a lack of foresight and of giving away partially the principle for which we had stood all these years.

THE HONOURABLE DR. N. B. KHARE: I am glad that the Honourable Member has repeated the charge in such clear language. No doubt the Government of India, as I have said, gave their moral support to the arrangement. I do not want for one moment to back out of what I have said. But, Sir, we must go to the root of the matter and see how the situation has developed. Indians who are domiciled in South Africa are living there under very adverse conditions which are irritating and insulting to every self-respecting human being, what to say of Indians, who belong to a proud and ancient race. Living as they do under those conditions they know where the shoe pinches. They have to put up with these hardships and insults and pinpricks; not we who live here, but they, who are our kith and kin, who live in that country. If they come to some agreement with the powers that be in that country of South Africa through an organisation which is called the South African Indian National Congress—if I am correct—if they come to that understanding with the South African Union Government, what can we as the Government of India do? Can we tell them: "My dear fellows, do not do it"? We cannot do that, in all conscience. And Sir, I thought, and still think, that our moral support to this agreement which they have entered into with the Union Government does not imply that we have acquiesced in our racial inferiority. After all, I will draw the attention of the House to what is the situation in our own country of India. Take, for example, any city in India—any town, large or small. You will find *bastis*, habitations growing up in every city in India by a natural process of selection or whatever you may call it—convenience, tacit agreement, or anything else you may call it—and people flock together in a certain area, people who perhaps belong to the same caste, or follow the same profession, or have a similar way of life are brought together in some way or other. And we get such denunciations as

Malipura, Koshtepura, Brahminpura, Dhedpura, Mominpura, and what not. Now, there is no law in India which can prohibit any one from acquiring a house in any part of the city or in any locality of it. Yet these *bastis* come into existence. I thought that by mutual agreement such a position could be brought about.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I ask my Honourable friend whether he realises that this agreement would have been placed on the Statute Book, as it would have been embodied in an Ordinance?

THE HONOURABLE DR. N. B. KHARE : I am coming to that.

So, this tacit understanding exists. A sort of occupational segregation, if I may say so, exists even in this country. I myself do not like it, and those who are advanced in their views will not like it, I am sure. But it does exist. You cannot blink this fact.

THE HONOURABLE MR. HOSSAIN IMAM : It is more economic than social.

THE HONOURABLE DR. N. B. KHARE : Whatever it is—call it economic, social, religious and what not—

THE HONOURABLE MR. G. S. MOTILAL : It is voluntary.

THE HONOURABLE DR. N. B. KHARE : This was also voluntary. So, I thought, and the natural inference would be, that as Indians there have agreed not to reside in places which are occupied by Europeans, the natural result would be that Europeans also will agree not to reside in places which are occupied by Indians.

THE HONOURABLE THE PRESIDENT : Is it true that the Indian community in South Africa is divided?

THE HONOURABLE DR. N. B. KHARE : Not at present. It was divided formerly, but I think they are now united.

THE HONOURABLE THE PRESIDENT : I asked because I read that they were divided. So I wanted to have correct information.

THE HONOURABLE DR. N. B. KHARE : The community is not divided at present. They have passed a resolution accepting this agreement by an overwhelming majority—if I mistake not, about 90 votes against 12 or 13.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : There were differences between the Natal Indian Congress and the Transvaal Indian Congress over that question.

THE HONOURABLE MR. R. N. BANERJEE : On a point of information, Sir, the Working Committee of the Natal Indian Congress accepted the agreement by a majority of 67 against 14.

THE HONOURABLE DR. N. B. KHARE : Faced with that situation, I ask this House what can a Member of Government do? I realise that this agreement was to be enacted as an Ordinance, and that an Ordinance is law, I realise that. But, Sir, after all, law arises out of custom. Suppose both these communities, Europeans and Indians, have agreed, so far as residence is concerned, to separate themselves, and if this custom is reflected in the law, I do not see how it means that we have accepted racial inferiority or segregation. After all, I need not spill much blood over this matter at all: I will leave it at that.

Fortunately or unfortunately, according to me fortunately, the Union Government themselves have vetoed the Pretoria agreement: they have not Accepted or implemented it. I think it is dead, and so far as we are concerned, it has died unwept, unhonoured and unsung. I think it is a good riddance.

It has been complained that there was delay in the action taken by the Government of India in this matter. After all, when negotiations are going on, we cannot take any action which may be construed to impede those negotiations or to prejudice decisions when they are in the course of being arrived at. I may point out to the House that, instead of there having been any delay in action, the Government of India have been very prompt and very alert when the time came for action after

[Dr. N. B. Khare.]

the negotiations failed. I may point out to the House that this Occupation, Control and Omnibus Ordinance passed its third reading on the 2nd November 1944, and I think we were so prompt that some papers accused us of haste and impatience : we issued the Gazette Extraordinary applying the Reciprocity Act to South Africa on the 3rd or 4th. Could you imagine anything so prompt on the part of the Government of India? Thus I have successfully refuted the charge of delay in action also.

Then, on our part there has never been any lack of vigilance. I think what we lack, and very severely lack, is what may be termed power : vigilance we have enough and to spare, but power we have little. It is not the fault of anybody : it is the fault of the political situation, it is the fault of history for which you cannot blame me alone, you have to blame yourself, everybody here, and your ancestors. Reference has also been made to the demands made for certain modifications in the Government of India Act and certain other changes to enable the Government of India to act in this matter. Had the Government of India got this power in their hands, I assure you that they would certainly have carried out what they wanted.

THE HONOURABLE MR. G. S. MOTILAL : May I ask if His Majesty's Government were pressed to amend this Act ?

THE HONOURABLE DR. N. B. KHARE : I am coming to that. We have taken necessary steps in this matter and are awaiting results. I do not know what the results will be. But I may tell the House that India feels in this matter, as I have alluded to before, lack of power. Our position, if I may translate a saying in our language, is like that of a child whose mother will not feed it and whose father will not let it beg.

AN HONOURABLE MEMBER : That must be a step-mother.

THE HONOURABLE DR. N. B. KHARE : You may draw your own inference.

Attempts have always been made to ascribe the position of Indians in South Africa to economic reasons. I would not bore the House with the sad and tragic history of our compatriots there. Decades ago Indians were sent there as indentured labourers to fatten the profits of white settlers there. Indians have got a low standard of living, Indian labourers need not be paid as high wages as white labourers, and therefore taking advantage of the low economic conditions of Indians they were sent there as indentured labourers to enable the whites to get fat profits. Most of them are now South-African born. What do they say? You are not wanted because your standard of living is low. This is grotesque, this is indescribably vulgar mentality. Sir, a man's culture does not depend upon what he eats or wears, it depends upon the development of his mind. A man may be highly cultured, but may dress himself in tatters or live on a very frugal diet. After all it is a moot point whether civilisation consists in increasing your wants and satisfying them at break-neck speed or in controlling your wants and being contented and good to the world. God knows when it will be decided. It was said that if the Indians domiciled there adopted the European way of living, there would be no difficulty. Now, when they did that successfully, it was thought that there would be no difficulty even in juxtapositional living or residence, but as soon as that happened, and the economic issue was finished, the issue of penetration has arisen. Sir, the tragedy of the situation is that Indians are allowed to fight for the liberation of Abyssinia, of Eritrea, of Italy or other countries on the face of the earth, but they cannot do anything to better the conditions of their own kith and kin who are domiciled in South Africa. As a matter of fact, it is Indians who took the major part in the North African campaign and thus saved that country, South Africa from the devastation which might have been caused there by Nazism. What is the treatment given for this active co-operation and help of these Indian soldiers who fought for the protection of South Africa? If I may say so, the treatment given out to them smacks of a melancholy, Machiavellian, malignant and mischievous meanness. It would pain the heart of any Indian, wherever he may be, who is proud of his nation and who has got a sense of self-respect, whatever position he may occupy.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: Why not use the same army, which knocked guts out of Mussolini, to put the South Africans to senses?

THE HONOURABLE DR. N. B. KHARE: You know that that is not possible. Why do you ask? You know it yourself. Sir, this is the history of disappointments, broken promises and disillusionment. As long ago as 1895, Lord Salisbury declared in unequivocal terms that as soon as the period of indenture was over the Indian labourers who were settled in South Africa would be deemed as full citizens of the country, whose status would be inferior to no one else. In spite of that, we find that we are there as we were. But it seems to me that the action of South Africa in raising this issue of racial discrimination in the midst of this war is the greatest satire on the declared war and peace aims of the United Nations. They are so impatient that they could not even wait till the war is over. Our High Commissioner is there to guide and advise our community there as well as to negotiate on our behalf with the Union Government. This action of the High Commissioner is sometimes deemed to be an undue interference in the domestic affairs of another Government. I can see that. No independent Government will tolerate interference by anybody else. That is quite conceivable and one can easily concede it. But, Sir, the fact of the matter is that if it was a domestic concern, the question may be asked, "Have you recognised those Indians as full-fledged citizens of your own country?" - You have not. They have not got the franchise, municipal or Parliamentary or anything else. And yet, if our High Commissioner advises them, it is undue interference. What are the Indians there? They are either South Africans or Indians. They must have some domicile. They cannot live in the air. You do not recognise them as South Africans and if they fight for their rights as Indians with such help as we can give within our limitations, you call that interference. Nobody can have it both ways. It is not justice. Wherever they may be, they must have a name and a habitation. As the saying goes, it is neither heaven nor hell. That is the position,—a most regrettable position. It must be remedied. Sir, I am convinced from the history of the last 60 years that we have tinkered with this problem too long. This problem can never be solved, this sore will go on festering for ever if it is not solved. The only way of solving it is for the South African Government to recognise the Indians who are domiciled there as full citizens of that country, with rights second to none. Unless that happens, this problem can never be solved. I do not know when that will happen. It will be a severe test of the war and peace aims of the United Nations. For, after all, we are fighting this war against Nazism and Fascism and our objective is to root them out from the world. It is no use uprooting Nazism and Fascism merely from Germany, Japan and Italy. The United Nations have to see to it that it is uprooted from wherever it exists, whether it is in England, South Africa, America or even India. (*Applause.*) Then and then alone the war would have been fought successfully. Otherwise the war will be lost and peace will be lost.

I do not know, Sir, whether a change has really come over the mentality of South Africans because, recently, I read in the papers that one, Major-General Theron who is the General Commanding the South African Mediterranean Defence Forces, has expressed in the most strong language his detestation of intolerance based upon race, religion, community, culture, creed, caste or anything of that kind, and he has blamed his countrymen for their attitude against Indians. Because he commands, and his detachment fights shoulder to shoulder with Indians and others, he has developed some kind of regard for Indians. I do not know whether it is a pointer but I am not so optimistic. I think it is only an exuberance of good feelings brought about by a temporary environment. I wish it were permanent. Unless a change is wrought in the mentality of those who have got this hateful attitude, it is not possible to remedy this long standing evil in the twinkling of an eye.

Finally, I want to assure the House that the Government of India have realised that it is incumbent upon them to take all measures which they possibly can within their limitations in this matter to remedy our grievances there. If I am left to myself, I assure the House that I will not be satisfied by mere barking, but I would like to bite. (*Applause.*)

The Council then adjourned for Lunch till Three of the Clock.

The Council reassembled after Lunch at Three of the Clock, the Honourable the President in the Chair.

*THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Mr. President, the Honourable Mr. Banerjee has given us a narrative of the events which have led up to the present position in South Africa and the application of the provisions of the Reciprocity Act to that country. In the speech which the Honourable Dr. Khare made, an attempt was made by him to justify the attitude of the Government of India towards the Pretoria Agreement. I think it is quite unnecessary to go into the question as to whether the attitude of the Government of India towards the Pretoria Agreement was right or wrong, because that Agreement has for all practical purposes been repudiated by the South African Government. Speaking personally, I should have preferred the Government of India not to have blessed that Agreement. They blessed it, so Dr. Khare has stated in this House, and now we find that the South African Government has gone back upon that Agreement.

Mr. President, the question which our relationship with South Africa raises is of vast and fundamental importance for the future of the relationship between the white and the non-white races of mankind. If you will permit me, I will just read out an extract from a book by Grant Dexter entitled "Canada and the Building of Peace". This is what he says :—

"Of all the problems which will confront the United Nations when the war is over, the problem of racial equality will be easily the most difficult and the most perilous to the future peace of the world. If the impression that this is a white man's world is not to be deepened, fundamental changes in policy must be introduced at the top level, i.e., by the collective action of the leading nations, rather than by the action of individual nations. If the policy of racial inequality becomes yet more firmly imbedded in the laws and practices of the white nations, then the outlook for the world will indeed be grim. There is no need, here, to theorize as to the ultimate consequences. Certainly the Chinese, the Japanese, the Indians—all the nation-states composed of non-whites—sooner or later will make common cause against the self-chosen superior whites."

Sir, these are wise words, and they are words which should make the white peoples of the world reflect. South Africa by the attitude and policies that she is adopting is doing the cause of the United Nations no good.

It is said that if we apply sanctions against South Africa, if we take retaliatory action against South Africa, the war effort will suffer. Now, Sir, no one wants to obstruct or impede the war effort, but the responsibility for any retaliatory action that we might take against the arrogant races of South Africa is not ours. They have forced the fight on us, not we. They are the aggressors, not we. The United Nations say they are fighting aggression. What is their attitude towards the aggressor nation of South Africa so far as the Indians in that country are concerned? The South Africans say that the Indian problem is a domestic problem. Now, Sir, I do not understand this expression "domestic problem". The Indian has no vote in South Africa. The South Africans refuse to look upon him as a permanent part of the South African population. The Indian has not even the municipal franchise in many parts of South Africa. Then, if he has not got civic rights, if he cannot hold administrative positions, how can questions affecting him be regarded as purely domestic questions? The Indian went at the invitation of the South African Government. He went under the patronage of the Government of India. The Government of India and His Majesty's Government have got a responsibility for the Indian. They have got a responsibility to see that the Indian gets a fair deal in South Africa. His Majesty's Government granted South Africa full self-government in 1907. The South African Act was regarded as a great liberal measure in 1907. It was an act of faith, so it was thought, on the part of Sir Henry Campbell-Bannerman. After nearly thirty years we are entitled to ask whether the independence that was conceded to the South African whites has been used by them for the welfare and the advancement of all the races that inhabit that dark continent. The answer to an enquiry of that nature must be in the negative.

Sir, the world is becoming increasingly interdependent, and our British friends are never tired of reminding us that the world is shrinking. If the world is becoming interdependent, is it not the duty of the United Nations who are fighting this war to take some interest in this question of Indians in South Africa and to

* Not corrected by the Honourable Member.

put pressure upon that arrogant Government of South Africa to do justice by the Indians settled there? I will illustrate what I have in mind by some concrete examples. You have the Polish-Russian dispute today. Now, both Poland and Russia are fighting the aggressor nations. It is true that they do not happen to be units of a Commonwealth. But the Commonwealth does not mean very much to us. It may mean very much to our British friends, because they have founded the Commonwealth. But that question is irrelevant and I do not wish to go into that question, because then I shall have to trace the history of aggression. They have founded this Commonwealth, but if they want us to have feelings of friendship towards this Commonwealth, it is up to them, it is their duty, to make us feel that this Commonwealth has something to offer us. If within the Commonwealth our countrymen cannot get a fair deal then what is the use, what is the utility of this Commonwealth for us? Mr. Churchill can fly to Moscow in order to bring about *rapprochement* between the *émigré* Polish Government and the Soviet Union, but Mr. Amery will not even open his lips in regard to South Africa. He will just let Dr. Khare guess a little, if I may use a very vulgar expression, and tell the world that he is very unhappy for what is happening in South Africa. That is not the right way of doing things. I think His Majesty's Government, if they so desire, can do much. I do not say that they can veto the Transvaal Ordinance—that may not be constitutionally correct—but they can use diplomatic offices, they can use pressure with General Smuts and the South Africans, but the desire to use their influence is lacking, and in these circumstances it has urgently become necessary for us to assert our self-respect. I know that if we embark on a policy of retaliation, that policy can hit both the countries. But we should be prepared for some sacrifice. Either we place honour or our economic interests first: I think, Sir, we place our *izat* first, and the concrete suggestion that I would make is that the Government of India should without avoidable delay repudiate the trade agreement with South Africa, prohibit the export of jute to South Africa, and prohibit the import of wattle bark into India. All this will necessarily involve the recall of our High Commissioner. I think, Sir, diplomatic rupture between South Africa and this country has become inevitable. I think it is good that we should cease to have diplomatic representation in a country for whose people we have no friendly feelings, and I think it is wrong that we should allow material considerations to influence our judgment and decision in regard to this vital matter of *izat* or honour. The application of all the provisions of the Reciprocity Act will not be sufficient unless the principle behind that Act is carried a little further. It is to us a matter of mental torture to find that there are South Africans in this country in positions of honour and responsibility. The Honourable Mr. Hossain Imam who is the leader of the Muslim League Party cannot go there. The Honourable Sir Mahomed Usman who is the leader of this House cannot go there. No Indian, whatever his status, can go there and enjoy the rights of citizenship. But these men can come and serve in the Civil and Military Services of this country. Let me be quite straightforward about this question. I look upon the South African as no better than a German or an Italian Fascist, or a Japanese. As I hate the German, as I hate the Italian Fascist, as I hate the Japanese, I also hate the South African. I want him to feel that I hate him, and the only way in which I can express this noble sentiment—because hatred towards wrong can be a noble sentiment—is by asserting my self-respect and telling him, "Please do anything with the 250,000 Indians that are there, but I do not want to have any diplomatic relations with you, and I do not want to have any trade relations with you. You can do anything you like, but I will do everything that I can in my own humble way." Therefore it has become necessary for the South Africans employed in our Services to be given the sack. We should not have South Africans and we should have rules making it impossible for any South African to enter Government service. Sir, unless we adopt some such policy the steps that have been taken by the Honourable Dr. Khare will not yield fruitful results. Half-hearted measures can do more harm than good, and from this point of view it is desirable that we should go the whole hog and break off diplomatic relations with South Africa.

You have now to apply the provisions of the Reciprocity Act to South Africa. Therefore I would say 'go a little further and disfranchise the South Africans here (you may need to change the Parliamentary Statute for that purpose), terminate

[Mr. P. N. Saprū.]

the services of such South Africans as there are in the services, make it impossible for them to enter the civil services of this country, and treat them in exactly the same manner as they treat Indians.' They talk of sanctity of treaties, but here we find a Government which enters into an agreement with Indians, they go back upon an agreement with their own nationals, can there be a greater indictment of a Government than breach of faith with their own nationals? Sir, it is difficult to talk in terms of restraint about that country. We know that "Cape Times" and other papers have been writing about India, and we expect that our speeches in the Indian Legislature are likely to have an adverse effect on South African opinion, but we do not in the slightest degree care for what they think about our speeches. They cannot dictate our policies, they cannot dictate what we should do and what we should not. Thank God, we can yet think freely, and express freely in this Legislature about the South Africans, and we propose to do so without any mental reservation, so that they may know exactly how we feel towards them.

I thank you for the time which you have given me.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General): Sir, the question now before us is whether we should be satisfied with mere application of the Reciprocity Act or we should go further. We know, Sir, that our Indian nationals who have gone to South Africa went there because the Government and people of that country wanted them to go there to build up their industry and agriculture. We also know that we have been treated there worse than cattle. We have been putting up a fight for the last three generations but we have not been successful in getting even ordinary rights of citizenship. This is a point on which we find that the Government of India and the non-officials fully agree. But, in my opinion, the time has arrived when the Government of India ought to be more quick in taking further steps to remedy the grievances of our nationals there.

This morning, the Honourable Member for Commonwealth Relations made certain remarks about the residential quarters in India of certain classes of Indians. He is not correct in making those remarks. It is true that in India certain classes of people live in certain localities. They stay in that locality on account of economic considerations. But there is no law in India which compels a man to stay in residential quarters in certain localities. In my opinion, Sir, the Honourable Member, in making that statement, has made the case of the Government of India weaker. I would like to impress on the Government of India and the authorities concerned that the position of certain classes of Indians in India residing in certain residential quarters is quite different from the position as existing in South Africa. There is already a legislation on that point and I want to know from the Government of India whether they agree to that legislation. They say they acquiesced in it. So far as I am concerned—whatever my Honourable friends Pandit Kunzru and Mr. Saprū may say—I think they ought to have opposed it. Even though some of the Indians in South Africa agreed to it under the Pretoria Agreement, they ought to have opposed it because, after all, if you once give away your case on a point, you have absolutely no ground to fight against the Government of General Smuts on that point. You cannot mince matters in this way. You cannot agree to the position of segregation of your nationals in South Africa. You must fight, and fight to the end, that your nationals in South Africa must have rights which the residents of South Africa enjoy. Sir, there is a precedent in this country about the attitude of certain high officers who took an attitude, not only of sympathy but of active help in matters like this. I am referring to the statement of Lord Hardinge in 1913. In that year, as the House knows, there was a strike in South Africa in certain mines and sugar industries and Lord Hardinge, speaking at Madras, voiced the feelings of Indians and said that the matter was very serious and that a Committee of Enquiry should be appointed to inquire into the allegations made by the nationals against the South African Government. I submit, Sir, that the head of the present Government, Lord Wavell, should also take up that attitude and see that the nationals who have been residents in South Africa, get the rights of full citizenship and are not treated as cattle in the same way as, it has been stated, the Germans are treating their prisoners in concentration camps. The Government of India cannot take half-way measures. The time has come for them to decide that not only the

Reciprocity Act should be applied but that economic sanctions also should be enforced and their High Commissioner should be recalled. It is the general wish of all the non-officials that whatever loss you may suffer so far as trade with that particular part of the world is concerned, our self-respect is more important than trade. I therefore submit that the Government of India must take an immediate decision on this point. As voiced in this House as well as in the other place they should decide to enforce economic sanctions and to recall their High Commissioner. The Government of India have waited long to get the Government of India Act amended through the agency of Whitehall, and now they must state clearly to Whitehall that Indians in India, officials as well as non-officials, press that the Act should be so amended that we should not entertain South Africans or allow them to remain in India's Army or in the Indian civil administration as their countrymen are treating our nationals worst than cattle. It is the duty of the Government of India—if they agree with us on this point—to take immediate steps and to press upon Whitehall to see that the Act is amended.

THE HONOURABLE MR. G. S. MOTILAL (Bombay : Non-Muhammadan) :
 Sir, unfortunately the position of Indian settlers overseas has continuously and consistently deteriorated and more so of the Indian settlers in South Africa. The history of this question is so well known to the members of this House and a brief sketch of it was presented by the Honourable Mr. Banerjee. I shall therefore not go into it. I should, however, like to make one remark; trite though it is, it can bear repetition. South Africa was a jungle of wild animals and to bring it to its present position of prosperity India's help was taken and Indians were sent from here with the assistance of the Government of India. It is the labour of these Indians which has contributed to the prosperity of the white settlers there, and how ungrateful these white settlers are to have decided upon the policy of squeezing out the Indians from that country. They took various measures; they would not allow Indians to come in. Then schemes of repatriation were arranged. Then the struggle under the leadership of Mahatma Gandhi was waged by Indians in South Africa and General Smuts came to an agreement with him. That agreement has also been disregarded. Then, there were other agreements, second, third and the fourth. The Government of India then protested and the Feetham Committee was appointed but the result of it was only to delay the elimination of Indians from that country. They took a little time. They said we shall apply this measure in this part or in that part and the culminating point is now reached and they now want to apply by Ordinance what is known as this Restriction Act which will debar Indians not only from the right of residence in those portions but from even possessing property in that part of the country. I think, Sir, they are taking a very short-sighted view. General Smuts is regarded as a great statesman but when this question comes I should say, Sir, the statesman in him seems to be failing. He must remember that after all South Africa is the country of the natives and the people of that country and the European settlers who have gone there have no superior right than that of the Africans themselves. The number of the natives of that country, as I learn from authoritative reports, is 8 millions and the number of the European settlers is 2 millions. A day will certainly come when these people will come into their own and the white settlers will have to say "We have been in this country for such a long time that we should be allowed to live as men and as citizens of this country." Would they then be in a position to advance such an argument with any justification? There will be this obvious answer "You treated the very Indians whom you invited and brought here for developing this country as worse than slaves. What right have you got to stay here? You better go to the lands from where you came." But today we are concerned with the Indian settlers there. The people who are there are mostly born in South Africa. The original settlers who went from India are all dead and gone. Ninety per cent. of our people or more are for all intents and purposes South Africans. But they have no rights. They are treated as worse than slaves. What is the difference between a slave and a citizen? A slave has no political or other civic rights. The South African Indians are deprived of all franchise. In their political system there is no place for them and they cannot live in certain areas. They cannot now possess property in certain areas. Some time back they enacted legislation which debarred Indians from

[Mr. G. S. Motilal.]

employing Europeans. They were in a position to employ Europeans. All sorts of arguments have been advanced, good, bad and indifferent. One was that the standard of the people who came from India, although they were taken by them, were not of the European level and efforts should be made to raise their standard so that they may be acceptable. When that position came and they were in a position to employ Europeans, the South African white settlers wanted to impose restrictions so that they may not employ Europeans there. Now even for the purposes of investment they are not to have property in those areas. It is a great humiliation to them ; it is a great humiliation to us. But why has this position continued ? Because the Government of India constituted as it was until some time ago did not bring the pressure necessary upon His Majesty's Government and did not share fully, as the Government constituted now does share, the feelings, the sentiments, the humiliations and the dishonour involved in this issue. His Majesty's Government is really still playing with this problem and tinkering with it. It is no answer to say that these colonies are dominions and are self-governing. If the people of that country have no voice in the Government, what is the good of calling it self-governing ? Give full rights of self-government to the people of the country, South Africans ; and then, if they do not want Indians, then we can say to the Indians, "This is your home ; come back to India." But until that happens, it will not be an answer which will satisfy any reasonable man to say that these white settlers, who go and rule over the people have a right to squeeze out Indians because there is self-government.

There is another reason too. It is the Indian soldier and the assistance of the Government of India which has saved the continent of Africa from being overrun by Italians and Germans. It is an acknowledged fact. The South Africans, the white settlers, by themselves were not in a position to save Africa from Italians and Germans. Out of sheer gratitude if for no other reason His Majesty's Government must insist, and if they insist, I am sure these colonists will not be in a position to resist the pressure and will realise the right and justice of that pressure of His Majesty's Government if they exert it. What we under the present circumstances have to do is to give expression to our deep resentment by taking some of the measures which have been suggested. I do endorse the suggestion which has been made that the High Commissioner should in the first instance be withdrawn. There is no other purpose which can be served by his presence there. The trade agreement should be denounced, and after the trade agreement has been denounced, all those South Africans who are here should be told, "As your country treats our people there with contempt and deprives them of their just rights, you should quit this country and be no more here. If Government would like to consider the question of what we shall lose or gain, I can tell them that India will not stand to lose, but will only gain by stopping our trade with South Africa. With your indulgence I would only read a small paragraph from "The Review of the Trade of India" for 1940-41 to show what the position of our trade with the Union of South Africa is:—

"India's import trade with the Union of South Africa during the year under review (1940-41) recorded an improvement, while exports remained fairly steady, the total trade being valued at Rs. 3,87 lakhs as against Rs. 3,69 lakhs in 1939-40. The Union of South Africa is the sole supplier to India of tanning barks imports of which fell from 698,000 cwt. to 658,000 cwt. in quantity the value remaining almost steady at Rs. 44 lakhs. The principal items of India's exports—"

and this is a point to which I would invite the attention of the House—

"Exports to the Union consist of jute manufactures and rice not in the husk. Shipments of jute bags fell from 38 million to 36 million in quantity and from Rs. 149 lakhs to Rs. 127 lakhs in value, and those of gunny cloth from 19 million yards valued at Rs. 35 lakhs to 13 million yards valued at Rs. 29 lakhs. Exports of rice, not in the husk, also recorded a setback from 31,000 tons to 24,000 tons."

We, Sir, have no rice to spare ; we want rice, every ounce of it, for our own consumption. We shall not be losers if we use the power which we have in this matter.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY (West Bengal : Non-Muhammadan) : Sir, the Honourable Mr. Banerjee, the Honourable Member

in charge of the very high-sounding appellation "Commonwealth Relations" and the Honourable Sir Sultan Ahmed on behalf of the Government of India have all spoken very strongly on the South African situation. But mere strong words break no bones. They must also act, and act very quick. They must take the severest of steps against all South Africans in this country, be they civilians or members of the armed forces. They must cut off all trade relations with the said country and immediately recall the High Commissioner from there. Sir, to a bully, you must prove your strength, and then he will respect you. During the strike in South Africa in 1913, Lord Hardinge, the then Viceroy, voiced the widespread resentment in India in the following terms :—

"Recently your compatriots in South Africa have taken matters into their own hands by organising what is called passive resistance to laws which they consider invidious and unjust—an opinion which we who watch their struggles from afar cannot but share. They have violated, as they intended to violate, those laws, with full knowledge of the penalties involved, and ready with all courage and patience to endure those penalties. In all this they have the sympathy of India—deep and burning—and not only of India, but of all those who like myself, without being Indian themselves, have feelings of sympathy for the people of this country. But the most recent developments have taken a very serious turn, and we have soon the widest publicity given to allegations that this movement of passive resistance has been dealt with by measures which would not for a moment be tolerated in any country that claims to call itself civilised. Those allegations have been met by a categorical denial from the responsible Government of South Africa, though even their denial contains admissions which do not seem to me to indicate that the Union Government have exercised a very wise discretion in some of the steps which they have adopted. That the position at this moment, and I do feel that if the South African Government desire to justify themselves in the eyes of India and the world, only one course is open to them, and that is to appoint a strong and impartial committee, upon which Indian interests shall be fully represented, to conduct a thorough and searching enquiry into the truth of these allegations."

These are Lord Hardinge's words. But it is unfortunate that neither Mr. Amery, the Secretary of State for India, nor His Excellency Lord Wavell have opened their lips against South Africa for the measures they have taken against Indians. If India had been an independent country, India would have passed, as retaliatory measures to the Pegging Act and the Natal Ordinance, a Lashing Act and a Tarring Ordinance to lash and tar every South African found in this country.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. President, I was struck by the unreality of the situation with which we are face to face. We know that the Government to which we address our remarks will not listen to us, and the Government of India knows that whatever it might say will not be taken seriously by those to whom its remarks are addressed. The Master of the Ceremonies who sits in England knows full well that he can with impunity preach principles, but make a reservation that they will only be given effect to in his own country. Added to that humbug there is this propoganda that war is being carried on to establish democracy and make the world safe for humanity to live. The war whose object it is said to be to establish a reign of law and justice ; confines it to countries where our enemies rule ; but tactically allows the allies to go full steam ahead and oppress, maltreat and deny every human right to the subject nations with impunity. This is the war for which we are asked to shed our blood, this is the war for which it is said we are not co-operating with the British in waging it. What is the prospect for Indians ? Can we be sure that there will be a better place for an Indian, then in the British Commonwealth of Nations. I should like the House to remember that out of the 2,400,000 Indians who live outside their homelands 2,300,000 live in British Empire, and 100,000 live in other parts of the world. Has Mr. Churchill ever agreed to give any promise to Indians ? Does it in any way affect the equanimity and the complacency of the people occupying the Treasury Benches that they are not getting a fair deal from His Majesty's Government ? Mr. President, *the British Commonwealth of Nations is a gigantic cartel in which all the benefits go to the whites and all the labour and miseries are the proud possession of Natives who do not enjoy the Dominant Status.* I say that, if nothing else, these lashes and kick which are being given to our countrymen outside will awaken them to realise the hardships of slavery and will make them realise how disunion and internecine quarrels have made us hang down our heads in shame. It is no pleasure to us to find our own Government—it cannot be my own Government, but they call it Indian Government—it is no pleasure to us to find it powerless

[Mr. Hossain Imam.]

and to find it speak in a tone in which we heard speeches in the Assembly and in the Council of State, so empty of effect, so denuded of any force, and so halting. What is the good of your giving high sounding speeches: We know you are powerless. Then why give this kind of speeches which, coming from responsible occupants of the Treasury Benches, ill suit the subordinate nature of the Government of which you are members. There is no good, Sir, in blinding ourselves to the fact that the position of the Government of India is that of a subordinate branch of His Majesty's Government in London, and I wish our people would realise that when we were given an opportunity to change the order of things, they refused to take advantage of it. My friend, Raja Govindlal, points out that it is still open to us; to serve on the terms of a petty servant is still possible, but not as a partner. Mr. President, I do not want to waste the time of the House. I should like the Government of India to take every step which within their limited powers they can and not mind the cost. Nations have not built up their honour, their status, and their name, by calculating in a *bania* fashion the cost of every measure which they will take. I do not care what they do. India which can support 400 millions could very easily absorb the 184,000 Indians who are settled in Natal. That is no threat to us. The British people who parade so much their superiority, yet in South Africa they have degenerated to limits to which even Germans had not degenerated. No doubt under the law there are impediments to Asiatics, but we know that in the case of Japan, an Imperial Nation, her nationals were not maltreated as Indians are being maltreated. It is a fact that Syrians and Jews—whatever country they may come from—are not treated in the same manner as Indians are. Jews are not Asiatics in terms of these laws. Jews even from Asiatic countries are not regarded as Asiatics. The Turks, in spite of their white skin, in spite of their adoption of European culture, are still treated as Asiatics, because they are not mighty enough to trouble the South Africans. May I ask His Majesty's Government to examine what was the contribution of South African whites to the safety of African continent. What was the contribution which these whites who now wish to lord over it, made when it came to the question of fighting the Germans and Italians. Was their contribution as much as that of India in spite of the fact that we are situated so far away from Africa? Why did Indians fight there and not South Africans? The South Africans want to reserve that land for their own use and exploitation. Under the guise of war the South African Europeans want to coerce and deny every human right to the real citizens of South Africa. South African Europeans form no more than 22 per cent. of the population of that country and 78 per cent. of the people there are Asiatics and Africans, and yet as a result of this war for democracy and liberty 78 per cent. must be kept down. The trouble is that the hands of the United Nations are not clean. Americans have their own Negro question which should make them hang their heads down in shame. Britishers had the whole empire to suppress and exploit. France's possessions in Africa are but another area of oppression. There is only one nation, Sir, which can say with a clear conscience and perfect frankness

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that it has never treated anybody as sub-normal and any one as superior, and that is the U. S. S. R. The U. S. S. R. alone can show to the world what justice and equity mean. I wish the European nations will remember that the days of oppression, suppression and every kind of exploitation are not to continue for all time. The day is not far off when, if they continue to be as oppressive and as unmindful of the rights and interests of humanity as they are at the present moment—the day of reckoning—will come and it will come as sure as the night follows day. Sir, I wish to emphasise that this Government of ours—so-called ours—has at least one liberty. It has the freedom of speech left to it. I wish it had utilised it in a better manner than it has so far been utilised. I wish they would even now realise that service to the country does not consist in endorsing everything the South African Indians may be forced to do. I am referring to the agreement which was entered into by some Indians. We were very strong when we were asking for equity and justice. But when we gave it up for the right of acquiring property for investment purposes, we really gave up our stand and we made our position so untenable that what has followed has followed almost as a natural consequence of that surrender which we made. I wish, Sir, that Govern-

ment will not only rest content with giving strong speeches but will go full steam ahead and adopt all retaliatory measures including the recall of the High Commissioner which lies in their power at the present moment.

***THE HONOURABLE MR. J. M. B. GIBBONS:** (Bombay Chamber of Commerce): Mr. President, I do not wish to encroach on the short amount of time still left available to my Indian friends to speak their voice on a matter like this which is of such great personal and intimate concern to them. But there has been a certain amount of misconception—I might almost say misrepresentation—of the views of the European community on this subject, as explained the other day in the Assembly by Sir Frederick James, that I welcome this opportunity of restating the attitude of the Europeans here and, I hope, of clearing up any misconceptions that may still exist. As Sir Frederick James said in the Assembly, we need no convincing at all of the justice of the Indian claims in South Africa. We have every sympathy for the expressions of feeling which have been aroused in this country at the recent occurrences in South Africa and we accord our full support to any measures that may be considered fit to adopt. At the same time, we do make some qualifications and certainly think that these qualifications are very largely in the interests of Indians themselves. In the first place, in a matter of this kind, where feeling runs extremely high it seems to me that it is of very great importance that very careful consideration should be given before any steps are actually taken so as to make perfectly sure that such action will not act eventually in a manner prejudicial to the interests of these very people whom you set out to protect. In the second place, we think that no action should be taken which might prejudice the war efforts in any way. I quite appreciate the point that my Honourable friend Mr. Sarda made earlier on that the responsibility for these occurrences lies entirely with the Government of South Africa and the provocation all comes from without. But, at the same time, I think we should remember that among the objects for which the allied armies in the field are fighting battles now is the liberation of countries such as Burma and Malaya, countries which count among their inhabitants numbers of Indians. We know too that there are many Indian prisoners of war in the hands of the Japanese and ample evidence of the cruelties, tortures and indignities to which they have been subjected has reached this country. So, therefore, while as I said our sympathies go out to the Indians in South Africa in their struggle for the establishment of their full, just, democratic and civic rights, at the same time we do feel that the rescue of the oppressed peoples under Japanese tyranny is of paramount importance and we would earnestly counsel that no steps should be taken which might hamper in any way the efforts by the allied armies to effect that rescue.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: We liberate others but remain as slaves ourselves.

†**THE HONOURABLE SARDAR BAHADUR SIR SOBHA SINGH:** (Nominated Non-Official): Mr. President, it is very painful reading what has been done to our countrymen in South Africa. I have got full agreement with the speeches that have been made by my Honourable friends. Leaving South Africa alone, Sir, there are Indians in British Columbia. I would like to draw the attention of my Honourable friend Mr. Banerjee to the fact that British Columbia is treating our countrymen equally badly. The Indians there have got no rights of citizenship. They have been deprived of all social and political rights of franchise. They have been treated like the depressed classes—worse than that. And now the British Columbia Government has passed an Ordinance for compulsory recruitment and our countrymen are recruited compulsorily. Although they have no rights of citizenship, they are being penalised to join the army and other services. I consider, Sir, that a Government which denies ordinary rights to its people has no right to compel them for such emergency services. I hope the Honourable Member will take notice that our countrymen, if they are to serve and protect the country, should equally be given the right of citizenship.

As far as South Africa is concerned, Sir, the recall of the High Commissioner is very essential. It is well known that the Indian Congress in South Africa have

*Not corrected by the Honourable Member.

†Not corrected by the Honourable Member.

[Sardar Bahadur Sir Sobha Singh.]

unanimously decided and passed a Resolution asking the Government of India to recall the High Commissioner from South Africa. I would suggest that immediate steps should be taken to review the position and he may be called back before he is called *persona non grata*. I support the motion.

THE HONOURABLE MAHARAJADHIRAJA SIR KAMESHWAR SINGH OF DARBHANGA (Bihar : Non-Muhammadan) : Sir, I intervene in this debate to join in the chorus of condemnation which the hateful action of the South African Government has evoked in this country. It is true that we are not in a position to effectively retaliate the country which has lost no opportunity to insult, disgrace and humiliate us. But that should not stand in our way of doing all we can to make them feel that we have been stirred to the nethermost depth of our soul and whenever we can—it may be today or tomorrow—we will pay them back in their own coin. That nation is worthless which does not stake every thing on her honour.

I very much appreciate the attitude of the Government of India in this matter. It is one of those rare occasions when they have the unanimous backing of the country and I do hope that they will have the strength to tell His Majesty's Government that they cannot see their way to modify their attitude.

I maintain that our countrymen had as much hand as, if not greater than, the white population, that runs the Government of the Union of South Africa now, in building up the country. Our countrymen have as much moral right to have full and equal citizen rights and just share in its Government as men forming the white population and it is due to ill-conceived notion of race superiority that they have become blind to realities. It may be that the country now presiding over the British Commonwealth of Nations is populated by their own race. But the fact remains that the avowed bond subsisting between the countries forming the Commonwealth is made up of principles that eschew racial discrimination. We are fighting Hitler's race-arrogance, we are fighting Japan's race-arrogance. Shall we tolerate the race arrogance of General Smuts and his hoarde merely because he comes within the Imperial orbit? These people I think, have no right to remain within the Empire because by their action they are seriously violating the principles that keep the Empire countries together.

In my opinion here is a case in which His Majesty's Government should take a bold stand and tell General Smuts that if he persists in following the policy of racial discrimination the forces of the rest of the Empire will be arrayed against him to bring him down to submission. The Government of India may be incapable of doing anything to the Union of South Africa at the present moment but other countries constituting the British Empire are certainly not in the same position. The question is ; whether they will allow injustice to be perpetrated on one of their weak units or come up to its rescue from a bully among them? The white population of South Africa has brazen-facedly gone back on its words, flagrantly broken an agreement and enacted an Ordinance which in the words of Mr. Kajeje the Chairman of the Natal Indian Congress " means the complete annihilation of the Indian community in the economic field as well ; and in course of time relegation of Indians to ' Ghattos ' to stay there as hewers of wood and drawers of water ". Will His Majesty's Government tolerate this? If it will can we not legitimately ask what benefits we derive by being within the Empire? What protection do we get by belonging to the British Commonwealth of Nations? As one who has always stood for a cordial Indo-British relationship these thoughts are highly disturbing to me for I can never conceive of cordiality between people who do not defend one another's honour.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR (Madras : Non-Muhammadan) : Mr. President, I had not intended to intervene in this debate especially after expression of the public feeling that prevails in the country over this matter had been given by so many of the speakers in this House who have spoken before me, but I have stood up to say a few words in this debate mainly because of the reiteration in this House of what has been stated is the European attitude towards this question in this country. Sir, it is difficult to speak with restraint about

What is happening to our countrymen in South Africa. But it has been one of the strangest and the most surprising disappointments to me to find that the European community is not going the whole hog with Indians in this particular matter in this country. Action has been taken by the Government of India. Certain further action has been suggested to the Government of India. The European community has blessed the application of the Reciprocity Act. It apparently approves of the suggestion for the recall of the High Commissioner. I believe expression has been given to this in the other House by speakers from the European Group. I also find that one of the strongest supporters of the recall of our High Commissioner is "The Statesman" newspaper. The whole trouble has arisen over the second suggestion that has been made to the Government of India, namely, the application of economic sanctions. It has been said in this House that before we embark upon a step of this kind we should consider very carefully what its reactions are going to be. The first unwelcome reaction that we have been asked to take note of is the repercussion it may have on our own countrymen in South Africa, that it is possible that their interests might be prejudiced by our application of economic sanctions. Now, Sir, if we tried to analyse what will happen on the application of economic sanctions, we shall find probably the facts are that the prejudicial effect of the application of those sanctions will not be so much upon Indians in South Africa as on Europeans in South Africa. I find, Sir, that for some time there have been in this country certain spokesmen of the South African Indian Congress, people like Swami Bhawani Dayal Sanyasi, Mr. M. A. Jadwat and Dr. Lanka Sundaram, who have studied the question very well. They say that it is their considered opinion that any cessation of trade relations between India and South Africa will hit European firms the most. When this happens, they may be expected to view the whole question differently.

Now, there is also this other fact, the application of economic sanctions. The mere threat to apply these sanctions will have an effect which perhaps we are unable to forecast at the present moment. I believe my Honourable friend Mr. Govindlal gave us some figures from the *Trade Review of India*, but those figures were a little old. I have before me some figures as to exports to South Africa and imports from South Africa to India. In 1938-39 India imported Rs. 34.75 lakhs worth of merchandise from South Africa, while its exports to that country in the same year aggregated to Rs. 1,49.22 lakhs. The respective figures for 1943-44 are Rs. 2,58.54 lakhs of imports from South Africa, and Rs. 9,90.42 lakhs of exports from India to South Africa. The House will note that these are figures which mean a great deal to vested interests in South Africa. I have referred to European firms. If by European firms these South African spokesmen refer to firms which have their place of business in South Africa alone, then perhaps the retaliation will have the desired effect on the particular community whose mentality we wish to change by our retaliatory action. But if any portion of this trade is in the hands of European firms whose locus is in India, then perhaps it may not have an effect on Europeans in South Africa, but it certainly enables us to understand the attitude of the European community in this country as regards the application of economic sanctions. Whatever that may be, it seems to me that the figures of our trade in South Africa are so arresting that if we wish really to make any impression on South African attitude in relation to this matter, the only thing that the Government of India should attempt is the application of these economic sanctions.

One other thing was mentioned against our hasty application of economic sanctions; that was the supposed effect upon the war effort. It was suggested to us that the interests of a large number of Indians in Malaya, Burma and other places were concerned if the war effort was affected. We certainly, Sir, will be able, with the resources that will be available with us, to succeed in the liberation of people in these areas without our continuing to suffer the insults heaped upon our countrymen in South Africa. We cannot agree to these insults being continued in what is at present a unit of the British Commonwealth for fear that if we attempt to do something which would delay the liberation of our countrymen in other countries which are under Japanese occupation it might be harmful to their interests. We cannot agree to this point of view at all. The insults we have borne in South Africa have been of long standing. My own understanding of the history of the relations between us and South Africa is that we have too long played with a policy of

[Sir N. Gopaldaswami Ayyangar.]

compromise. We have never stood out for the rights which our countrymen are really entitled to in that country. The Cape Town Agreement was a compromise. The Pretoria Agreement was worse, and whether we gave moral support to that agreement or merely acquiesced in it, the responsibility for it cannot be escaped by the Government of India.

Now, Sir, in the course of his remarks the Honourable Member in charge of this Department this morning said that he was at one with public opinion in this country that the mere fact that we have applied the Reciprocity Act—even if its results are not of much consequence, as they will affect, I understand, only about 125 South Africans in this country—the mere fact that we have applied an Act of that sort shows how deep is the feeling of resentment in this country. But he seems to forget that the realisation by the South African Government that we could put into execution only weapons of no consequence—it is realisation of that on the part of the South African Government that makes them continue to heap insults on our head.

Lastly, he complained that the real thing that is wanting so far as the Government of India and the people of India are concerned is lack of power. True, we are not going to solve this problem finally until India rises to the position of an independent country with full powers and is able to deal on perfectly equal terms with a country like South Africa. But, Sir, short of that there is a way in which the Government of India can press their point of view. I say there is in their hands a power which they can use with effect today. Let them press upon His Majesty's Government the necessity for the immediate recall of the High Commissioner. Let them press also the necessity for an immediate denunciation of the Trade Agreement, and let them make it perfectly clear to His Majesty's Government that, if these are not to be implemented now, the present members of the Government of India will refuse to be responsible for the government of this country.

THE HONOURABLE MR. RABINDRA NATH BANERJEE: Sir, I will not take much longer time. I only want to give the House my assurance that I have made the fullest note of the sentiments they have expressed with their intensity, earnestness and unanimity. I have little doubt that the Government of India will attach the greatest weight to the feelings and views of this august House.

On point of merit, Sir, I only want to say a word about the attitude of the Government of India in respect of the Pretoria Agreement. I had occasion to say yesterday that in spite of increasing hostility and generations of ill-treatment large bodies of our nationals have got irrevocably settled in some of these countries. South Africa is one of these countries. As I said earlier in the debate, our grievances are nearly 60 years old. Now, here was an offer made in Natal where four-fifths of the Indian population reside. There is a well organised Congress of the Indians which is known as the Natal Indian Congress. The Natal Indian Congress has a Working Committee with a membership of 81. Out of 81 members, only 14 dissented from the proposal to give the Pretoria Agreement a chance. All the 14 members belong to the communist group. When, in spite of our not having been able to achieve much for our nationals, they themselves decided by such an overwhelming majority to give a chance to the compromise, the Government of India did not feel called upon to interfere. For the first time also the principle of voluntary agreement was accepted by the Union Government. It is true it was a compromise, but we thought we would take it for what it was worth as a compromise. We made no commitment either way. We did not run into hysterics over it, nor did we desire to stand in the way of a direct settlement being attempted between the Union Government and the Indians. That, Sir, was our attitude, call it moral support or whatever you like.

There is another point about which I would like to say a word. I think the Honourable Member's statement about grouping of people in residential areas in this country has been greatly misunderstood. He referred to this fact in connection with the Government's attitude towards the Pretoria Agreement. What he meant to say was, so far as I could make out, that in our country where there is no statutory segregation of any class of Indian people, on account of natural causes or due to social or cultural affiliations, groups of people prefer to live together. If the

Indian population in South Africa did of their own accord prefer to give a trial to a system which might have resulted in what is called voluntary segregation by agreement, he did not see any very strong objection to that, and illustrated it by referring to the prevalence of such grouping in this country. The Honourable Member did not certainly desire to condone the existence of segregation in South Africa.

Incidentally, Sir, my Honourable friend, Sir Sobha Singh, has made a reference to the disabilities of Indians in Columbia. I want to inform the House that Government is fully seized of this matter and have made representations more than once in regard to it, and that the number of Indians in Columbia does not exceed 1,500. I have nothing more to say on this question. All that I had to say I have said in my opening speech. I only want to repeat my assurance that I have made the fullest note of the sentiments and views expressed in the House.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Will Government now, in view of the debate that has taken place in both the Houses of the Central Legislature once more press His Majesty's Government to allow them to apply economic sanctions and recall the High Commissioner ?

THE HONOURABLE MR. RABINDRA NATH BANERJEE : Government will now proceed to take decisions on these two questions as soon as possible.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Does the Honourable Member mean that the Government of India is going to take decisions without any reference to His Majesty's Government ?

THE HONOURABLE SIR FIROZ KHAN NOON (Defence Member) : I can tell the Honourable Member that when we have to take decisions we do not write to His Majesty's Government, 'Please tell us what to decide in this matter'. In my experience during the last three years, there has not been one single case where we have not taken action in accordance with our own lights but asked His Majesty's Government to tell us what to do.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I never said anything like that, but in view of what has fallen from my Honourable friend now, may I ask the Honourable Mr. Banerjee who said the Government of India would now take decisions, whether the Government of India have up till now arrived at any decision ?

THE HONOURABLE SIR FIROZ KHAN NOON : These matters you must leave in the hands of the Government of India. We cannot tell you anything more.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I am not putting the question to you. I am asking the Honourable Mr. Banerjee who is in charge of the Commonwealth Relations Department in this House.

THE HONOURABLE MR. RABINDRA NATH BANERJEE : Now that there is such complete unanimity between the Government and the people in this matter, is it too much to ask that some margin of discretion should be left to Government to decide the exact course of action. How exactly Government takes decisions, what exactly Government's Rules of Business are, are perhaps known to Honourable Members of this House, and I feel, Sir, that it is demanding too much at this stage to call upon me to disclose how exactly we are going to proceed. That may not also be in our interest.

STATEMENT OF BUSINESS

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : Sir, I suggest that with your permission we meet again on Monday, the 20th instant to consider and pass the four Bills already laid on the table of the House and to discuss the resolution regarding the Constitution of the permanent Food and Agriculture Organisation of the United Nations. On the conclusion of this business the Council may be adjourned *sine die*.

I understand, Sir, that Honourable Members would like this Resolution to be taken up on Tuesday.

THE HONOURABLE THE PRESIDENT : I would like to have the views of Honourable Members on this.

THE HONOURABLE MR. V. V. KALIKAR: Let us have the Resolution on Tuesday, Sir.

THE HONOURABLE MR. HOSSAIN IMAM: We can have it on Tuesday, Sir

THE HONOURABLE SIB MAHOMED USMAN: I agree to it on the distinct understanding that the Council should finish the discussion of the Resolution by Tuesday evening. We must conclude the session on that day.

THE HONOURABLE MR. V. V. KALIKAR: We can conclude on that day, Sir.

The Council then adjourned till Eleven of the Clock on Monday, the 20th November, 1944.