

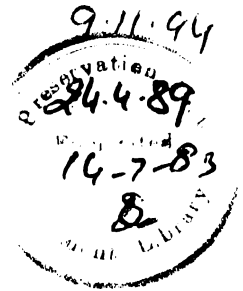
THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume I, 1946

(21st January to 11th February, 1946)

FIRST SESSION
OF THE
SIXTH LEGISLATIVE ASSEMBLY,
1946



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LEGISLATIVE ASSEMBLY

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THE HONOURABLE MR. G. V. MAVALANKAR.

Deputy President :

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Panel of Chairmen :

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Committee on Petitions :

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SYED GHULAM BHIK NAIRANG, M.L.A.

MR. SRI PRAKASA, M.L.A.

MR. T. CHAPMAN-MORTIMER, M.L.A.

SARDAR MANGAL SINGH, M.L.A.

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LEGISLATIVE ASSEMBLY

Tuesday, 22nd January, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. Chairman (Sir Cowasjee Jehangir) in the Chair.

MEMBER SWORN:

Mr. Gauri Shankar Saran Singh, M.L.A. (Gaya cum Monghr: Non-Muhammadian):

MOTIONS FOR ADJOURNMENT

TRIALS OF INDIAN NATIONAL ARMY OFFICERS

Mr. Chairman: As I said yesterday, we have received a large number of adjournment motions. The next one is from Prof. Ranga which runs as follows:

"That the business of the House be adjourned to discuss a specific and urgent matter of recent public importance, namely, the institution of the trial of some of the Indian National Army officers after the emergency of war is over and before ascertaining the opinion of the House."

I find that in the second ballot a Resolution has been drawn, No. 1, by Pandit Govind Malaviya, which is substantially the same as this adjournment motion. I should like to know from the Honourable the Leader of the House whether he has any proposal to make.

The Honourable Sir Edward Benthall (Leader of the House): I may point out that the Honourable Mover of this adjournment motion does not appear to be present in the House.

Mr. Chairman: Somebody from his party will answer for him.

Mr. M. Asaf Ali (Delhi: General): This is a motion of the Party and any one of us can answer for it.

Mr. Chairman: Will the Honourable the Leader of the House state the position of the Government?

The Honourable Sir Edward Benthall: The Government would have no objection at all to this adjournment motion being moved today on the understanding that the Resolution is not moved subsequently. But if that undertaking is not given, the Chair would be perfectly correct in ruling this out of order.

Mr. Chairman: The Resolution has been tabled by Pandit Govind Malaviya. Is the Honourable Member present here to give that undertaking?

Mr. M. Asaf Ali: Before an answer is sought, I should just like to say one word. As a matter of fact, it is a very delicate and difficult question. Personally I am not very anxious that this should be dealt with in an adjournment motion. You cannot go into the subject thoroughly. I do not think the Government will be able to place their case before us in as effective a manner as they should and so far as we are concerned, we have got to say a great deal about it. I should certainly prefer, I speak subject to what my Leader might say, I should prefer a day set apart for a fuller discussion.

Mr. Chairman: Don't speak subject to anything.

Mr. M. Asaf Ali: I should certainly like to have a day set apart for a full dress debate on the subject. The difficulty is this. This adjournment motion deals only with one aspect of the question, whereas the Resolution is more comprehensive. But it may or may not be reached.

Mr. Chairman: You have simply got to say whether you want the adjournment motion or the Resolution.

Mr. M. Asaf Ali: I want a whole day set apart for the Resolution. But I do not want that my non-official day should be cut into.

Mr. Chairman: The position is this. The Honourable the Leader of the House has given two alternatives to you, the option of either moving the adjournment motion or the Resolution. As a matter of fact this adjournment motion is out of order because a Resolution on the same subject is on the agenda. I am trying to meet your convenience. Please answer which would you like, the Resolution or the adjournment motion.

Mr. M. Asaf Ali: We would prefer the Resolution. But the difficulty is that the Resolution may not be reached, it is low down on the list.

Mr. Chairman: The Resolution is the first in the list for 4th February.

Shri Mohan Lal Saxena (Lucknow Division: Non-Muhammadan Rural): It is quite possible that the Resolution moved on 31st January might be continued on 4th February and in that case this Resolution about I.N.A., might not be reached on that day.

Mr. Chairman: You have got to take your chance of moving it on 4th February. It is the first in the list and it is quite likely it will be moved. Take your choice. I am prepared to meet the wishes of the House.

Sardar Mangal Singh (East Punjab Sikh): This Resolution might not be reached at all.

Mr. Chairman: It is the first on the list and it will be discussed on 4th February.

Sardar Mangal Singh: The Resolution which will be moved on 31st January might be taken over to the 4th February and this Resolution might not be reached at all.

Mr. Chairman: There is very little chance of that. Kindly consult and let me know.

Mr. M. Asaf Ali: I think it will be fair either to have a whole day set apart for this Resolution and it must be debated—we must know that it is going to be taken up or we move the adjournment motion and take our chance on the 4th February.

Mr. Chairman: If I admit the adjournment motion it must be clearly on the understanding that this Resolution will not be moved.

Diwan Chaman Lal: (West Punjab: Non-Muhammadan): Sir, on a point of order, the adjournment motion is perfectly in order today and so is the Resolution. The rules say that it will not be in order if there is a Resolution previously appointed. The words are "previously appointed". And if notice of the adjournment motion was given previous to the Resolution the question of "previously appointed" does not arise. The question of its being barred out would arise on the point of whether the one was prior or the other was prior. Priority of time is essential in regard to this. If this was given earlier it is in order and it does not bar our discussion of the adjournment motion, even though later on a Resolution has been tabled and has been balloted for and a day has been appointed. I therefore submit that we would be within our rights from the purely constitutional point of view in moving our adjournment motion today as well as the Resolution later on which has already been tabled and balloted for and for which a day has been appointed.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, Rule 12 (iv) is clear on this, namely,—

"The motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given."

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, we should like to know whether it will be discussed in the form of an adjournment motion or in the form of a Resolution and whether it will be on an official or a non-official day. But we should discuss only once.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): The simple question seems to be whether Government are prepared to allot an official day for the discussion of this subject.

Mr. Chairman: The position, so far as I am concerned, is this. There is an adjournment motion and there is a Resolution, on substantially the same subject. Therefore, according to the rules, if the subject is on the agenda and is to be discussed, no adjournment motion can be moved. But the Honourable Leader of the House has given the Mover of the adjournment motion as well as of the Resolution the option of moving one or the other. If you are not prepared to take a choice between them I will have to give a ruling.

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadian): A third thing is also possible, namely, the Leader of the House can give one full day for discussion in respect of the Resolution and the adjournment motion. I should like to know whether he is prepared to give us one day for this.

An Honourable Member: An official day or a non-official day?

Seth Govind Das: Any day would do.

The Honourable Sir Edward Benthall: In view of the fact that it stands No. 1 on the agenda for the 4th February, it is quite unnecessary to give a day.

Mr. Chairman: I think we have discussed it sufficiently now. If the Congress Party or the Leader of the Opposition desires to have it in the form of a Resolution it is quite possible to do so. If no undertaking is given that the Resolution will not be moved if the adjournment motion is admitted, I will understand what to do.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadian Urban): Do I understand you to say that I have to exercise my option here and now?

Mr. Chairman: Yes, I have to give my ruling and I want to meet your convenience. As Leader of the Opposition I want to have your views one way or the other.

Shri Sarat Chandra Bose: After listening to the discussion I may tell you that I am in favour of moving an adjournment motion.

Mr. Chairman: Is there an undertaking given that the Resolution will not be moved?

Shri Sarat Chandra Bose: That is a matter which, I submit with great respect, does not arise now. If by reason of moving the adjournment motion the Resolution drops, then, of course, you will give your decision accordingly.

Mr. Chairman: No, that must be understanding, otherwise I must rule the adjournment motion out of order.

Shri Mohan Lal Saksena: Before you rule it out of order I wish to make one submission. If I send notice of an adjournment motion, another Member may send notice of a Resolution simply to defeat my purpose.

Mr. Chairman: He can; that is possible.

Shri Sarat Chandra Bose: Is it your view that though the Resolution has been tabled subsequently, it has the effect of defeating the adjournment motion?

Mr. Chairman: That is so.

Shri Sarat Chandra Bose: My decision is that we shall move the adjournment motion.

Mr. Chairman: Then do you give an undertaking to the effect required?

Shri Sarat Chandra Bose: No. I regret it is not possible for me to give any undertaking of the kind you ask for.

Diwan Chaman Lal: Sir, I rise to a point of order. The point of order that I raised before seems to have been lost sight of in the subsequent discussion. According to Rule 12(iv) on page 124 of the Manual. . . .

Mr. Chairman: I have heard that point of order and I think we have discussed it long enough. I personally have gone out of my way to try and meet the convenience of Honourable Members. Ordinarily I would have ruled it out of order straightaway, but after this discussion and no undertaking being given I must rule the adjournment motion out of order.

POLICE FIRING ON STUDENTS IN CALCUTTA AND OTHER CITIES

Mr. Chairman: The next adjournment motion of which notice has been received stands in the name of Maharajkumar Dr. Sir Vijaya Ananda, who wishes to discuss a definite matter of urgent public importance, namely, the recent indiscriminate and uncalled-for firing resorted to by the police on innocent students in Calcutta in particular and in several cities all over the country in general.

What has the Honourable Member got to say about this? I would like to hear him first.

Maharajkumar Dr. Sir Vijaya Ananda (United Provinces: Landholders): As we all know the firing resorted to by the Police on innocent students is such a matter that I would like this House to discuss it on an adjournment motion. So many lives were lost and Government have not done anything to compensate the families. It is a matter of great vital importance and I would very much like this House to discuss it.

The Honourable Sir John Thorne (Home Member): I am aware of the importance of the matter so far as it relates to Calcutta, but what has happened in "other cities all over the country" I do not know. I submit, Sir, that it is purely a matter of provincial concern. The action was presumably taken under Chapter IX of the Criminal Procedure Code which confers certain powers on Magistrates and Police for the dispersal of unlawful assemblies. Those Magistrates and Police are entirely under the orders of the Provincial Government and I submit that the Governor General in Council has no concern in this matter.

Diwan Chaman Lall: May I ask my Honourable friend whether the military were also called in and whether any action was taken by the military? If it is so, then it would be the responsibility of the Governor General in Council.

The Honourable Sir John Thorne: No, Sir. I referred to Chapter IX of the Criminal Procedure Code which confers powers on the local authorities to call in the military in aid of the civil power. If the military was called in, it was by the local civil authority which is entirely under the control of the Provincial Government.

Diwan Chaman Lall: May I submit that the military are not under the control of the Provincial Government. They may have been called in in aid of the civil power in the province, but they are controlled by the Governor General in Council, and therefore the responsibility of the Governor General in Council arises.

The Honourable Sir John Thorne: Might I add a remark on that, Sir? If my Honourable friend stresses the part taken by the military, may I say that there is no mention whatever in this adjournment motion of any military forces whatever.

Seth Govind Das: Does the Honourable Member deny the fact that military was called in? There may not have been any mention of that in the adjournment motion, but does he deny the fact that the military was called in?

Maharajkumar Dr. Sir Vijaya Ananda: The Honourable the Home Member said that it was a provincial matter. I submit that this is an all-India matter because it involves not only one type of students, but all types of students—Hindus, Muslims and others—and in view of the fact that there is Section 98 Government in Bengal, how are the people to ventilate their grievances? How are they to say that the Government should stop this cruel way of firing on students?

Seth Govind Das: My question is still unanswered.

Mr. Chairman: I think we have discussed it sufficiently.

Sardar Mangal Singh: I want to know whether the action was taken under the Defence of India Rules or under Section 144. How was the procession banned? If action was taken under the Defence of India Rules, then the motion

is quite in order. Will the Honourable the Home Member inform the House about this?

The Honourable Sir John Thorne: I have no information about this except what appeared in the newspapers, and if I make an assertion or denial I might be wrong. My objection is that it is entirely a matter for the local authorities.

Mr. Chairman: Following the previous rulings on this point, I must rule it out of order.

SHOOTING OF I. N. A. PRISONERS

Mr. Chairman: The next adjournment motion is by Mr. Satya Narayan Sinha, namely: this Assembly do now adjourn to discuss an urgent matter of public importance, namely the shooting of many I. N. A. prisoners in the different detention camps of this country.

An Honourable Member: Mr. Sinha is not present in the House.

Nawabzada Liaquat Ali Khan (Meerut Division: Muhammadan Rural): If the Honourable Member is not present in the House, then I submit the motion cannot be taken up.

Mr. Chairman: The point is that the adjournment motion is not going to be taken up immediately. If it is in order, it will be taken up some time later in consultation with the Leader of the House, and therefore if the Honourable Member is not present it is not his fault.

Nawabzada Liaquat Ali Khan: But how do you know that the Honourable Member wants to move it?

(By this time Shri Satya Narayan Sinha had come.)

Mr. Chairman: I have just read out adjournment motion No. 6 standing in your name. It is rather vague. Has the Honourable Member anything to say about it? What are the facts?

Shri Satya Narayan Sinha (Darbhanga, cum Saran: Non-Muhammadan): I want to move this adjournment motion. There has been shooting in Calcutta and other places.

Mr. Chairman: There must be a definite point. What has Government Member to say in this connection?

Mr. P. Mason (Government of India: Nominated Official): I think that the facts are really rather different from those that one might suppose from this wording. There have been no shootings in many camps all over the country. There have been two instances: In one case a man was trying to escape from a camp through the barbed wire. He was challenged by the sentry. He did not answer, but continued to try to escape. He was challenged again but he continued to try to escape, and after the third challenge the sentry fired and wounded him. He is now in hospital and as soon as he is out of hospital, a court of enquiry will be held and the matter will be fully enquired into. The orders to the sentry were however that he should act in that way, and the sentry acted in accordance with the orders. I suggest that that is not a grave matter of public importance, and it is also in a way *sub judice* because it is to be enquired into by a Court of enquiry.

The second case, which has been reported in the press, happened at Nilgunj. That was a serious incident in which a number of people were killed. On that a court of enquiry has been held and as a result of that court, two officers are to be court-martialled. I suggest that that is not a subject for debate because anything that is said in this House would, I think, prejudice those officers in their defence.

Mr. Chairman: I take it that there were two cases only both of which have been explained. The second one is *sub judice*.

Diwan Chaman Lall: May I say a word in this connection. If a court of enquiry has been held and if a Court Martial has not proceeded on the basis of the court of enquiry, the matter is not *sub judice*. It would be absurd to say that the matter is *sub judice*, and it would be equally absurd to say that it would prejudice the case of officers who are to be court-martialled. My Honourable friend is aware of the precedent in this very House when actually a case was proceeded with in a Court of Law, namely the Meerut Conspiracy Trial, and although the case had been handed over to the Court and arrests had been made, yet this House allowed an adjournment motion which was discussed on the floor of the House.

Mr. Chairman (Sir Cowasjee Jehangir): On the facts placed before us, I am afraid I must rule this out of order.

DEMAND OF SECURITY FROM NATIONAL HERALD OF LUCKNOW

Mr. Chairman: The next adjournment motion is from Maharaj Kumar Dr. Sir Vijaya Ananda. He submits that "the action of the Government of the United Provinces in demanding a security from the *National Herald* of Lucknow so soon after the resumption of its publication is, by any showing, arbitrary and high-handed and cuts at the root of the freedom of the Press in the country".

He thinks it is appropriate that the House should take it up and deprecate and censure in no uncertain terms the action of the local Government. As the matter is one of urgent public importance, he appeals to the House to judge the issue on its merits. He believes that this affects India's freedom so closely that the House cannot afford to let it pass without a word of condemnation.

I am afraid the adjournment motion is not properly worded. But it does not matter. I see this was done in Lucknow. Will the Honourable the Home Member place the facts before the House?

The Honourable Sir John Thorne: I am afraid I cannot "place the facts". I know no more about it than the Honourable Mover. Action has presumably been taken under the Press Emergency Powers Act and the only authority that has power under that Act is the Provincial Government.

Mr. Chairman: The same point as before?

The Honourable Sir John Thorne: The same point as before.

Mr. Chairman: Following previous rulings, I must rule this out of order.

USE OF INDIAN TROOPS IN INDONESIA AND INDO-CHINA

Mr. Chairman: I have received a notice from Shri Mohan Lal Saksena who wishes to move the adjournment of the business of the House on the first day of the forthcoming session of the Assembly to consider an urgent matter of public importance, *viz.*, to censure the Government of India for permitting the use of Indian troops in Indonesia and Indo-China to suppress the national governments there and to re-establish the imperialist hold of the European powers. This has been discussed yesterday and it is finished.

FORCED REALIZATIONS UNDER NATIONAL SAVINGS DRIVE

Mr. Chairman: The next motion is in the name of Babu Ram Narayan Singh who wishes to adjourn the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, *viz.*, the deliberate failure of the Government of India in not stopping the forced realization, by official agency, of money from the general public in the name of National Savings drive even though, as a result of the constant and country-wide agitation against it, the very House gave a clear verdict against it during its last session.

From the very fact of the wording of the adjournment motion, it is out of order. It was discussed in this Honourable House.

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): My point is that this realization has been going on in spite of the decision of the House at its last Session.

Diwan Chaman Lall: It is a matter of urgent public importance.

Mr. Chairman: It is not. It has been discussed thoroughly in this House.

Diwan Chaman Lall: May I make a request? These matters involve not only matters of principle but of grave importance to the House and when you are in a mood to rule a particular motion out of order, you may be pleased to hear us.

Mr. Chairman: I am always prepared to hear you.

Diwan Chaman Lall: In regard to this matter, there are certain things about which we must satisfy you. It must be of public importance: it must be a specific matter: it must be of recent origin. Those are the points on which we have to satisfy you and if we do so then obviously a motion, if the other things are satisfactory, must be ruled in order and not out of order. The motion before you is a motion which relates to a specific matter. It is a motion which is of public importance and it is a motion which is of recent origin, namely, since the passing of the previous resolution on the floor of this House, certain things have happened which we were unable to bring to the notice of this House until today. That is what gives it importance from the point of view of its recent origin. I submit when we have satisfied you that it is a matter of public importance, of recent origin and a specific matter, I cannot see how it can be ruled out of order merely because a resolution relating to something similar was debated on the floor of the House. We are not debating that resolution. We are debating something which has happened, since it was passed.

Mr. Chairman: I have understood you. The position is perfectly clear. This very resolution was discussed at great length in this Honourable House and the only contention is that the same sort of thing is happening again. Well that is not a matter of urgent public importance. I must rule it out of order.

SIGNING OF BRETTON WOODS FINANCIAL AGREEMENT

Mr. Chairman: The next adjournment motion is from Sardar Mangal Singh who says that on the opening or any subsequent day of the coming Session he wishes to move that the business of the House be adjourned for the purpose of discussing a definite and urgent matter of public importance, *viz.*, the sending of authorisation by the Government of India to India's Agent General in U.S.A. to sign the Bretton Woods Financial Agreement, without any previous reference to this Assembly as promised by the Government spokesman during the last Budget Session.

Well a day has been allotted to discuss the Bretton Woods Agreement and the Honourable the Finance Member has already notified it.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): There are two issues involved. One is that this Government decided that India should join. Whether on the merits of the case it was wise or proper is one contention for which they may be censured and that is covered by the resolution which you mention which Government are bringing up. But the other thing which has been made clear on an adjournment motion, on which I have myself given notice, is that even if this House ultimately agrees that the action taken was all right so far as it was desirable for India to be an original member of the Bretton Woods Fund and Bank, even then it was wrong for this Government to disregard the undertaking to this House not to have called an earlier Session, not to have waited till after this House met and in the absence of the people and at the back of the representatives of the people to have taken that action. It was an affront to the privileges of this House that this irresponsible Government should go behind our back. There are therefore two aspects and we are entitled to condemn them for one or the other or for both.

Mr. Chairman: You can condemn Government under both aspects during the discussion but under Rule 4 paragraph 48 of the Manual, I cannot rule that anything that anticipates a matter previously fixed for consideration is in order. I rule it out of order.

REJECTION OF RAILWAYMEN'S FEDERATION DEMANDS *re* RETRENCHMENT

Mr. Chairman: The next adjournment motion is also in the name of Sardar Mangal Singh who wishes to discuss a matter of urgent public importance, *viz.*, the rejection by the Railway Board of the demands of the Railwaymen's Federation regarding retrenchment of the Railway personnel.

I would like the Honourable Member in charge of Railways to give me his opinion.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): I would like to know whether the Honourable Mover is going to move this. It seems to me that it is not a matter of such urgent public importance as to require an adjournment of the House in view of the fact that the whole subject will come up in the course of the Railway Budget in the very near future.

Mr. Chairman: Does the Honourable Member press for moving it?

Sardar Mangal Singh: Yes, I do.

Mr. Chairman: He does press it. But I would like to know more facts before I give my decision. From the statement made by the Honourable the Railway Member I cannot rule it is out of order. I take it that retrenchment has taken place since then. It is perfectly true that Honourable Members will have an opportunity of discussing this matter at the Railway Budget, but as a matter of fact the House will have an opportunity of discussing everything during the Session in one Budget or the other.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): This matter will not be the only matter which will be debated for two days. On the general discussion there will be so many things on the railway budget that this matter will not find even five minutes.

The Honourable Sir Edward Benthall: I have no particular objection to the matter being discussed.

Mr. Chairman: I admit this adjournment motion. Now when should it be taken up?

Sardar Mangal Singh: Frankly speaking, I was not expecting my motion to come up. However, I submit that it should be taken up at 4 o'clock or after lunch.

Mr. Chairman: It is the Leader of the House, who under the rules has to express an opinion in the matter. Ordinarily it would come up at 4 o'clock which might be inconvenient to the House since there is very little business to be done. I therefore suggest 2-30 P.M.

The Honourable Sir Edward Benthall: Anything to meet the Honourable Member's convenience!

Mr. Chairman: The adjournment motion will be taken up at 2-30 P.M. and, as every Honourable Member knows, will last for two hours and each speaker will get fifteen minutes.

ELECTION OF MEMBERS TO STANDING FINANCE COMMITTEE—*contd.*

Mr. Chairman: The next item on the list of business is the further consideration of the election of the Standing Finance Committee which we postponed till today. Would the Honourable the Finance Member like to make a statement?

The Honourable Sir Archibald Rowlands (Finance Member): Before I move the motion, I think it would be convenient for the House if I said a word or two on the discussion that took place yesterday on the same motion. I have looked up the debate, to which reference was made by Sir Mohammad Yamin Khan, and I have acquainted myself with the assurances which were given by my predecessor on that occasion. Briefly the assurances were these: that he would be willing to discuss with the members of the Standing Finance Committee the possibility of extending the scope of the Committee with a view

to bringing into consideration not merely all specified and particular demands for new expenditure put forth by the spending departments, but to cover such questions as the system of financial control, the system of contracts in the Supply Department, bribery and corruption and waste and he said that he would be prepared to have discussions on those subjects, whether they related to voted expenditure or non-voted expenditure. But he did not give any undertaking to submit any specific proposal of non-voted expenditure to the committee. He discussed the question with the Committee during the session and some useful work was done. If this Committee is appointed I will certainly carry on on the lines of my predecessor's assurance in this regard. After all, as Finance Member I am the last person to seek to clip the wings of the Standing Finance Committee. As I think Sir Zia Uddin Ahmad said on the last occasion, when it was debated, the Standing Finance Committee is the second line of defence of the Finance Member and I need quite a lot of defence in some of the spending departments.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): May I ask the Honourable Member whether he proposes to help this Committee to have its own non-official President and what is the position in England—whether it is the Chancellor of the Exchequer who presides over this Committee or whether one of the non-official members of that Committee is allowed to become its chairman?

The Honourable Sir Archibald Rowlands: There is no such Committee in England.

Prof. N. G. Ranga: What does he propose to do here in this country? On previous occasions our late-lamented friend Mr. Satyamurthi pressed it very hard on Government the advisability of allowing this committee to have its own elected non-official chairman. I would like to know the attitude of the Honourable the Finance Member in regard to this matter.

The Honourable Sir Archibald Rowlands: Speaking from the point of view of my own convenience I would welcome it. I doubt, however, whether it would be as useful as it is now. But, as I said, speaking from the point of view of my own convenience, nothing would please me better.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): The Standing Finance Committee is on a different footing from the Standing Finance Committee for Railways. The Standing Finance Committee for Railways was created under the Convention of 1924 and general Finance Committee by the executive action of the Governor General in Council. As Sir Malcolm Hailey pointed out in 1921—I will just quote his words—"it (the Standing Finance Committee) is in pursuance of a decision at which we ourselves have arrived and which we believe will be of advantage to us and the Assembly". As to its functions, this has been the subject of discussion ever since the Standing Finance Committee was first established in the year 1921. Sir Malcolm Hailey who moved for the establishment of the Committee gave three distinct objects and powers of the Standing Finance Committee. These powers were enlarged in the following year, when they were put in the form of a resolution to this House. I have always thought from my experience of several years that this Standing Finance Committee examined all the proposals of the spending departments. But during the time of one of the predecessors of the Honourable Member the procedure became entirely different. It was this that whenever any proposal was put before the Committee by any department, then the Finance Member instead of leaving it for examination by the Standing Finance Committee (which as I called at that time was his second line of defence) he himself became a party to the proposal and argued with the Standing Finance Committee, as though the proposals were his own. He took the place of the departments themselves. This I objected to at that time. But I believe that the Standing Finance Committee is really an advisory Committee as pointed out by Sir Malcolm Hailey to the Assembly. The idea was that when proposals come up for discussion some committee should

[Sir Zia Uddin Ahmad]

examine all this material before it is placed before the Assembly. This is the position which has been accepted. But the difficulty which will now arise is entirely of a different nature. During wartime a number of proposals came to us which we did not have the opportunity to examine in detail and when we were assured that they were necessary for the successful prosecution of the war, we accepted the proposals and the House also accepted them. Now that the war is over the position is different. Proposals for expenditure in the name of reconstruction will come in and we will have to make our recommendations on them without knowing whether the Assembly will accept the policy. If expenditure is in pursuance of new policy, which the Assembly had never examined before, then the members of the Standing Finance Committee will be in a difficult position. But taking up a definite example, I hear that there is such a thing as a Policy Committee which the Assembly does not know of. The proposals of the Policy Committee have not been examined by us. The departments which initiated these new policies will come forward with definite proposals of expenditure and the Standing Finance Committee will be in difficult position. They would be at a loss to know whether they should or should not recommend a very big expenditure on a certain item and indirectly secure the consent on a new policy. This is a thing which I think requires the consideration of the Honourable the Finance Member.

Mr. Chairman: May I draw the Honourable Member's attention to the fact that we cannot have a debate on the finances of this country on this motion. The point is whether the Standing Finance Committee should be appointed or not—whether it is advisable to appoint it or not. That is the point.

Dr. Sir Zia Uddin Ahmad: The point we are discussing is the function of the Finance Committee.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): The point is whether voted items only or non-voted items also may come before the Committee.

Mr. Chairman: The Honourable Member may continue.

Dr. Sir Zia Uddin Ahmad: The Government have initiated a Policy Committee and whenever new items of expenditure come in, the Finance Committee should have the opportunity to examine not only the question of expenditure but also the matter of policy, whether the policy is correct and they should be able to tell the Legislative Assembly whether they do or do not agree with the policy. Therefore in this regard the powers of the committee should be extended, not only to discuss whether a particular item of expenditure is justified or not but also whether the policy under which the item is brought before the committee should or should not be recommended to the Assembly.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): Sir, as an old member of the Standing Finance Committee, who has been on it for several sessions I feel that the question before the House, as to whether the Committee should be elected or not, can quite conveniently be answered by the fact that this Standing Finance Committee has done a great deal of useful work. I admit, Sir, that it has had its limitations, that there are a number of subjects which can come before it which have not come to it and that in many cases the opinion of the Committee has been regarded as almost taken for granted. But I feel that we are entering into a new era with an Assembly which is more virile than the last and which consists of representatives who are strong and who have strongly formed opinions, so that they will be able to bring on the Honourable the Finance Member himself and his department a very great deal of pressure, pressure which the Honourable Member, although he may be very stalwart, will not be able to resist. If we forego this privilege as it is now, with all its limitations, I think we shall be foregoing a right which belongs to this House and which can be made a strong weapon for the good of the country and for the upkeep of the privileges of this House.

A question has been raised by an Honourable Member opposite as to whether the Chairman should be a non-official or whether, as now, he should be the Finance Member. I have no particular opinion as to who the chairman should be; but I do definitely feel that as the order of things stands now, it is very necessary that the Finance Member should be present there in some capacity or other. (*An Honourable Member*: "He is sure to be there".) I am coming to that. The first point is this: that as things now stand, the Finance Member has charge of the finances of this country and he is in charge of the spending departments. After all, we have to recognise the fact that under the present constitution the Standing Finance Committee is an advisory committee and it is not an executive committee. It has no power to order expenditure. Who that comes, it will be another matter; but so long as the function of the committee is advisory, it seems to me that it is really meant as a representation from this House to watch over the proposals made by the Finance Department and also to restrict expenditure where necessary. The members of the Committee are able to give to this House their opinion as to whether the Finance Department has been true to its stewardship, whether it has been discharging its obligations and its duties in the best interests of the country. That being so, I feel that the time has not come at present to have a non-official chairman, because the person in charge of the finances should be there to receive advice, and, I may perhaps add, to a certain extent guidance from the members of this committee. Sir, I support the proposal that the House should proceed to elect the Standing Finance Committee and that at the present time it is not necessary to press the second point.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, I would most earnestly request you not to regard this as a futile debate. This is an issue of the privileges of this House; it is an issue in which what is involved is the manner in which Members of this House can first understand the affairs of this country and carry out the oft-repeated demand that non-official Indians will be associated. After all this is being done under the 1919 constitution and this does not go very much further than purely association; but even in this association, are we not entitled to make suggestions as I did last time? In response to that suggestion, I evoked from the then Finance Member a very full assurance which we got. I would therefore respectfully submit to you to bear with us and not to regard this as a futile debate. None of us is taking up this point merely as a dilatory or obstructive measure. We want to be clear as to the functions which I regard as the most important constitutional function of this House. It is a question over which this House has shown itself extremely sensitive, right from March, 1922 and later in 1928; and as you desire that we should all be brief, I will not go into it—otherwise I would prove to this House that this is not a new subject. This is a subject on which Members of this House of all parties have been extremely keen. What is it that we want after all? My first suggestion was that we want full information—the whole picture. We want full information on the voted as well as the non-voted subjects; we do not want a page in the accounts of India in which is put down 437 crores and then a line is drawn and then this 437 crores is taken as the total! I say this is an affront to the representatives of the people. It is true that under the old constitution we are not called upon to vote on it, and even if we vote against it, no notice is taken of it. But I say that the Government have taken an undue and unfair advantage against the non-official Members of this House all these years in not disclosing the particulars of the non-voted items. It is true that the constitution gives you the protection that on certain topics you need not come to us for our vote, but the constitution never gave you the permission—in fact I cannot imagine any constitution which entitles the executive to withhold relevant and full information from the representatives of the people with regard to the monies collected from taxes and revenues and spent away. No constitution in the world you can claim will give you this power, which, as I say, has been purely an abuse of power by this irresponsible executive in the past.

[Mr. Manu Subedar]

We are entitled—and I raise this point specifically—to the fullest information on every non-voted item, the fullest information on every new proposal with regard to non-voted items, the fullest information regarding policy, as my honourable friend Dr. Sir Zia Uddin Ahmad mentioned. In fact, the last Finance Member did say and did give an undertaking that he will ignore the differences between voted and non-voted expenditure and he was prepared not to emphasise this difference. I welcome the assurance which the Finance Member has given us this morning as far as it goes; and as he tried to be very brief, I assume that he has not exhausted all the items covered by his assurance. I assume that he will carry out verbatim what his predecessor has said.

May I point out one more thing? Sir Jeremy Raisman said with regard to this subject that it has taken a somewhat flexible form; the function of the Standing Finance Committee has been enlarged during the last year and it has taken a somewhat flexible form: in other words, this is one of the living organisms attaching to this body—a question of the privileges of this Assembly; and it has been flexible as the last Finance Member said. We want it to be more flexible; we want this Finance Member to give us an assurance that he will also not emphasise and not take notice of the difference between voted and non-voted, and give as complete information on the non-voted heads as is given with regard to the voted heads.

I do not want to make a threat, but I do say and I submit it with all humility and purely in the parliamentary spirit and not as a political issue—I do say that if you do not give us full information of what you are going to spend money upon and what you have been spending money upon, how do you expect us to vote supplies? Why should we vote any supplies to you at all? How do you expect us to co-operate with you and give us the authority which, as representatives of the people we possess, to collect monies from this country? Why should we not drive you, as we have done in the past over and over again, to collect by ordinance in spite of us? And, if it is the desire of Government that we should co-operate, why should we co-operate unless we get this assurance, which is, I submit, the right of an elected assembly? It is the right of the elected representatives to have the fullest information placed before them. I trust the Finance Member will revise the assurance given to us and will give us a full assurance, as I am now asking.

Sir Mohammad Yamin Khan: Sir, I am glad that the Honourable Finance Member has read out to a certain extent the assurance given by his predecessor in office on a cut motion moved by my party. We have been watching for a long time that the expenditure was going up by leaps and bounds; the matter which came up before the Finance Committee was the appointment of certain clerical staff, which amounted only to a few thousand rupees, while lakhs of rupees were spent on the officers who were imported from outside or were foreigners in this country who could not get jobs elsewhere.

Then if the salary became non-voted, no vote of the House could be taken.

12 Noon We knew our difficulties that the money could not be voted here but there was no bar to those matters being examined by the Finance Committee. The Finance Committee could examine the expenditure and say whether a particular person should be appointed on a particular job or not. It is not for the Government to appoint officers and then come before the Finance Committee or the House and say—so much is required for the clerical staff. This is what we have been seeing in connection with the Supply Department. There our accounts have been going up very high. There was no control. For this purpose a retrenchment committee was suggested by us but it was not acceptable to the Honourable the Finance Member on the ground that it will put a high pressure on the highly over worked personnel of the Finance Department but he gave this assurance to this House—that although he may not appoint a

retrenchment committee he will examine every item before the Finance Committee and he will deal with the matter quickly. We have not come to normal conditions yet and it is time therefore that the Finance Committee who are the representatives of this House should sit quietly in a small place and examine each and every item and see whether it is essential for the administration of the country or not. I do not think that the Government should be allowed a free hand to say this—that on a particular post a person should be brought whose salary is non-voted.

Many times we have seen that a person is carrying ordinarily a salary of Rs. 1,500 or something like that and at once he is brought to a place which carries double the salary. Then the Government says—because this man's salary is non-voted therefore he must come up and occupy the position and we have got no voice to say whether a man on lesser pay could be brought in this post or not. This is going on under the guise of non-voted heads. I think a great deal of expenditure has been increased and we want to put a stop to this matter and I think the Honourable the Finance Member should give explanation to the Finance Committee on each and every item—whether a person whose salary is non-voted should be brought to a particular place or not and why not a person whose salary is votable. We saw a great anomaly last time. The salary of the Chief Commissioner for Railways who has just retired, was votable while the salary of his subordinates was non-votable. We could say whether a particular man should be turned out or not. We could say that a man's salary could be reduced. We found that the Chief Commissioner's salary was votable but we could not touch any member of the Railway Board or even the Secretary of the Railway Board. All these anomalies are there and I think they should be removed and a practice must be adopted by the Finance Member by which one day there will be no difference between voted and non-voted grants. I think this ought to be the function of the Finance Committee and if we receive an assurance on this point, we are prepared to have this Standing Finance Committee.

Mr. M. Asaf Ali (Delhi: General): When I raised this question yesterday, I really did not want a full dress debate on the subject. I wanted the Honourable the Finance Member to make up his mind about the functions, powers and the procedure which the Standing Finance Committee should adopt and follow. The history of the Standing Finance Committee, as Sir Zia Uddin Ahmed pointed out, is a very sorry one. You, Sir, as an old member of the House, remember that the Standing Finance Committee came into existence in 1922. Its objects were to scrutinise all proposals for new votable expenditure in all departments of the Government of India, to sanction allotments out of lump sum grants, to suggest retrenchments and economy in expenditure and generally to assist the Finance Department of the Government of India by advising on such cases as may be referred to it by the Government. This was the original plan which Sir Malcolm Hailey had in view and which in 1922, was expected to be put into operation. Later in 1923 it appears that this proposal was not considered practicable and therefore certain amendments were proposed by the Government which did not seem to satisfy the House at that time. Still the Standing Finance Committee came into existence and continued to function. I need not go into the entire history and point out the various changes which were made from time to time but I remember quite distinctly that in 1937 or perhaps in 1938—I am speaking from memory—we had a big quarrel with Sir James Grigg over the whole thing and at that time Sir James Grigg did something which was not very creditable. He actually dropped the whole idea and the Standing Finance Committee ceased to exist. The annual motion for the Standing Finance Committee was never brought up. The trouble arose more or less in this way. I remember as a member of the Standing Committee that the proposals which used to be put before us related to specific new items. Sometimes these items covered a few lakhs, sometimes not more than 12 lakhs out of crores and crores. Sir James Grigg felt a little annoyed that we took a lot of time and we criticised the policies behind the items but the reason why we criticised the

[Mr. M. Asaf Ali]

policies were quite clear. An item by itself may be a very small one but it may involve a policy which may eventually bring about a tremendous amount of expenditure. Take the All India Radio. I believe the original grant that was brought before us for examination did not go beyond a few lakhs but what is happening today? It may easily be running into crores. Similarly Civil Aviation. The original grant for this was about 80 lakhs at that time relating to landing grounds and so on and now it is running into crores. There may be policies behind even small items which may eventually burden the country with tremendous expenditure. It is not therefore merely a question of the few items that are brought before us for examination. We must go fully into the whole system and we should be in a position to offer such advice as we think is necessary. Of course, eventually everything will come before the House and the House will either vote for or against it; vote the whole thing down or otherwise. I quite realise that the object of the Standing Finance Committee, as explained by the Honourable the Finance Member, is that he should have a nucleus in the House and familiarise this nucleus with the policies behind the expenditure which the Government is going to incur and create, as he says, his second line of defence. I do not know which his first line of defence is going to be.

The Honourable Sir Archibald Rowlands: The Finance Department itself.

Mr. M. Asaf Ali: I take it, the final line of defence will always be the Governor General's veto. Now, why go on with it? Let us devote our attention to this question here and now in the House. Why not give to the Standing Finance Committee as much power as possible? Give this Standing Finance Committee some scope for work, so that finally it should be the voice of the House which must guide your policies. Then, you will have no trouble. But if the Standing Finance Committee's power is going to be confined to a few items of expenditure here and there and for the Finance Member is going to tell them either to accept or reject his proposal and he finally sticks to his guns, then you know what the result is going to be. But if you really want effective working of the Standing Finance Committee, its powers and functions should be as wide as possible. They should really cover the entire field. I entirely agree with my Honourable friend Mr. Manu Subedar that not only votable expenditure but even non-votable expenditure should come before the Committee. We should be able to examine everything. We know where our powers are limited. The constitution is limited, but surely this constitution is going to be scrapped as quickly as possible. If you wish to anticipate a bit, why not begin to act from now onwards. Deal with this House as if it were a responsible House and not deal with this side of the House as an irresponsible section of the House. After all, it is our voice that is going to count. Therefore, why not treat us as such?

Now, the Honourable the Finance Member may easily ask us: What is it that you are going to propose? I do not wish to propose anything in particular. I am only placing before you certain suggestions and I am leaving it to you to think these matters out. I believe Sir James Grigg had some kind of a model in view. He was thinking in terms of the practice in the House of Commons. I suggest that the Honourable the Finance Member may look into that question carefully and see if he cannot model the Standing Finance Committee along those lines. I do not remember the exact details at present, but if he will be so good as to look into the whole question from this point of view, I am perfectly certain that the purview of the Standing Finance Committee will become co-equal with the Finance Department. I am not suggesting that they will lay down the whole policy and you will accept it, but their advice should be accepted by you as far as possible.

Mr. Chairman: The question is

Mr. Manu Subedar: May I know, Sir, whether the Finance Member is going to enlarge this assurance as requested from this side of the House or whether he is going to remain content with the very meagre and unsatisfactory expressions of it?

Mr. Chairman: Does the Honourable the Finance Member want to address the House?

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I add a few words to what my Honourable friend Mr. Manu Subedar has said? It is a very important matter. I realise that the Honourable the Finance Member has given the same assurance, I take it, as was given by his predecessor. But what the House wants to know now before it begins to participate in the election of the Standing Finance Committee is whether the Honourable the Finance Member is going to throw open almost every item of expenditure that comes before the Finance Department for scrutiny by the Standing Finance Committee? I myself had been a member of the Standing Finance Committee and had no difficulty generally in the olden days. But we are in a different mood at the present moment. And what we would like is that the Honourable the Finance Member should also turn over a new leaf. Let him give an assurance to the House that every item of expenditure that comes before the Finance Department will be thrown open to the Standing Finance Committee for its scrutiny, so that proper check can be had of the items of expenditure proposed by the Standing Finance Committee. There is no other method. The method of the House of Commons is an entirely different one. There the whole House resolves itself into a Committee and goes into various items of expenditure. The only method that we have here is the Standing Finance Committee and no other except the limited method we have on the floor of the House when the Finance Bill comes up and the Budget is presented. I would suggest to the Honourable Member to take that into consideration in view of the new period that is before us and to let the House have an assurance that everything that the Finance Department wants in the way of expenditure will be placed before the Standing Finance Committee for its proper scrutiny.

The Honourable Sir Archibald Rowlands: Sir, I am more anxious than anybody else to have all the help I can and all the co-operation I can of the Members of this House in dealing with this year's budget. I will give the assurance that, so far as it is practicable and so far as it lies within my own authority, there will be no discrimination between the discussion of non-votable and votable items. But the assurance that is sought of me is so wide that I do not know what it is going to lead to. It is quite impracticable for a Committee to examine every item of expenditure that is examined in detail by scores of officers every day. That is not done at home in the United Kingdom and it cannot be done here. I am thinking of my successor. I do not want to hamstring him with a procedure which I know to be impracticable. I am thinking more of my successor and of others who will come in the course of the next few months. I will very willingly consult the Members of the Standing Finance Committee as to the extent to which we can work out a procedure along with the lines which the Honourable Members have in mind. Beyond that, I do not think it will be fair to my Department or to the Committee itself or to my successor to go.

Mr. Chairman: The question is:

"That this Assembly do proceed to the election, in such manner as may be approved by the Chairman, of 14 non-official members to serve on the Standing Finance Committee for the remainder of the financial year 1945-46 and for the financial year 1946-47."

The motion was adopted.

ELECTION OF MEMBERS TO PUBLIC ACCOUNTS COMMITTEE *

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I move:

"That the non-official members of the Assembly do proceed to elect, in the manner required under Rule 51 of the Indian Legislative Rules, eight Members to be members of the Committee on Public Accounts."

Mr. Chairman: The question is:

"That the non-official members of the Assembly do proceed to elect, in the manner required under Rule 51 of the Indian Legislative Rules, eight Members to be members of the Committee on Public Accounts."

The motion was adopted.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR WAR TRANSPORT DEPARTMENT.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, eight non-official members to serve on a Standing Committee to advise on subjects with which the Department of War Transport is concerned, other than those within the purview of the Standing Committee for Roads, for the period comprising the unexpired portion of the current financial year and the whole of the next financial year 1946-47."

Mr. Chairman: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, eight non-official members to serve on a Standing Committee to advise on subjects with which the Department of War Transport is concerned, other than those within the purview of the Standing Committee for Roads, for the period comprising the unexpired portion of the current financial year and the whole of the next financial year 1946-47."

The motion was adopted.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR LABOUR DEPARTMENT

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, ten non-official Members to serve on the Standing Committee to advise on subjects, with which the Labour Department is concerned, for the remaining period of the current financial year and for 1946-47."

Mr. Chairman: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, ten non-official Members to serve on the Standing Committee to advise on subjects, with which the Labour Department is concerned, for the remaining period of the current financial year and for 1946-47."

The motion was adopted.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR POSTS AND AIR DEPARTMENT

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, five non-official members to advise on subjects dealt with in the Department of Posts and Air during the unexpired portion of the year 1945-46 and the whole of the year 1946-47."

Mr. Chairman: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, five non-official members to advise on subjects dealt with in the Department of Posts and Air during the unexpired portion of the year 1945-46 and the whole of the year 1946-47."

The motion was adopted.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR COMMON- WEALTH RELATIONS DEPARTMENT

Mr. R. N. Banerjee (Secretary, Commonwealth Relations Department): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, ten non-official members to serve on the Standing Committee for Commonwealth Relations Department during the unexpired portion of the current financial year and the whole of the next financial year 1946-47."

Mr. Chairman: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct, ten non-official members to serve on the Standing Committee for Commonwealth Relations Department during the unexpired portion of the current financial year, and the whole of the next financial year 1946-47."

The motion was adopted.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR AGRICULTURE DEPARTMENT

Sir Pheroze Kharegat (Secretary, Agriculture Department): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct ten non-official members to serve on the Standing Committee to advise on subjects in the Department of Agriculture for the unexpired portion of the current financial year and for the next financial year."

Mr. Chairman: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Chairman may direct ten non-official members to serve on the Standing Committee to advise on subjects in the Department of Agriculture for the unexpired portion of the current financial year and for the next financial year."

The motion was adopted.

ELECTION OF MEMBERS TO GOVERNING BODY OF INDIAN RESEARCH FUND ASSOCIATION

Mr. S. H. Y. Oulsnam (Secretary, Education Department): Sir, I move:

"That the members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the Chairman, two persons from among their numbers to sit on the Governing Body of the Indian Research Fund Association."

Mr. Chairman: The question is:

"That the members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the Chairman, two persons from among their numbers to sit on the Governing Body of the Indian Research Fund Association."

The motion was adopted.

Mr. Chairman: I have to inform Honourable Members that the following dates have been fixed for receiving nominations and holding elections, if necessary in connection with the following Committees, namely:

| | Date for nomination | Date for election |
|---------------------------------------------------------------|------------------------|-------------------|
| Standing Finance Committee | 24th January | 29th January. |
| Committee on Public Accounts | 24th January | 30th January. |
| Standing Committee for the Department of War Transport. | 24th January | 31st January. |
| Standing Committee for the Labour Department. | 28th January | 31st January. |
| Standing Committee for the Department of Posts and Air. | 28th January | 1st February. |
| Standing Committee for the Commonwealth Relations Department. | 28th January | 1st February. |
| Standing Committee for the Department of Agriculture. | 29th January | 4th February. |
| Governing Body of the Indian Research Fund Association. | 29th January | 4th February. |

The nominations for all the eight Committees will be received in the Notice Office upto 12 Noon on the dates mentioned for the purpose. The elections, which will be conducted in accordance with the Regulations for the holding of elections by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, between the hours of 10-30 A.M. and 1 P.M.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Chairman (Sir Cowasjee Jehangir) in the Chair.

MOTION FOR ADJOURNMENT

REJECTION OF RAILWAYMEN'S FEDERATION DEMANDS RE RETRENCHMENT

Sardar Mangal Singh (East Punjab: Sikh): Sir, I move that the House do now adjourn. Before I proceed to speak on this motion I wish to refer to a news paragraph in today's *Hindustan Times* in which the position of my party has been completely misrepresented. It says:

"Whatever their professions during the elections, the two Akali members, Sardar Mangal Singh and Sardar Sampuran Singh, have been given back seats on the Government side of the House."

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, has this any connection with the adjournment motion?

Mr. Chairman: What is the Honourable Member's reason for making allusion to this?

Sardar Mangal Singh: When I speak I think it is my right to make the position of myself and my party clear in this House. This is a complete misrepresentation of our position. We are sitting on the Opposition Benches. I am not responsible for the fact that we are given seats in this part of the House. We are sitting on the Opposition Benches but here the mischievous insinuation is that we fought the elections on different issues but having come here we have joined the Government side.

Mr. Chairman: I think the House has understood the position that you want to make clear. It is clear that while moving the adjournment motion you are certainly not a member of Government or sitting on the Government Benches. And there are no Government Benches in this House; it is a circular House, not like the House of Commons where you are divided. I think it is clearly understood by all that you are not sitting on the Government Benches. You are in a portion of the House where you have been given accommodation and not on the Government Benches. I think you might now proceed to the adjournment motion.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): Can we take it as your ruling that there are no Government Benches in this House?

Mr. Chairman: There is no clean division here as in the House of Commons; it is a circular House.

An Honourable Member: Is it a very unclean division?

Mr. Chairman: I hope Honourable Members will come to the unclean division very soon.

Sardar Mangal Singh: Thank you, Sir: you have made the position clear. I would not have mentioned this but for the fact that the press representative who has the privilege of coming here has made this statement. I hope he will rectify the mistake. Our position is that in all political matters we are with the Congress; in matters pertaining to our community we will take our decisions from the Akali party. I think the press representative concerned has done a great injustice to us by mentioning that we have now joined the Government Benches.

Sir, on the motion before the House I shall mention only the salient facts of the case and leave the details to my other friends who are better able to deal with the subject. The position is that the Government's retrenchment plans affected about three lakhs of men, out of which 70,000 will go to the army demobilised personnel and the rest will be temporary staff which will be retrenched in due course. As against this decision the Railwaymen's Federation have presented their demands. They were finally classified in their meeting held on the 3rd October and they framed sixteen demands which were presented to the Railway Board. The principal of them are: (i) reduction of the hours of work.

I may inform the House that the International Labour Office has recommended 40 hours per week in order to absorb the surplus staff in all countries. The Railwaymen's Federation have been very moderate; they have asked for 42 hours. That is the principal demand and if that is accepted the need for further retrenchment will be very much reduced. Demand No. (ii) was that work done through the contractors should be taken over by the department itself so that the profits may go to the department and the department may be able to employ more men in their factories. No. (iii) was that the schemes of manufacture of locomotives and stock may be taken in hand immediately. No. (iv) is the reopening of the lines which were stopped during the war and further construction of the railway lines which are intended in connection with the post-war plans of the Railway Department. These are the principal demands and to my mind they are quite reasonable. These demands were presented to the Railway Board who considered them and rejected all of them straightaway. Then the Railwaymen's Federation did not go away and make preparations for a strike; they wanted to settle this question by amicable and peaceful means. Then when they were rejected by my Honourable friend, Sir Edward Benthall, they went to the Labour Department whom they asked to appoint an adjudicator to settle the points at issue. The Labour Department instead of deciding the points said they neither accepted nor rejected them but suggested another meeting between the representatives of the Railwaymen's Federation and the Railway Board. I am told, Sir, that this meeting was held on the 5th of December, and in this meeting again the Railway Board did not modify their previous attitude. The intention of the representatives of the Railwaymen's Federation to settle this question by negotiation is further shown by the fact that they reduced their demands or rather boiled down their demands to three points. These were discussed on the 5th of December at the meeting held between the Railway Board and the Railwaymen's Federation. The leaders of the Railwaymen's Federation submitted these three points for the consideration of the Railway Board:

- (i) Suspension of retrenchment schemes;
- (ii) Implementation of the post-war reconstruction schemes; and
- (iii) Revision of the scales of pay.

The whole dispute was reduced or boiled down to three points, but the Railway Board took up a bureaucratic attitude and they said no to all these demands.

After 5th December the Railwaymen's Federation again went to my friend, Dr. Ambedkar, the Honourable Member for Labour Department. They again applied that an adjudicator should be appointed to settle this dispute. I understand that the Labour Department is still sleeping or rather, if I may say so, the Honourable Member is still fiddling while these poor railwaymen are being retrenched day by day. I submit the position is this: If the Labour Department or the Government of India or any Honourable Member from the Government Benches will get up now and assure this Honourable House that an adjudicator will be appointed immediately to settle these points, then I am in a position to withdraw the motion, but if, as has been done already, they go on rejecting the demands or putting off the evil day, then I am sorry, Sir, that I will press the motion to a division to censure the attitude of the Railway Department and the Labour Department which they have taken up in this matter. The demands of the Railwaymen's Federation are quite reasonable and they are supported by the public opinion in the country. A few weeks ago, Maulana Abul Kalam Azad, Pandit Jawahar Lal Nehru, and Sardar Vallabhbhai Patel have all issued public statements that Government should accept the demands of the railwaymen for the appointment of an adjudicator to settle the points.

Mr. Chairman: The Honourable Member has one and a half minute more.

Sardar Mangal Singh: I will put it to the Honourable the Railway Member. If their position is right, if their position is reasonable, if their case is sound, why is he afraid of going to the court of adjudication? That is the whole point.

[Sardar Mangal Singh]

If the Government of India are not prepared to take up that position, then I commend this motion to the House, and I would request all sections of the House to censure the Government on this point. Sir, I move.

Mr. Chairman: Motion moved:

"That the Assembly do now adjourn."

Mr. S. Guruswami (Nominated Non-Official): Mr. Chairman, Sir. In the first place I should like to ask the indulgence of the House for my first maiden speech in any legislature when I have to speak on a subject with which I am vitally connected in my capacity as the General Secretary of the All-India Railwaymen's Federation.

Sir, I rise to support the motion so ably moved by Sardar Mangal Singh. In doing so I have to make certain things quite clear. It was not left to me to draft the motion in the terms in which it was drafted because the demands of the Federation are indivisible. They do not constitute demands relating to retrenchment separately; they do not constitute only demands relating to other burning matters on which we feel very strongly. Therefore, for the information of this House I am bound to state that the position of the All-India Railwaymen's Federation is that for two and a half years we have been negotiating and negotiating, begging, pleading, memorialising, asking the help of the Labour Department, invoking the public opinion, to support our demands for revision of dearness allowance on the basis on which the Rau Committee appointed by the Government of India gave a direction and to revise the scales of pay that are in existence and as a preliminary measure to abolish this so-called new scales of pay that were introduced in 1931.

Up to September 1945 the position of the Federation was that we were pressing on these two vital issues, namely, denial of justice by the Railway Board in regard to the primary demands for revision of scales of pay, and dearness allowance, not on the basis on which we asked, but on the basis of the findings of a committee appointed by this Government and not implemented by them. Well, the war ended. The All-India Railwaymen's Federation co-operated in the war effort and they found themselves faced with a new situation, namely, that this postponement of the question of revision of scales of pay was a device and a manoeuvre to get themselves into a position where they will find surplus labour and will be able to whittle down the demands of the workers. What else? In the first place, a mood of complacency was sought to be created by saying that there was no retrenchment. I admit, Sir, that there has not yet been very large scale retrenchment, but there has been retrenchment. Today 3,26,000 workers out of 8,48,000 men are treated as untouchables, classified as 'temporary men' who are denied the privileges which the permanent men enjoy, and are liable to be discharged as and when it pleases the department which is represented by Sir Edward Benthall. They have created a caste system in this temporary class. There is what is known as 'B' category in which men are recruited against so called permanent vacancies. Their numbers are increasing. It is stated to be of the order of 100,000 out of which 70,000 will be reserved for ex-servicemen. Even if the traffic does not go down, if it continues at the present dimensions, the position is that the Railway Board have committed themselves to a policy of displacing these 70,000 men who are now classified as 'B'. They say, they need not necessarily go, we will take them into another category which is known as category 'C', recruited for temporary purposes. The position of the All-India Railwaymen's Federation is this: We are not against giving employment to ex-servicemen. They deserve to be helped, but we are not prepared to accept the position that one man who is already employed should go in order to make room for an ex-serviceman because this Government is bankrupt and unable to provide more employment for the people who have fought for them. That is the position which I want to make perfectly clear. I am not making any irresponsible statement. I would draw the attention of the Members of this House to a document which the International Labour Office prepared for

the recent conference which met at Paris a few months ago. They have said that if you try to put ex-servicemen in the place of those who are already in service, you are creating a social antagonism which is undesirable for the country. The solving of the problem of employment for ex-servicemen should not be at the cost of those in employ. On page 111 it is said:

"Job competition between demobilised soldiers or repatriated persons and displaced war workers would foster unreal social antagonisms and tend to destroy the unity of purpose with which the employment adjustment of the transition period should be approached."

They also provide that in respect of those who might become unemployed it is the obligation of the State, to see that they are maintained during the period of their absorption in the post-war reconstruction. During the war we thought we were going to get a new era in India. We are now faced with the prospect of an indeterminate number to be retrenched. They will not say how many are to be retrenched. They say that they will start it bit by bit.

And what are the terms to the discharged? The Finance Department must be first censured for the way they have given their directions to the other Departments. They have said for men on daily rated employment, that they should be given one day's pay for every month's service and for monthly rated men 20 days' pay as bonus for every completed year of service as the measure of bonus for retrenchment. We do not accept this proposition. We say it is the obligation of the State to maintain the unemployed. We have given a sixteen pointed programme by which this so-called surplus can be reduced. In a full year 80/85,000 normal vacancies occur. We do not mind if the future vacancies are thrown open for giving employment to 70,000 ex-servicemen but we protest against the discharge of any man in service to make room for these 70,000 although we are equally interested in their welfare.

Then there is the question of the revision of pay. Sir Edward Benthall in one of his Budget speeches gave high tribute to the railwaymen for the services rendered during the war and said that immediately after the cessation of hostilities there would be a revision of pay. That question has been delayed and delayed. Not only that, we said that at least as a token of your *bona fides* abolish the new wretched scales of pay which were based with reference to 1931 without consultation of organised labour and in the teeth of opposition. Therefore the position of the Railwaymen's Federation is this: that we have suggested constructive alternatives by which this retrenchment could be avoided. There are thousands of men who are treated as essentially intermittent workers: who are asked to work 84 hours per week. There are thousands of men who do not get their weekly rest days. As regards the demand for a 40-hour week, let me point out that in Lillooah the standard working week, long before the International labour organisation came into existence, was 42. If that standard was extended to other workshops and other branches of Railway work many thousands could be employed without retrenchment. They say we are very sorry for the retrenched. We are following the directions of the Finance Department and giving them the discharged personnel terms. This won't do. I rise on behalf of the Federation which I represent to protest against the policy of the Finance Department, against the policy of the Labour Department, and against the policy of the Railway Board in dealing with this question. They have a joint responsibility to do justice to the workers. We have been patient. We do not want to threaten a strike. We know the consequences of a general strike. We know our obligations to society for efficient transport. We have done our duty during the worst period of the war and also during the famine in this country. We are not sorry for what we did but what we ask is let us accept the principle of settling our differences by arbitration and negotiations and where negotiations fail by the appointment of an adjudication authority. That is the least that we have asked. If it is shown by the arguments of the Member opposite that we are in the wrong, we are not afraid to abide by the findings of that adjudication. What more can we say than this that we shall subject ourselves to the verdict of public opinion, to the verdict of an impartial enquiry and not to the arbitrary decision of a Government which is undoubtedly irresponsible.

[Mr. S. Guruswami]

Therefore, I do not want to take any more of your time except to say this that the demands of the Federation do not pertain only to retrenchment but also to the question of revision of wages and the abolition of the new scales of pay. Some General Managers have been good enough to say that the new scales of pay should be dropped. They even suggested a bonus of three months' pay to be given. I do not know what the Government is going to do with regard to that. Whatever it is, the position of the Federation is that we have negotiated and negotiated. We have tried to get on. We want no strike but it is the attitude of the Government which is creating a position of despair. We appeal to the representatives of public opinion assembled here to give a clear verdict on the adjournment motion and avoid the danger of an adjournment of the business of the Railways by a general strike or any other strike. With these words, I thank you, Sir, for the response you have given me.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Mr. Chairman, Sir, while I have nothing to say against the demands that have been made by the Railwaymen's Federation, I have only to say that they are only similar to the manifesto issued by organisation of the Congress. It looks so nice, full of good promises, but when it comes to facts, the authors will have to think over how they have to escape. Now, Sir, I have only to inform this House what this Railwaymen's Federation has done and how they have been behaving with the Mussalmans. The Railwaymen's Federation's position is that of the Congress, which somehow or other claims a representative capacity of all the nationals living in this country, whereas by methods known and unknown they have always tried to suppress and subdue the rights and privileges of Muslim employees of Railways all over and all through. I would like to know whether the Secretary, Mr. S. Guruswami, who was very vocal in the House for the first time today has the courage to tell me whether he ever supported the claims of the Mussalmans to 33 1/3 per cent. share in the Railways services in India.

Mr. S. Guruswami: I may state for the information of the Honourable Member that some of our affiliated unions have supported his claim and we are not interested in those who are not employees of the railways. But once they are employees of the railways we are here to support every Mussalman and we are prepared to go on a general strike if one Mussalman is retrenched.

Mr. Muhammad Nauman: I agree that may theoretically be true as in the like manner the Congress has been proclaiming trusteeship for Muslims. I know you have some Mussalmans in your fold in the same manner as the Congress organisation has a few, and I would now seek the indulgence of the House to give me an opportunity to ventilate the feelings of the Muslim nation without interruptions. I carried on the conversations and negotiations with those in charge of joint labour unions a few years ago and none of them were prepared to concede to the demands of the Muslim representation of 33 1/3 per cent in Railways.

Mr. S. Guruswami: On a point of information I must state that no negotiations took place with the All-India Federation in regard to the demand stated by the Honourable Member.

Mr. Muhammad Nauman: I am not giving way. It was done with the Bengal Assam Railway Union. This was done with your President of other Federating Unions and no one at any stage was prepared to concede to include in the list of demands the Muslim demand of 33 1/3 per cent. share in the Railway services and that they should be made up here and now.

(At this stage Mr. Guruswami rose in his seat.)

Mr. Chairman: Order, order.

Mr. Muhammad Nauman: They were not even willing to concede to the resolution of 1934 of the Home Department which gave Mussalmans 25 per

cent. representation. I know that the Federation has been opposing the question of fixing a quota in the promotions to keep down the Mussalmans because they have a bigger slice for the other nationals of this country in view.

Now, Sir, we do not form the Government as yet and we have every sympathy for such demands which might be made on the present Government with regard to retrenchment, or with regard to the opening of new lines or with regard to finding new works for their employees and certainly it is an obligation of a State to maintain the unemployed and to keep the workers satisfied by providing such conditions of service as would be necessary and as would be possible. I think my friends here do realise that no Government in the world can maintain an army which it raised during war time and no railway in the world can maintain those employees whom they recruited for certain emergencies during the war conditions. That is a position which my friends should appreciate fully. Of course that aspect has nothing to do with me as we do not form the Government.

I have been having some negotiations during my stay in Calcutta for one month with all the General Managers of the railways and I had to point out that the Muslims were only anxious that their quota should be made up here and now and this was an issue which invoked a certain amount of resentment on the part of the Bengal and Assam Railway Union and other labour unions, which are branches of Railwaymen's Federation. The Honourable Member for the War Transport happens to be a representative of Government here and he can tell you that what has happened actually is that during the emergency of war through manipulation of non-Muslim officers the Muslim quota was done away with in the name of efficiency and urgency. What now we the members of the Muslim League plead for is that when retrenchment has to come up our quota should be made up here and now and on that line I have had negotiations with the different General Managers of railways in India. I have written a letter to the Honourable Member in charge and I had to stress that whatever might have been said in the past here is a time when the Muslim quota should be made up at once. To illustrate it more fully I would say this. Supposing the Bengal and Assam Railway for their normal work employed 60,000 men before the war. During war time their number actually has swelled up to a lakh and 20,000. For their normal work again this Railway administration plans to maintain about 90,000 people. Our quota on the B. and A. Railway is 45 per cent. and if they propose to have 90,000 on that line, they have got to show 45 per cent. to the Muslims here and now, that is the Muslim personnel must be nearly 41,000.

The Honourable Member who spoke last, Mr. S. Guruswami, said that he was not going to call a strike. In fact for whose sake he had to abandon the idea of a strike. I was the man who gave the lead that Muslim employees cannot be camp followers of a Hindu organisation that we cannot bear the attitude of Railwaymen's Federation any more. If he has got the aspiration to call for a general strike, there will be war against the administration, and also against the Muslims and we will see what Railwaymen's Federation can do. It was my lead that has cooled down Mr. Guruswamy and brought him and his friends to their senses and he has now come forward with this adjournment motion in this House to gain cheap popularity for his organisation. As I said in the earlier stages that I have full sympathy with the demands of better conditions of service for all Railway people. If we are the Government or when we form the Government, as the Qaide Azam has always said Pakistan means freedom for both the Hindus and the Mussalmans, we never mean freedom for the Muslims alone, then we will certainly improve condition of service as much as we can and if we can extort out of this bureaucratic government any concession here and now I would be certainly happy provided we Muslims share it. At the same time, I want to say that if there is any honesty in this organisation of Railway men's Federation, they ought to look to the demands of the Muslims and not insist on the issue that theirs is a joint union of the railway employees and the All-India Railway Muslim Employee's League

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should not be recognised on the plea of this Muslim organisation being a communal union. He has gone to the Labour Department but he has never pressed that department that the other organisation of Muslims should be recognised in the same manner as his Railwaymen's Federation. If he has done anything he has tried to say that Muslim organisation should not be given recognition by Government and Railway authorities.

Coming to the question of retrenchment, once again, I must confess that I am not in a position to say what actually the proposal of the Government is but I was told by many General Managers that they have no programme so far of retrenchment on a very big scale. Of course the Honourable Member in charge will be the best man to tell this House what he has to say. I only impressed upon the General Managers that so far as the Muslims are concerned we want that our quota in Railway services and different Railways should be made up here and now. We have been beguiled for many decades and we were told that the quota was meant for recruitment in the first instance. Now here is an opportunity when the wrongs done may be made good to my nationals. If there is any honesty of purpose behind my Honourable friend Mr. Guruswamy and his friends in the Congress group I hope he would come forward and support me in my demand. We do not want to encroach on the rights of other people. We do not want any more than our legitimate and proper share and if my Honourable friend and his friends are prepared to support us in that, I have no doubt in my mind that in all such things which are meant for the good of all the employees concerned, we will certainly be a party to them. With these remarks, I resume my seat.

The Honourable Dr. B. B. Ambedkar (Labour Member): Mr. Chairman, in the morning when this adjournment motion was admitted I did not think that the Labour Department would have to come into this debate in order to explain its position. But when the debate opened I found that two of the speakers who have supported the motion have come down somewhat heavily on the Labour Department. Their charge was that although the dispute has been going on for some considerable time, the Labour Department has not played the part which it is expected to play in this dispute. Sir, I admit that the Labour Department has a considerable amount of responsibility in this matter. It is a department which has been established in order to see that the working classes do get their dues and if the Labour Department can be found to have failed in its duty, it would undoubtedly be deserving of the censure that is moved. But I am sorry to say, Sir, that my Honourable friend, Sardar Mangal Singh,—who in the first instance alluded to the responsibility of the Labour Department and said in a somewhat, if I may say so, slighting manner, that the Labour Member was either sleeping or fiddling—was completely unaware of the facts of the situation and has certainly not informed himself of what the Labour Department has done in this matter. I think it would therefore be desirable that I should place before this House some very relevant facts with regard to this matter.

First time when the Labour Department came to know that there was such a dispute between the Railwaymen's Federation and the Railway Board was on the 5th October, 1945, when a letter was sent by an official of the Indian Railwaymen's Federation forwarding a number of resolutions that had been passed at a session of the Railwaymen's Federation. After that letter a second letter was received by the Labour Department on the 10th October, 1945. In that letter a request was made that the Labour Department should move and appoint an adjudicator in order to decide upon the terms mentioned in the resolution. Now, Sir, it will be admitted that before any such grave step as that of the appointment of an adjudicator is taken, it is the duty of the Labour Department to bring the two parties together and to induce them to meet in a formal manner, discuss the various outstanding questions, reduce their differences as far as they possibly can and agree to each other's demands. That duty, I am glad to say, the Labour Department immediately performed

and they induced the Railway Department to meet the representatives of the Indian Railwaymen's Federation and to discuss points of dispute. Honourable Members might be aware that after the discussion had taken place between the Railway Department and the Indian Railwaymen's Federation a communique was issued by the Railway Department stating that a meeting had taken place and certain matters which were matters of dispute were discussed between the two parties. Now that thing happened as late as the 5th of December, when this communique was issued. Certainly from the 5th of December up to today it cannot be said that an unduly long delay has happened or an unduly long delay has been brought about or that there has been any dilatoriness on the part of the Labour Department that they did not move in this matter as soon as they ought to have done.

But there is one other point to which I would like to draw the attention of the House. It cannot be said—and I think Mr. Guruswami ought to be in possession of this fact—that the negotiations have not been concluded. Negotiations are still going on and I may tell the House that it has been agreed between the Railway Department and the Federation of Indian Railwaymen that a small committee of the Indian Railwaymen's Federation be appointed in order to carry on further negotiations with the Railway Department. The date fixed for that meeting is towards the end of January 1946. The end of January 1946 has not yet come. There is still time for negotiation. . . .

Shri Sri Prakasa: 'Towards the end' has come.

The Honourable Dr. B. R. Ambedkar: Yes, but that is a matter which I am afraid I cannot accept. . . .

Diwan Chaman Lall (West Punjab: Non-Muhammadian): May I interrupt my honourable friend for a minute? Is it a fact that the demand for the appointment of an adjudicator has been definitely turned down by the Government?

The Honourable Dr. B. R. Ambedkar: I am coming to that. The point I was making was this: that there can be no question of the appointment of an adjudicator unless the Labour Department is fully satisfied that the last attempt for a mutual settlement between the two parties has failed; and what I am pointing out to my honourable friend is this: that an opportunity still exists, an opportunity is still provided, and it is for the Railwaymen's Federation to inform the Railway Department what will be the exact date on which they will meet the Railway Department. . . .

Diwan Chaman Lall: May I ask my honourable friend once again whether it is a fact that the Government have denied to the Railwaymen's Federation any information regarding the number of people that they have decided to retrench, and secondly, whether they have refused to appoint an adjudicator, and thirdly whether they are still continuing to retrench men? I think about 10,000 have already been retrenched. Where then is there the further question of negotiation when the Government has taken up this point of view?

The Honourable Dr. B. R. Ambedkar: I think my honourable friend forgot, when I got up to intervene in this debate, that I said I would confine myself to the question of adjudication. The rest of the question as to how many will be retrenched, whether they will be retrenched, if retrenched how they will be dealt with, all that is a matter which I am sure will be dealt with by my honourable colleague who will reply after I have finished. As I said, I am only discharging the responsibility that falls on the Labour Department. The point that I was making was that unless and until the Labour Department is satisfied that there is no further room for settlement, it would be impossible, it would be unfair and quite contrary to established procedure for the Labour Department to intervene and say "We shall appoint an adjudicator". The point I was making, therefore, is this: that this motion, at any rate that part of the speech of my honourable friend who accused the Labour Department of not having stepped in at the right moment, is certainly too premature; and I

[Dr. B. R. Ambedkar]

think if he will bear in mind the facts I have disclosed, he would himself voluntarily withdraw the statement that he made that the Labour Member was fiddling. I certainly was not.

Then let me come to the other side of the question. It is true that under the Defence of India Act the Government does possess the power to appoint an arbitrator under rule 81 of the Defence of India Act. But I think it is only fair to mention that although this is an emergency legislation, we are not altogether precluded from observing such canons of judicial consideration from exercising the powers that we possess under rule 81; that is, arbitration. For the purposes of arbitration we must have a dispute in existence. As I have said, at the present moment there is no dispute; the matter is under consideration. Secondly, before any adjudication is made, we must be satisfied that the dispute relates to terms and conditions of employment: for instance, that the dispute relates to hours of work, to wages, and to points of that kind. What is the point that is at dispute between the Railway Department and the Indian Railwaymen's Federation? I am sorry to say that the Railwaymen's Federation has certainly not conducted its case in the way in which it ought to have conducted it. They certainly have gone and done a great deal of harm to themselves. The point I would like to make in this connection is this: what is the point on which the Railwaymen's Federation is stressing all through? Is it a point that relates to hours of labour? Is it a point that relates to wages? I say definitely that the points of dispute do not relate to either of these two points. It is quite true that the Railwaymen's Federation has passed a number of resolutions many of which refer to hours of work and to conditions of labour. But we have got to make a distinction between what are called fundamental points of dispute and points which are merely tagged on. If one were to examine the resolution that has been passed by the Railwaymen's Federation, we find that the gravamen of their complaint is that the railways shall not reduce a single workman. Questions relating to hours of labour and questions relating to wages are just tagged on—they are not the points of difference. In order to substantiate what I am saying, the fundamental point of dispute between the railways and the Indian Federation of Railwaymen is the question of retrenchment, the question is as to how many persons will be employed and how many will be discharged. I would like to point out one or two other circumstances.

The first is this: as I said, in their letter of the 5th of October 1945, they had put forward some fifteen or fourteen demands. A conference was arranged between the Labour Department and the President of the Indian Railwaymen's Federation, Mr. Giri, in order to assess and find out what exactly were the points which they regarded as fundamental; and I should like to tell the House that although there were fifteen resolutions, only three points were placed before the Labour Department for consideration. The rest of them were regarded by the Railwaymen's Federation as matters of no consequence. Again when a formal meeting was brought about between the Railwaymen's Federation and the Railway Department, even the three points that were raised before the Labour Department were dropped, and the only point that was taken up was the question of retrenchment. With all respect to the gentlemen who have spoken and to the President of the Railwaymen's Federation, I must confess my utter inability to understand how, for instance, a question as to how many people should be employed by a particular department, can be treated as a justiciable dispute. I am waiting, as I said, for the President of the Railwaymen's Federation to evolve out of the negotiations with the Railway Department some point which might be regarded as justiciable, so that the Labour Department may find it is worth while to intervene and to persuade that an adjudication be made. Sir, I think that a censure motion is not deserved.

The Honourable Sir Edward Benthall: I should like to say, at the outset, that the Railway Department does fully appreciate the anxiety of the workers in the Railways who apprehend that they may come under discharge and I

welcome the opportunity once again of giving some information to the House on this subject. But first I think I should draw the attention of the House to the terms of the adjournment motion before the House. They are "the rejection by the Railway Board"—it has nothing to do with the Labour Department though I am very glad to have had their position very clearly explained—"of the demands of the Railwaymen's Federation regarding retrenchment of the railway personnel." A great deal of what has been said in the earlier speeches related to post-war scales of pay. I was reluctant to interrupt a maiden speech but I think a very great deal that has been said today has been irrelevant to the subject of the adjournment motion. The second speaker, Mr. Guruswami, referred to the different classes under which railwaymen are classified—the different categories. There are in our minds three categories at the moment. You might call them A, B and C. A is the permanent men in permanent railway posts and they really hardly come seriously into this discussion. Then there is the class of temporary men in permanent posts, class B. Now, the Government of India—not the Railway Department alone but the Government of India as a whole—gave an undertaking at an early stage of the war that 70 per cent. of permanent vacancies would be reserved for ex-service men after the war. That is a definite undertaking by Government which we have to endeavour to fulfil. Any service man who has had, I think, six months service in the army can claim to be considered under the terms of this undertaking and so far as the Railways are concerned, I think the number of temporary men in permanent posts is likely to be about 70,000. But I must point out that there have been in the course of the war no less than 1,50,000 railwaymen in the Defence of India Units. They are classified as railwaymen and a proportion of them will, of course, qualify for filling up the 70,000 posts, so that to that extent railwaymen will benefit. But the demobilization of the army will, of course, be spread over a very considerable period and the displacement of the 70,000 will therefore be correspondingly slow. This class of men in the B category should have every chance of employment either in permanent posts or in temporary posts or in new work and it is in the latter, in creating new work, in which we have placed great hopes. I shall refer to that again in a minute. Then, lastly, there is the third category of temporary men in temporary posts. On the Railways you must always have a large number of temporary men employed, men who are employed temporarily for various reasons. It may be that they are employed on a section of the railway where there are seasonal demands and where you cannot keep a number of men idle when the seasonal demands are not there. They may again be employed on specific jobs which come to an end when the work ceases. The man who takes on the job knows, of course, that he is temporary and again, in war time in particular, there are posts on the Railways created for work for other departments. In war time we have had at one time up to 20,000 men on munitions alone. It has nothing to do with railway work. It is purely war time work for other departments. Naturally owing to the increase of traffic and the large increase of work for other departments and so on, we have had a large number of temporary men during the war and many of them have had quite short service. If and when the traffic falls off and we cannot create work to take its place, it stands to reason, I think, that we cannot keep on men for whom work cannot be found. But for the time being it is evident that the traffic is holding up fairly well and we have not found it necessary to dispense with a large number of men. When they are dispensed with, they are given a bonus. They are given a continuance of their grain shop concessional rates, they are helped in finding employment and when any considerable body of men is involved, then their position is discussed carefully with the Unions.

Now, Sir, that is the general position in which we find ourselves. Now, what is the subject of the adjournment motion—the rejection by the Railway Board of the demands of the railwaymen regarding retrenchment. As my Honourable friend, the Labour Member, has pointed out, the All-India Railwaymen's Federation's demand is that not one single man shall be retrenched

[Sir Edward Benthall]

from the railways. A few minutes ago you heard an Honourable Member, Mr. Guruswami, stand up and say—if a single Mussalman is retrenched we will bring the railwaymen out on strike. I think my Honourable friend was really rather carried away in the heat of the moment. It is not reasonable to expect that the Railway Department or any other department of Government or any employer can give a permanent undertaking that not one single man shall be retrenched when there is no work. What employer on these benches could give such an undertaking as regards his own employees? And yet, that is the issue on which it is sought to adjourn the House.

Now, the Railway Board have been very sympathetic to the demands of the railwaymen. We do appreciate the problem, we have discussed it carefully with them and we are prepared to go on discussing it. From the end of the war to the end of November, 8,377 men have been discharged out of 14,273 posts which have been scheduled as surplus. Now, most of these 8,377 men were munition workers discharged after the end of the war when it was no longer necessary to carry on munition work or aeroplane repairs in the railway workshops.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): They were employed only during the war?

The Honourable Sir Edward Benthall: I think the largest number affected was employed at Golden Rock workshops in Southern India where they were doing aeroplane repairs.

I will show you what we have been able to achieve so far in our go-slow policy. In November 1,696 posts were surplus. Of this, we succeeded in absorbing 1,339, so that in November 357 only were discharged out of a force of 650,000 railwaymen. In December 2,464 posts were declared surplus and we have succeeded in absorbing 2,058 so that only 406 men in the whole of India were discharged in spite of the situation arising out of the end of the war.

Sir Mohammad Yamin Khan: What is the basis of these discharges?

The Honourable Sir Edward Benthall: Absence of work. You cannot keep them if there is absolutely nothing for them to do.

Sir Mohammad Yamin Khan: In this line particularly or in the factory?

The Honourable Sir Edward Benthall: The two things are really synonymous. I should like to say this that my Honourable friend Mr. Guruswami, when he was speaking, said that if his schemes were adopted, unemployment or discharges can be reduced. That means they will not be eliminated altogether. Therefore, what he said was not in accord with the undertaking which he gave to my Honourable friend Mr. Nauman. In fact, my friend knows in his mind, as he has indeed said, that this is an extremely difficult problem which can only be handled by the most careful co-operation between the railways and their men.

I have no time to go into details—I should have an opportunity in a month's time—but we are endeavouring to adopt many what we call alleviations to assist the railwaymen to find extra work. Several of the 16 points which the Honourable Mover, Sardar Mangal Singh, put forward have been adopted and in any case they are all having most careful attention. I repeat that we are following this question with the closest sympathy. Mr. Nauman referred to a point upon which he has written me. That will have close consideration. My Honourable friend Mr. Guruswami recognises how difficult the position is and I am certain that in his heart too he recognises that it is a position which cannot be solved by direct action in the way of strikes or anything like that, which will only create *less* employment. The only way to solve this is by pursuing the line which we have been pursuing and by getting together in a co-operative spirit. I welcome Mr. Guruswami's arrival in Delhi because he will keep us in

close touch and help us jointly to solve this problem. What I have said will, I hope, go a long way to meet my Honourable friend, the Mover. He has asked for adjudication, but I think he will really appreciate that the point at issue on the adjournment motion is whether or not a single man should be retrenched. I think my Honourable friend must candidly admit that that is not really a point for adjudication. I hope he will do so and ask the leave of the House to withdraw the motion for adjournment.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I ask, Sir, one question? Is it not a fact that a large number of new works are being opened and a very large number of these persons who are being retrenched have got a very great chance of employment. At least two General Managers have told me that there is great likelihood for their employment. They have said that nearly every person will be re-employed and they will give them first priority.

The Honourable Sir Edward Benthall: If I might have leave to reply, I say Yes. The Railwaymen's Federation has said 250,000 men are under sentence of death. Others have said 326,000 men and the figures keep on growing.

Diwan Chaman Lall: That is your figure.

The Honourable Sir Edward Benthall: I have said that that figure bears no resemblance to the facts. The Railwaymen's Federation have asked us how many men are going to be dispensed with. We cannot make a guess. All I can say is that we are doing our best, on the one hand, to go slow with disbanding railwaymen and, on the other hand, to create work. We are going ahead, with the maximum activity, to create work, as I said in my speech and I hope to be able to say more about that when we come on to the Railway Budget. I do think that what we are doing and are trying to do will go a long way to create a great deal of employment.

Pandit Balkrishna Sharma (Cities of the United Provinces: Non-Muhammadan Urban): Sir, on behalf of my Party I rise to support the adjournment motion which the Honourable Member Sardar Mangal Singh has moved regarding the retrenchment policy with regard to railwaymen by the Government of India. Before I proceed with the actual retrenchment policy and demobilisation policy in general, I would like to say a few words about the rattling and roaring speech that I have heard from Mr. Nauman. He has accused the seconder of the motion by saying that his speech was more like a Congress manifesto, thereby throwing an unreal and false hint that the Congress talks tall but does not do anything, to achieve its objective. Well, Sir, I do not know if the Honourable Member has, for the last twenty-five years, stopped reading even the current history of this land. Had he kept his mind and his eyes open, he would have seen that the Party of which I am one of the insignificant members is not a Party which delights in throwing diatribes and escape the consequences. That way we are not clever. We say what we do and we do what we say. Therefore, it was rather ungracious on his part to say that we, the members of the Congress Party, indulge in all sorts of tall talks and do nothing for achieving our aim.

Mr. Muhammad Nauman: I was referring to that organisation mostly.

Pandit Balkrishna Sharma: But you referred to the Congress manifesto also. Perhaps you did it in your zeal.

Mr. Muhammad Nauman: No; I meant it. The story of congress manifesto is no different.

Pandit Balkrishna Sharma: Perhaps he meant it.

Mr. Muhammad Nauman: We have sufficient experience of that in the years gone by.

Pandit Balkrishna Sharma: I am not giving way.

Mr. Muhammad Nauman: If the Honourable Member makes flings at us, he must be prepared for retorts.

Mr. Chairman: The Honourable Member is not giving way.

Pandit Balkrishna Sharma: This question of retrenchment is an age old question. We have seen that retrenchments begin to take place after every world war. We witnessed the scourge of unemployment visiting Europe after the last world war. After this war also, we have seen United States seized with strike fever and even though the Honourable the Labour Member has been good enough to give us a picture that the Labour Department has not been sleeping, yet I can say that we are here not assembled to discuss things department by department. Here we are holding the whole Government responsible for what they are doing in this matter. Take for instance the question of demobilisation of the army. If I am correctly informed, by 31st May 1946, 8,13,937 men are to be demobbed. Then again war work and ordnance factories are going to retrench 2,34,000 men. The Indian Navy will retrench about 10,000 men. The surplus recruits who have already been retrenched amount to about 1,30,000 and railway retrenchment will come to about 3 lakhs.

The Honourable Sir Edward Benthall: No.

Pandit Balkrishna Sharma: Is it two lakhs? I am ready to come down by one lakh. So that by the end of May, we will have in this country about 14 to 15 lakhs of men unemployed. Now, Sir, whatever the Labour Department might have done in order to bring together the Railwaymen's Federation and the Railway Department, and I give credit to the Honourable Dr. Ambedkar for his efforts in this direction, yet the question remains whether the Government did ever take into consideration this very glaring fact that in about six months' time, they will be retrenching 14 to 15 lakhs men and it is their duty as Government, which they have been euphemistically calling as Government established by law in British India, to provide for the employment of these men who are being retrenched, whether by way of demobilisation or by way of retrenchment in various factories. That is the question. I do not talk about this that or the other Department. Have they taken into consideration this question, have they any plan, have they any scheme which would absorb these men? We have heard much about many planning committees and commissions and we were told only this morning, that perhaps the Finance Department will commit us to many such schemes over which this House does not get any opportunity to ponder.

Now, Sir, my objection to this lack of Policy is that instead of creating a machinery for employing these men, what the Government have done is that they have created some employment exchange bureaus. Now, Sir, these employment exchanges are not going to create employment in the country. The only way in which employment can be created in the country is by starting new industries, by giving a fillip to those industries which have suffered a terrible strain during the war and thus alone can this problem of employment be met. But employment exchanges have been created instead. What does the Government of India's Labour Adviser, Dr. J. C. Jack, say about these employment exchanges? He says:

"If employment exchanges are to provide adequate placing facilities, they must be able to secure the support both of the workers and the employers. If they are merely to provide placing machinery, what guarantee is there they will be used by the parties for whom they are intended? The success of employment exchanges in Great Britain was bound up with the administration of unemployment insurance, which was compulsory for the persons affected and which enabled a complete industrial record of each insured person to be maintained. Without some corresponding arrangement, I am sceptical about the success of employment exchanges in India."

Now, Sir; this is the only machinery which the Government of India have created and about it, the Government of India's Labour Adviser has expressed his doubts.

Therefore, Sir, the question before us is whether these men who are to be retrenched will find employment. Another question is whether the Government is seriously intending to provide some berth to these men. The Railway-men's Federation has placed certain suggestions before the Government and I feel confident that if those suggestions are accepted, there will be no need to retrench 2 to 8 lakhs of men which the Railway Department is intending to do. For instance, reduction of hours of work, extension of workshop production, manufacture of locomotives in the country, re-opening of lines which were closed during the war and construction of railway lines to suit the needs of the country—if all this programme is taken up, there will be no need to retrench these men. Therefore, I feel that in the absence of any such undertaking from the Government, the House is perfectly justified in passing this motion which is before us.

Lt.-Col. Dr. J. O. Chatterjee (Nominated Non-Official): Sir, I have been listening with an open mind to the speeches that have been made on this subject, a subject in which I am deeply interested. Until recently I have been Chairman of the National Labour Tribunal here and I have had something to do with such things. Now, Sir, although I do support a great deal of what my Honourable friend who spoke last said and do consider that this is just the time when the question of employment of all those who will come out of war emergency jobs ought to be kept in mind, yet, Sir, I feel, very much embarrassed. For, I have not been able to understand quite clearly what is the exact issue on which this motion has been moved. You remember, Mr. Chairman, that when you gave permission for this motion to be moved, the Honourable Mover, on his own confession, was rather taken by surprise. He was not ready and probably he was not clear what was the particular stick with which he wanted to beat the Government today, and therefore he asked that if he must beat the Government, he might have a little time to sharpen his stick or to find at any rate a stronger stick to beat the Government with.

An Honourable Member: Stick or sword?

Lt.-Col. Dr. J. O. Chatterjee: Let it be a sword. However, Sir, even though he made that eloquent speech—and my Honourable friend is very eloquent—I have not been able yet to understand what is the particular issue on which we are asked to censure the Government today. He first started by saying that if he got an undertaking from the Railway Member that there would be adjudication he would withdraw his motion. I hope I am not misrepresenting him. Now, Sir, when the Honourable the Railway Member spoke he said that the issue was one of retrenchment, and my Honourable friend did not contradict him. Therefore what are we asked to censure Government for? Is it on the question of adjudication or is it on the question of retrenchment of every single man? That is a point which is not made clear, so it is very difficult to vote upon; one does not know whether the issue is adjudication or retrenchment. It is very unfortunate that my Honourable friend Mr. Nauman intervened on quite a different issue. He said the issue was that if a single Muslim worker on the railway were retrenched he will bring them out on strike.

Mr. Muhammad Nauman: No, I did not say that. That was said by Mr. Guruswami. I said I want my quota to be made up here and now. I said no administration can maintain a huge establishment as in war time.

Lt.-Col. Dr. J. O. Chatterjee: I stand corrected. But what I wanted to say was that to my mind there is no difference between a Hindu worker or a Muslim worker or a worker belonging to the scheduled classes. I feel that the interests of all workers are one and the same. Whether it is a question of wages or a question of retrenchment it seems to me that the two things are as clear as they should be; and the very amusing cry of "Hindu Pani" or "Muslim Cha" at the railway stations is to my mind just as much a misnomer as to come and say here that there is such a thing as a Muslim worker as apart from a Hindu workēr or a Hindu as apart from a Sikh worker. That issue was unfortunate. But the point which I wish to make is this; if I am asked to give my

[Lt.-Col. Dr. J. C. Chatterjee]

vote and censure Government on the question of retrenchment I find it difficult to do so because it is not only Government, that has to be considered in this matter. Nowhere in the world is it possible for any employer to keep men for whom there is no work. If any such proposition were accepted it would mean bankruptcy for the employer; and if Government were to accept the principle in this form it would also mean bankruptcy for Government. And it is not only Government that is concerned in this matter; there is also the taxpayer to be taken into account. Does my Honourable friend think that taxation should continue at the same level as it is today or even be made higher on an ever rising scale? Is my Honourable friend prepared to accept the proposition that this country should go on being taxed to the utmost and therefore industry and good living or what I might call decent living should be destroyed because we must maintain an army of men idle and without work because somebody says that if a single worker is turned out the whole railway will be brought out on strike? That to my mind is an indefensible proposition; you cannot go on taxing the country merely because you will not agree to the retrenchment of a single individual, particularly when the emergency for which they were employed no longer exists.

Then there is another point and I should like to lay emphasis on it. This Government rightly or wrongly gave an undertaking here and all over the country—it was made publicly and there was a great deal of propaganda about it, and I think rightly too—that when these men who went to fight their country's battles came back, a certain percentage of posts would be reserved for them. My Honourable friend the Transport Member said that was 70 per cent. If that is the figure is it honest or is it right on the part of Government that they should go back on that undertaking? I hope many of them did not go merely because of that undertaking but went with a higher motive. But whatever it may be, there is such a thing as the written and spoken word, a guarantee which is given to people who according to their lights went to serve their country or went to serve the cause which they considered right and for which they shed their blood. Now, Sir, if the question of retention of some men stands in the way of that undertaking I think it is not quite correct and it is not honourable. I repeat that if this undertaking were to be broken it would be immoral on the part of this Government. Now what is the remedy? I fully agree that the Government of any civilised and modern country are responsible for finding employment for the nationals of that country. That is a proposition which had been accepted in Great Britain and the United States and other advanced countries, that if a man is unable to find employment when he is willing to work the country at least gives him a dole; and I think that this Government cannot escape their responsibility to provide reasonable employment for the nationals of this country who are willing to work. I hope every effort will be made in that direction, and as far as I understand from what the Labour Member and the Railway Member said, they on their part are making such efforts. I do not know how far that is correct or how far their efforts are effective or whether they are going to fulfil their pledges in this respect. But I do say with all the emphasis at my command that it is absolutely necessary that men should not be allowed to starve merely because work cannot be found for them. I said before that I have something to do with employment exchanges. I am sorry to say that at the moment we are unable in these employment exchanges to find men for the demands which come to us from all kinds of employers. I admit that this is merely a temporary state of affairs, that a time will come when the number of men out of work will be far in excess of the demands that these employment exchanges are getting. Yet at the same time experience in other countries has shown that employment exchanges are very useful for bringing the employers and employees together. In this connection I would also like to point out that no Government in any country can be responsible for the employment of the entire manhood or womanhood of that country, and that it is very largely the duty of leaders of industries that will

spring up. I hope they will spring up quickly and will provide wider employment; but no country and no Government can find employment for all the men who are able to work unless the country as such is rapidly industrialised. Employment will come not so much from Government, although it ought to come in a measure, greater than at present, but from the new industries which are coming into being.

Sir, I do not wish to weary you any further but I should like to say this, that if I am unable to vote for this adjournment it is because I do not understand the issues clearly, nor do I feel that the time has come to censure Government on this particular issue as their policy has not yet been fully tried and their misdeeds or good deeds have not yet had time to be tested and proved so that they may be censured on this particular motion.

Dr. Sir Zia Uddin Ahmad: Sir, I am reminded of a story which I need not relate here but the conclusion of which is that a king ordered a noose to be made and then tried to find out a culprit in the shape of one whose neck would fit into that noose and who could then be hanged. So the gallows was prepared first and the culprit was sought afterwards. The same is the case with this adjournment motion. The censure should be settled first and then we will determine the issue on which to censure Government. The Honourable Mover of this motion brought forward only one issue, viz., the Federation demanded the appointment of an adjudicator which the Railway Board refused. If we begin to have an adjournment motion on this kind of issue, I am sure, the Muslim League Party will have ten motions every day on such issues because our demands are turned down definitely by Government every day. If I remember correctly, the Honourable the Labour Member said clearly that this

question is under active consideration of the Labour Department.
4 P. M. It is still *sub judice*, if I may use that phraseology, and to bring a motion of adjournment on an issue which is still under consideration, is, I think, not desirable. We should wait and see what the decision of the Labour Department is. I thought that after the speech of the Labour Member, the Honourable Mover will withdraw his motion.

But this issue was altered altogether by my Honourable friend representing the Federation: He said that no person should be retrenched. That was not the issue in the motion of adjournment. The issue has become entirely different, and we have to find out not a person whose neck is about six inches in circumference but we have to try and find out a neck which has got about one foot circumference so that this noose—this particular motion of adjournment—may fit him! In this particular case I have great sympathy with the Honourable the representative of the Federation, but at the same time I believe his demand is irrelevant in this motion. My Honourable friend, Mr. Muhammad Nauman, who holds similar position as regards Muslim railway employees, drew the attention of the Assembly to the difficulties which the Muslim railway employees have to face and which never receive the sympathetic consideration of the Federation, and on account of this they were forced in 1930 to establish a Federation of their own and they have been fighting all the time to represent their cases before the Government, and the Federation have always opposed them on the ground that they have got no right to approach the Government in that manner.

Mr. Muhammad Nauman: They say our Federation should not have recognition.

Dr. Sir Zia Uddin Ahmad: This argument had some force ten years ago, but after the establishment of the Muslim Federation this argument has got no force. At any rate, he has changed the issue altogether. I have great sympathy with him because my attention was also drawn to the retrenchment of railway employees. I had an occasion to approach two General Managers and also the Chief Commissioner of Railways and mentioned this particular thing. All the three persons told me that they have got plans of expansion, that there is every likelihood that a very large number of these persons who

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are retrenched will get re-employment and priority will be given to those who have been in service before. But my Honourable friend, Pandit Balkrishna Sharma, extended the issue still further and I am in very great sympathy with him also and I would like to extend the issue still further. He wants to extend the scope to employees in all the departments of the Government. I go still further. I say that it is the duty of the Government to find employment for all, whether they are or have been in service or not. Of course the time will come to discuss this question and I will discuss it at great length when the question of planning and reconstruction comes up before us. I will discuss the whole question of finding employment for all, and on this minor issue of whether an adjudicator should or should not have been appointed by the Labour Department, I would not like to raise a bigger issue. But as this question has been raised by previous speakers, I will also take this opportunity to express my views on this particular question. I think in respect of every planning scheme which we undertake in future, we should see that two principles are adopted; on these two principles alone I will consider future planning. Mr. Chairman, you don't mind if I am irrelevant because the previous speakers were also irrelevant?

Mr. Chairman: Go on, go on.

Dr. Sir Zia Uddin Ahmad: Whatever planning is suggested, it should be judged on two fundamental principles. The first is 'Food for all', and the second is 'Employment for all'. We will have an occasion to discuss this when the reports of the Planning and Policy Committees—I do not know what it is; I hear it was published in the newspapers, but unfortunately I never read newspapers; I have never heard of this Policy Committee—come before us. Whatever policy we may follow for the future development of India, these two fundamental principles must be observed: namely, Food for all and work for all.

An Honourable Member: Clothes for all.

Dr. Sir Zia Uddin Ahmad: A suggestion has been made that I should include 'Clothes for all'. I accept the amendment.

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadan): Good houses for all.

Dr. Sir Zia Uddin Ahmad: I accept this—also. You can go on extending this list.

Seth Govind Das: Good treatment for all.

Dr. Sir Zia Uddin Ahmad: Suggestions are coming one after another. I leave that to the subsequent speakers to extend the scope of this motion of adjournment still further by adding all these.

Lt.-Col. Dr. J. C. Chatterjee: Do not forget 'Education for all'.

Dr. Sir Zia Uddin Ahmad: All right, but my Honourable friend is too late to remind me because he has already missed the bus.

As regards 'Food for all', we have got a very big problem to face. Our population is increasing by 1 per cent. every year, so we must have some method by means of which at least 1 per cent. more food every year is produced, and this can be done either by bringing more land under cultivation or by following improved methods of cultivation so that we may get more food from the same acreage. Whenever any proposal comes before this House from the Agriculture Department, this is the principle on which I will judge the efficiency of that scheme, namely, they increase the food by 1 per cent. every year or I should say 1½ per cent. to keep some margin.

The second thing is 'work for all'. I know that a number of schemes will be coming before us and we will have to discuss them one by one, but this is the only principle on which we will judge the efficiency of every scheme, namely, given the resources at our disposal, I will see how many people it can employ. Supposing we have got a proposal costing one crore of rupees. I will ask how

many persons can be employed. If it employs 20 persons, I will say no. If it employs 2,000 persons, I will say yes. This will be my criterion for the acceptance of any scheme that comes before us. Of course there will be some exceptions, for example there are certain industries—key industries, for instance—which will not produce great employment, but by the production that they will make, it will place India in a position to employ more men later on. So these are the points we shall have to consider when we approve any scheme—that there should be employment for all, and food for all. My friend reminded me that I should still further expand and include housing, education and everything else.

Shri Sri Prakasa: What about the *Hindustan Times* for all?

Dr. Sir Zia Uddin Ahmad: You take "Hindustan" and give me the time, the fourth dimension of Einstein.

Shri Sri Prakasa: You read that paper at least. You said so at Jhansi.

Dr. Sir Zia Uddin Ahmad: Not even for money. For this thing I have a definite suggestion which I will also propound in detail when the opportunity comes. I say that whenever a question of any company or anything is concerned, we should not only consider the question of the employer of labour, the question of the capitalist, the question of the shareholders, but we must also consider the question of the workmen who produce good dividends. But sometimes the dividend is increased up to 200 per cent. Then the workmen must work for a much longer period in order to give that particular profit to the shareholders which is not correct and therefore that is a thing which we will have to stop in order to give a fair amount of comfort to the labourer. At the present moment, with the policy we have, I think it is not the right thing. I will tell my friend, the Labour Member that in his efforts for the protection of labour he is catching the wrong end of the stick. He is doing things that gives him very great advertisement but truly speaking he ought to have done it from a different angle and the work which he ought to take up is that he should have a rule that no company should be able to pay a dividend of more than six per cent. interest, say double the bank rate of interest. I say double the interest because it coincides with Hindu opinion. Whatever profit comes in it must be distributed not only among the shareholders but among the workmen and those people responsible for the production of their wealth. If the workmen are convinced that whatever work they do they will also share in the profit, there will be neither strike nor demands for less hours of work. If I know that I am doing the work and the whole profit will come to me, then I shall be pleased to do the work, otherwise it becomes indentured labour and naturally the Legislature will see that this indentured labour is not misused.

Mr. Chairman: You have two minutes left.

Dr. Sir Zia Uddin Ahmad: Then the demand for an adjudicator will not arise. Why should they want one? They say that their labour is in the nature of indentured labour. They have to do the work of which they do not get the true value including the profits and the advantages thereof and therefore they resort to a strike. But if they get the full value of their labour and it is not of the nature of indentured labour, then probably there will be no strike and no demand.

So I have really spoken on an issue which is absolutely irrelevant but my only submission is that every speaker went on enlarging the issue.

Mr. Chairman: Does any other gentleman wish to address the House? **Mr. Turner.**

Mr. A. O. Turner (Government of India: Nominated Official): I wish to draw the attention of the House to the narrow issue before it. It is simply that if a single Railway employee is to be retrenched, no matter how short his length of service, Government should be censured for it. I can only say that that seems to me a very unreasonable proposition. I was present at the meeting with the representatives of railway labour on December 5, and it was put to them that

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this particular demand was palpably unreasonable. As has already been stated, the Railway Board and all railway administrations are doing their utmost to secure the re-absorption of anyone who may become surplus in his present job. But there will be occasions when it will be impossible to retain a certain man on a certain railway or in his present post. For example, the Bengal Assam Railway had a very large expansion in temporary staff during the war. Now the work that the B. A. Railway Administration had to carry out during the war is rapidly decreasing and they naturally cannot, when peace time conditions are resumed, continue to employ the vast number that they have hitherto employed. Would it be a reasonable proposition to spend the money of the taxpayers of India to keep men idle in any part of the country? It may happen that on a particular railway there will be an excess. As far as is possible what will be done will be to offer them work, may be in other areas. But should these men elect to remain near their homes, would it be reasonable that the taxpayers' money should be spent to keep these men idle near their homes because they will not consent to accept employment a little farther away from their homes or of a different type from their present work? I submit that that would be very unreasonable and in fact the Government would not be discharging their duties to the taxpaying public, if they were to accept such a proposition.

We have very large schemes by which we hope to employ surplus labour. I have no doubt that most of the Honourable Members have read from time to time of the large schemes which we have under consideration. There are many new construction works which are now under survey. Engineering and traffic surveys are being conducted in regard to, I think, some thirty-six new lines. All these works will employ a great deal of labour. We have many other projects but I must not anticipate the budget.

Another point is that, the matter is not of such immediate urgency because the door is still definitely open. At the time of our discussions with the representatives of railway labour on the 5th December, it was put to them that we should continue as before to take the greatest interest in this matter and we said that we would welcome an arrangement whereby a small committee representing railway labour would be formed which would continue to keep in touch with the Railway Board and discuss the progress of these matters from time to time. These matters are still under close examination by all General Managers of railways and they are themselves already taking action. As we have heard from the Honourable Member for War Transport they are still taking action to reabsorb such employees as have become surplus on their lines. We are hoping in due time to have the privilege of meeting the newly formed committee and discussing the matter still further with a view to eliminating to the greatest extent possible any hardship that may be occasioned by reason of having to discharge men. But the matter does not end there. The other side of the House has looked at the picture from a wider perspective, viz., the whole problem of post-war unemployment in India. The railway sphere of employment is admittedly a very large one but it does not embrace even the whole Governmental sphere and there will, I imagine, be very many more men involved in regard to private concerns. The whole, Sir, constitutes a very large problem though it may be irrelevant to the immediate issue before the House. The whole problem is, however, receiving the very closest attention of Government and the Railways will continue to do their part. In view of the nature of the proposition I would ask my Honourable friend whether he would not on reconsideration, like to withdraw his motion, because I think, if I may say so, that it is a little premature and I think a little patience on his part will see many of the difficulties solved.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Sir, I am not at all satisfied with the position taken up by the Government. They have not given us the assurance that they have explored and they do propose to explore and utilise every possible opportunity of preventing retrenchment before they actually launched upon retrenchment on the railways. They have

already begun I am told, to discharge several thousands of people from a number of semi-military workshops for the manufacture of aeroplanes and also their component parts. They have not told us why these people have been discharged before they actually have completed all the processes of negotiations with the Railway administration and they came to the conclusion that it was absolutely necessary. There is no guarantee that if we allow the government to have its own way it would really give full satisfaction not only to labour but also to the taxpayer. The taxpayer certainly does not wish to be forced to pay higher railway rates than what they are paying but at the same time they do not want to see thousands and even tens of thousands of labour to be thrown on the unemployment market, so that it becomes easier for European businessmen and concerns to lower the general level of wages of our industrial labour and make higher profits for themselves. We are not also quite sure how if and when any kind of retrenchment comes to be made the Government is going to distinguish between one section and another section of railwaymen, between one race and another race of railwaymen, between people of one province and another province. We do not wish to leave so much of discretion to this Government, because this Government has not won that much of trust from us.

Then, Sir the railwaymen ask for adjudication of this particular business. My Honourable friend Dr. Ambedkar says that there is no case for this. He used the words "justiciable dispute". However he may put it, I would like him to place himself before an impartial third party and I would like the Government also to have the courage to place their case before a third party just as the Railwaymen's Federation is prepared to. When the Railwaymen's Federation has got the courage to come forward and make this challenge to the Railway Board, why is it that the Railway Board and the Railway Member are not prepared to accept it, unless they have something up their sleeves which they do not want us to know at present and which they wish to conceal for sometime longer.

The Honourable Member said that we should not take up this question of adjournment just now, because he was going to give plenty of time to discuss this matter at the time of the introduction of the Railway Budget. He is going to prepare his Railway Budget. On what basis? On the basis of some sort of retrenchment that he must be putting in. He prepares the whole Budget on that basis, springs it before us as a sort of *fait accompli* and puts us in the unenviable position of simply throwing out the whole Budget. We do not want that position. We would like him here and now to take a warning from us and know what our point of view is in regard to this matter, so that he may grow wiser in preparing the Budget and bring before us a more acceptable Budget than would otherwise be the case.

Then there is the question of hours of labour. My Honourable friend Dr. Ambedkar was making much point about the fact that the President of the Railwaymen's Federation was not so very keen on this. They have been and are keen on it but are you prepared to negotiate with them on this matter also? The Government says, provided you are not going to press for 'no retrenchment' slogan. Why should there be any retrenchment, I ask, as long as you can possibly prevent it? There should certainly be a time lag between the time when you open an already closed railway line and when it begins to work in full swing. During this time lag necessarily you have to carry these people on working. It is much better that the state should keep these people in employment than that they should be thrown on the unemployment market and are you willing to do that? You have not given us any assurance in that direction.

The Honourable Sir Edward Benthall: May I ask whether the Honourable Member's party agrees that the railways should not retrench one man, whether they agree with the Railwaymen's Federation?

Prof. N. G. Ranga: My answer is this. My party agrees to this position, that the whole question should be placed before an adjudicator. Before him the Government will place all their facts and the Railwaymen's Federation will also

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place all their facts. Then let him give his judgment. We are prepared to abide by that judgment. Situated as we are, without the book before us, we are unable to say what we are going to do.

The Honourable Sir Edward Benthall: If the Honourable Member were on the Government Benches, would he agree in a matter of retrenchment to abide by the decision of an outside body altogether, thereby abrogating his duty as Government?

Prof. N. G. Ranga: It is a beautiful argument. There used to be a gentleman called Sir Reginald Maxwell who used to talk about rights of Government but that time is long past. He did not allow us to get into touch with our own people until the Government was satisfied that there was no more threat to peace and tranquillity. What has happened? All our people had to be released unconditionally and they had to be negotiated with by the Government. Therefore my party will be prepared to abide by the decision of the adjudicator. We challenge the Government to place their case before him. Till then we shall keep an open mind in regard to this matter and we are not going to say that the Government is doing the right thing.

An Honourable Member: We shall retrench you all!

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 23rd January, 1946.