

24th January 1946

THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume I, 1946

(*21st January to 11th February, 1946*)

FIRST SESSION
OF THE
SIXTH LEGISLATIVE ASSEMBLY,
1946



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, INDIA
PRINTED BY THE MANAGER GOVERNMENT OF INDIA PRESS, NEW DELHI, INDIA
1947

i
LEGISLATIVE ASSEMBLY

President :

THE HONOURABLE MR. G. V. MAVALANKAR.

Deputy President :

SIR MUHAMMAD YAMIN KHAN, M.L.A.

Panel of Chairmen :

MR. K. C. NEOGY, M.L.A.

SYED GHULAM BHIK NAIRANG, M.L.A.

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

Secretary :

MR. M. N. KAUL, BARRISTER-AT-LAW.

Assistants of the Secretary :

MR. M. V. H. COLLINS, M.B.E.

MR. A. J. M. ATKINSON.

MR. S. DAS.

Marshal :

CAPTAIN HAJI SARDAR NUB AHMED KHAN, M.C., I.O.M., I.A.

Committee on Petitions :

SIR MUHAMMAD YAMIN KHAN, M.L.A. (*Chairman*)

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.

ii
CONTENTS

Volume I—21st January to 11th February 1946.

Monday, 21st January, 1946.—

Message from His Excellency the Governor General	1
Members Sworn	1—5
Statements laid on the Table	5—53
Governor General's Assent to Bills	53
Point of Order re dropping of Question Hour	53—55
Paper laid on the Table	55—61
Motion for Adjournment re Government of India's participation in operations in Indonesia and Indo-China—Adopted	61—62
Election of Members to Standing Finance Committee for Railways	63—62
Election of Members to Central Advisory Council for Railways	63
Election of Members to Standing Finance Committee	64—65
Election of Members to Standing Committee for Roads	65
Workmen's Compensation (Amendment) Bill—Introduced	67
Insurance (Amendment) Bill—Introduced	67
Code of Criminal Procedure (Amendment) Bill—Introduced	67
Professors Tax Limitation (Amendment) Bill—Introduced	67
Provident Funds (Amendment) Bill—Introduced	67
Indian Oilseeds Committee Bill—Introduced	67
Pharmacy Bill—Introduced	67

Tuesday, 22nd January, 1946 —

Member Sworn	83
Motions or Adjournment re—	
Trials of Indian National Army Officers—Ruled out of Order	83—85
Police firing on Students in Calcutta and other cities—Ruled out of Order	86—87
Shooting of I.N.A. Prisoners—Ruled out of Order	87—88
Demand of Security from <i>National Herald</i> of Lucknow—Ruled out of Order	88
Use of Indian Troops in Indonesia and Indo-China—Barred	88
Forced Realizations under National Savings Drive—Ruled out of Order	88—89
Signing of Bretton Woods Financial Agreement—Ruled out of Order	89
Rejection of Railwaymen's Federation Demands re Retrenchment—	
Discussion on the Motion not concluded	90
Election of Members to the Standing Finance Committee	90—120
Election of Members to Public Accounts Committee	90—97
Election of Members to Standing Committee for War Transport Department	97
Election of Members to Standing Committee for Labour Department	98
Election of Members to Standing Committee for Posts and Air Department	98
Election of Members to Standing Committee for Common-Wealth Relations Department	98
Election of Members to Standing Committee for Agriculture Department	98
Election of Members to Governing Body of Indian Research Fund Association	99

Wednesday, 23rd January, 1946—

Members sworn	121
Statement laid on the Table	121
Motions for Adjournment re—	
Expenditure on British Parliamentary Delegation to India—Ruled out of order	121
Inaction re Deletion of Sections 111 to 121 of Government of India Act—Ruled out of order	122—24
Russian Aggression against Persia—Disallowed	124
Deaths of I.N.A. Men in Montgomery Jail—Ruled out of Order	124—25

Scaling down of Great Britain's Sterling Debt to India—Disallowed	125—26
Yarn Scarcity for Madras Presidency Handloom Weavers—Ruled out of order	126—27
Food Famine in South India Districts—Withdrawn	128—29
Treatment to I.N.A. detinue—Disallowed	130—31
Non-Release of detainees under Ordinance No. 3 of 1944—Adopted	131—34
Election of Members to Standing Committee for Legislative Department	136—37
Election of Members to Standing Committee for Food Department	137—38
Election of Members to Standing Committee for Planning and Development Department	138—39
Election of Members to Indian Coconut Committee	139
Election of Members to Central Advisory Board of Health	139
Election of Members to Standing Finance Committee for Railways	140

Thursday, 24th January, 1946 —

Message from His Excellency the Governor General	154
Members Sworn	154
Motion for Adjournment re Failure to carry out Assurance Rail-Road Co-ordination Scheme—Postponed till Tuesday	156—54
Election of Members to Standing Committee for Planning and Development Department	158—59
Election of the President	100—62, 162—66
Statement of Business	166

Monday 28 January, 1946—

His Excellency the Governor General's Address to the Legislative Assembly	167—68
Members Sworn	168
Election of the Deputy President	168
Code of Criminal Procedure (Second Amendment) Bill—Introduced	169
Motion re Bretton Woods Conference Agreements—Discussion not concluded	169—94

Tuesday 29th January, 1946 —

Members Sworn	195
Short Notice Questions and Answers	195—99
Election of Members to Standing Committee for Posts and Air Department	200
Election of Members to Standing Committee for War Transport Department	200
Motion re Bretton Woods Conference Agreements—Adopted as amended	200—18, 220—31, 232—37
Motion for Adjournment re Failure to carry out Assurance re Rail-Road Co-ordination Scheme—Postponed till next day	218—20, 231—33

Wednesday, 30th January, 1946 —

Election of Members to Standing Finance Committee	239
Election of Members to Central Advisory Council for Railways	239
Election of Members to Governing Body of Indian Research Fund Association	239
Declarations of Exemption under Registration of Foreigners Act	239—41
Motions for Adjournment re—	
Failure to carry out Assurance re Rail-Road Co-ordination Scheme—Withdrawn	241—43
Election of Members to Committee re Road-Rail Co-ordination Scheme	241—43
Point of Order re Admissibility of Adjournment Motion of Absentee Member	242—44
Deaths of Lt. Maghar Singh and Lt. Ajmer Singh in Delhi Red Fort—Included in Motion for Adjournment re Bahadurgarh Camp	244—45

Stoppage of Passenger Traffic between Badnera and Amraoti—Disallowed	245—46	Official Interference in Elections—Disallowed by the Governor General	400
Inaction re Deletion of sections 111 to 121 of Government of India Act—Ruled out of order	246—47	Atrocities by Pioneer Force near Nutanpara Railway Station—Disallowed	400
Ill-treatment of I.N.A. Men in Bahadurgarh Camp—Talked out	247	British Policy in Palestine—Disallowed by the Governor General	400
	279—97	Sales of Bullions at High Prices by Reserve Bank—Ruled out	400
Election of Members to Committee re Brettonwood Conference Agreements	247	Attestation Fees for Declaration Forms re high Value Notes—Ruled out	401
Indian Mines (Amendment) Bill—Introduced	247	Unsatisfactory Medical and other Relief to Indians in Malaya—Ruled out Order	401—408
Motion re Food Situation—Discussion on the Motion to consider not concluded	247—79	Russian Aggression against Iran—Disallowed by the Governor General	408
Thursday, 31st January 1946—		Restricted Railway Booking of Hides and Skins—Ruled out	404
Members Sworn	299	Student Strike in Delhi Polytechnic—Postponed	404—407
Short Notice Question and Answer	299—300	Ratification of San Francisco Charter—Disallowed	407
Motions for Adjournment re—		Grievances of R.I. A. F. Men in Karachi—Ruled out of Order	407—408
Inaction re Deletion of Sections III to 121 of Government of India Act—Ruled out of Order	301—302	Police Firing in Bombay—Disallowed	408
Signing of Bretton Woods Financial Agreement—Ruled out	301	Inaction re-Removal of Sections 111 to 121 of Government of India Act—Withdrawn	408—09
Failure to secure Foodgrains Reserves—Ruled out	301	Inadequate Food Supply in Ajmer-Merwara—Disallowed	410
Ordinances demonsting High Value Notes—Withdrawn	301	India's participation in Anglo-Siam Treaty Disallowed	410
Sales of Bullions at high price by Reserve Bank—Disallowed	302	Police Firings on I.N.A. Day—Disallowed	410
Recruitment of Europeans to Indian Civil and Police Services—Adopted	302—05	Failure to protect Interests of Indians in South Africa—Adapted	415—416 439—55
Nomination of Members to Library Committee	305	Elections of Members to Standing Committee for Food Department	416
Election of Members to Public Accounts Committee	305	Election of Members to Indian Coconut Committee	416
Election of Members to Central Advisory Board of Health	306	Resolution re-Release of One-Third Mill Yarn for Handlooms Adopted as amended	417—28
Election of Members to Standing Committee for Roads	306	Resolutions re-Release of Indian National Army Men and Political Prisoners—Discussions not concluded	428—39
Election of Members to Standing Committee for Labour Department	306	Tuesday, 5th February, 1946—	
Resolution re Release of one-third Mill yarn for Handlooms—Discussion not concluded	306—36	Member Sworn	457
Friday, 1st February 1946—		Starred Questions and Answers	457—85
Members Sworn	351	Unstarred Questions and Answers	485—506
Short Notice Question and Answer	351	Short Notice Questions and Answers	506—508
Motions for Adjournment re—		Motions for Adjournment re—	
Atrocities by Pioneer Force in Pachlaich village near Chittagong—Disallowed	351—54	Interference in Sind Assembly Elections by European Officials—Disallowed by the Governor General	508
Disaster at Diamond Harbour Jetty—Disallowed	354—55	Interference by I.C.S. Personnel in Elections in Karachi Disallowed by the Governor General	508
Passport to Pandit Jawaharlal Nehru for Malaya, etc.—		Rights of Indians in Kenya Colony—Adopted	509—533 48
Ruled out of Order	355—60	Elections of Members to Standing Committee for Agriculture Department	509
Avoiding of taking important Decisions during Assembly Session—Disallowed	360—61	Election of Members to Standing Committee for Legislative Department	510
Inadequate Accommodation for Assembly Members—Disallowed	362	Election of a Member to Standing Committee for War Transport Department	510
India's Quota of Reparations from Germany and Japan Negatived	362—64	Presentation of the Report of the Public Accounts Committee	510
Election of Members to Standing Committee for Commonwealth Relations Department	364	Election of the Deputy President	511
Papers laid on the Table	364	Motion re Food Situation—Adopted as amended	511—38
Motions re Food Situation—Discussion not concluded	365—70 370—87 395—97	Thursday, 7th February, 1946—	
Nomination of Panel of Chairman	370	Members Sworn	546
Election of Members to Committee re Bretton Woods Conference Agreements	370	Starred Questions and Answers	545—90
Election of Members to Committee re Road rail Co-ordination Scheme	370	Unstarred Questions and Answers	590—97
Election of the Deputy President	394	Short Notice Questions and Answers	597—99
Monday, 4th February, 1946—		Motions for Adjournment re—	
Member Sworn	399	Refusal of leave to employees in certain Departments of Government of India to proceed to Simla to cast votes in the Punjab Assembly Elections—Not moved	610
Motions for Adjournment re—		Prosecution of persons in Punjab under section 196, Cr. P. Code—Disallowed by the Governor-general	601
Failure to establish National Government—Disallowed by the Governor General	399	Strike of Students of Delhi Polytechnic—Postponed	602—04
Enforcement of Defence of India Rule 89A in Central Provinces and Bihar—Disallowed	399—400	Employment of Non-Indian W. A. C.—Not moved	604—05
Use of Indian Troops in Indonesia and Indo-China—Disallowed	400		

Proposed evacuation of villages in the Prosecution of the Damodar Scheme—Not moved	605—07	Motions for Adjournment re— Delhi Polytechnic Strike—Ruled out	600
India's Contribution towards the Working capital of U.N.O.—Not moved	607—08	Reversions from the I.A.M.C. to the Indian Medical Department—Withdrawn	601
Imminence of Strike in Posts and Telegraphs Department—Adopted	608—11 631—48	Repatriation Facilities to Indian Labourers on Siam-Burma Railway—Disallowed	602—04
Message from His Excellency the Governor General	611	Election of Members to Standing Committee for Health Department	607—08
Election of Members to Standing Committee for Planning and Development Department	611	Tobacco Committee	608—09
Election of Members to Standing Committee for War Transport Department	611	Election of Members to Standing Committee for Home Department	609—701
Nomination of Members to the House Committee	612	Election of Members to the Standing Committee on Pilgrimage to Hejas	701
Election of Members to Standing Committee for Commerce Department	612—13	Insurance (Amendment) Bill—Referred to Select Committee	702—14
Election of Members to Standing Committee for Industries and Supplies Department	613—14	Workmen's Compensation (Amendment) Bill—Passed	714—16
Election of Members to Imperial Council of Agricultural Research	614—15	Indian Mines (Amendment Bill) Passed	716—20
Election of Members to Standing Committee for Information and Broadcasting Department	615—16	Pharmacy Bill—Discussion on the Motion to refer to Select Committee not concluded	720—27
Electricity (Supply) Bill—Introduced	616		
Transfer of Property and Succession (Amendment) Bill—Introduced	617	Monday, 11th February, 1946—	
Insurance (Amendment) Bill—Discussions not concluded	617—31	Member Sworn	720
Friday, 8th February, 1946—		Starred Questions and Answers	720—72
Starred Questions and Answers	649—88	Unstarred Questions and Answers	772—74
Unstarred Questions and Answers	688—88	Short Notice Question and Answer	774—82
Short Notice Questions and Answers	688—90	Motion for Adjournment re Corridor to the Nizam of Hyderabad Disallowed	782—84
		Resolution re Release of Indian Nations / Army Men and Political Prisoners—Discussions not concluded	784—812

LEGISLATIVE ASSEMBLY

Thursday, 24th January, 1946

The Assembly met in the Assembly Chamber of the Council House at Elever of the Clock.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL

Secretary of the Assembly: The following Message has been received from His Excellency the Governor General:

“Order

Whereas Sir Cowasjee Jehangir, Bart., G.B.E., K.C.I.E., M.L.A., has resigned the office of Chairman of the Legislative Assembly;

Now, therefore, in pursuance of the provisions of Sub-rule (2) of Rule 3 of the Indian Legislative Rules, I, Archibald Percival, Viscount Wavell, hereby appoint Lt.-Colonel Dr. J. C. Chatterjee, M.L.A., to be Chairman of the Legislative Assembly with effect from the morning of Thursday, the 24th January, 1946.

(Signed) WAVELL,
Viceroy and Governor-General.

NEW DELHI;

The 23rd January, 1946.

[Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official) then occupied the Chair]

Mr. Chairman (Lt. Col. Dr. J. C. Chatterjee): Honourable Members desiring to take the oath or make the affirmation of allegiance to the Crown will do so now in the manner prescribed.

MEMBERS SWORN:

Sir Kenneth Grant Mitchell, C.I.E., M.L.A.. (Government of India: Nominated Official);

Raja Sir Saiyid Ahmad Ali Khan Alvi, M.L.A.. (Nominated Non-Official).

Mr. Chairman: I will first take up the adjournment motions.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I know as to when Sir Kenneth Mitchell was nominated? Was he nominated this morning?

Mr. Chairman: I have no information. Will the Leader of the House say when Sir Kenneth Mitchell was nominated?

The Honourable Sir Edward Benthall (Leader of the House): He was nominated this morning in place of another official.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): When was it gazetted? Is it not necessary that it should be done before?

The Honourable Sir Edward Benthall: No, Sir.

Diwan Chaman Lall: That was done in order to swell the number of votes on the other side.

The Honourable Sir Edward Benthall: It was done in anticipation of a debate this afternoon.

Prof. N. G. Ranga: Is he not nominated in place of Mr. Krishnamoorthi?

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadan): When did Mr. Krishnamoorthi resign?

The Honourable Sir Edward Benthall: Yesterday.

Shri Saraj Chandra Bose (Calcutta: Non-Muhammadan Urban): May I know whether he was forced to resign?

Diwan Chaman Lal: May I also enquire whether you have any intimation so far that Mr. Krishnamoorthi has resigned his seat in the Legislative Assembly, and whether you have been informed that the vacancy has been filled up? Further, whether the Honourable Member is entitled to take his oath before the nomination is gazetted?

Mr. Chairman: I have not been informed, but I do not think the question arises.

Prof. N. G. Ranga: Why not?

Mr. Chairman: It is not necessary that the Chairman should be informed of the nomination of any particular Member.

Prof. N. G. Ranga: Was the office informed?

Sir George Spence (Secretary, Legislative Department): Copies of the notifications have been sent to the office of the Legislative Assembly in the ordinary course.

Prof. N. G. Ranga: We are not able to follow you.

Mr. Chairman: I do not think the House would like me to prolong a discussion of this kind. Nomination is a matter for the Governor General and as we have just been informed, the necessary preliminaries have been given effect to, and I think it is futile to pursue this matter.

Seth Govind Das: Mr. Krishnamoorthi has resigned because Government have not full faith in him.

Mr. Chairman: I have no information whatsoever. I do not think that this matter arises. I will now take up the adjournment motions.

The Honourable Sir Edward Benthall: That suggestion is completely inaccurate.

Prof. N. G. Ranga: Only they have more faith in a white man.

MOTION FOR ADJOURNMENT

FAILURE TO CARRY OUT ASSURANCE *re* RAIL-ROAD CO-ORDINATION SCHEME

Mr. Chairman: I will now take up the adjournment motions. The first motion that is before me today is by the Honourable Mr. Mohan Lal Saksena who says that "I hereby give notice of my intention to ask for leave to make a motion for the adjournment of the business of the Legislative Assembly for the purpose of discussing a definite matter of urgent public importance, namely, to censure the Government for not carrying out the assurance given by the Honourable the War Transport Member, Sir Edward Benthall, to the Legislative Assembly on 12th April, 1945, in executing the rail road co-ordination Scheme".

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): May I rise to a point of order? The agenda paper mentions only two items: one, taking of oath, and the other, election of President. Where are these adjournment motions?

Mr. Chairman: Under Standing Order 21 they are taken up automatically. It is not necessary to have them entered on the agenda.

Mr. Abdur Rahman Siddiqi: Even on an important day like today?

Mr. Chairman: I have given my ruling.

I have already read out the adjournment motion sent in by the Honourable Mr. Mohan Lal Saksena. I would like to hear him on the question.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): As Honourable Members are aware, Sir Edward Benthall made a speech on the 12th of April 1945 before this House, he gave definite assurances, and on the basis of that a demand of 82 lakhs which had been formerly voted down was granted. But after that in my province as well as in other provinces, the assurances have not been carried out. Neither have the bus-owners been consulted, and in the matter of appointment of promoters most of them have not been taken from amongst them; outsiders were imported. Either they

were granted fresh permits or those persons have been appointed promoters who had nothing to do with the motor trade. Then, Sir, dominant portion of the share capital was allotted to the Railways and in my province the share capital allotted to operators was only 34 per-cent. Another thing is that the representatives of the people were not consulted especially in those provinces where Section 93 regime works; we know that these authorities have worked the scheme in their own way irrespective of the convenience of the public or the interests of the bus-owners.

Then one thing more. The Honourable Member had given an assurance that this scheme would not be pushed through, and that it would be worked over a number of years and it required patience, consultation and co-ordination. But nothing has been done. On the contrary an Ordinance was enacted on the 1st September 1945 to arm the Executive with powers so that these operators may be coerced into joining these companies. Then again assurance was given that capitalists would not be allowed to come in, but we find that capitalists have been allowed to come in not only as promoters but they have been allowed to take 15 per cent of the share capital. They are to take 15 per cent, Local Government 5 per cent and railways 45 per cent.

These are the points which I place before the House and this is urgent because notices have been given to the operators terminating their permits and by the 15th or 16th February this scheme is going to be started.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): On a point of order. A speech ought to be allowed only at the time when the motion has been admitted.

Mr. Chairman: Will the Honourable Member be brief?

Shri Mohan Lal Saksena: I have given the reasons that this scheme is being rushed and forced and the interests of the bus-owners are being sacrificed.

Mr. Chairman: Will the Honourable Member in charge explain the position?

The Honourable Sir Edward Benthall (Member for Railways and War Transport): The Honourable Mover is correct that I gave certain assurances and I gave an undertaking that I would keep the House informed of progress. In pursuance of that undertaking I placed on the table a white paper and a progress report to show what the Government had done since. I maintain that there has been no change of policy and no deviation from our undertaking. Most of the points which my honourable friend has mentioned are matters for the Provincial Government within whose sphere road transport comes, *viz.*, consultation with the bus-owners and the question of promoters in particular. As regards the predominant share of the railways the position is as we have said in the white paper and on the floor of the House. As regards the Ordinance, it reduces the chances of coercion. That is a statement of fact and I have no qualms about any failure to adhere to what we said. I did give the House an assurance that we would welcome an opportunity for discussion. I am perfectly willing, if the House wishes, that we should discuss it this afternoon or at any other opportunity that may occur later.

Mr. Chairman: In view of what the Honourable Member in charge has said, does the honourable mover of this adjournment still desire to press it?

Shri Mohan Lal Saksena: Yes, Sir. If the Honourable Member allows a discussion on the white paper, then I am prepared to withdraw it.

The Honourable Sir Edward Benthall: I think it should be discussed either on the adjournment motion or on the discussion on the Railway Budget.

Shri Mohan Lal Saksena: The Railway Budget will come off very late. As I have informed the House the scheme is going to be enforced by the 15th February. We want an opportunity before that.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): I think a date should be allotted before the Railway Budget because that Budget has many other things mixed up with it and this is a big question. We should be allowed one full day.

The Honourable Sir Edward Benthall: We have a very busy programme in this Session. I place myself entirely in the hands of the House as to when we discuss it, but I do not think we can allot a day.

Mr. Chairman: In view of the fact that the Honourable Member has no serious objection to its being taken up today, is it your wish to press the motion?

Shri Mohan Lal Saksena: Yes.

Mr. Chairman: I consider that this motion is in order and I admit it. I am unable, as the House will appreciate, to fix a time as we have more important business. The time had better be fixed by the President when he has taken his seat, which, I think, will be after lunch today. If it is convenient to the House, I will admit the motion but I will not fix the time when we shall discuss it.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR PLANNING AND DEVELOPMENT DEPARTMENT

Mr. Chairman: The next item is the further consideration of the following motion moved by the Honourable Sir Edward Benthall on the 23rd January, 1946, viz.:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the Chairman, ten non-official members to serve on the Standing Committee for the Department of Planning and Development for the rest of the current financial year and the whole of the next financial year, 1946-47."

The Honourable Sir Ardeshir Dalal (Member for Planning and Development): I regret I was not present at the House yesterday when the Honourable the Leader of the House moved this motion because I was called away to a very important committee on which members from all over India were summoned. I understand that my honourable friend, Mr. Manu Subedar, raised some queries in connection with this motion, which I shall be very happy to answer today. He seems to be under a serious misapprehension regarding the duties and functions of the Policy Committees and he seems to think that the Standing Committee of this House is placed in a position of subordination to the Policy Committees. As a matter of fact it is nothing of the sort. The General Policy Committee and the Industries Policy Committee meetings were summoned in October 1945. This Standing Committee of my Department was constituted last April and its meeting was summoned before the House arose in April. Between April and August I was out of India. After I returned another meeting of the Standing Committee was summoned in September, although it was only a few days before the Assembly was dissolved. So it is not correct on the part of my honourable friend to say that the meetings were not summoned frequently. On the other hand there has been only one meeting of the Policy Committee summoned during the year. The Policy Committee does not, as my honourable friend seems to think, plan or advise us on the matter of planning in such a detailed manner as he imagines. The policy of the Government with regard to planning and development is placed before the Policy Committee and there is a general discussion on the subject at the Committee. All the proceedings of the Policy Committees are open to the Members of this House and they are specifically sent to the Members of the Standing Committee. As a matter of fact no Member of the Standing Committee has raised any objection on this ground. I hope, therefore, that my honourable friend. . . .

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): What about reconstruction?

The Honourable Sir Ardeshir Dalal: That is a Committee of the Cabinet itself. It is a Committee of the Executive Government.

Mr. Manu Subedar: The Provincial members and States' members are there.

The Honourable Sir Ardeshir Dalal: No, not on the Reconstruction Committee. That is again a misapprehension. I hope, therefore, that my honourable friend is satisfied with this explanation.

Mr. Manu Subedar: What about the circulation of papers? I understand that papers were not given to the Members of the Standing Advisory Committee for the Planning Department which were given to the Reconstruction Committee as well as to the Policy Committee. We want full circulation. It is a question of the dignity of this House. This ought to be the paramount and the last body advising this Government before they take action. My submission is that the papers submitted to the Reconstruction Committee and to the Policy Committee have not been given to the Members of the Standing Advisory Committee.

The Honourable Sir Ardeshir Dalal: No papers of this kind were submitted to the Policy Committee at all. The Reconstruction Committee of which the Honourable Member is talking is something entirely different. It is the Executive Committee of the Cabinet and naturally papers are submitted to it all of which cannot be submitted to the Standing Committee under the rules as laid down and discussed only the other day and passed. Therefore there is nothing on which I can see that the Honourable Member can have a grievance.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): When this Standing Committee makes its recommendations to the Government, the Government should be prepared to inform the members of the Standing Committee what action has been taken on any of the recommendations or all the recommendations of that Committee. In fact there were two meetings of that committee so far as I remember and in regard to the second meeting I do not know whether the proceedings of that meeting have been communicated to all the members of that committee and I do not know when those proceedings are going to be communicated and if they have been communicated already, I have not received them. My suggestion is that in regard to every one of the suggestions made by this Committee, the action taken by Government or proposed to be taken by Government might also be communicated to the members of the Committee.

Sri M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): And Members of the House.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, there are some important questions of policy on which, I believe, the opinion of the House ought to be taken before any expenditure is incurred. I take only one illustration, that is, the question of air service. I understand that air service in India is under contemplation. They have to decide whether it should be run by the Government like the Railways or whether it should be handed over to certain companies. If they are to be handed over to certain companies, on what conditions. Before any expenditure is sanctioned on this particular question, I think the Finance Committee will be in great difficulty whether to vote or not on this issue before taking the opinion of the House. Therefore it seems desirable that on any question of policy which involves large expenditure the opinion of the House should be taken before any expenditure is incurred.

Mr. Chairman: The question is:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the Chairman, ten non-official members to serve on the Standing Committee for the Department of Planning and Development for the rest of the current financial year and the whole of the next financial year, 1946-47."

The motion was adopted.

Mr. Chairman: I have to inform Honourable Members that for the purpose of election of Members to the Standing Committee for the Planning and Development Department, the Notice Office will be open to receive nominations upto 12 noon on Wednesday, the 30th January, and that the election, if necessary, will be held on Thursday, the 7th February. The election, which will be conducted in accordance with the Regulations for 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.

ELECTION OF THE PRESIDENT

Mr. Chairman: In accordance with the provisions of rule 5A of the Indian Legislative Rules, the House will now proceed to elect a President by ballot. In compliance with the provisions of sub-rule (3) of that rule, I have to announce to Honourable Members that two nomination papers duly filled in have been received on behalf of Mr. G. V. Mavalankar and one nomination paper duly filled in has been received on behalf of Sir Cowasjee Jehangir.

The names of the proposers and seconders of Mr. Mavalankar are as follows:

Proposers	{	Shri Sarat Chandra Bose.
	{	Mr. Manu Subedar.
Seconders	{	Shri Satya Narayan Sinha.
	{	Shri Sri Parkasa.

The names of the proposer and seconder of Sir Cowasjee Jehangir are as follows:

Proposer	Nawabzada Liaquat Ali Khan.
Secunder	Syed Ghulam Bhik Nairang.

Honourable Members will now come up to the table and take the ballot papers from the Secretary in the order in which I call their names. To preserve the secrecy of the ballot, I would invite Honourable Members, on taking the ballot papers to proceed to the small room behind the Chair, record their votes at the table in that room, fold the papers, return to the Secretary's table by the left of the Chair and drop the voting papers in the ballot box on the Secretary's table.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I would like to know whether any time has been fixed for closing the election. We know when the election begins but when does it close? Does it go on throughout the day and does it continue on the succeeding day also? No notice has been given to us that the election will be closed at a particular time. I would like to know what the position of the Government is in regard to the continuance of the election.

Mr. Chairman: The answer to the Honourable Member's query is that we proceed now and we go on till the election is finished.

Diwan Chaman Lall: How can the election be finished unless we know how long the election will go on. Voting may go on for the whole day and voting may continue later on too. You do not say when the voting is to close. You have given no time for the voting to close. How can you say that the election will go on? The election may go on for a whole month like this. I want to know what the actual position is in regard to this matter.

Mr. Chairman: Surely the Honourable Member has been in this House on many occasions. The actual position is that Honourable Members will come up as I call out their names and I have described the procedure which they will adopt and surely my Honourable friend knows as a practical man that this is the best possible thing to do and the voting will now take place as it has taken place on so many occasions before and I do not see any reason why it should continue another day.

Mr. M. Asaf Ali (Delhi: General): Sir, I would like to say one word. You say you will call out the names and pursue the procedure you have outlined. But those who are not present in the House may turn up later on in the day and they have a right to be here and they have a right to vote. You have got to say when you are going to close the election. Otherwise the election goes on and on and on.

Mr. Chairman: I think that is a perfectly clear issue. If there is a certain business before the House and due notice has been given, it is the duty of Honourable Members to be present at the time. If an Honourable Member

does not come when he has to put a question, he misses his opportunity of asking the question or if it is a resolution and the Honourable Member who has given notice of it is not present he loses his opportunity. Exactly the same procedure will now be adopted. Honourable Members may come up when they are called and if an Honourable Member is not present in the House when his name is called I very much regret that he will lose his opportunity of casting his vote.

Diwan Chaman Lall: If I want some time to make up my mind, is there any rule to prevent me from having it?

Mr. Chairman: The Honourable Member is, I know, a man of decision and I am sure he will make up his mind without much time. I have given my ruling. The election will now proceed.

Diwan Chaman Lall: The ruling only relates to the fact that when you call the name of any member and he does not happen to be present in his seat, he forfeits his right to take part in the ballot.

Mr. Chairman: Unless of course he comes in before the ballot box is closed. The ballot will be closed when the last of the names has been called out.

Diwan Chaman Lall: Granted; but the rule does not relate to the fact that once an Honourable Member has taken the ballot paper he may take the rest of the day to make up his mind whether to cast his vote or not.

Mr. Chairman: If an Honourable Member cannot make up his mind at the right moment, I regret it is his misfortune. I will not allow any further discussion, but Honourable Members will appreciate the fact that I am not prepared to depart from the practice which has been followed for so long a period and which to my mind is perfectly clear. I shall call out the names of Honourable Members and they will kindly record their vote as I have directed.

Mr. M. Asaf Ali: On a point of order: I reserve to myself the right to protest against this election at any time and take objection to it on the ground which I have raised today on the floor of the House.

Mr. Chairman: If that is the Honourable Member's wish, he can do as he likes, but I have now laid down the procedure that will be followed, and that is the procedure which has always been followed in this House.

Diwan Chaman Lall: On a point of order; may I know whether it is not a fact that the procedure regarding this election is not to be chosen by you or by any rules made by you? The procedure is laid down in the rules. You cannot alter the procedure laid down in the rules; and the point raised by my honourable friend is this: is there any rule under which you are going to proceed now and lay down that if an Honourable Member does not happen to be in his seat he shall forfeit his right to a ballot; secondly, whether it is within your right to ask an Honourable Member to cast his vote and hand in the paper immediately he receives the ballot paper.

Mr. Chairman: I am not making any new rule. I quite understand the point you have raised. I am merely carrying out what has been established here by practice and what any one, taking a commonsense view of this matter, will do.

Diwan Chaman Lall: Common sense is very uncommon in this House.

Mr. Chairman: I quite agree. Order, order.

[The names of Honourable Members were then called out by the Chairman.]
(As the Ballot was proceeding)

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadian Rural):
Sir, on a point of order

Mr. Chairman: No point of order can now be allowed. I will not allow any further interruption.

(Ballot continuing)

Mr. Chairman: The Honourable Sir Ardeshir Dalal.

The Honourable Sir Ardeshir Dalal (Member for Planning and Development):
I do not wish to record my vote, Sir. . . .

(Ballot continuing)

Mr. Chairman: Col. Himmatsinhji.**Col. Kumar Shri Himmatsinhji** (Nominated Non-Official): Sir, with your permission, I do not wish to vote.

(The Ballot was concluded and the Votes were then counted by the Chairman.)

Mr. Chairman: The result of the voting is that Mr. G. V. Mavalankar has secured 66 votes and Sir Cowasjee Jehangir has secured 63 votes. I, therefore, declare Mr. G. V. Mavalankar to be duly elected by the Legislative Assembly as its President. All that is necessary now is to secure the approval of His Excellency the Governor General required by sub-section (1) of section 68C of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. In order that the requisite approval may be obtained and communicated to the House, the House will re-assemble at half past two of the Clock to-day, until which time the House stands adjourned.

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 (Lt.-Col. Dr. J. C. Chatterjee) in the Chair.

MOTION FOR ADJOURNMENT

FAILURE TO CARRY OUT ASSURANCE *re* RAIL-ROAD CO-ORDINATION SCHEME**Mr. M. Asaf Ali** (Delhi: General): Mr. Chairman, you admitted an adjournment motion this morning. I now move that that adjournment motion may stand over, till the 29th instant. I hope the Government will agree to my motion.**The Honourable Sir Edward Benthall** (Member for Railways and War Transport): I am in perfect agreement but I just question whether that is not a matter for the President when he takes the Chair.**Sri M. Ananthasayanam Ayyangar** (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): It is a matter for whoever is in the Chair when the motion is made.**The Honourable Sir Edward Benthall:** I am perfectly agreeable on behalf of Government to take up the adjournment motion on the next day, that is, Tuesday.**Mr. Chairman:** That being so, I waive the urgency and agree that the adjournment motion be taken on the 29th at such time as the Honourable the President may direct.ELECTION OF THE PRESIDENT—*contd.***Mr. Chairman:** I have received a Message from His Excellency the Governor General. The Message is as follows:

"In pursuance of the provisions of sub-section (1) of section 68C of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, I, Archibald Percival, Viscount Wavell, hereby signify that I approve the election by the Legislative Assembly of Mr. Ganesh Vasudeo Mavalankar as President of the said Assembly.

(Sd.) WAVELL,
Governor General."

NEW DELHI;

The 23rd January, 1946.

Before I ask the Honourable Mr. Mavalankar to take the Chair, I would very much like to say just a few words to congratulate him most warmly on his election to the exalted office of the President of the Legislative Assembly of India. It is an office which any man may be proud of and we feel that not only Mr. Mavalankar has great reason to be proud of the choice of this House but also that the House itself can well be proud that a man of his undoubted ability, eminence and high-mindedness has been elected to this high office. Mr. Mavalankar has not been in this House for very long, but that does not show that he is in any way a stranger to us. He comes to this House to occupy the exalted office of its President with a great record of work behind him, a record of eminence and of distinction. A leading member of the bar of the Bombay High Court where he has distinguished himself for many years and in many ways, he has also distinguished himself by his work as President of the Legislative Assembly of Bombay, of which he had been President since 1937. That fits him, I am sure all Honourable Members will agree, to occupy this exalted position with the experience and eminence which such an office requires from its occupant.

While we congratulate him most whole-heartedly, I am sure Honourable Members will agree that the duties on which Mr. Mavalankar is now about to enter are by no means a bed of roses; particularly at this time when our country stands at a critical period, he will have to exercise great patience, and of course undoubted judgment, but I also say great patience because once he occupies this exalted Chair he becomes the custodian of the rights of this House, not of one party or of another, but of every party and of every section; and from what I have heard of his work and his eminence, I feel sure that in his hands the interests of this House, its dignity and its position are fully secured, that every Member to whatever party he may belong or whatever his position in the House, we may look up to him for impartial judgment and as the protector of the rights of every individual member of this House.

If I could venture to take a peep into the mind of Mr. Mavalankar, I feel that at this time he has not quite the same feeling of elation and joyfulness which his colleagues here feel and will no doubt express, but that at this time he must be feeling how great is the burden, how heavy the responsibility which he now undertakes. I feel that at this time we ought to pledge to him our support because he has been elected President of the whole House and as far as I can say I can assure him that such support will be forthcoming from every section of the House who have now elected him to be their President. I also feel that at this time he has the support of his countrymen, but he also ought to have their good wishes, their co-operation and above all their prayers that in this great work which he is now entering upon he may receive all the strength, the wisdom and the guidance which only comes from Providence on high; and with these words I welcome the Honourable Mr. Mavalankar to the Chair and ask him to occupy it.

[Thereupon Mr. Chairman (Lt.-Col. Dr. J. C. Chatterjee) vacated the Chair, which was then occupied by Mr. President (The Honourable Mr. G. V. Mavalankar).]

The Honourable Sir Edward Benthall (Leader of the House): Sir, it is my privilege as Leader of this House to offer you the warm congratulations of Government on your election and confirmation to your high office. No one has doubts of your eminent qualifications for the arduous and responsible task which has fallen to you. As the Chairman has said, you come to this House with a very high reputation on account of your distinguished record as President of the Bombay Legislative Assembly. Sir, you will enter on your duties today with goodwill from all sides as the acclamation has shown and you will, I have no doubt at all, carry the confidence of all parties in fulfilling the task with impartiality and fairness to all parties and every individual in the House. Sir, I wish to assure you of Government's loyal and firm support in upholding the dignity of the Chair and, Sir, I cordially wish you every success.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): Mr. President, in my capacity as Leader of the Opposition and also on behalf of the Congress Party in this Assembly, and, if I may add, on my own behalf as well, I offer you our heartfelt congratulations on your elevation to the Chair. It is true, Sir, that you are new to this particular Chair; but you bring with you experience of similar duties in the Presidency of Bombay and you bring with you reputation for understanding and wisdom, fairness and impartiality. Your services to the country have been manifold. You have borne the cross with great courage and determination and of the many services you have rendered to the country for the last two decades or more, to my mind, there is nothing more conspicuous than the life you have led. You bring before us an example of a life lived for the attainment of the highest ideals—intellectual, political and spiritual. I have no doubt, Sir, that you will uphold the great traditions which were created by one who was your predecessor in the same Chair—, I mean the late Shree Vithalbhai Patel.

The constituency which has called upon you to enter upon your duties in this Assembly, had the unique honour and privilege of calling upon two worthy sons of India in the past—Shri Vithalbhai Patel and Shree Bhulabhai Desai. We are proud of you, Sir; and, if I may add, we are proud that it has been given to us, the Congress Party, to put in the Chair a person whose reputation for honesty, integrity and independence can hardly be surpassed. On this occasion I cannot forget,—and I hope the House will not take it amiss—that attempts were made to break the convention which had been created several years ago; and I would like to congratulate the House on its re-establishing the convention. I shall not detain you or the House any more. Sir, I congratulate you once more and I congratulate the House once more.

***Nawabzada Liaquat Ali Khan** (Meerut Division: Muhammadan Rural): Mr. President, on behalf of the Muslim League Party I offer you congratulations on your election to the high and responsible office of the President of this Assembly. Now, Sir, that you have been elected to this office, we hope and trust that you will not be influenced in any way by your party affiliations and that you will act in an impartial and just manner as the custodian of the rights and privileges of every section of this Honourable House.

Sir, the Honourable Leader of the Congress Party has mentioned or referred to some convention. I think that it would have been much better if the Honourable Member had explained as to what he meant by "well established convention". We who proposed the name of Sir Cowasjee Jehangir for this office did so, because we felt that it should not be the right, the sole right, of only the Hindus and Muslims, to occupy this high office. We felt that the other minorities also should have an opportunity, if there was a suitable, a capable and a distinguished Member of this House for.....

Diwan Chaman Lal (West Punjab: Non-Muhammadan): And a Nominated Member!

Nawabzada Liaquat Ali Khan: My Honourable friend says "a Nominated Member". Unfortunately the Parsee community has no door of its own to enter this Honourable House.

An Honourable Member: What about Mr. Masani?

Nawabzada Liaquat Ali Khan: My Honourable friend refers to Mr. Masani. Mr. Masani has entered this House through the votes of those Honourable Members here and he is not here as the representative of the Parsee community.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): How did Sir Cowasjee Jehangir come to this House last time?

Nawabzada Liaquat Ali Khan: Sir, I note that the Honourable Members of the Congress Party have scanty regard for any other community except their own, the Hindus.

Several Honourable Members: Question!

Nawabzada Liaquat Ali Khan: I am sorry, Mr. President, I had no intention on this occasion at least to refer to any such matter but my Honourable friends on my right have provoked me to say so.

Several Honourable Members: Oh!

Nawabzada Liaquat Ali Khan: I can assure them that the more the provocation the greater will be my stand for the rights of the Muslims and the other minorities.

To you, Sir, I offer on behalf of my party all good wishes in the discharge of the onerous and responsible duties on which you have entered and I wish to assure you that my party will be, as it has always been, anxious to co-operate with you in maintaining the privileges and the dignity of this Honourable House.

Mr. P. J. Griffiths (Assam: European): It is in no conventional sense that I rise on behalf of the European Group to offer you our sincere and whole-hearted congratulations on your election to this great office to assure you of our unqualified and ungrudging support and to affirm our belief that you will guide the affairs of this House with wisdom and impartiality. We in this Group come from a country whose pride it is to have given birth to the Parliamentary tradition and we realise to the full that the President of this Honourable House, as is the case with the Speaker of the House of Commons, is the focal point of that Parliamentary tradition. It follows that in so far as we maintain your dignity we maintain our own, in so far as we offer to you unquestioning obedience so far we teach the public at large to accept without question the decisions of the Legislature. In every respect the more honour we give to you, the more honour we show to the Legislature itself and the more firmly we establish the Parliamentary tradition in this country. It follows from these considerations that now that you, Sir, have been elected to your high office, you have become the representative not of a section or of a party but of the whole House and you are therefore entitled to expect from every party and every individual of this House complete and unwavering support in the discharge of your duties. On behalf of this Group, I give you the fullest promise that that support will be forthcoming and we, for our part, have no doubt whatsoever that in return for that support from all parties, you will protect them all alike, impartially and without regard to their different shades of political opinion.

My last word is this: It is our earnest hope that under your wise guidance the dignity of this House may be enhanced, that its powers may be extended and that before your term of office is finished this House, which is now a subordinate legislature, may be translated into a fully sovereign body. In the meantime it will be our aim to give you every assistance in the fulfilment of those difficult and responsible duties which you have taken upon yourself.

Maharajkumar Dr. Sir Vijaya Ananda (United Provinces: Landholders): I congratulate myself and the whole country on your occupying that Chair. May I say that India is greatly honoured. It is my earnest prayer that you will establish Indian traditions and Indian conventions and scrap all those of the past. The rules made by a Government that does not represent the will of the people should and must be scrapped. In establishing new conventions and such other privileges, I pray that you will not exclude the discussion of provinces where section 93 has become obnoxious. I trust that we, the unattached Members who are in the role of *dhobi ka Kutta*, will get as good an innings from your hands as the other parties in this House.

Mr. President (The Honourable Mr. G. V. Mavalankar): I do not propose to say many words. I really feel overwhelmed at the very kind words that have been said about me and I do feel the weight of the expectations about me. I am thankful to the House for the great honour they have done me and for the confidence they have reposed in me. The burden cast on me is very heavy but I hope that I shall be able to shoulder it with the co-operation and good will of all sides of the House. The rights and privileges of Members will always be my first

[Mr. President]

concern and I shall try my best to so conduct myself as to maintain the best traditions of democratic institutions. I do not think I need say anything further. Honourable Members, I thank you very heartily again.

STATEMENT OF BUSINESS

The Honourable Sir Edward Benthall (Leader of the House): With your permission Sir, I would like to make a short statement about the business of the House next week. When the question of the food debate was considered yesterday, some Honourable Members expressed the view that one day would not be sufficient for the discussion of Bretton Woods. The discussion on the Bretton Woods Agreement has been put down for Tuesday the 29th. In order to meet that point of view, I am suggesting for the consideration of the House that it might be possible to meet at 2-30 P.M. on Monday, following His Excellency the Governor General's address in the morning, and that the Bretton Woods motion may be put down for the afternoon of the 28th and continued on the 29th. There would, of course, be an adjournment motion which has been adjourned from today and which would be taken presumably at 4 P.M. on the 28th. Therefore there would be an hour and a half's discussion on Bretton Woods on Monday the 28th and it will be continued the next day.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Does it leave enough time for proposing amendments to the Bretton Woods Resolution?

Mr. President: The Honourable the Leader of the House must give time for the amendments to be proposed.

The Honourable Sir Edward Benthall: As the discussion will be carried on to the next day, I think that would give adequate time.

Mr. President: Is that arrangement acceptable to the House? As the *Chehlum* holiday is being observed tomorrow, there will be no meeting of the Assembly tomorrow. I fix a meeting of the Assembly at 2-30 P.M. on Monday following the Governor General's address in the morning.

The Honourable Sir Edward Benthall: May I just be clear on one point. I understood that when Dr. Chatterjee was in the Chair the adjournment motion would be taken on the next day of business. I am quite willing to have the adjournment motion on the 29th.

Mr. M. Asaf Ali (Delhi: General): We want the adjournment motion to be postponed to the 29th.

The Honourable Sir Edward Benthall: That is suitable to Government.

Mr. President: I think it was made clear when the Honourable Member's statement was made. The adjournment motion will be taken up on Tuesday the 29th instant at 4 P.M.

The Assembly then adjourned till Half Past Two of the Clock on Monday the 28th January, 1946.