

4th February 1946

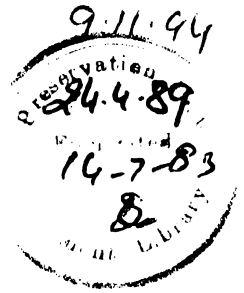
THE LEGISLATIVE ASSEMBLY DEBATES

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

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LEGISLATIVE ASSEMBLY

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Deputy President :

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MR. SRI PRAKASA, M.L.A.

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

SARDAR MANGAL SINGH, M.L.A.

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 <i>re</i> dropping of Question Hour Paper laid on the Table	53—55
Motion for Adjournment <i>re</i> Government of India's participation in operations in Indonesia and Indo-China—Adopted	55—61
Election of Members to Standing Finance Committee for Railways	61—62
Election of Members to Central Advisory Council for Railways	62—82
Election of Members to Standing Finance Committee	63
Election of Members to Standing Committee for Roads	64—65
Workmen's Compensation (Amendment) Bill—Introduced	65
Insurance (Amendment) Bill—Introduced	67
Code of Criminal Procedure (Amendment) Bill—Introduced	67
Professions 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 <i>re</i> —	
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	85—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 <i>re</i> 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	99
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 <i>re</i> —	
Expenditure on British Parliamentary Delegation to India—Ruled out of order	121
Inaction <i>re</i> 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. detune—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	134—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	153
Members Sworn	153
Motion for Adjournment <i>re</i> Failure to carry out Assurance Rail-Road Co-ordination Scheme—Postponed till Tuesday	154—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 <i>re</i> Bretton Woods Conference Agreements—Discussion not concluded	169—64

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 <i>re</i> Bretton Woods Conference Agreements—Adopted as amended . 200—18, 220—31, 232—37	200—18, 220—31, 232—37
Motion for Adjournment <i>re</i> Failure to carry out Assurance <i>re</i> 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 <i>re</i> —	
Failure to carry out Assurance <i>re</i> Rail-Road Co-ordination Scheme—Withdrawn	241—43
Election of Members to Committee <i>re</i> Road-Rail Co-ordination Scheme	241—43
Point of Order <i>re</i> 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 <i>re</i> Bahadurgarh Camp	244—45

Stoppage of Passenger Traffic between Badnera and Amraoti—Disallowed	245—46
Inaction re Deletion of sections 111 to 121 of Government of India Act—Ruled out of order	246—47
Mis-treatment of I.N.A. Men in Bahadurgarh Camp—Talked out	247, 279—97
Election of Members to Committee re Brettonwood Conference Agreements	247
Indian Mines (Amendment) Bill—Introduced	247
Motion re Food Situation—Discussion on the Motion to consider not concluded	247—79
Thursday, 31st January 1946—	
Members Sworn	299
Short Notice Question and Answer	299—300
Motions for Adjournment re—	
Inaction re Deletion of Sections III to 121 of Government of India Act—Ruled out of Order	301—302
Singling of Bretton Woods Financial Agreement—Ruled out	301
Failure to secure Foodgrains Reserves—Ruled out	301
Ordinances demonsting High Value Notes—Withdrawn	301
Sales of Bullions at high price by Reserve Bank—Disallowed	302
Recruitment of Europeans to Indian Civil and Police Services—Adopted	302—05 336—49
Nomination of Members to Library Committee	305
Election of Members to Public Accounts Committee	305
Election of Members to Central Advisory Board of Health	306
Election of Members to Standing Committee for Roads	306
Election of Members to Standing Committee for Labour Department	306
Resolution re Release of one-third Mill yarn for Handlooms—Discussion not concluded	306—36
Friday, 1st February 1946—	
Members Sworn	351
Short Notice Question and Answer	351
Motions for Adjournment re—	
Atrocities by Pioneer Force in Pachlaich village near Chittagong—Disallowed	351—54
Disaster at Diamond Harbour Jetty—Disallowed	354—55
Passport to Pandit Jawaharlal Nehru for Malaya, etc.—Ruled out of Order	355—60
Avoiding of taking important Decisions during Assembly Session—Disallowed	360—61
Inadequate Accommodation for Assembly Members—Disallowed	362
India's Quota of Reparations from Germany and Japan Negatived	362—64
Election of Members to Standing Committee for Commonwealth Relations Department	364
Papers laid on the Table	364
Motions re Food Situation—Discussion not concluded	365—70 370—87 395—97
Nomination of Panel of Chairman	370
Election of Members to Committee re Bretton Woods Conference Agreements	370
Election of Members to Committee re Road rail Co-ordination Scheme	370
Election of the Deputy President	394
Monday, 4th February, 1946—	
Members Sworn	399
Motions for Adjournment re—	
Failure to establish National Government—Disallowed by the Governor General	399
Enforcement of Defence of India Rule 89A in Central Provinces and Berar—Disallowed	399—400
Use of Indian Troops in Indonesia and Indo-China—Disallowed	400

Official Interference in Elections—Disallowed by the Governor General	400
Atrocities by Pioneer Force near Nutampara Railway Station—Disallowed	400
British Policy in Palestine—Disallowed by the Governor General	400
Sales of Bullions at High Prices by Reserve Bank—Ruled out	400
Attestation Fees for Declaration Forms re high Value Notes—Ruled out	401
Unsatisfactory Medical and other Relief to Indians in Malaya—Ruled out of Order	401—408
Russian Aggression against Iran—Disallowed by the Governor General	403
Restricted Railway Booking of Hides and Skins—Ruled out	404
Student Strike in Delhi Polytechnic—Postponed	404—407
Ratification of San Francisco Charter—Disallowed	407
Grievances of R.I. A. F. Men in Karachi—Ruled out of Order	407—408
Police Firing in Bombay—Disallowed	408
Inaction re-Removal of Sections 111 to 121 of Government of India Act—Withdrawn	408—09
Inadequate Food Supply in Ajmer-Merwara—Disallowed	410
India participation in Anglo-Siam Treaty Disallowed	410
Police Firings on I.N.A. Day—Disallowed	410
Failure to protect Interests of Indians in South Africa—Adapted	415—416 439—55
Elections of Members to Standing Committee for Food Department	416
Election of Members to Indian Coconut Committee	416
Resolution re-Release of One-Third Mill Yarn for Handlooms Adopted as amended	417—28
Resolutions re-Release of Indian National Army Men and Political Prisoners—Discussions not concluded	423—39
Tuesday, 5th February, 1946—	
Members Sworn	457
Starred Questions and Answers	457—85
Unstarred Questions and Answers	485—506
Short Notice Questions and Answers	506—508
Motions for Adjournment re—	
Interference in Sind Assembly Elections by European Officials—Disallowed by the Governor General	508
Interference by I.C.S. Personnel in Elections in Karachi Disallowed by the Governor General	508
Rights of Indians in Kenya Colony—Adopted	509—533 48
Elections of Members to Standing Committee for Agriculture Department	509
Election of Members to Standing Committee for Legislative Department	510
Election of a Member to Standing Committee for War Transport Department	510
Presentation of the Report of the Public Accounts Committee	510
Election of the Deputy President	511
Motion re Food Situation—Adopted as amended	511—38
Thursday, 7th February, 1946—	
Members Sworn	545
Starred Questions and Answers	545—90
Unstarred Questions and Answers	590—97
Short Notice Questions and Answers	597—99
Motions for Adjournment re—	
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 move.	610
Prosecution of persons in Punjab under section 196, Cr. P. Code—Disallowed by the Governor-general	601
Strike of Students of Delhi Polytechnic—Postponed	603—04
Employment of Non-Indian W. A. C.—Not moved	604—06

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

Monday, 4th February, 1946

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

MEMBER SWORN:

Mr. Ali Asghar Khan, M.L.A. (Assam: Muhammadan).

MOTIONS FOR ADJOURNMENT

FAILURE TO ESTABLISH NATIONAL GOVERNMENT

Mr. President: There is an adjournment motion by Mr. Ayyangar. He wishes to discuss a definite matter of urgent public importance, namely: "the obstructive attitude and failure of the Government to take steps to establish a National Government at the Centre in spite of various assurances by the Governments of India and Great Britain and in disregard of persistent demand by the public of this country".

This has been disallowed by the Governor General.

ENFORCEMENT OF DEFENCE OF INDIA RULE 89A IN CENTRAL PROVINCES AND BERAR

Mr. President: Then we come to No. 57 from Seth Govind Das. He wishes to discuss: "the addition of a new rule, 89A in the D.I.R. the sudden enforcement of which on the 15th instant by the Government of the Central Provinces and Berar has caused annoyance, hardship and humiliation to the persons plying the vehicles and the occupants thereof".

May I know something about this?

Mr. P. Mason (Government of India: Nominated Official): This rule 89A of the Defence of India Rules was introduced because there had been a number of complaints, some of them thoroughly justified, about accidents caused by military vehicles and it was found that the best way we could check rash driving of military vehicles was to put on extra military traffic police. Well, it was soon found that when military police were directing the traffic there would be civil vehicles among the military vehicles and unless the military police had power to direct the civil vehicles as well as the military vehicles their powers to direct the military vehicles were useless and they could not control the traffic. It was therefore decided to introduce a rule, 89A, by which if the Provincial Government so wish in a particular area the military police may be empowered to direct the traffic, military and civil and if they see a gross breach of traffic rules to stop the civil vehicle as well as a military vehicle and to take the man's name. They are not empowered to arrest and they are empowered only to administer the ordinary traffic rules. The rule was therefore introduced for the convenience of the public and as a measure which I should not have thought any one would have wished to object to. There has in fact been no objection received to this particular application of the Rule in the Central Provinces to which the adjournment motion draws attention either by the civil authorities or by the military authorities. I therefore suggest that it is not an urgent matter of public importance.

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadan): This rule was made after the Assembly adjourned last year and this was the first occasion when this could be brought before this House. The Honourable Member has said that it is for the convenience of the civil public in the places where it has been introduced. What I want to point out is that for instance in Jubbulpore from which place I come, which is a big military station, there is a sufficiently large civil population. As far as the civil population is concerned, we feel that after this rule has been applied we are living under martial law. The military police do not know how to behave. They stop civil traffic without any reason, the roads are blocked and so many other inconveniences are caused. So, I think this is a matter of urgent public importance and I think the House would like to discuss this matter.

Mr. President: I am afraid I cannot consider it of such importance as to allow it.

USE OF INDIAN TROOPS IN INDONESIA AND INDO-CHINA

Mr. President: Then No. 58 is in the name of Seth Govind Das. It relates to "the military policy of the Government of India in engaging the Indian military units to suppress the freedom movements and political agitation in Indonesia and Indo-China".

This refers to a matter which has already been discussed in this House.

OFFICIAL INTERFERENCE IN ELECTIONS

Mr. President: No. 59 is in the name of Syed Ghulam Bhik Nairang. He wants to discuss "the failure of the Government of India to take adequate steps to prevent most improper and open interference by Government officials in the elections to the various Legislatures, particularly in the Punjab".

This has been disallowed by the Governor General.

ATROCITIES BY PIONEER FORCE NEAR NUTANPARA RAILWAY STATION

Mr. President: No. 60 is in the name of Shaikh Rafiuddin Ahmad Siddiquee. He wishes to discuss: "the wanton and brutal raid made by a unit of Civil Pioneer Force near Nutanpara Railway station in the evening of 7th January, 1946, on the innocent and peaceful inhabitants of a village known as Kaharpara situated near Chittagong town resulting in brutal and indiscriminate beating of men, women and children and raping of some women including one girl of tender age, deliberate burning with petrol more than 56 houses with all the household properties, domestic animals including cash and other valuables, looting of some other houses, serious injuries to several villagers by Lathi charge, death of some wounded and burnt persons in hospital, loss of properties worth more than five lakhs and rendering more than five hundred persons homeless and absolute destitute and failure of the Military Authority to take proper steps to give adequate compensation to the sufferers for these losses of lives and properties".

This has been disposed of previously and is therefore disallowed.

BRITISH POLICY IN PALESTINE

Mr. President: Then we come to No. 61 of which notice has been given by Sir Hassan Suhrawardy and Sir Muhammad Yamin Khan. They wish to discuss: "the failure of the Government of India to properly represent the views and feelings of the Indians to His Majesty's Government that any Departure from the scheme laid down in the White paper on Palestine will be considered as breach of faith and violation of the promises and assurances solemnly given by His Majesty's Government to the Arabs and Muslims of India which is calculated to shake the confidence of the Muslims in the plighted word of Great Britain".

This has been disallowed by the Governor General.

SALES OF BULLIONS AT HIGH PRICES BY RESERVE BANK

Mr. President: The next motion stands in the name of Dr. Sir Zia Uddin Ahmad. It relates to: "the connivance of Government of India at the Reserve Bank acting as agent of foreign banks in the sale of Bullions at abnormal prices thus upsetting the price level in the country".

This is practically the same as No. 47.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not want to move it because it is being discussed in the Bretton Woods Committee report.

Mr. President: Therefore, it goes out.

ATTESTATION FEES FOR DECLARATION FORMS *re* HIGH VALUE NOTES

Mr. President: The next motion is in the name of Mr. Yusuf Abdoola Haroon. It runs thus: "the failure of the Government of India to make timely arrangement for distribution of printed declaration forms and putting public into financial loss by requiring them to have the attestation of a Magistrate under Court seal costing Re. 1 for each seal on the triplicate application, by the promulgation of the High Denomination Bank Notes (Demonetisation) Ordinance on Saturday, January 12, 1946".

What is the position as regards the special duty required?

The Honourable Sir Archibald Rowlands (Finance Member): Sir, Government has no desire at all to shirk a discussion on Ordinance III. In fact, we would welcome it. But on the point of this adjournment motion there are two things which I must submit before you rule whether it should be admitted or not. First of all, the charge was levied by the Provincial Governments under the legal powers possessed by them. When we became aware of it, we issued a telegram telling them that they should not charge any fees for attestation of these forms. Secondly, I gather that Mr. Yusuf Abdoola Haroon will not be in the House today and, therefore, it is a mere waste of time to consider whether it is in order or not.

Mr. President: That is a different matter, but it does not seem to me to be of importance, in view of the orders that are in force now.

Mr. President: Then, there is another motion standing in the name of the same Honourable Member. I should like to know if the Honourable Member is not in the station at all.

Several Honourable Members: No, he is not.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I say in regard to this motion that there is another adjournment motion, a little wider in terms, on the same subject which stands in my name. As we have reached this, I submit that my adjournment motion may be taken up now along with this.

Mr. President: When the Honourable Member's motion is reached in due time, it will be taken up.

Mr. President: The next motion regarding the use of Indian Soldiers against the Indonesians is barred by the previous discussion.

UNSATISFACTORY MEDICAL AND OTHER RELIEF TO INDIANS IN MALAYA

Mr. President: The next motion stands in the name of Maharajkumar Sir Vijaya Ananda. If the Honourable Member will permit me to say so, it is difficult to follow it.

Maharajkumar Dr. Sir Vijaya Ananda (United Provinces: Landholders): It relates to two things.

Mr. President: I would like to read it and then I should like to have some facts about it. It runs as follows: "Whereas Indians in Malaya have declared their lack of confidence in Mr. Chettur and his report to the Government of India on their conditions; whereas the Government of India have admitted the immediate necessity for medical help and economic amelioration in their diseased and poverty-stricken conditions; whereas Indians in Malaya have been repeating frantic requests to the Indian National Congress to send Pandit Jawaharlal Nehru and Medical Missions immediately to investigate the real conditions and afford succour; whereas the Indian Government has failed to extend such relief by granting only a pittance of a lakh of rupees to help 4 lakhs of Indians while subscribing 8 crores of rupees to the U.N.R.R.A.; whereas the Indian National Congress has resolved to depute Pandit Jawaharlal Nehru and Medical Missions and the Indian Government has not so far granted the passport facilities to Pandit Nehru in spite of his application more than a month ago, while

[Mr. President]

in the meanwhile hundreds of Indians are moving to an agonising end, I propose that the House may be adjourned to discuss this matter of immediate importance affecting the life of 4 lakhs of Indians in a helpless condition under a hostile Military Administration and away from the shores of India."

The motion is so argumentative that, really speaking, on that ground alone, it should fail. But I do not want to stick to the technicalities of the wording and the phraseology of the motion. I should like to know

Dr. Sir Zia Uddin Ahmad: It is provided in the Manual of Business that in the motion for adjournment only one point should be raised and the Honourable Member himself has said that there are two points in his motion

Mr. President: Order, Order. I am referring the Honourable Member to all those things which are of an objectionable character so far as this motion is concerned. But if there is any matter of importance, which really deserves the attention of this House, then I should not like to rule it out of order merely because the Honourable Member has put it in an improper form. Therefore, rather than stick to the technicalities, I would like to know what the substance of it is and then we will see whether it should be admitted or not. That is how I would like to put it.

Maharajkumar Dr. Sir Vijaya Ananda: Sir, in view of the fact that the Indians in Malaya have expressed their lack of confidence in Mr. Chettur

Mr. President: The Honourable Member has said all that in his motion. I would like to know as to how the position stands. That will clarify the issue and then we will see what is going to be discussed. I would therefore like to know from the Honourable Member for Government as to how the facts stand. That would perhaps clarify the whole position.

Mr. B. N. Banerjee (Secretary, Commonwealth Relations Department): Sir, I share your difficulty of not being able to follow exactly what the Honourable Member wants us to do. But as he wanted to know the position today, I may perhaps state that we have had no information about the Indian community in Malaya having declared their lack of confidence in Mr. Chettur. The only document that has come to Government's notice touching on this point is a press report purporting to convey the proceedings of a meeting of an Indian Trade Union somewhere in Malaya. The press report does purport to say that the Trade Union did declare their lack of confidence in Mr. Chettur because he had made a public statement to the effect that the condition of the Indian labourers was not bad. Mr. Chettur has never made any such public statement. He has certainly not made any such statement in the report which he submitted to the Government. I am not, therefore, aware of the source from which the Honourable Member has derived this information. On the other hand, I think that many Honourable Members present in the House would recall having read very widespread appreciation of the very fine work that Mr. Chettur did. In difficult circumstance he made a rapid survey of the island in about a fortnight's time and brought to us very valuable information, on the basis of which we have been able to take a decision as regards the way in which we can best administer relief to the Indian public in Malaya. The results of his visit were set out in a communique issued by the Government on the 18th December last and I am prepared to lay a copy of it on the table of the House. I dare say many Honourable Members have seen it already. In that communique we have made it clear that the condition of Indians is very bad and that Government are taking action to give legal assistance to the Indians who have been arrested and to send medical assistance for those who require medical relief. We are also sending other forms of relief, such as, cloth and food. The motion says that the Government of India have given a pittance of a lakh of rupees. Our communique states that funds have been placed at the disposal of Mr. Chettur. No limit is placed to the amount of funds. In the first instance, he sent us a request for one lakh and that was sanctioned. But he has full authority even to incur expenditure in anticipation of formal sanction and any

sums which he considers reasonable for financing any measures of relief would be sanctioned by the Government. As regards the question of Pandit Nehru's passport, we have had a discussion in this House the other day, and our own medical parties are about to proceed. I think it will sail in a few days.

Mr. M. Asaf Ali (Delhi: General): What does the Honourable Member mean by our medical parties?

Mr. B. N. Banerjee: I want to make an announcement today that since this matter was raised, there has been correspondence between the Department and Dr. B. C. Roy, representing the Congress. We have also obtained the South East Asia Command's consent to Congress medical units proceeding to Malaya. It took some time to obtain the consent of S.E.A.C. and as my Honourable friend the Secretary for External Affairs Department told the House the other day, we were not keeping quiet over this matter. We also had interim correspondence with Dr. B. C. Roy who addressed us on behalf of the Congress. As the House will realise it had taken some time to come to a decision regarding the visit of the Congress medical units. We have since had the consent of S.E.A.C. and they also will follow very soon. I take it that covers all the points raised in the motion for adjournment.

Maharajkumar Dr. Sir Vijaya Ananda: The medical relief cannot be delayed and the fact that the Government on their own admission are taking time over it is itself very damaging. The people over there in Malaya had been craving for medical relief and the Indian National Congress has been very keen on sending a medical mission there. The fact that it was not granted immediate passport or permission to go there in itself means that the Government should be censured on this point. I submit it is the only logical thing to do in this case.

Mr. B. N. Banerjee: On a point of information, Sir. I submit that we have not taken an unduly long time. Since this matter came to our notice, the House will realise that we took immediate action.

Mr. President: What is being discussed is not the merits of the question, but the admissibility of the motion. Therefore, the Honourable Member need not reply on merits.

Maharajkumar Dr. Sir Vijaya Ananda: On their own admission, there has been some talk about Mr. Chettur not enjoying the confidence of the people of Malaya. That, I submit is a good point to be taken. It is a matter of urgency to the public of Malaya.

Mr. President: I am afraid I am unable to agree with the Honourable Member. I rule the motion out of order.

RUSSIAN AGGRESSION AGAINST IRAN

Mr. President: The next motion is in the name of Mr. Ahmed Ebrahim Haroon Jaffer. He wants to discuss: "the failure of the Government of India to acquaint His Majesty's Government with the strong resentment by the peoples of India in general and the Mussalmans in particular in regard to the action of the Government of the U.S.S.R. and the policy adopted by it against the sovereignty, integrity and independence of India's neighbourly and friendly state of Iran, in violation of the pledge given by the Big Three to which the Government of U.S.S.R. was a party".

The consent to this Motion is withheld by the Governor General.

Mr. Ahmed Ebrahim Haroon Jaffer (Bombay Southern Division: Muhammadan Rural): Is it because the Government has not got the courage to face this motion?

Mr. President: The Governor General's action cannot be discussed in this House.

RESTRICTED RAILWAY BOOKING OF HIDES AND SKINS

Mr. President: The next motion is in the name of Mr. Muhammad Nauman. He wants to discuss:

"The placing in class fifth and sixth perishable commodities of raw hides by Regional Controller, Calcutta for movement of raw cow hides from O. & T. Railway, B. & A. Railway, B. N. Railway and E. I. Railway stations to Calcutta area and thereby allowing accumulations of tens of thousands of raw cow hides of Kurbanis on different stations in India which perished and deteriorated causing loss of hundreds of thousands of rupees to Muslim Hide Merchants in the Provinces of Bengal, Bihar and other Provinces in India."

There is a similar motion in the name of Mr. Muhammad Nauman. As the facts are almost the same, I am placing that also along with this motion instead of having separate discussions on the two. I can consider both and decide on their admissibility—

"Giving virtual monopoly to few individual hide firms of Calcutta for booking of raw cow hides, buffalo hides and goat skins from station on O. & T. railway to Calcutta area and thereby ruining the Hide Trade business of all other Muslim merchants of Behar and Bengal and other Provinces of India."

What are the facts? Can the Honourable Member Mr. Muhammad Nauman explain?

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): The Honourable Member, Mr. Muhammad Nauman is in Delhi, but he is not present in the House now.

Dr. Sir Zia Uddin Ahmad: The facts are mentioned in the motion for adjournment, namely the accumulation of hides in different places.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): I am afraid the Honourable Member is not in the House, otherwise, I think, he would have agreed not to press this motion. I have had discussions with him. The position is this. It is really a matter of local interest, no doubt of considerable importance to the Hide Merchants concerned, but it is not of very wide importance to the country as a whole. The classification of commodities is not a matter of recent occurrence, and the facts related are not quite correct. The same applies to both the motions. I have had this discussed departmentally with the Honourable Mover. I have had discussions with him myself and I practically satisfied him except regarding one or two points (of peculiar importance) which he wished to refer to his constituents. That being so, I suggest this is a matter fit to be settled outside the House and not in the House on a motion for adjournment.

Dr. Sir Zia Uddin Ahmad: The Honourable Member said that it was not a matter of very great importance, that it affects only some merchants who are interested in hides and skins. If we agree to this contention, then most of the adjournment motions will be out of order. Everything will affect only a small community and not the 400 millions of people in India. But in this case, skin and hides affect every person who wishes to use leather goods. Therefore this is a question of very great importance and on this issue the motion should not be thrown out.

Mr. President: I do not consider the matter is of importance. I rule this out.

STUDENT STRIKE IN DELHI POLYTECHNIC

Mr. President: The next Motion is in the name of Sardar Mangal Singh. He wishes to discuss: "the mismanagement by the Government of India of the affairs of the Polytechnic Institute resulting in the total general strike by the students of the Institute".

Sardar Mangal Singh (East Punjab: Sikh): Sir, this Institute is mismanaged and as a protest against such mismanagement, there has been a total strike by the students for the last three weeks and the strike is still on. I urge that this is a matter of very great importance and it should be taken up in the House.

Mr. President: Is the strike still on?

Sardar Mangal Singh: Yes, the strike is still on. About 800 students of the senior section are still on strike.

Dr. John Sargent (Government of India: Nominated Official): Sir, I personally welcome any discussion in this House which would help to clear the air in regard to this unfortunate incident and perhaps to show us the way to avoid a recurrence of incidents of this type which are becoming distressingly frequent in educational institutions. My only doubt is whether in view of its nature and of the latest developments of which I am aware, the matter can be regarded as of sufficient urgency to occupy the time of the House. I understood that at the end of last week, as a result of discussions in which the Honourable Member in charge of Education, certain Honourable Members of this House who have interested themselves in the matter, the authorities of the Polytechnic, representatives of students, and I myself participated, the strike would probably be called off. I have not had that confirmed. I am waiting to hear whether the students have returned to work. I have myself undertaken to investigate personally the points raised by the students and to see what can be done to remove any legitimate grievance which may exist. This, as you will appreciate, will necessarily take a little time.

Mr. President: I think it is desirable that, if negotiations are going on and there appear to be some chances of a peaceful settlement of the thing, those chances should not be minimised by an adjournment motion discussed in this House, which may perhaps raise some passion and some difficulties in the peaceful settlement of it. But the other alternative which, I am afraid of, is that, if the motion is not admitted on that ground, it may be, that nothing may come out of the negotiations and the House will not get another opportunity or occasion to discuss these grievances. That is how I am feeling.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, can it be held over for two days?

Mr. M. Asaf Ali: Sir, I fully appreciate what you have just suggested. We shall be perfectly satisfied if the Honourable Member in charge of the subject gives us an assurance that he will conclude these negotiations as speedily as possible, and if there is a failure we should be allowed to bring up another adjournment motion. The whole difficulty is that this subject has been hanging fire for some time. I have not the slightest doubt that the Honourable Member who spoke on behalf of Government has looked into the matter; but what is the result? If they are satisfied that there are grievances, may I know why these grievances are not being remedied immediately? But if the Government think that there are no grievances they ought to be able to face an adjournment motion straightaway.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, as one of the Members of this House who interested himself, or rather was made to interest himself, in the affair at the invitation of the students, I should like candidly to place the position before you. The students have been on strike; and what I gather from them is just this that they want the recognition of the diplomas of their institution by various other departments of Government. I had long conversations with Sir John Sargent on the subject, and my Honourable friend Syed Ghulam Bhik Nairang has also spoken to the students and to Sir John Sargent.

The position three or four days back was that the students were willing to call off the strike. In fact, I informed Sir John Sargent to that effect when Sir John gave us an assurance that he will himself do his best to get these diplomas recognised, because after all the Polytechnic was a Government institution and it seemed rather anomalous that other Government department should not recognise diplomas granted by a department of Government itself. But a funny situation has now arisen—at least that is what I gather from the students—that they are very keen on a discussion in this House; and they feel that the atmosphere would be considerably cleared if there were a discussion in

[Shri Sri Prakasa]

this House and if Sir John Sargent could repeat his assurances in the House itself so that they would be made more public than the assurances so far given, have been made even though I have published the matter in the press.

Therefore it would perhaps help both students and guardians and the House itself, if you permitted a discussion of this motion and if Sir John Sargent said here what he has already told me—with which I personally am quite satisfied—namely, that he will look into this matter and do his best to meet the difficulties of the students. I have every confidence that after the motion has been debated, the strike will be called off and normal conditions restored. At least that is my hope; and I have stated the position quite frankly.

Seth Govind Das: Sir, another point is that if on the ground that certain negotiations are going on adjournment motions are not allowed, it will be a precedent and we will not be able to move any adjournment motion here.

Mr. President: As I said on a former occasion, every adjournment motion will have to be considered on its own special facts and circumstances.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, I endorse practically all that has been said by my Honourable friend Shri Sri Prakasa. In fact he and I held consultations with each other and each of us separately talked to Sir John Sargent about this matter, and had also a long conversation with the students. We were of course struck by the genuineness of the students' grievances. They appear to have believed all along—on the basis of the prospectus issued by the authorities of the institution and some other matters, e.g., speeches made by Mr. Wood, the Principal—that after the three years' senior course they would get an all-India diploma which would be practically equivalent to a certificate of pre-engineering and that they would on the strength of that diploma be accepted as qualified candidates for employment in certain Government institutions and factories. It now appears that they have had difficulty in getting that diploma accepted in practice; and therefore they urge that all their time spent in undergoing training there and all the money spent by their fathers and guardians has been useless.

Mr. President: Order, order; I do not want the Honourable Member to go into the merits of this question. All I want to know from him is, whether he thinks that a discussion in the House is not likely to prejudice a peaceful settlement. In that case I may be inclined to allow it. But if the feeling is the other way, I should postpone it for some time and take it up after two or three days.

Dr. John Sargent: Sir, may I make a suggestion, which will perhaps meet the view of the Honourable Members concerned? I do not want the House to think that there has been any delay on our part in going into this matter. I only heard of it the week before last when I was on tour in southern India. I came back as quickly as I could and I spent most of last week in trying to ascertain the facts of the case. There are certain other inquiries in hand the answers to which I hope to get in the course of a day or two. I suggest that, as I believe there is another adjournment motion dealing with this subject, No. 86, which will perhaps come up in the course of the next day or two, the matter might be pursued in connection with that motion. By that time I hope either a satisfactory solution will be reached or I shall be in complete possession of the facts which will enable me to make a satisfactory statement before the House.

Diwan Chaman Lall: Sir, it is a very good suggestion made by Sir John Sargent that we should wait until that other motion is reached. Meanwhile negotiations are going on and it is possible that Government may be in a position to find a satisfactory solution—satisfactory from the point of view of the students; and if they are unable to do so we can debate the subject on that other motion when you may be pleased to permit either of the movers to move the motion.

Mr. President: It will be rather an unusual procedure. However, for the present, instead of disallowing it, all that I would do, with the general agreement of the House, is to take up this motion along with No. 86.

RATIFICATION OF SAN FRANCISCO CHARTER

Mr. President: No. 71 is from the Honourable Member Dr. Sir Vijaya Ananda. It runs as follows. "Whereas the Government of India have ratified the San Francisco Charter without consulting the Indian Legislature and thus committed India to serious obligations inspite of ample time to consult her and their admission of the necessity to give an opportunity for a debate in the Central Legislature; Whereas the Indian fears were confirmed by the Indian Delegation's deliberate failure even to advance India's claim for a non-permanent seat in the Security Council; Whereas the composition of the delegation is so meagre and unrepresentative of Indian National opinion as to involve the possibility of repudiation of the obligations undertaken by the existing Government; Whereas her military commitments under the Charter are of a grave import in view of the explosive situation in Indonesia, Indo-China, Persia and Turkey; Whereas it is necessary to express the opinion of the Indian Legislature even at this stage when the first meeting of the Central Assembly is going on in London, I propose that the House may be adjourned to discuss the failure of the Indian Government to consult the Indian Legislature before its ratification."

It includes so many matters, but, as I have said, I will not merely go on technicalities, but I do not understand what the Honourable Member is driving at. What does he want to discuss?

The Honourable Sir Asoka Roy (Law Member): The Honourable Member is not here.

Mr. President: As the Honourable Member is not here, the motion falls through.

GRIEVANCES OF R. I. A. F. MEN IN KARACHI

Mr. President: The next adjournment motion is to discuss "the failure of the Government of India to redress the grievances of 2,000 R.I.A.F. men such as slow demobilisation, longer hours of duty, unsatisfactory residential accommodation, unpalatable food and unsatisfactory transport facilities, and for allowing them to continue on hunger strike in Karachi owing to non-satisfaction of these demands."

Will the position be made clear by the Honourable Member?

Mr. P. Mason: These difficulties in Karachi arose initially from purely local circumstances. Some 2,000 airmen of the R.I.A.F. were brought into Karachi at very short notice and the arrangements for them were, I agree, to begin with somewhat makeshift. They were housed in old tents with sand floor and 20 out of these 2,000 men had actually had to sleep on the floor. There were various other complaints about which I will say a word later. But what happened was that that evening, the evening after they arrived, they refused to take their evening meal, and the next morning they refused their morning meal. They have three meals a day and immediately after their refusal to take their morning meal, the Officer Commanding of the Station called them together and spoke to them to find out what their grievances were and what could be done about them. He was able to take immediate action to meet most of their local difficulties and to start enquiries about the other matters they complained of, and the meeting broke up quite happily and they had their mid-day meal as usual. Since then there have been no reports of trouble from these men at Karachi. I do not know, Sir, if you would like me to go into all the points they raised—I think there were nine of them—but steps were taken in each case either to meet them or, when they were more difficult and complicated problems such as the difficulties about promotion, enquiries are

[Mr. P. Mason]

being made and we hope something may be done about them. But everybody wants to be promoted rapidly.

Diwan Chaman Lall: What are the other grievances?

Mr. P. Mason: The first one was that they were housed in old tents with sand floor. Arrangements have been made to move them into better tents. Twenty of them had to sleep on the floor; they were provided with beds. Some of them complained about unsatisfactory lavatory and washing accommodation. Work has been immediately put in hand to put it right. Some complained about insufficient illumination at night, and a number of new generators have been brought into the station. This was put right. Then there were some general complaints: one was about the speed of promotion. That, as I have already said, is being looked into. Everybody wants to be promoted more rapidly. Some of them were refused permission to go on leave; they were allowed to proceed on leave. Some complained about hair-cutting facilities and satisfactory arrangements were made with regard to this also.

I suggest that this is not an urgent matter of public importance.

Mr. President: I take it the hunger strike is not now on. It does not seem to be a matter of urgency, apart from importance. I, therefore, rule it out of order.

POLICE FIRING IN BOMBAY

Mr. President: The next adjournment motion is from the Honourable Seth Govind Das: namely, Firing, lathi charge and use of tear gas in the city of Bombay on the 23rd January, 1946, on peaceful demonstrators, resulting in at least ten deaths and about 500 casualties, as reported in today's press, i.e., on the 24th of January.

Seth Govind Das: Sir, Bombay now is under 93 Rule and Bombay Assembly is not sitting. This is the only place where this matter can be discussed. This firing in Bombay was not the only incident; it is being resorted to not only in one place but so many places. Presumably it is being done under the orders of the Government of India, and it is a matter of urgent public importance. The ultimate responsibility certainly lies on the Government of India, particularly when the Bombay Assembly is not sitting.

Mr. President: Have the Government issued any instructions generally to the provinces in this matter?

The Honourable Sir John Thorne (Home Member): No, Sir.

Mr. President: I am not inclined to give my consent to this.

INACTION *re* REMOVAL OF SECTIONS 111 TO 121 OF GOVERNMENT OF INDIA ACT

Mr. President: The next motion is from the Honourable Mr. Manu Subedar who wants to discuss "the failure of Government to give information which was promised to this House regarding the progress of negotiations over the question of the removal or modification of the commercial safeguards in terms of the Assembly resolution passed on 4th April, 1945".

We have had some motions on this subject. I should like to know what further the Honourable Member has to say on this?

Mr. Manu Subedar: If you will kindly bear with me for a minute, I would like to show both the great public importance of this subject and the urgency.

When this Resolution was not only passed by this House but accepted by Government in the assurance given by the Honourable the Planning Member, that Government will immediately take up this issue with His Majesty's Government and Government will keep this House informed as to the progress

of these negotiations, then, Sir, there was a Mission of Sir Ardeshir Dalal, assisted by Sir Jeremy Raisman as a special officer, in the United Kingdom. Various steps were taken on the last occasion when, for technical grounds, this was thrown out in a different form in which I put in that the Parliament alone could deal with it, Sir Ardeshir Dalal told this House that various steps had been taken and various steps are being taken and that he admits that information is due to this House. Now, Sir, I submit that no such information as was promised last year when the Resolution was passed and as intimated by the Honourable the Planning Member in this House has been given to this House until now, and therefore the urgency arises.

May I say a word on the public importance question. Beyond two little booklets dealing with Government's policy, we have had no statement of policy by the Government of India with regard to their programmes and plans. These programmes and plans not only the industrialists of this country are waiting for, but they affect labour and the re-engagement of soldiers, and, lastly, they also affect the whole financial question as to how much money this country would want and therefore whether we shall go to Bretton Woods again. And therefore the importance of this question in the words of my Honourable friend, Dr. Sir Zia Uddin, affects four-hundred million people of this country. It is not a limited and isolated issue and it is an issue of the greatest importance. If the Honourable Member for Planning will give an assurance that not only the information will be given to us but that Government will set aside a day for the discussion of the plans and programmes of Government, in connection with which Sir Ardeshir Dalal said and admitted more than once that these particular clauses were interfering, and also tell the House what steps Government have taken for the removal of these safeguards, then I will not press the motion.

The Honourable Sir Akbar Hydari (Member for Information and Broadcasting). I would prefer the Honourable Member instead of raising this question on an adjournment motion to have first a talk with me when I could explain the position to him, and then if he wants a discussion on the subject, I would be willing to fall in with his wishes. I do suggest that this is not a suitable subject for an adjournment motion. My predecessor who gave this promise did not consider that the matter had reached a stage when he could disclose anything to the House. I am willing to give my Honourable friend opposite such information as I have in my possession; but I cannot disclose it on the floor of the House.

Mr. Manu Subedar: Will the Honourable Member give an opportunity to the House to discuss it?

Dr. Sir Zia Uddin Ahmad: This is a question in which not only the Honourable Mover is interested. I am more interested than he, and therefore, Sir, an opportunity may be given to know how things are going on.

Mr. Manu Subedar: I shall not proceed with the adjournment motion if the Government position is what my Honourable friend says. But I would like an assurance from him that a day would be given to us to discuss the Government plans generally, and specifically the steps which they have taken to implement the Assembly's Resolution on the subject.

Mr. President: What is the position of the Government in regard to this?

The Honourable Sir Akbar Hydari: I would like to consult with the Leader of the House whether the House can be given a day.

The Honourable Sir Edward Benthall: Yes, Sir, so far as that is concerned, I could probably arrange it.

The Honourable Sir Akbar Hydari: Then I am willing.

Mr. Manu Subedar: In that case I am not pressing it.

INADEQUATE FOOD SUPPLY IN AJMER-MERWARA

Mr. President: The next adjournment motion (No. 75) is in the name of Pandit Mukut Bihari Lal Bhargava who wishes to discuss a matter of urgent public importance, namely, "the callous indifference and hopeless inefficiency of the Government of India in not providing adequate supplies of foodgrains in the province of Ajmer-Merwara with the deplorable consequences that its people particularly in rural areas are on the verge of starvation and have to live on mere boiled vegetables and even oil seed cakes to keep their body and soul together".

This falls through as the food situation is being discussed.

INDIA'S PARTICIPATION IN ANGLO-SIAM TREATY

Mr. President: The next adjournment motion is in the name of Maharajkumar Dr. Sir Vijaya Ananda who wishes to adjourn the business of the House for: "the failure of the Government of India to consult this House in dragging India as a party to the imperialist treaty of Britain with Siam which provides for the immediate extortion of her rice to the tune of 15 lakhs of tons and of all surplus rice in the next 21 months, control of Siamese export trade of rice, tin, rubber and tea, and prohibition on Siam from cutting a canal across the Siamese peninsula to link with the Indian Ocean and the gulf of Siam without the British consent, thus completing an economic, political and military stranglehold and reducing independent Siam to the Indian pattern of slavery and degradation".

Is the Honourable Member not here? Since he is not here it falls through.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Has it been also disallowed by the Viceroy?

Mr. President: No.

POLICE FIRINGS ON I.N.A. DAY

Mr. President: The next adjournment is also in the name of Maharajkumar Dr. Sir Vijaya Ananda. He wishes to discuss a matter of urgent public importance, namely: "the firings in Madura, Calcutta and yesterday at Bombay, all significantly in connection with the demonstrations relating to the I.N.A. and Netaji Subhas Chandra Bose, thus pointing to a uniform Central Government Policy lurking behind the hand in the Section 98 provinces, where the people have been rendered utterly voiceless by section 98 to ventilate their grievances and the indecent haste of the Governors in dissolving the provincial assemblies even before the Labour Government in Britain had declared its policy".

He still continues to be absent. So it falls through.

Mr. President: The next adjournment motion is in the name of Pandit Govind Malaviya. He wishes to adjourn the business of the House to discuss "the gravity of the repercussions of recent firings by the police in different parts of India and specifically the police firing in Bombay yesterday, reported in this morning's newspapers, resulting in at least 10 deaths and 71 firing casualties".

This shares the same fate as before.

Mr. M. Asaf Ali: It is slightly different if you will refer to the first motion.

Mr. President: Is the Honourable Member present?

Mr. M. Asaf Ali: The Honourable Member is unfortunately absent.

Mr. President: Therefore it falls through. I might make one point clear: that the decision of the Chairman by common agreement among Parties was up to the time the Assembly started this session, and these are all motions after the 21st. Of course, I may repeat that I am considering this question I have not had time to look into it.

The Honourable Sir Asoka Roy: Before you do give your opinion you might choose to hear Members of the House on the point.

Mr. President: I think that day, there was a discussion. A few Members of the House had expressed their views and I have with me the report. If any Member of the House wishes to say anything further, I should have no objection.

Point of Order re Admissibility of Adjournment Motion of Absentee Member

Mr. M. Asaf Ali: I should like to say a word. If you will recall when this question was being discussed, you promised us a considered ruling. I invited your attention on that occasion to Rule 51. I repeat it again. The position as far as adjournment motions are concerned is very clear. A Member gives notice of his adjournment motion, before House meets and the subsequent procedure is laid down as follows:—

"If the President is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly, and ask whether the member has the leave of the Assembly to move the adjournment. . . ."

It is nowhere laid down that a Member who has given notice should be present at the Assembly at the time. It is for you, and you alone, to consider whether the matter of which notice has been given is in order. As soon as you have come to the conclusion that the matter is in order, the duty is laid upon you, Sir, to read the motion to the House and then ask the House whether they will give leave for the moving of the adjournment motion, and in doing so, if there is an objection, you naturally find out whether there are as many as 25 Members present who will support it. If there are 25 Members who will get up and say they will support it, there is nothing else for you but to say that the motion will be taken up at such and such time. And this is the procedure laid down:

"If the President is of the opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly, and ask whether the member has the leave of the Assembly to move the adjournment. . . ."

And if anyone on the Government side, or from any other side of the House says that he has an objection, then this is the procedure:

". . . If objection is taken, the President shall request those members who are in favour of leave being granted to rise in their places, and if not less than twenty-five members rise accordingly, the President shall intimate that leave is granted and that the motion will be taken at 4 p.m., or if the President with the consent of the Member of the Government concerned so directs, at any earlier hour at which the business of the day may terminate. If less than twenty-five members rise, the President shall inform the member that he has not the leave of the Assembly."

This is the procedure laid down. I do not find any provision anywhere in these rules for a Member who has given notice of an adjournment motion to be present at the time when you are reading it out to the House, after having come to the conclusion that the motion is in order. If it is not in order you simply rule it out. Therefore, I see no reason why the absence of a Member who has given notice of an adjournment motion should operate as an automatic failure of that motion. If he is not present at the time when it should be taken up, say at 4 o'clock, or at an earlier time, naturally the motion falls to the ground because the Member is not present in the House to move it. That appears to me to be the proper procedure. Of course we are waiting for your considered judgment. Whether you give it today or later on it is for you to decide. But the sooner we get it the better.

Mr. P. J. Griffiths (Assam: Europeans): May I, Sir, draw your attention to Standing Orders 21 and 22. Before an adjournment can be moved leave has to be asked for and if leave is to be asked the Member concerned must ask . . .

Mr. President: The point has been discussed sufficiently. The Honourable Member's point is

Mr. P. J. Griffiths: The point submitted by Mr. Asaf Ali

The Honourable Sir Asoka Roy: Sir, on the question of the interpretation of these Standing Orders may I make my contribution?

Mr. President: I just wanted to suggest that practically the matter has been discussed fully and the only person whom I would like to hear on this point would be the Honourable the Law Member or any Member of Government who has to say anything in the matter.

(At this stage Pandit Govind Malaviya entered the Chamber.)

I notice that the Honourable Member who has given notice of the adjournment motion is present in the House now and therefore the point is only of academic interest. Even on merits, I am unable to give the matter my consent, but that is a different matter.

The Honourable Sir Asoka Roy: Sir, in considering this matter I think you must take into consideration Standing Orders 21, 22 and 23 together. My Honourable friend Mr. Asaf Ali drew your attention to Standing Order 23 alone and based his arguments on that. If you take Standing Order 21 you will find that it starts with these words:

"Leave to make a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the list of business for the day is entered upon."

You will find, Sir, that it is necessary for a Member to ask for leave to make his motion at a particular point of time, that is before the list of business for the day is entered upon. If you look at Standing Order 22, it says "The member asking for leave must, before the commencement of the sitting of the day . . ." (Interruption by Mr. M. Asaf Ali) May I go on, Sir, without interruption: I will not give way to the Honourable Member. You will find there, Sir, that the Member asking for leave has to do certain things before the commencement of the sitting of the day and also he has to ask for leave at a particular time on that particular date, on the day on which he wants the House to adjourn. Then, Sir, you come to Standing Order 23. It says:

"If the President is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly, and ask whether the member has the leave of the Assembly to move the adjournment. If objection is taken, the President shall request those members who are in favour of leave being granted to rise in their places, and if not less than 25 members rise accordingly, the President shall intimate that leave is granted." etc., etc.

Therefore, you must have a member asking for leave and that member can ask for leave after he has done certain things before the commencement of the sitting of the day and also he must ask for leave at one particular moment of time and that is after questions and before the list of business for the day is entered upon. After he asks for leave, you, Sir, will have to consider if the matter proposed to be discussed is in order. You should read the statement to the Assembly and, Sir, further, if necessary, ask whether the Member concerned has the leave of the House to move his adjournment motion. The motion is: "That the House do now adjourn". I submit, Sir, that the Standing Orders are quite clear and if the Member concerned does not choose to be present in his seat and ask for leave to make his motion, the motion must fall through.

Mr. M. Asaf Ali: Sir, a very important point has been raised by the Honourable the Law Member. I do not deny for a single moment that the interpretation he has sought to put upon these provisions is possible. But I am rather surprised that the Honourable the Law Member has laid stress on the words "the member asking for leave" and has left out the rest of the rule. It means nothing more than this. It may be capable of the interpretation which the Honourable the Law Member has sought to place upon it but that is not the only interpretation that can be placed upon this provision. The provision is as follows (Rule 22):

"The member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary a written statement of the matter proposed to be discussed."

That is to say, that the member who is asking for leave leaves a notice with the Secretary. There the matter ends. He is not required to be present here. I am not aware of any practice, in this House at any rate, of a member actually getting up and asking for leave of the House to move an adjournment motion. I have never heard of it. Probably the Honourable the Law Member is new to this House and therefore he is seeking

The Honourable Sir Asoka Roy: Sir, I have been nearly three years in this House.

Mr. M. Asaf Ali: Sir, I do not give way. I am simply interpreting the law as I find it. It is no use your saying that it contains provisions which it does not contain. All that it says is that the member asking for leave should leave the notice of his motion, with the Secretary before the House meets. He is not required to be present in the House at the time when the President decides whether the matter is in order or not. And the next Standing Order says:

"If the President is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly, etc., etc."

It means that the decision lies with the President and not with anybody else as regards the question whether the matter sought to be discussed is in order or not and once the President has come to a decision, the member concerned is not required to say anything more. All that is necessary is that the President should read the subject matter of the motion to the House and the President will ask the House whether the member concerned has the leave of the House, etc. Therefore I do not see where the Honourable the Law Member's interpretation comes in.

Mr. President: The Honourable Member need not address on the point of order any more now. I think it has been sufficiently discussed.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): If you would permit me, Sir, I would like to say just a word on another point. The legal point has been argued before you. The rules as they stand demand that notice should be given of an adjournment motion on the day on which it is sought to be moved, and whether the Member who has given notice of it is supposed to be in his seat or not is a legal point about which you will give us your ruling. But I submit that the special circumstances which prevailed in the present case should be taken into consideration, namely that the notice of this adjournment motion was not given today: it was given several days ago. There were probably one hundred other adjournment motions before this particular motion, each one of which had to be taken up before this motion, and no human being could know as to when his particular adjournment motion would come up for consideration. I am very sorry, Sir, I was busy elsewhere. But the moment I was informed that my motion was likely to come up, I have rushed to this place and I am here. Eminent lawyers have put before you different view points. I wish to submit that the rules, even if you interpret them to mean that the Member concerned must be present in his seat at the moment when his motion is taken up, should be interpreted in common sense in relation to the particular set of circumstances existing at a particular moment. And, therefore, Sir, I submit that even if you should hold that normally speaking a member should be present in his seat at the time when his adjournment motion is taken up, that rule should not apply today. You should rule that this adjournment motion can be taken up, even though the Member concerned was not present in his seat. That is all, Sir. If you will permit me, when the stage comes, I will say something about the admissibility of the motion.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, you will kindly see that Standing Order 21 refers to the time for asking leave to make a motion for an adjournment. Then Standing Order 22 refers to the method of asking for leave. Now, as to whether leave is to be asked in the House or outside, there are two factors which must be there—one, the observance of the rule as regards the time, and secondly, the observance of the rule as regards the method. Let us take first the method: the method is that the Member asking for leave must, before the commencement of the meeting, leave

[Dr. Sir M. Azizul Huque]

with the Secretary a written statement. He complies with it. Then comes the time

Pandit Govind Malaviya: Not in this case.

The Honourable Dr. Sir M. Azizul Huque: The whole question is—when is the time when leave must be asked for: and it is for you, Sir, to interpret whether the Member who carried out his part of the duty as contemplated in rule 22—viz., compliance with the method—has not also to comply with rule 21, by which he must at a particular time ask for leave for the motion of adjournment. Then after he asks for it, it is for you to say whether it is in order.

There is another point. You can decide straightaway whether it is in order; but usually you are kind enough, as has been the practice, to ask the Member whether he has got to say anything, so that you can understand the admissibility of it and then say whether it is in order. If the Member himself is not present, I doubt whether you can come to the conclusion whether it is in order, not knowing what actually is the Member's point of view. In any case, there are three stages: one, the method by which he leaves a copy with the Secretary; second, the time by which he must ask for leave; and third, the stage when you have to decide as to whether it is in order. After deciding that it is in order you ask if there is any objection. I can quite understand Mr. Asaf Ali's point. The presence of the Member is not referred to in that rule, but you cannot interpret the rule in that way. I do not think it was ever the intention that because the Member leaves a copy of the motion with the Secretary, that he has carried out also his obligation, as regards the time. In other words, his obligation to ask for leave of the House after the end of questions and before the commencement of the session is not complied with unless he actually does it: and merely carrying out rule 22 does not abrogate the necessity for his complying with the other rules.

Diwan Ohaman Lall: May I make a suggestion that your ruling on this point may put an end to this discussion at this stage?

Mr. President: That is exactly what I was about to do. The matter has been sufficiently argued. I will give my considered ruling. The point is academic now. So far as this motion is concerned, the Honourable Member is already present in the House; but I am afraid it may not be possible for me to accept the plea that, each time the rules have to be interpreted, I should take the peculiar circumstances of that time into consideration and either enforce the rules strictly or relax the rules. They have to be enforced as they are. If they are inconvenient, they may be changed: that is a different matter; but I do not think I shall arrogate to myself the right to change the interpretation of the rules as to suit the convenience of this or that special circumstance. That clarifies the ground as regards special circumstances.

I refer to the difficulty which the Honourable Pandit Govind Malaviya has urged when a large number of adjournment motions had come in, and there was a special pleading which Sir Cowasjee Jehangir had advocated. I was more guided by the practice laid down by him than by the pleading he made before the House.

One further point has been made by the Honourable Mr. Asaf Ali as regards the practice of this House. There is therefore all the greater necessity of inquiring into the practice that existed formerly, before I come to a conclusion on this matter. A long-standing practice may perhaps help me in interpreting the rule.

So far as regards the point of order that has been raised. Now, on the merits of the motion; as I said, it is of the same character as the previous motion, and we had it from the Honourable Home Member that there are no instructions issued by the Government of India.

Pandit Govind Malaviya: If you are going on the merits, may I have your permission to submit one or two points?

Mr. President: As regards the admissibility of it, not otherwise.

Pandit Govind Malaviya: The matter on which I wanted to move the adjournment of the House does relate to an event which occurred in one province. That goes without saying. Unfortunately I was not here when the previous motion was taken up and I do not know whether the fact of that province being under a Governor's rule under section 93, was taken up by some other friends. I assume it must have been. (*Honourable Members:* 'Yes.') That point is therefore before you. Now, Sir, one point which I wish to submit about this motion is that so many human lives have been lost and so much excitement has been created on account of only one plea by the police and the administration, namely, that if the procession which was to go through a certain route was allowed to go through the route which had been originally sanctioned, then the Mussalman residents of that locality would have taken exception to it and there might have been danger of public riots. I beg to submit for your consideration Sir, that in the absence of any such statement by the Muslim residents of that locality, that plea amounts to a slur upon one of the big minority communities of India, the interests of which, under the Government of India Act, is the special domain of the Governor General; and, as such, I submit, that the very foundation of the whole episode about which, I wanted to seek leave of the House to move an adjournment motion, is a matter which is the special domain of the Governor General and therefore, I submit, that it should be permitted and should be allowed to be taken up.

Mr. President: I am afraid the connection is rather far-fetched. It is one thing that one may blame individual officers for mistakes they committed in the administration in any province, and it is quite another that there may be general instructions issued by the Government of India on their policy with reference to a particular type of matter. As I understand the Honourable Home Member to say, in this particular case, there had been no general instructions issued . . .

The Honourable Sir John Thorne: Quite correct.

Mr. President: If that be so, then, whatever the number of deaths and injured may be, it becomes a matter not of an all-India importance to be treated as a matter for discussion in this House. I am afraid I cannot give my consent to this.

FAILURE TO PROTECT INTERESTS OF INDIANS IN SOUTH AFRICA

Mr. President: The next adjournment motion is by Seth Govind Das to discuss a definite matter of urgent public importance, namely: "The imbecile attitude of the Government of India—the wording is far from happy—and its failure to protect the vital interests and peaceful existence of our nationals in South Africa, threatened by the introduction of the Bill to freeze property deals between Indians and other races in South Africa, as announced by General Smuts, the South African Premier on 22nd January 1946 and reported in the press of this country on the 24th January 1946."

What has the Government to say on this?

Mr. R. N. Banerjee: Sir, the matter is no doubt very grave and of urgent public importance, but the Bill to which the motion refers has not yet seen the light of day. Apart from that

Mr. President: Order, order. As the Honourable Member admits that this is a matter of definite urgent importance there need not be a discussion about the merits at this stage. That may be discussed when the matter comes on for debate.

Mr. R. N. Banerjee: Sir, I understand that the rules say that it must be a specific matter and I was trying to make out that there is no specific matter at this stage. There might be one later. The Bill, as I said, has not yet seen the light of day. All I have had is a Press summary outlining the speech made by

[Mr. R. N. Banerjee.]

the Prime Minister of the Union "Government in which he has given a very general idea of what the Bill is to be and I thought that it would be better to discuss a matter of this importance after the House and the Government have full details of the Bill. Apart from that Government has no desire to obstruct discussion on this subject if the House desires to do so at this stage, but we feel that a discussion without full details of the Bill would be rather premature. Our High Commissioner has been here recently and he should be back there today or tomorrow and we are expecting more detailed and authenticated information about the contents of the Bill, and I should have thought that there would be a future opportunity for this House to refer to this subject but we have no strong objection to discussion being undertaken now.

Seth Govind Das: The Honourable Member has admitted that the matter is of public importance.

Mr. President: The details of the Bill are not yet known but I find that it is the principle of the Bill that is objected to by this motion. If the principle were accepted, then the House may wait for the details, but if the House wants to object to the principle of the Bill, it does not seem to be necessary to wait for the details of the legislation. That is how I look at this matter. I give my consent to the motion. It is admitted and will come up for discussion at 4 o'clock, unless the House wants some other day.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): You yourself very kindly said that you have no objection to this being taken up on Wednesday, in view of some outside functions, if the House so desires.

An Honourable Member: There is no meeting on Wednesday.

Mr. President: Outside functions need not come in our way, unless the House decides otherwise. I am entirely in the hands of the House. The other day, the feeling seemed to be against the practice of postponing adjournment motions. The Honourable the Leader of the House also expressed the view that adjournment motions are urgent motions and we should not resort to the practice of adjourning. The motion will be taken up for discussion today at 4 p.m.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR FOOD DEPARTMENT

Mr. President: I have to inform the Assembly that upto 12 Noon on Tuesday, the 29th January, 1946, the time fixed for receiving nominations for the Standing Committee for the Department of Food, eleven nominations were received. Subsequently, one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47: (1) Mr. E. L. C. Gwilt, (2) Nawab Sir Syed Muhammad Mehr Shah, (3) Maulvi Abdul Hamid Shah, (4) Mr. Muhammad Rahmat-ullah, (5) Raja Sir Saiyid Ahmad Ali Khan Alvi, (6) Rai Bahadur D. M. Bhattacharyya, (7) Sri Bhagirathi Mahapatra, (8) Mr. M. R. Masani, (9) Babu Debendra Lal Khan, and (10) Prof. N. G. Ranga.

ELECTION OF MEMBERS TO INDIAN COCONUT COMMITTEE

Mr. President: I have to inform the Assembly that upto 12 Noon on Wednesday, the 30th January, 1946, the time fixed for receiving nominations for the Indian Coconut Committee three nominations were received. Subsequently one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare Mr. A. Karunakara Menon and Haji Abdus Sattar Haji Ishaq Seth to be duly elected to the Committee.

RESOLUTION RE RELEASE OF ONE-THIRD MILL YARN FOR
HANDLOOMS—*contd.*

Mr. President: The House will now resume further discussion of the Resolution moved by Syed Ghulam Bhik Nairang on Thursday, the 31st January, 1946:

"That this Assembly recommends to the Governor General in Council to pass an emergency ordinance compelling cotton textile mills to release at least one-third of the yarn manufactured by them for the use of handlooms."

Mr. Ramalingam Chettiar will continue his speech.

Sri T. A. Ramalingam Chettiar (Madras: Indian Commerce): Mr. President, I was trying to impress on the House the necessity and the urgency of settling this question of the adjournment to be made between the handlooms and the mills in the immediate future before the large increase that is contemplated both in the handlooms and in the factory looms actually takes place. There are a very large number of applications for increasing the number of looms in the factories and in the factories where there are no looms at the present moment they are contemplating adding looms. The result will be that competition with the handlooms will become much severer and the position of the handlooms will suffer very much unless something is also settled as regards the demarcation with reference to the production between the handlooms on the one hand and the power looms on the other. I was saying the other day that the House will have to face that and settle it without any further delay; especially when we are talking of expansion in every direction, the question ought to be settled without a moment's delay. The Government ought to take up the matter immediately and come to some decision. There are a number of difficulties bristling in this matter. I have been referring to two or three. There is the question of what you are going to allow to the handlooms on the one hand and to the factories on the other. For instance in the old days we were thinking that the bordered cloth, especially *saris* and other things in which flowers were worked would be a convenient section of production which can be reserved for handlooms.

Now, Sir, the jacquard has come into existence and it has been developed with the result that the factories are doing as good work in this bordered cloth as any handloom can turn out. So, the position becomes more and more difficult if you are going to demarcate between the handloom and the factory. If you are going to suggest, for instance, that the bordered cloth should be reserved for handlooms, the power looms will certainly protest. They have developed this section already to a very large extent and if you allow this sort of thing to go on without actually controlling the production both by the handlooms and by the factories, any amount of trouble will come. I have already said that the cost of production with reference to the handlooms is much higher than that in the factories. If that is admitted, as it has to be, then the question will arise whether the handlooms will survive at all if the power-looms are able to turn out all that the handlooms can manufacture. That is the position which we will have to deal with.

Sir, I do not want to take very much more time of the House, but I would only impress on the Government, as I said, whether it is this Government or some other Government, that they should take up this question immediately without any delay whatsoever and come to some understanding before they allow the expansions of looms either in the factories or in the handlooms. That is the first responsibility which the Government ought to feel and which they should take up.

As regards the additional yarn that is to be given to the handlooms, I have already said that the spinning mills have been working at a very great pressure and it is not possible to increase the output of yarn by these spinning factories. As regards the factories which have got looms also, they have been using the yarn for the purpose of producing cloth for war and other purposes. Now that the war is over, what are you going to do? Are you going to allow these factories to work at the same high pressure at which they were working? If you do that, the result will be that they won't be able to spare any yarn for

[Sri T. A. Ramalingam Chettiar]

outsiders. Well, Sir, that is the position which you will have to consider also. Now that the war is over, do you want the mills to work for 22½ hours a day, as they had been doing all this time? During the last three or four years both the spinning mills and the weaving mills had been working in several parts of the country for 22½ hours a day. Do you want these factories to continue the same? If you want more yarn for the handlooms, than the spinning mills will have to continue that work. As regards the weaving factories, what is going to be your policy? So, this is a matter which will have to be taken in hand again. Taking things as they are at present, as I said, will not be possible to find spare yarn available at present. Apart from the combined factories, that is, those factories which are doing both spinning and weaving, it is not possible to increase very largely the supply for the handlooms. That being the case, how are we going to find the increased yarn that these people want?

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Will the Honourable Member in future purchase only the spinning factories and not weaving factories?

Sri T. A. Ramalingam Chettiar: I would suggest that so far as weaving is concerned, we will have to go very slow indeed.

Then, there is the question of the consumers also and I was talking about this matter the other day. The consumers want more cloth and at cheaper prices. If we have got only the handlooms, then this will not be possible. Then, the handloom weavers want yarn of higher counts—80's, 100's and 150's— which will directly compete with Ahmedabad and Bombay. That is also a position which will have to be taken into consideration. If the handlooms are not allowed these higher counts, the income will be very low indeed. I was asked the other day what would be the difference in wages earned by the handloom weavers if they took up the different counts? The higher counts pay better wages and the lower counts pay lower wages. And if you are going to have the higher counts, then the question is whether the Indian mills can supply you these higher counts. At present, the Ahmedabad and Bombay mills are not in a position to supply you with yarn. Before the war, most of the higher counts came from outside India. We were getting from other countries most of the yarn which the handloom weavers were using. I had several demands made to me when I was in charge of the Provincial Handloom Weavers Society that I should make arrangements for getting yarn from outside, but the trouble always was whether you want to safeguard the interests of the producers of the higher counts or not. On the one hand, the handloom weavers wanted it and, on the other hand, the mills did not want it. I am only saying this that if you are going to satisfy the needs of the handloom weavers, then you have got to provide for the supply of yarn of different counts which the people require. Some weavers, for instance, in my part of the country want the yarn of higher counts. Then, there are other places where they want lower counts. So, how are you going to provide for them? One of the difficulties of the present distribution of the yarn by the Government Controlling Department is that they are supplying to places like Madura, counts of yarn which they do not require. But in places like Coimbatore where we want yarn of higher counts, we do not get it. That is a sort of disparity in the yarn that is supplied to the various parts of the country, with reference to various requirements, that is the difficulty. Not only that, even with reference to the quantity, the requirements are differing. For instance, fly shuttle require more and a power loom or a cottage loom, when it is put up, will require much more than the ordinary loom which we used to have. There is no distribution according to the requirements at all. The black market comes into existence because of this disparity, both with reference to the quantity required as well as the quality of yarn that is supplied.

Sir, a suggestion was made by the Honourable Mr. Vadilal Lallubhai that the handloom weavers will have to depend on hand-spun yarn for their requirements. I do not know whether he made that suggestion seriously.

Mr. Vadilal Lalubhai (Ahmedabad Millowners' Association: Indian Commerce): Certainly.

Sri T. A. Ramalingam Othettiar: I am not questioning the advisability or the sincerity of the proposal that has been made. The handlooms, as I have already said, are more costly. I have also said that they are handicapped by the larger wages that they have to pay and they are not able to compete with the mills. As a matter of fact, the price of handloom cloth is about twice as much now as that of the mill-made cloth. Now, if the handloom weavers are going to use the hand-spun yarn, what will be the result? The cost will increase. We all want hand-spinning and we all want to encourage it, but we want it only as a sort of supplementary occupation for people, so that they may be able to spin yarn for their own requirements. But if you are going to have it as full time occupation by itself, certainly it won't compete with other occupations.

Mr. Vadilal Lalubhai: Government should subsidise it.

Sri T. A. Ramalingam Othettiar: If you are going to throw these handloom weavers on hand spun yarn, in the first place, there is not enough yarn, in the second place, it is very much more costly. You will be handicapping handloom weavers very much more by asking them to go in for hand spun yarn. That is not the quarter from which you can expect the increased yarn which is wanted. So, it seems to me as a long term policy, we have got to increase spinning mills making yarn available more and more for serving handloom weavers, and the short term policy will have to be practically the same. The Government will have to be alert. They ought to see that there is no delay made in supplying the machinery necessary for starting or expanding these spinning mills. They should be chary to sanction any priority or giving any help for adding to the looms in existing factories or in allowing more weaving factories to come into existence. Sir, this is only a temporary relief. They will have to consider as soon as possible the question of adjustment between mills and handloom weavers.

Dr. Sir Zia Uddin Ahmad: What proportion of available yarn should be given to handlooms?

Sri T. A. Ramalingam Othettiar: There is no question of proportion. As I said already, in my part of the country, we have got very few weaving mills. The biggest mill in the whole world is Harveys and it is only a spinning mill. It does not manufacture cloth. Similarly most of the mills in Coimbatore are merely spinning mills. We do not weave. The yarn from all these mills are available to handloom weavers. But what is done is this. Handlooms have grown around these spinning mills. For instance, in this area where you have got spinning mills, handlooms have increased enormously, very considerably. But the supply from all these mills is not adequate. The only source I can think of now at the present moment is to indent on the yarn or cloth supplied to the military department.

Dr. Sir Zia Uddin Ahmad: What portion taking the whole of India?

Sri T. A. Ramalingam Othettiar: It depends upon the quantity that has gone to military supply. The military has been taking a large percentage.

Dr. Sir Zia Uddin Ahmad: Military is out of question.

Sri T. A. Ramalingam Othettiar: What I am saying is that the Military were taking a large portion of production of both yarn and cloth that we were making in the mills. What I am saying is that military requirements are no longer necessary. The military does not require yarn or cloth. What is released by the military from out of their requirements will have to go to handloom weavers. What exactly it will be will have to be worked out. I cannot say just now. That seems to be the only means by which you can increase the supply of handlooms. Having done that, the disparity in distribution will have to be dealt with also. For instance, we are asked to send yarn from far off Coimbatore to Assam. It is a waste of money, waste of everything.

[Sri T. A. Ramalingam Chettiar]

There are handlooms which are requiring yarn in the locality. Instead of supplying from that stock to the locality you are asking far off Coimbatore to supply yarn to Assam. This is practically from one end of the country to another.

Mr. President: How long does the Honourable Member propose to take?

Sri T. A. Ramalingam Chettiar: Just a minute or two. So, this disparity in distribution will have to be set right, both with reference to quantity and with reference to quality and also the distribution of the area from which it is being sent at the present moment to far off places. If that is done, probably some relief can be given to handloom weavers at present. As I said the only source from which they can get is the additional supply earmarked for military purposes. If they do these two things, probably some relief can be given to handloom weavers. Otherwise, it will have to be a matter of long term arrangement between mills and handloom weavers.

Choudhury Muhammad Abid Hussain (Bhagalpur Division: Muhammadan): Sir, I fully support the Resolution moved by the Honourable Mover Syed Ghulam Bhik Nairang. I do not want to go into details by enumerating the statistical figures of handloom yarns or the number of weavers which were given by the Honourable Mover. I will try to give a picture of the real difficulties of weavers who mainly depend upon this industry. The other day it was rightly pointed out by Dr. Sir Zia Uddin Ahmad that the millowners were not always looking to the interest of handloom weavers and they always tried to have a lion's share in the import of yarn. I am of opinion that both textile mills and handlooms should work side by side without competition with each other with a view to meeting the demands of the people of India. In order to achieve this end, the Government will have to compel mills to set apart at least one third of their yarn stock for the use of these handloom weavers. The handloom industry itself has been neglected by the Government though both the Government and the public feel that cottage industries should be encouraged. Though machine is playing a very great part in our life, still in India the small industries should not be given up because a large section of the people of India depend upon their livelihood on this industry. We know that one crore Indians are dependent for their livelihood mainly on this handloom industry and if the Government should neglect this industry, the result will be hunger and unemployment. In my Province of Behar where a large section of people, both Hindus and Muslim are weavers, they mainly depend for their livelihood on this industry. But during this war, owing to shortage of yarn and scarce supply of this, they have suffered much and great unemployment has come up. The result of this unemployment affected agriculture, very much, because these unemployed weavers do go to cultivation which was the only course open to them, and this extra burden upon agriculture could have been avoided by the supply of yarn to the weavers.

Now, I want to cite some examples of the aboriginals,—the Santals of the Santhal Parganas, the Kols and Bhils and Mundas of Chota Nagpur,—who are used to having their clothes woven with their hands and never depend upon mill-made clothes. Owing to the shortage of yarn and the difficulty of getting it, they have had to give up that industry and now they are depending upon the quota of cloth which is to be given to them. But the question arises whether the full quota, i.e., 12 yards per head, which is given in my province, goes to these Santals and Bhils. Certainly not. Their shares of cloth go into the black market which prevails everywhere. I will further give some examples of the villagers who suffer from this in my district, the villagers who are out of touch with the officers who issue permits of cloth and to whom these villagers hesitate to go. Do they get their proper share of the quota? The answer will be in the negative; their shares go into the black market. I personally know the helpless condition of the villagers of Bihar who have no cloth to cover their nakedness. The most deplorable thing is that the village women cannot go out of their houses due to shame as they have no cloth to cover their bodies. In

some families we find that the same cloth is used by both husband and wife at intervals when they have to go out because they have got just one and the same cloth. The reason is that no one cares for what others want. The distribution of controlled cloth is in the hands of officers and people in the towns, and the villagers have no hand in the distribution. When a man like Sir Zia Uddin Ahmad can complain that he gets as his share of the quota only half a *saree*, what can we say of the difficulties of the villagers who are always neglected and who do not know the proper quarters to be approached. This bad state of things can be remedied if the weavers in remote villages can get yarn for their handlooms because the villagers generally purchase their cloth from the village weavers. A few months ago every province has got some quota of the yarn to be distributed among the handloom weavers, but the method of distribution in my province is unique, and the actual weavers do not get yarn for their looms. The organisation set up for distribution consists of officers and those men in the towns who do not know the A, B, C, of the weaving class people. The ignorance of the actual needs of the weavers and the number of looms has helped to give birth to middlemen who are profiteering by it. Hence, the position of the weavers in the villages is the same as it was before. I want to draw the attention of Government to a column in 'Dawn' of the 3rd February which says that the officers are misusing the machinery for distribution of yarn in my province. The distribution has taken a political colour which Government should see and try to check. It says:

"In places like Hazaribagh, Arrah and Santhal Parganas where the Momin voters are in a majority the Hindu officers are openly distributing yarn to them on the definite understanding that they will vote for the Congress Momin candidates."

The distribution in the villages should have been made by the Weavers' Co-operative Societies and not by these officers and townspeople, because these co-operative societies know the real demands of the weavers. These defects are somewhat mitigated in handlooms by which *tussore* is made, and this is made in Bhagalpur and by it a large section of the people is supplied with cloth and *tussore*. Sir, my suggestion is that Government should import yarn rather than export it and yarn should not be exported so long as the people of this country suffer from shortage of yarn. In conclusion I suggest that at least one-third should be set apart for the handlooms and this yarn should be well distributed among the weavers.

Mr. Ahmed Ebrahim Haroon Jaffer (Bombay Southern Division: Muhamadan Rural): Sir, I rise to support the Resolution so ably moved by my Honourable friend Syed Ghulam Bhik Nairang urging on Government to pass an emergency Ordinance to make more yarn available to handloom weavers. Let me reiterate what Mr. Nairang has already said, that at least one-third of the yarn produced by the textile mills should be earmarked for the use of the handlooms. Sir, living in a country where nearly a crore of people depend for their daily sustenance on the handloom industry, one can hardly fail to recognise the importance of such an industry.

Mr. President: Is the Honourable Member reading something?

Mr. Ahmed Ebrahim Haroon Jaffer: I am reading from my notes and I will add something too.

Mr. President: If he proposes to read his speech, of course he knows the Parliamentary procedure, I do not like to go against the procedure of this House.

Mr. Ahmed Ebrahim Haroon Jaffer: Sir, I have seen many Members reading their speeches.

Mr. President: That should not be so. I would ask the Honourable Member to read very slowly so that members may follow his speech.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Sir, I have always seen that practice followed here and the other day you allowed the Leader of the Opposition to read, sentence by sentence, his great speech which was so sonorous that it sent me to sleep.

Dr. Sir Zia Uddin Ahmad: Sir, Government Members always read their speeches.

Mr. President: I should like to discourage the reading of written speeches, but I do not like to go against the established practice of this House. But if possible, I should discourage such speeches. Honourable Members may, however, refer to their notes—that is one thing—they may be elaborate or long; but if previously prepared speeches are to be read out, the debate, to my mind, loses its effect. Other Honourable Members are not able to touch what one Honourable Member has read and cannot give suitable replies to them or take into consideration the arguments advanced. That is the disadvantage of written speeches, and I feel that in the interests of good debate this should not be done. I do not wish to show any favour to one Honourable Member as against another, Honourable Members may refer to their notes.

Mr. Abdur Rahman Siddiqi: Sir, you did not pull up the Leader of the Opposition; I protest against this discrimination.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, I would like to point out that it will surely not be possible for the Government Member to make an extempore budget speech. I quite agree with your suggestion that the prerogative still enjoyed by Honourable Members of reading their speeches should be used very sparingly and not on all occasions. But the position will be made very difficult if it is strictly observed.

Mr. President: I do not mean to suggest that no statement can be read to the House. I am myself reading statements about elections, and similarly important statements of policy or statements the wording of which is to be correctly given to the House will certainly be read by Government Members as well as Members of other parties. I am only making a suggestion in the interest of proper debate. It is not that I want to prohibit written or any other kind of speech, and I am sorry that Mr. Siddiqi thinks that I am taking one view about one Honourable Member and another view about another Honourable Member. It is very sad that he should take that view of the matter. Nothing is further from my mind. I will not allow one Member what I will not allow another Member to do.

Mr. Abdur Rahman Siddiqi: But the Leader of the Opposition was not pulled up.

Mr. President: The Honourable Member is not proceeding as he should. I do not want to say anything more at this stage.

Mr. Abdur Rahman Siddiqi: I am prepared even to leave the House, but I repeat that the Leader of the Opposition was not pulled up.

Mr. President: The Honourable Member forgets that he is making an imputation of partiality against the Chair.

Mr. Abdur Rahman Siddiqi: Yes, definitely, of discrimination.

Mr. President: Then the Honourable Member should either withdraw that statement or leave the House.

Mr. Abdur Rahman Siddiqi: I will leave the House with great pleasure but I will not agree to discrimination being made between one Member and another.

(Mr. Abdur Rahman Siddiqi then withdrew from the Chamber.)

Mr. Ahmed Ebrahim Haroon Jaffer: Sir, it has been always my practice to make extempore speeches as I did the other day. But seeing my Honourable friend Mr. Morris read a written speech on the food debate I was encouraged to do so this morning, specially because I have a long speech to deliver.

Mr. President: The Honourable Member will now proceed.

Mr. Ahmed Ebrahim Haroon Jaffer: I think the difficulty will be solved if I speak slowly to that the Honourable Members may follow me easily.

Sir, living in a country where nearly a crore of people depend for their daily sustenance on the handloom industry, one can hardly fail to recognise the importance of such an industry. The Honourable Commerce
 1 P.M. Member, Sir Azizul Haque, has already admitted that the class of weavers as a whole is economically the most exploited in India. It would be therefore not something out of place if I rise to vindicate the class of handloom weavers whose position in India today is in the most deplorable state. Compared with others, it is a class which cannot speak for itself, and as such requires the utmost attention of the Government of India to be reformed *de novo*.

Sir, before entering into a detailed discussion of the problem, let me further impress the point before the House that in an agricultural country like India, where almost 90 per cent. of the population lives in villages—where it is almost impossible for an ordinary peasant to make both ends meet, where many are born in debt, live in debt and die in debt—it is far from being true that they will depend on cloth manufactured by mills. And it would be all the more ridiculous to imagine India as self-sufficient in matters of manufactured cloth, especially during these days of disorganised rationing. I would like to ask the Honourable Member of Industries and Civil Supplies if he can himself live on the usual quota of cloth without resorting to the so called informal rationing. It is a pity, Sir, that the officials entrusted with the duty of checking un-economic use of cloth are the very individuals who are a drain on the entire national economy of this country.

Looking into the conditions of India, we find the handloom spinner being placed in a most degraded position. Not only has he to cope with the unsurmountable contingencies of foreign competition but also the internal hardships of getting sufficient cotton for spinning. The results are disastrous. In the first place an excellent source of employment is jeopardized. Secondly, the villagers have to remain under-clothed. Thirdly, there is a burden on their resources as they have to purchase cloth manufactured by mills which they cannot afford to purchase. In this connection let me venture to say that one of the many causes of Indian famines has been the lack of proper subsidiary and cottage industries. Handloom industry can serve as a veritable boon for the Indian agriculturist, especially in times of distress and hardships.

There has been a good deal of theoretic verbosity as to the desirability or otherwise of the future of Indian handloom. But, Sir, let me make it clear in this connection that we can understand better than any other as to the utility of the handloom industry in India. Before India is able to equip herself with adequate machinery, skilled labour and the required capital, it is in her own interest to develop as much as possible cottage industries and subsidiary industries which can absorb the greater part of her unskilled labour.

Now, Sir, coming to the success which such industries have been able to achieve it is sufficient to point out in this connection that they have achieved superb success in the various parts of this country. In South India particularly there are a number of important places which are remarkable for handloom industries: Dharampuri and Conjeevarem are only two of the many important handloom centres in Madras Presidency. In Bombay too there are some important places where handloom has received sufficient impetus like Ilkal and Bagalkot in Southern Division, Malegam in Central Division, Surat in Northern Division. But, really speaking, it is in the United Provinces, Bihar and Bengal that handloom industry is at its best. In the United Provinces particularly excellent handloom work is being done in places like Gorakhpur, Faizabad, Azamgarh and Sandila. In Bihar this industry has received sufficient stimulus in places like Monghyr, Gaya, Hazaribagh and Bhagalpur. In Bengal similarly the handloom has excellently developed in many places like Dacca, Jessore and Santipur.

It will be futile to recount the history of handloom in India. It is sufficient to point out here that India has been a country of handloom weavers from times immemorial. As early as the 5th Century Egyptian mummies were found wrapped

[Mr. Ahmed Ebrahim Haroon Jaffer]

with Indian muslin. Besides this, she used to export to China and other countries like Persia and Turkey fine cloth produced by Indian manual labour. So what I really want to impress at the present moment is that the development of handloom industries in India is not something new. On the contrary it is an industry cultivated from times immemorial.

The vagaries of fashion in India have no doubt exercised a decisive influence on the expansion of the Indian handloom industries. None the less it has continued to be the sheet anchor of the Indian people. However great the influence of the western culture may be, it has remained an integral part of the Indian society for many reasons. One of the reasons is that India is still a conservative country.

There are, however, some other difficulties which discourage the expansion of such industries. In the first place, there is a lack of proper statistics; secondly, foreign competition tends to jeopardize the future of the Indian handloom; thirdly, the stepmotherly attitude of the Government of India in granting protection to the indigenous handloom industries. But in this connection let me point out that the real bottleneck is the improper system of yarn distribution to the mills and the handlooms. The Government of India has never tried seriously to save the Indian handloom and the large rural population of India from the terrible grip of privation and famine. In this connection it is remarkable that this war has created circumstances and contingencies which are different from those of the last war. The last war, I may say, was more favourable for the development of the Indian handloom industry than the present one. There are two reasons for it: In the first place, during the last war yarn was available from Japan which is not available this time. Secondly, Indian manufacturing industries were not so developed as they are now. Consequently it is now inaccurate to say that the present war has hit the Indian handloom weaver harder than the last war.

I summarize the position: I suggest that the share of handlooms should be determined not in terms of yarn but in terms of cotton. Out of six million bales of cotton which we grow in this country every year, four millions should be reserved for cotton handlooms and one million should go to the textile mills. Textile mills may be allowed to import long-staple cotton from Uganda and Egypt and in lieu of the increase of this import, we may allow one million bales to be exported to China. That will be an equitable distribution. Further I press that the only machinery for textile, which you are now introducing in this country, should be spinning mills and not weaving mills, and these mills should be installed in suitable places in all the provinces. The Government has got a large number of shadow factories. These factories may be utilized to locate yarn factories.

Sir, I have done.

Mr. E. O. Morris (Madras: European): Mr. President: Sir, the proposal compelling Cotton Textile Mills, which both weave and spin, to release a percentage of their yarn for use of handlooms is, I think, quite impracticable. Such mills have a very limited reeling capacity if they possess any at all, so that the proposal would not result in any increased delivery of yarn to handlooms. If yarn cannot be reeled it cannot be packed and delivered to weavers. To the extent that the proposal might be practical, mill weavers would be thrown out of employment, and all those workers who would dye, bleach or finish mills cloth to the extent by which production is reduced.

Sir, I should also point out that the price of handloom goods is uncontrolled, and that the proposal would merely reduce the amount of cloth released to the public at controlled prices. It is well known that handloom cloth is being sold at exorbitant prices.

The proposal, Sir, to prohibit totally the export of cloth and yarn to countries outside India is undesirable, because India expects to receive from most of these countries urgently needed supplies, e.g. wheat from Australia, rice from Burma and Siam. India is the only country to whom other eastern countries

may look in the immediate future for supplies of cotton textiles, and India cannot afford to take a selfish view and refuse to share what she has when she herself wants so much. Reasonable exports are certainly to India's present advantage.

Sir, from a long term point of view India requires to develop an export trade particularly with the object of finding customers abroad for her short staple cotton in the form of coarse cloth and yarn.

It is well known that there is a surplus of short staple cotton in India, which formerly was shipped largely to Japan, and from which Japan manufactured coarse cloth and yarn for domestic and export sale. Under Post-War plans for the expansion of the Cotton Textile Industry in India, it is desirable that Indian Mills should have an export trade. The proposal would prevent Indian mills from developing their export market at a time when it is most favourable for them to do so.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadian Rural): What I am surprised at is that my Honourable friend who spoke last, naturally speaks in terms of his own country. His country only produces coal and iron, and unless he exports that in exchange for goods from other countries, he cannot expect his country to live. My difficulty is that I have plenty of raw materials and I want more to export. Two million handloom weavers are starving. Though in his country he has to offer inducements to bring forth children, it is not so in my country, where in every family there is a minimum of 5 children. Two million handloom weavers, constituting families nearly of one crore persons, are not fully employed. Most of them are half employed and many of them are absolutely unemployed. My Honourable friend, and some of them who are mill-owners, ask us to spin once more. I have no objection. Spinning must be introduced. But I say that the *charka* is unable to stand up against the giant machines from the west and therefore in the contest it may go to the wall. We will have to practise that sooner or later, but for the present spinning mills must be established. Therefore must be a halt to weaving mills. We shall no more increase the number of weaving mills in this country. My friend is undertaking a suicidal policy. Before the war they were unable to compete with Japan or Lancashire. They were producing 50 per cent. of the goods required in this country. Of the balance 50 per cent., about 25 per cent. was made by handlooms and the remainder 25 per cent. came from Manchester. They would rather allow Manchester or Japan to continue to import into our country rather than allow indigenous handlooms to produce clothing so that there may not be any unemployment.

Mr. President: The Honourable Member can continue his speech after lunch.

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

The Assembly reassembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Sri M. Ananthasayanam Ayyangar: Sir, I have said enough. I support the motion.

The Honourable Mr. A. A. Waugh (Member for Industries and Supplies): Sir, I shall not detain the House. I have very little more to say. I think the discussion on the Resolution has been most valuable in focussing the limelight on one of the most important classes of the rural community and in underlining the need for developing rural industries up to the hilt.

As regards the complaints which we have heard and which I am sure are at least partly true, about maldistribution and about despatch of unsuitable yarn to weaving centres, Government have taken note, and will take up with the Provinces any particular instances which are brought to notice.

On the question of exports, Sir, I would only like to add that what is now being allowed in the way of export of yarn amounts to less than one-third of one per cent of the total consumption of yarn by handloom weavers in the country, and this very negligible amount goes to our neediest neighbours.

[Mr. A. A. Waugh]

The trend of the debate has shown that it is our duty to concentrate to the best of our endeavours in securing machinery for spinning yarn and I would like to assure the House and those who have spoken that Government put the greatest emphasis on this aspect of the import of spinning machinery and give only a secondary place to the import of more weaving machinery.

On the remedy proposed in the Resolution, I can only say that Government consider that the interests of the consumer must come first, even in advance of this very important rural class, whose interests we all have at heart. There is an overall shortage of yarn and merely to divert at the present time more yarn from mills to handloom weavers would, I think, cause dislocation and a temporary falling off in the production of cloth which would be hard on the consumer at a time when there is an overall shortage of cloth, and particularly it would be hard on the poorer consumers. What we propose to do is to concentrate with the utmost speed on getting more spinning machinery. I have at the present moment the Secretary of the Department in conference with the Textile Commissioner at Bombay, discussing how soon we can put in train really effective steps to get textile machinery. I hope they will be successful. If we are successful we will then have at the disposal of the handloom weavers a much greater amount of yarn than has been asked for in the Honourable Member's Resolution and I hope we shall have the support of this House in all our efforts to get this machinery, and even if necessary, to go into the business ourselves particularly on behalf of the handloom weavers. I do not think Government can adopt the rather drastic suggestion of robbing Peter to pay Paul by taking more yarn than we already take from the mills and get it into the hands of the handloomers. Our best hope lies in getting more spinning machinery from abroad. I would like to add that the consumption of cotton yarn by handlooms has been steadily going up in the last few years and it is becoming increasingly evident that the number of looms is outpacing the increase in the production of yarn and the allotment of the yarn to the weavers. There could hardly be this rapid increase in looms if there was not more yarn to feed them. Handloom weavers are now getting on the average something like 85,000 bales a month of cotton yarn, as compared with an average of 71,000 bales per month in the ten years ending in 1939. That is a genuine rise, though I admit it is not a satisfactory rise, but I do not think we can improve the situation simply by shifting more yarn from the mills to the handloomers. The real necessity is more yarn and I hope we will be able to get it. I would like to assure the House that it will be the Government's endeavour to do its best to get additional spinning machinery and get it into action as soon as possible.

Mr. President: The resolution is to be put to the House now. I do not know what the position now is so far as the Honourable the Mover of the Resolution is concerned. In view of what has been stated by the Honourable Member for Government, does the Honourable the Mover wish me to put the resolution to the House?

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): I do, Sir.

Mr. President: There are now five amendments. Amendments 2 and 3, though numbered separately, were moved as one amendment by the Honourable Mr. Ananthasayanam Ayyangar. Then there is the amendment of Mr. Sasanka Sekhar Sanyal, one by Nawab Siddique Ali Khan and another by Prof. Ranga. I propose first to put to the House the amendment of Mr. Ayyangar, No. 2, (1) and (2) on the agenda.

The question is:

"(1) That for the words 'pass an emergency ordinance' the following be substituted: 'take immediate steps by legislation or otherwise for'.

(2) That at the end of the Resolution the following be added:

'and with a view to facilitate the same prohibit all export of yarn and cloth for trade purposes to countries outside India for a period of one year or until such time as it takes for this country to become self-sufficient, whichever is earlier.'"

The motion was adopted.

Mr. President: The amendments of Mr. Sanyal and Prof. Ranga practically seem to be the same except that there is a little difference. The first amendment says:

"and that steps be taken to so distribute the released yarns as to cover the largest number of handloom weavers' families."

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): That concerns, the distribution of yarn; mine is different.

Mr. President: I know, it is different. I am just explaining what is in my mind. The other amendment says:

"and take other necessary steps to ensure adequate supplies of yarn to handlooms calculated to provide full and remunerative employment to the one crore handloom weavers of the country."

Practically the one seems to be covered by the other. How can there be distribution unless there are supplies? If there are supplies, then of course the distribution must follow.

Prof. N. G. Ranga: The amendment of Mr. Sanyal can follow mine. Mine comes first after Mr. Nairang's resolution. In Mr. Nairang's Resolution there is the phrase "the largest number of weavers".

Mr. President: No. The resolution merely says "release at least one-third of the yarn manufactured by them for the use of handlooms".

Prof. N. G. Ranga: And take other steps to see that this yarn is distributed in the manner suggested by Mr. Sanyal. That is the idea.

Mr. President: My point is that the amendment which speaks of ensuring adequate supplies calculated to provide full and remunerative employment etc., includes the distribution also. Does it not?

Prof. N. G. Ranga: No; first of all there is the distribution as between mills and handlooms: then there is the distribution as between district and district and between weavers and weavers in the same district. It is very common knowledge that these officers have been doing lots of mischief and bringing about black markets by distributing yarn in an arbitrary manner as between weaver and weaver and as between one district and another:

Mr. President: That is a matter for argument. I am trying to confine my attention on the wording of the two amendments.

Prof. N. G. Ranga: You can say "Providing full employment to the weavers". The other words may be dropped.

Mr. President: How can that be done unless there is distribution?

Prof. N. G. Ranga: The first thing is you are evidently thinking of distribution of yarn between mills and handlooms.....

Mr. President: No. I am not thinking of that. I am just trying to see as to how the two amendments are mutually exclusive; they do not appear to be so. That is my difficulty. I am sorry I am unable to convey my point of view to the Honourable Member; but if he wants, I will put both the amendments—though I do not see how it can be done. One speaks of ensuring adequate supplies.....

Prof. N. G. Ranga: To all the weavers, and that will be a question of distribution of that yarn.

Mr. President: But how are the supplies to be dealt with if not distributed? The amendment itself does not speak about the method of distribution. However, I am afraid if the two parts are taken separately, as the Honourable Member suggests, then some further amendment may be necessary.

Mr. Sasanka Sekhar Sanyal (Presidency Divisions: Non-Muhammadan Rural): If I have understood my honourable friend, he simply follows up my amendment and makes it a little more explicit. If you think there is difficulty in putting the two amendments together I do not mind my amendment being

[Mr. Sasanka Sekhar Sanyal]

dropped, because supply carried with it the implication of distribution and distribution over a large number of weavers is what I also want.

Mr. President: Then I shall put Mr. Ranga's amendment, and I take it from what the Honourable Member said that, he also agrees that his amendment is covered by Professor Ranga's. I will therefore put Prof. Ranga's amendment. The question is:

"That at the end of the Resolution the following be added:

'and take other necessary steps to ensure adequate supplies of yarn to handlooms calculated to provide full and remunerative employment to the one crore handloom weavers of the country'."

The motion was adopted.

Mr. President: I now put to the House the amended Resolution of the Honourable Member, Mr. Nairang:

"That this Assembly recommends to the Governor General in Council to take immediate steps by legislation or otherwise for compelling cotton textile mills to release at least one-third of the yarn manufactured by them for the use of handlooms, and with a view to facilitate the same, prohibit all export of yarn and cloth for trade purposes to countries outside India for a period of one year or until such time as it takes for this country to become self-sufficient, whichever is earlier, and take other necessary steps to ensure adequate supplies of yarn to handlooms calculated to provide full and remunerative employment to the one crore handloom weavers of the country."

The motion was adopted.

RESOLUTION *RE* RELEASE OF INDIAN NATIONAL ARMY MEN AND POLITICAL PRISONERS

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I beg to move:—

"That in view of the universal expression of public opinion throughout the country in the matter, this Assembly recommends to the Governor General in Council to give up the trials of the officers of the Indian National Army and to release immediately all men and officers of the Indian National Army as well as all other political prisoners under detention or imprisonment."

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): Sir, I want to raise a point or order on this Resolution: may I raise it now or later on?

Mr. President: Let the amendments be moved.

Haji Abdus Sattar Haji Ishaq Seth: Is he going to speak on the Resolution now?

Mr. President: He will make his introductory speech, and then at the end, according to the practice of the House, as I am told, he will say "I move". Then the amendments will be put before the House and then I will consider the Honourable Member's point.

Haji Abdus Sattar Haji Ishaq Seth: I am on the point of the admissibility of the Resolution.

Pandit Govind Malaviya: Sir, I am not very happy in having to bring forward this Resolution before this House. This Assembly was constituted by an Act passed in 1919. It should therefore be an antiquated affair. But the times have changed; and while this Assembly still happens to be governed by the Act of 1919, the spirit of this country and of its people is very different from what it used to be in those days. The country no more believes in resolutions and petitions. The country does not look to the Government, which happens to be functioning in this land today, to protect the rights of its citizens and to uphold the honour of its men and women. The country therefore will neither appreciate nor understand that Members of this House who happen to come here as the result of a popular vote, should ask the Government which unfortunately is in power in this country today, to do things which they think should be done. And yet, as we are governed by that Act, there is no other course for us.

Therefore, before I proceed further, I should like to express my regret, almost my apology, to my countrymen for almost the insult that I offer them by asking this Government, with the record that the present Government has, to release its patriotic sons and daughters who have made it the rule of their life to suffer for their convictions and to put up with all troubles, and imprisonment and detention and what not, for the sake of the liberation of this country. But, Sir, if there is this gloomy aspect to it, there is another aspect which is a little more hopeful and that is that if the times have changed that change has not left the Government Benches here and the Government in England altogether unaffected. The Act of 1919 came as a result of the well known declaration of the 17th of August 1917. In those days, a Secretary of State, Mr. E. S. Montague, who dared to make a declaration even in that halting manner could not remain long on the Treasury Benches in England. As compared with that, now we have declarations by successive Prime Ministers of England. We have now repeated declarations by every Secretary of State for India. We have had declarations by the Viceroy of India, and we have had other declarations and Statements which have protested that the policy of the British Government is to make India free. Therefore I said that these are hopeful signs that though we happen to be governed by an Act which was passed in 1919, Government Benches will look upon things in the spirit of today.

There has been another hopeful feature also the attitude of His Excellency the Commander-in-Chief in commuting the sentences of death which had been passed by Courts Martial against three officers of the I.N.A., who are today the star heroes of this land. I wish respectfully to offer my congratulations to the Commander-in-Chief on that far sighted action. I should like to bracket with him in that congratulation the Viceroy of India, Lord Wavell also. That one act, all the more remarkable for its rarity, by its realistic appreciation of the situation, does kindle in our minds a spark of hope, that after all, Government might take a sane and a practical view of things. Unfortunately, there have been a number of omens, ill omens, against that hope. There is the attitude of the Government regarding Indonesia. There was the attitude of the Government with regard to the election of the President of this House. There was the attitude of the Government with regard to the police firings in Bombay and in various other parts of the country. There is the attitude of the Government with regard to the students. Two days ago read that the Government are going to post Indian troops also in Japan for the occupation of that Island and, of course, without any consultation with the leaders of this country and without caring as to what the reactions of the people will be to that. These things do not help to foster that hope and yet I wish to hope, that His Excellency the Commander-in-Chief and the Field Marshal Viceroy of India will adopt a liberal policy in these matters. I hope, Sir, they will not be carried away by their advisers and their "well-served India" colleagues of the Viceroy's Council as his Excellency called them. I hope they will be able to read the signs of the time, and they will be able to respect the wishes of the country, and they will be able to do what is actually expected of them at this moment. For that reason and in that hope, I put this Resolution before this House.

Sir, I am not one of those who are unduly unnerved by the mere fact of arrests and detentions, of troubles and sacrifices, or of even firings and hangings. We have grown used to all that in this country. We know that that is the price we have to pay for freedom. I know that every single one of those brave men who formed the I.N.A., and every one of those brave patriots who are rotting in the jails of India, would feel unhappy that any one of their own should stand on their behalf to ask for their release, to ask for any leniency towards them, to ask for any clemency or amnesty for them until their goal had been achieved. Still, I bring forward this Resolution, as a Member of this House who on the first day took the oath of allegiance to the King Emperor, and undertook to discharge his duties faithfully as a member of this House. I feel, Sir that it is the duty of the Members of this House to put before the

[Pandit Govind Malaviya]

Government the view point of the country with regard to this matter. We represent certain constituencies. If on any particular matter of public importance a certain view prevails in the constituency, it is part of our duty to bring the matter up before this House. I do it in that spirit. I hope the Government will be able to see the wisdom of the course which we advocate. If they do so, they shall really be doing something which will be helping them and will be in their own interest. I hope therefore, Sir, that they will be able to rise equal to the occasion and take a sane view of things.

Coming to the Resolution, it can be divided into three parts. The first relates to the trials of the I.N.A. officers and men. The second relates to the release of the I.N.A. officers and men and the third part to the political prisoners and detenus in this country. Before I proceed any further I should like to mention, Sir, that I am most happy at the amendment of which my friend Mr. Sanyal has given notice. I do wish that the cases of those who are outside India should also be included in the scope of this Resolution. Similarly, before I proceed any further, I should like to include in the scope of this Resolution not only the prisoners who are rotting in the jails in India and the detenus, but also those who on account of any action of the Government or their orders, have got to live under ground and have to carry on their work and their activities and their duties, as their light directs them, without being able to function like normal persons in society. I wish to include everyone of them also in the scope of my resolution.

I will now come, Sir, to the first part, namely, the trials. The Government has already had some of these trials and their effect in the country is well-known. The merits of the case, which has now been completed, are there before the whole world. It is possible for me, it is possible for anyone, to go into these and to show up step by step why these trials should never have taken place. But I shall not do that. I shall try to take an uncontroversial line.

The basic difficulty about this matter is that in the very nature of things the view-points of Great Britain and of India are bound to be different. I do not deny that from the point of view of England, in the circumstances of the time, those who should have taken up arms against England, irrespective of their motive, should have been regarded as England's enemy. I am not unaware of the writings in the English press, which has called these fine patriots Quislings and similar names. I have no quarrel with that because I can understand the British view-point about it. But what I wish to submit is that the matter is one which relates to India; it relates to people who belong to India; and it relates to operations which concerned India. The trials have been held and are being held and, in case they are still persisted in, will be held in India. They are affecting the people of India and therefore, the view-point of India should find the uppermost consideration in this matter. And Sir, in the view of India, these men and officers of the I.N.A. have become heroes. Have we had before, at any time, that universal and wild expression of joy, of admiration, of love and of esteem which reverberated throughout the length and breadth of this land on the question of the Indian National Army? It has been unprecedented. That is the view point which India has in that matter. How can you blind yourselves to it? I know I cannot possibly have all the time that is needed to say all that one would like to say about it. It is, therefore, not possible for me to go into the details of this matter. But, during the first and subsequent court martial trials, it has been argued out most ably, and, if I may say so, most conclusively, that it was the motive of these people which should be the most important consideration in the whole case. With the motive, with the spirit, with the attitude and actually with the course which the I.N.A. adopted, there could be nothing which would appear more absurd to the people of this country—I will not use any stronger word—than that they should be regarded either as criminals or traitors or as people who were guilty of any dereliction of duty.

The Government have said that they would differentiate between those of the I.N.A. who have been guilty of brutality and the rest. If I read aright, their intention seems to be—the indication comes also from the notice of the amendment which we find tabled in the name of the Honourable the War Secretary—that out of the I.N.A. men those are going to be picked out for punishment who might be alleged to have been guilty of brutality. It is a funny thing, for this Government, Sir, to talk of brutality. Brutality can be of different types; but, I can think of no type of brutality, the guilt of which does not lie writ on the forehead of this Government during the past 200 years. And that guilt is not merely of the past. As day follows day and as incident follows incident, the people of my country are face to face with brutality after brutality, which is sometimes severe, sometimes light, sometimes harsh and sometimes unimaginable, which is being perpetrated in one part of the country or the other. I am not indulging in platitudes. We are prepared to take any member of this Government, or anybody from outside, who wishes to come, to the inner parts of the country and show him how the hirelings of this immoral Government—I call it immoral because there can be nothing more immoral in this world than to dominate over another country, without its consent—are harassing and oppressing my people in different parts of the country in matters, small and large, with a brutality which is difficult to imagine. For such a Government to complain of brutality against people who were on a field of battle and who had put their lives in the palm for the liberation of their motherland, who were face to face with machine guns and bombs and aeroplanes and what not, for this Government, to talk of brutality about them, Sir, is, as I said, funny. But, Sir at the moment, this Government is the top dog and being the top dog, other dogs might bark, we might say what we will, we might feel as we might, but the Government can always have their way so long as they are there, and, therefore, right or wrong, it is open to them today to say that they will persist that so and so and so and so were guilty of brutality and therefore they shall be dealt with in a particular manner. Even then, I submit that the evidence that has been adduced before the various trials that have taken place so far, if it is carefully looked into: I do not wish to refer to any matter which might be *sub judice*, I am only saying what the general impression of the people about that evidence is; the evidence does not disclose a definite, certain, unchallengeable case, a case free from doubt, that brutality was practised. Therefore, I would ask the Government not to persist in their stand behind that one small word. I suggest it will be unwise on their part to let matters stick on account of that one word and say that some men were going to be singled out for brutality.

I hope, Sir, the Government will realise that the greatest blunder which could have been committed from the point of view of Great Britain was that they should ever have started these trials. That is a patent fact and I shall not labour the point, because everybody is saying it and everybody is realising it. I hope the Government will be able to respect the opinion which has been expressed throughout the country. I base my plea upon non-controversial ground, upon unchallengeable ground, and that is that from one end of the country to the other there has been unanimous expression of opinion against these trials demanding that they should be given up. The Government will be losing nothing by responding to that expression of public opinion and I hope they will have the wisdom to do it. I am tempted to refer to some other parts of the world, I am tempted to refer to the Free French Forces under General De Gaulle which were raised for the liberation of France. I am tempted to refer to the Polish Exile Government which lived and worked from London. There were several others. The world knows all that. If England could foster, support, utilize and honour those who were working against a Government established in their own country by their own countrymen, then, how dare they condemn the I.N.A., a similar group of patriots in exile, who wished to liberate their motherland from the clutches of a foreign rule. I think, Sir, mine is a case which is so patent that it does not need much

[Pandit Govind Malaviya] arguing. I therefore hope that the Government will not be blind to the need of the hour and will drop these trials.

Then I come to the I.N.A. personnel. The first thing I should like to enquire is why there should be all this "Top Secret" attitude about the men. After all, whatever had to happen has happened; the episode is over; you have now got the men under your lock and key. Why all this secrecy about them? Why create a mystery about them. Looked at from the Government point of view, it does not really help them. It enables people to imagine things about the whole affair which may not be true. I therefore ask, why all this secrecy about it? Why not give us figures? Why not give us details as to where these men are, how they are, how many of them are there, how they are being dealt with and what is going to be done to them? That would clarify the situation. It would be as much in the interest of the Government as of anybody else.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Let the Government release them and be done with it.

Pandit Govind Malaviya: I agree, but, if it takes time for that wisdom to dawn upon them, let them improve upon the situation by telling us how things are, because it is not easy for us to find out accurately and reliably as to where they are and how many of them are there. Our reports are that there are 3,778 of them in Jiggargacha camp. Our reports are that—there are two reports—one, that there are 2,000 of them, the second, that there are 1,293 of them in the Bahadurgarh camp. The Secretary of the Punjab Provincial Congress Committee tells me that there are about 7,000 or 8,000 of them in the various camps of the Punjab. I suppose these two are included in them. The Secretary of the U.P. Provincial Congress Committee tells me that there are about 2,880 of them in the U.P. We have other details. To go into all of them will not have much bearing upon what I am going to say, because whether they are only one or whether they are lakhs, that is not the point. Whatever be their numbers, it is wrong to keep them in detention. They should be forthwith released.

Sir, regarding the treatment which is being meted out to them, I should have liked to go into that also. But, I know that my time is limited and therefore, I would leave it to my other Honourable fellow Members to bring that before you. All I would say is that though the Government said that these men were to be treated as "Recovered Prisoners of War", which I believe is the same thing as "Indian Officers Under Arrest", the treatment which is being meted out to them is of a very different nature. In the Bahadurgarh camp they are not allowed to have any interviews whatsoever. They are not allowed any newspaper except the *Statesman*. Many of the undertrials even are not allowed to receive the eatables or food that their friends and relations bring to them. There are other small troubles and pin pricks which I hope the Government will look into. But there are other more serious things. The Government said they would prosecute or punish only those who were guilty of brutality. We find that there are a number of people—I can give the names of some of them; who had been charged only with the offence of waging war against the King, who have actually been hanged. For instance, Chattar Singh, a Sikh youth of the Punjab, Nazar Singh, Hazara Singh, Bal Bahadur Thapa, Kesri Chand Sharma, Naik Jogindar Singh, Naik Gurcharan Singh,—these have been hanged. There have been many others also. That is the information we have. Then, there are others who have been sentenced to transportation for life. An old man of fifty named S. M. Chopra, B. G. Gowd, Shiv Charan Singh, and others have been sentenced to transportation for life, though they also had been charged only with waging war against the King. Chopra and these other men have been placed in the 'C' class. The other day I heard the Honourable the Home Member saying something about conditions in jails. I do not know if the Home Member would like to have some experience of these places as we have had so many times in our lives. We know what it

means to be a 'C' class prisoner and, I ask, if it is true that you said that these people would be treated as Indian officers under arrest, I ask, why then should they be put in 'C' class and why should they be treated as if they were not human beings. S. M. Chopra, I understand, is a man who is 50 years old. He comes from a high family but is confined in 'C' class. I understand that all the 24 hours, day after day and week after week and month after month this old man has to remain in shackles. I wish the War Secretary and the Home Member would put shackles on their wrists and feet 24 hours and see what it means; then they would not like to put them on any one else again. I hope that these things will be looked into and, if found correct, will be righted.

Then let us look at the whole question of these prisoners from the general point of view. What did they do? What were the circumstances in which they formed this National Army or joined it? The whole world now knows the details and I want to take as little time as possible. Therefore I will only put a question and ask every one in this House to put his hand on his heart and tell me what he would have done in those circumstances, as a man of honour, if his country had been in the condition in which the country of these young men is. I will speak for myself.

Mr. President: The Honourable Member will please note that he has almost reached his time limit.

Pandit Govind Malaviya: I will say, Sir, what I would have done and what, I believe, every honourable man in this country would have done; we would have done what the I.N.A. people did. Are you, then, justified in treating these men as criminals? Are you doing a wise thing in exasperating this country by keeping behind the prison bars these men whom the country looks upon as heroes and martyrs? What do you gain by it? Your war is over, there is no emergency, there is no danger. What is the benefit that you are going to derive by continuing to keep these men in detention? If you have any sense—leave alone any question of justice and generosity—you should change your policy. And these men are not ordinary people. In 1944—I am not talking of 1942—they had won over the whole of Kohima and Imphal. They had pushed back the 4th Indian Corps six to seven hundred miles. They had surrounded them and it was in the air that the British Commander signalled to his headquarters asking for permission to surrender to the I.N.A. Such were these brave people. They could do all that with all the handicaps and odds in their way. If only God had willed it a little otherwise; if these people had not been so terribly short of arms and ammunition, of provisions and equipment, I believe, they would have reached this country. And, if they had come to this country, I have no hesitation in saying, I am proud to say, that I believe every one in this land, man, woman and child would have stood up behind these men, as distinct from the Japanese, and under their lead would have liberated this land and turned the British out. The fact that they failed does not matter. It is the effort, it is the earnestness, it is the outlook, it is the motive, which matter in life; and all honour and glory to them, therefore, for having taken the step that they did. That is how this country looks upon them. You claim to be the Government in this country.

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): No, they are not.

Pandit Govind Malaviya: I knew they are not, but they make that claim. I ask you, Sir, whether we cannot expect that, if for nothing else, at least for the sake of what they say, viz., that they are the Government of India, they would respect the wishes of India in this matter and release all these men?

Sir, I will now come to the last part of my Resolution which relates to political prisoners. As I said, the scope of my Resolution should be allowed to include people who are underground also. I should also like to repeat, Sir, that I do not ask for any mercy, for any clemency for these brave men who are rotting in the jails of India or are under detention. I know they will feel

[Pandit Govind Malaviya]

angry, they will not be happy, if any one of them asked for any favour or clemency or leniency for them so long as the goal is not achieved. I will only say this. I know my time is limited and I will therefore finish as quickly as possible. I will only say this that so long as men like Jai Prakash Narain and Achyut Patwardhan, so long as men like Baba Raghav Das and Shibban Lal Saxena, so long as men like Ram Manohar Lohia and Satya Ranjan Bakshi and so long as men like Jogesh Chatterji and Sardul Singh are not allowed to be free to take their rightful and natural place in the life of the country, so long, all that talk about co-operation and good-will which this Government or the Government in England or any one else might indulge in, is not only futile but is also puerile. Sir, these men, each one of them, would be the pride of any country and I hope the position of love, admiration, and esteem which they have earned in the hearts of the people of this country is not lost on Government. The figures which the Honourable the Home Member gave us about them on another occasion are not correct. The wearer best knows where the shoe pinches. I do not wish to charge the Home Member with deliberately giving us wrong information; he is probably not likely to know much about the provinces. In every town and every village people are hauled up for their political activities and chalaaned and tried and sentenced under the ordinary criminal laws of the Penal Code and the Criminal Procedure Code. And they are not classified as political prisoners; they are thrust into the jails to rot like beasts with the ordinary criminals. I believe the Home Member does not know about these things.

An Honourable Member: He should know.

Pandit Govind Malaviya: There are several other things. The Honourable the Home Member's figures are not dependable. The Secretary of the United Provinces Provincial Congress Committee tells me that in the United Provinces alone there are more than seven hundred of these prisoners today. The figure which the Honourable the Home Member gave for the whole of India was less than this. I shall leave the details for others.

I should, however, like to refer to one point which has often been raised and which the Home Member was raising the other day also in this House with regard to an adjournment motion, namely, the question of violence or otherwise. He said he had gone to meet Mr. Jai Prakash Narain etc. and to find out what their views were about violence. This is a very serious thing. If I had time I would have dealt with it properly, I can not do so now—but, Sir, it is an awful thing; it is an entirely new thing in history that we should begin to distinguish between the political prisoner who has done something which was violent and a political prisoner who has done something which was not violent. From the beginning of history there have been political offenders, there have been agitators, there have been revolutionaries, there have been assassins, and what not. Sir, nobody ever asked as to what actually they had done. It was their motive, it was the purpose for which they acted, which determined that they were political prisoners. It is a most unfortunate and regrettable tragedy that in this country during the Gandhi-Irwin negotiations, for the first time in history, the Congress countenanced that distinction of political prisoners guilty of violence or otherwise. But, Sir, it is wrong, and it is even more wrong for this Government to take that plea. With their very existence, every minute of their existence being dependent upon the most unmitigated violence, this Government cannot have the face to raise that plea. But, Sir, I would go further and say that it would be wrong for Mahatma Gandhi himself to take that plea. Mahatma Gandhi is not an ordinary man; he has given the greatest gift of this age to mankind—his non-violence. The future hope of the world depends on that alone. I believe, Sir,—If you will permit me another two or three minutes I shall finish—

Mr. President: Two minutes, each consisting of sixty seconds only.

Pandit Govind Malaviya: I am very sorry I have taken more time than I should have. As I have said, we believe in non-violence. That is our faith, religion and policy. I believe, that India's freedom, to be permanent, must be won through non-violence alone. But, in spite of all that we cannot possibly agree to a differentiation between a man who has been guilty of violence as a political prisoner and another. I hope that distinction will not be made.

I shall not go into the condition of these prisoners at present. I will only refer to the hungerstrike that is going on at different places. I hope the Government is not deaf and blind in that matter.

An Honourable Member: They are.

Pandit Govind Malaviya: In these jails we have lived off and on during the last 25 years. It is not merely the physical discomfort which matters; it is the insolence, it is the impudence of the jail staff in charge of whom the prisoners are. The late R. S. Pandit, my elder brother, Rama Kan Malaviya, and Chandrabhal Jauhari, and Khedan Lal both Members of this House died as a result of the shocks they had in jail.

Mr. President: Honourable Member will remember his time limit.

Pandit Govind Malaviya: My time is up. I will only say that if this Government wants that there should be peace and goodwill in this country, if this Government wants that people should believe that they really want to do something which may be good, the only course open to them is to accept this Resolution and to act accordingly.

Sir, I have done. But if you will permit me, I shall say only one word to the members of this House. If the amendments which have been given notice of are an indication of what is to come from the members of the Muslim League Party in this House, I would appeal to them with folded hands not to let small considerations deflect them from the path of duty. They sit here as the custodians of the safety and the liberty and the honour of everyone of our people. Let them not allow it to be recorded in history that there was a single elected Member in India today, in the days of February, 1946, who voted for the detention of innocent people, people against whom no charge has been levelled, people who have not been found guilty of any offence, people who have sacrificed their lives and their all for the good of the whole of the country and irrespective of caste, creed or community. I hope they will rise equal to the occasion. Sir, I beg to commend my Resolution for the acceptance of this House.

Mr. President: Resolution moved:

"That in view of the universal expression of public opinion throughout the country in the matter, this Assembly recommends to the Governor General in Council to give up the trials of the officers of the Indian National Army and to release immediately all men and officers of the Indian National Army as well as all other political prisoners under detention or imprisonment."

Haji Abdus Sattar Haji Ishaq Seth: Sir, I rise to a point of order. I want to make it quite clear that the first part of the Resolution has my fullest sympathy, but the rules of procedure laid down have to be considered and I am raising this point: In the proviso to Standing Order No. 59 (on page 162 of the old manual) . . .

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Is the Honourable Member in order to refer to old rules in this new Assembly?

Mr. President: The Honourable Member is referring to the old edition of the Manual of Business Procedure.

Haji Abdus Sattar Haji Ishaq Seth: That proviso clearly lays down that a Resolution "shall be clearly and precisely expressed and shall raise substantially one definite issue". I maintain that the Resolution should raise only one definite issue. Here in this Resolution two separate issues have been

raised. I want your ruling whether this is admissible. The resolution deals with the I.N.A.—that is one issue—and political prisoners, under detention or imprisonment, which is another. I maintain, Sir, that both these cannot be dealt with in the same Resolution.

Sardar Mangal Singh (East Punjab: Sikh): Standing Order 60.

Mr. President: What is it that the Honourable Member wishes to say?

Sardar Mangal Singh: This objection is too late. It is for the Honourable the President to admit the Resolution. It has been admitted. Now this point cannot be raised. Standing Order 60 lays it down.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): But not against the Standing Orders.

Sardar Mangal Singh: The President has already decided.

Haji Abdus Sattar Haji Ishaq Betta: May I be permitted to say this. In this House very often these questions have been raised after the resolution has been admitted by the President and these objections have been upheld.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Apart from the fact that it has been admitted by you there is one issue involved: whether the man is under trial, detained or imprisoned, the common fact is that he has been deprived of his liberty. The substantial issue is that several people have been deprived of their liberty and on that public opinion has expressed itself strongly. No man should be deprived of his liberty.

Mr. President: As regards the point of Standing Order 60 I do not think I need go into that technicality just at present. In a way, personally, I should welcome an opportunity of having some views on any decision I take so that I may get guidance for the future. It does not mean that my rulings are open to discussion in this House but I get an opportunity for reconsidering any ruling for the future. In case I once decide a particular resolution is admissible, I do not think I should bar discussion on its admissibility because of Standing Order 60. Members may express their opinions. That disposes of the technical point raised.

As regards the other matter which the Honourable Member has raised, there is here one issue in view of the preamble to the Resolution. One issue may consist of several matters which may be illustrative, or one issue may give rise to many matters. Looking into the substance of the thing, as it appears to me, the purport of the Resolution seems to be to convey that the country has universally expressed a particular view with reference to the treatment of political prisoners, whether they are I.N.A. or other prisoners, it does not matter. The view seems to be to recommend to the Government certain things which the public in the country desire the Government to do, particularly in view of the constitutional changes that are being talked about. Taking that into consideration, the issue seems to be that Government should so act as to appease public opinion and see that nothing remains undone for the peaceful settlement of the big issues before the country. That seems to be the one issue to me. It is all a question of interpretation. If one were to divide the issue one can say that there are separate matters. To my mind, the point of order does not hold.

I will now call upon Honourable Members who have tabled amendments to move them.

Nawab Siddique Ali Khan (Central Provinces and Berar: Muhammadan): Sir, I move:

"That for the original resolution the following be substituted:

"That in view of the special circumstances under which most of the personnel of the Indian National Army joined it and in view of the policy laid down by the Government and the action taken by the Commander-in-Chief in dealing with the sentences passed by the Court Martial, this Assembly recommends to the Governor General in Council to release all officers and men of the I.N.A. whether under detention or under trial."

Mr. President: Amendment moved:

"That for the original resolution the following be substituted:

"That in view of the special circumstances under which most of the personnel of the Indian National Army joined it and in view of the policy laid down by the Government and the action taken by the Commander-in-Chief in dealing with the sentences passed by the Court Martial, this Assembly recommends to the Governor General in Council to release all officers and men of the I.N.A. whether under detention or under trial."

Mr. P. Mason (Government of India: Nominated Official): Sir, I move:

"That to the Resolution which the amendment proposed by Nawab Siddique Ali Khan seeks to substitute for the original resolution the words 'except those charged with brutality' be added at the end."

Mr. President: Amendment to the amendment moved:

"That to the Resolution which the amendment proposed by Nawab Siddique Ali Khan seeks to substitute for the original resolution the words 'except those charged with brutality' be added at the end."

Haji Abdus Sattar Haji Ishaq Seth: Sir, I move:

"That the words 'as well as all other political prisoners under detention or imprisonment' occurring at the end of the Resolution be omitted."

Mr. President: Amendment moved:

"That the words 'as well as all other political prisoners under detention or imprisonment' occurring at the end of the Resolution be omitted."

Mr. Sasanka Sekhar Sanyal: Sir, I move:

"That at the end of the Resolution the following be added:
'and further recommends to the Governor General in Council to persuade His Majesty's Government in England to secure the release of such men and officers of the Indian National Army and such other prisoners outside India and to secure their repatriation forthwith'."

Mr. President: Amendment moved:

"That at the end of the Resolution the following be added:
'and further recommends to the Governor General in Council to persuade His Majesty's Government in England to secure the release of such men and officers of the Indian National Army and such other prisoners outside India and to secure their repatriation forthwith'."

Nawab Siddique Ali Khan: The Resolution which I wish to be substituted in place of the Resolution moved by my Honourable friend, Mr. Malaviya refers to three things: (1) the policy of the Government of India regarding the Indian National Army trial (2) the attitude of His Excellency the Commander-in-Chief in commuting the death sentences passed by Court Martial and (3) immediate release of the officers and men of the Indian National Army.

Sir, the policy as declared by the Government of India is that only those people should be tried who have committed heinous offences. His Excellency the Commander-in-Chief as the head of the Indian Army has released Captain Shah Nawaz and others who were convicted. Sir, one will surely be justified in questioning the advisability of prosecuting these men, getting them convicted and then releasing them afterwards. Sir, no doubt it is beyond one's comprehension as to why this enormous expenditure was incurred on the trial and why this farce is being enacted at the cost of the taxpayers. Mr. President, in the good old days, Hindu and Muslim warriors used to believe that death on the battlefield was a matter of glory and pride, but, Sir, in the twentieth century, war strategy has altogether changed and the new war strategy lays down that retreat is the best part of valour and according to this new war strategy the British Army and the army personnel deserted their fellow-Indian soldiers in Singapore and Burma. Thus these unfortunate people were left undefended and uncared for. In the circumstances there was no other alternative for them than to lay down their arms before their conquerors or to join the new army which was in making. As you know, this army is popularly known as the Indian National Army. Mr. President, the evidence which was recorded during the court martial trial disclosed that Capt. Burhanuddin had advised Muslim soldiers to join the Indian National Army in

[Nawab Siddique Ali Khan]

order that they may be saved the ill-treatment at the hands of the Japanese. Capt. Abdur Rashid also stated—here I am sure my Honourable friends will not agree with his view—that if India is conquered there was every possibility that Hindu Raj would be established instead of British Raj. (Interruption.) I have already stated that my Honourable friends sitting on my right will not agree with the view but that is his statement which cannot be challenged by anybody here. Sir, some people are said to have joined the I.N.A. with a view to conquer India and restore that status and position which it enjoyed before the advent of the East India Company. The reasons for joining the Indian National Army may be various. Some people may shout, as some people had done in this very House, "Jai Hind" and some may shout "Pakistan Zindabad".

An Honourable Member: Did anybody shout "Pakistan Zindabad" in the I.N.A.?

Mr. President: Order, order. Let the Honourable Member proceed.

Nawab Siddique Ali Khan: But the fact remains that the Muslims and Hindus desired to shake off this forced humiliating foreign subjection. Sir, it is true that the two paths which lead to freedom are quite different from each other. One is Pakistan and the other is Hindustan.

Mr. President: Order, order. Will the Honourable Member take more than five minutes?

Nawab Siddique Ali Khan: No, Sir.

Mr. President: I do not want to put any time limit. Then the Honourable Member may so adjust his speech as to make a point therein cover five minutes.

Nawab Siddique Ali Khan: The formation of the I.N.A. and the I.N.A. trials conclusively proved that Hindus and Muslims wish to be free from the bondage of slavery. Our rulers should take a lesson from this that we are determined either with a united front or without a united front to fight and win the battle of freedom.

Sir, I do not plead for mercy for the I.N.A. men as my Honourable friend Mr. Ma'aviya has done, because I do not think that they have committed any offence. In my opinion they are innocent and most oppressed people. Our heartfelt sympathies go to them. Mr. President, I demand as a matter of right that my fellow countrymen who are in detention and under trial should be set at liberty immediately. Mr. President, I am sure that the unanimous support of the Honourable Members of this House will show our resentment against the unsympathetic and harsh treatment meted out to these I.N.A. men and it will also show our firm determination to be free in our own country.

Mr. President: Mr. Mason.

Mr. P. Mason: Sir, I would prefer to reserve my speech, because there are only three or four minutes left and my friends on the other side

Mr. President: I know it will be difficult for anybody to say much in the two or three minutes left. When I called upon Mr. Mason, my idea was that, before the debate proceeds any further it would be better if, whatever the Government may have to say on this question may be said at this stage, so that other speakers, being in possession of the matter which the Government may have to lay before the House, may be in a position to advance their arguments. The Honourable Member need not curtail his speech, he can take his own time and I do not propose to restrict the time limit at all. When I say "at all", I mean that I would not be put to that necessity. The Honourable Member may just begin

Mr. Sasanka Sekhar Sanyal: For these two minutes we can raise some point of order!

Sardar Mangal Singh: Will the Honourable Member be allowed to speak again?

Mr. President: Yes, he will have the right of reply.

Mr. P. Mason: Sir, in two or three minutes it is rather difficult to do much more than introduce the subject, a vast and important subject on which there is so much feeling in the country. I shall confine myself to one or two of the points already mentioned in the few minutes at my disposal.

The motion moved by Nawab Siddique Ali Khan with the amendment which I propose today is entirely acceptable to us and that is all that I would really like to say about Nawab Siddique Ali Khan's speech.

With regard to the speech of the Honourable the Mover, there are a number of points made, on which it seems his facts are not altogether quite accurate. He has produced a story about the battle of Imphal which is entirely new. I made at that time a daily study of the maps which appeared in the war rooms of the South East Asia Command and the India Command and I studied the battle situation every day. But certainly the story produced by my Honourable friend never reached us.

Then with regard to the reports which he has received from his friends in the Punjab and the U. P. about the number of prisoners kept there and his charges of secrecy about the J. N. A. If there is any secrecy it is not my intention that there should be. We have published a number of press communiques on the subject. We have given the figures of the various classes of prisoners who are still detained and I told the House the other day the places where they are detained. If the Honourable Member would like to know the number detained in each camp or any other information of the kind, I should be delighted to give it to him either by a short notice question or by a private letter

(It being Four of the Clock)

Mr. President: Order, order: Seth Govind Das.

MOTION FOR ADJOURNMENT

FAILURE TO PROTECT INTERESTS OF INDIANS IN SOUTH AFRICA

Seth Govind Das (Central Provinces Hindi Division: Non-Muhammadan):
Sir, I beg to move.

"That the Assembly do now adjourn."

I want to move this adjournment motion for discussing the situation which is created on account of the statement of Field Marshal Smuts which he made in South Africa.

[At this stage, Mr. President vacated the Chair which was then occupied by Syed Ghulam Bhik Nairang (one of the Panel of Chairman).]

He said that the Government of South Africa is going to introduce legislation in the Union Parliament which is going to restrict not only the occupation of property in South Africa but also acquisition there. Racial discrimination in South Africa is not only known in this country but it is known throughout the whole world, and today when it is said that India is going to be made an equal partner in the British Empire such legislations are going to be introduced in that colony. We are simply surprised at this attitude of the Union Government. The condition of Indians in South Africa is deteriorating every day. There have been temporary compromises between the whites of that land and the Indians there, such as the Gandhi-Smuts Agreement of 1914, and the Cape Town Agreement of 1927. But that does not show that there has been any real change of heart as far as the Whites of South Africa are concerned. When this Pegging Act came into existence it was said that it was a temporary measure: it is to lapse on the 31st March 1946; and before it lapses further legislation is going to be introduced and passed in South Africa, which will practically

[Seth Govind Das]

make the present Pegging Act a permanent one. Before this Pegging Act no restrictions were imposed on Indians for acquiring property or even occupying it in Natal; and therefore when this Pegging Act was put on the Statute Book there was such a great opposition to this Act that the whites had to sit in a conference with representatives of South African Indians and an agreement emerged from that conference which is called the Pretoria Agreement. After this agreement it was announced by the Government of South Africa:

"Discussions took place as the result of representations made by the Indian Congress to find an alternative method of controlling occupation of dwellings in towns and boroughs in Natal to that adopted under the Pegging Act. It was agreed that the situation would best be met by the introduction of an ordinance into the Natal Provincial Council: this ordinance would provide for the creation of a board consisting of two Europeans and two Indians under the chairmanship of a third European, who would be a man with legal training. The object of the legislation would be to create a machinery for a board to control occupation by licensing of dwellings in certain areas and application of the Pegging Act in Durban will be withdrawn by proclamation on the passing of this ordinance."

Now, this agreement was never given effect to, and the ordinance which emerged was entirely a different thing. The ordinance was not only with respect to the occupation of the property in Natal, but also about the acquisition of that property; and the beauty of it is that after this ordinance was promulgated, this Pegging Act was not repealed—it is still in existence.

Field Marshal Smuts is one of the authors of the United Nations Charter, and it is said that the humanitarian preamble of that Charter has been drafted by the Field Marshal himself. Not only this. The Field Marshal once said about the Indian question that—

"Indians should not be made to feel that they were outcastes. The country must be fair to the Indian people as regards landholding, housing schemes and all the amenities and rights to which civilised people were entitled: and that white South Africa is big and strong and honest enough to do justice to all races and all colours and we shall do so."

This is what Field Marshal Smuts said, and now this is the attitude which has been taken by the Field Marshal himself. I think there is a definite reason for it. In the Parliament of South Africa there are 153 members: out of these 153, 83 belong to the United Party of Field Marshal Smuts. Before November last the question of acquisition of property in Natal never occupied the attention in that land. It was said that only occupation is to be controlled. But in November last, 9 or 10 European members of Natal waited in a deputation on Field Marshal Smuts. Though what happened in that conference has been kept as a guarded secret, yet it can be guessed because the attitude which the Field Marshal has adopted, about the Indian occupation and acquisition of property has come before us after this deputation waited upon the Field Marshal. Now, I feel he is afraid of losing the support of these Natal Europeans; and if he loses the support of these Natal Europeans in a house of 153, he will lose 10 more, and he will have only about 73 or 74 members in his party in the House, and it is quite clear that he will not be able to have a majority in that House. In his eightieth year, it seems that the Field Marshal has become greedy of power; and greediness in old age is considered to be a very dangerous thing.

Whatever may be the reason for the change of attitude as far as the Field Marshal is concerned, we cannot take things lying down and what I feel is that the Government of India is satisfied by sending only certain representations. Therefore I call the attitude of the Government of India with respect to this—imbecile attitude. There was a little laughter in this House when the Honourable the President read that word. I have brought the biggest dictionary available in the library and I shall just read what the word 'imbecile' means. Imbecile means—having the mental faculties feebled or undeveloped, half witted, weak minded, as an embecile king.

Now, I want that the economic sanctions should be applied to South Africa immediately and the High Commissioner for India should be recalled. I am

not asking for anything new. On the 6th November 1944 this is what this House asked for and this is what the Honourable Dr. Khare said in this respect:

"The surgeon's knife will have to be applied if and when necessary, I know that two of the Honourable Members have also suggested the recall of the High Commissioner. Honourable Members will agree that a decision on this matter requires the most careful consideration but I have no intention of taking any unduly long time over it. The Government of India have also been considering most actively the question of enforcing economic sanctions. Here again I should like to assure the House that I have no intention of delaying unduly our final decision."

May I know from the Honourable Secretary of the Commonwealth Relations Department whether the knife of his Chief has become blunt or whether he does not think that the time has come for a surgical operation. I know that the economic sanctions are not going to harm South Africans much but that is not the reason why I ask for economic sanctions. In the civilised world of 1948 one part of the British Empire applying economic sanctions on the other part, has its own moral value. Some people are talking about the Round Table Conference. I had been to South Africa and I am not against the calling of Round Table Conference but I do not want that the proposal of the Round Table Conference should go from the Government of India. If the economic sanctions are applied to South Africa, if the High Commissioner is recalled there is going to be a satyagraha movement in South Africa. Then the real time for the Round Table Conference would come. I know the conditions there. If the satyagraha movement which is a non-violent substitute for war is going to take place in South Africa, the proposal for the Round Table Conference will not go from India but it will come from the South African Whites. As I have said, this attitude of the Whites of South Africa has been a continuous affair and unless and until the Government of India take a strong attitude in this respect and unless and until the Government of India help the people in South Africa, things are not going to improve. Therefore I move that this House do now adjourn.

Mr. Chairman: Motion moved:

"That the Assembly do now adjourn."

Mr. S. T. Adityan (Madura and Ramnad *cum* Tinnevely: Non-Muhamadan Rural): It has been said that South Africa is a very strange country not only in its flora and fauna but also in the political opinions held in that country. It is the strangest country one can imagine in this world. The colour bar and racial discrimination are rampant there. The administration of the country is so very blind as to distinguish between blind Indians and blind Europeans in the allowances made to them. There the administration is so far removed from sobriety that there is distinction made between the drunken Indians and the drunken Europeans. There, Sir, the administration is so childish as to distinguish between Indian children and European children in the amount that is spent on their education. In this very strange country of South Africa, naturally enough we find that the leaders of political opinion there are following the strange hobby of breaking their own promises. They have broken what is called the Cape Town Agreement of 1927 by which Indians had certain rights. They had again broken a certain offer which was made in Pietermaritzburg before Justice Broome himself. They offered certain lands for Indians and they asked the Indians to accept them. The offer was made before a commission presided over by that learned judge. Indians were given 15 minutes to think over it and consent to it and when the offer was accepted by Mr. Pather on behalf of Indians, the mayor of the Pietermaritzburg Municipal Council said—"We retract from the offer". That is the kind of game or pastime in which the leaders of that country are indulging. And then again another agreement took place on 18th April 1944. This is the famous Pretoria Agreement. That has been broken also. I do not want to take up the time of the House by going over the history of the Pretoria Agreement but I shall say a few words about the effect of the agreement and how it has been broken. I think the House knows the general effect of the Pegging Act which was passed in 1948

[Mr. S. T. Adityan]

because this Honourable House itself has discussed it more than once. Its effect was fourfold. Firstly it restrained the Indians from purchasing any new properties in a certain area of Durban. Secondly Indian companies or companies in which Indians had a share were prohibited from purchasing any property; and thirdly any agreement of purchase entered into between an Indian and an European of house property in the place called Old Borough in Durban was to be invalid; and fourthly Indians were disallowed from trading in certain parts of Durban. These are the four fold effects of the Pegging Act. Against this Act, our compatriots in South Africa raised a hue and cry and in sympathy with our countrymen there, we in this country also passed an Act, the Reciprocity Act. After the Pegging Act was passed, the troubles which the Indians in South Africa had to endure were increased tenfold and finally they met the Prime Minister General Smuts in a place called Pretoria. In Pretoria before the Prime Minister of that country, before the Minister for Interior of that country and before seven members of the Indian Natal Conference and before the Controller of Emigration of that country, in fact, before everyone of that country who really counts, there was made an agreement that was entered into between the Indians of that country and the administration of that country. The agreement was to the effect that the Pegging Act had to be repealed. Then, again, in future, any legislation, which is to affect the interests of Indians, had to be passed only in consultation with the Indians of that country. Thirdly, free acquisition of property and investment of money was to be allowed. Only the occupation of houses in certain areas was to be disallowed. Fourthly, a Committee was to be set up in which Indians had to be represented to a certain extent. All these things have now been thrown to the winds.

It is interesting to discuss what is going on actually now in South Africa. They set up a Judicial Commission to inquire into the present state of Indians. That Commission was again presided over by the same Justice Broome. That Commission recommended that Indians may have at least a restricted kind of franchise in that country. I forgot to tell you, Sir, that in that country Indians are not even allowed to vote in Municipalities, let alone the Legislative Assemblies. The Broome Commission also recommended that the representatives of India may be called over to attend a Round Table Conference in South Africa and that the future of Indians in that country may be considered in that Conference. That was the recommendation of the Broome Commission. In spite of it, agitation was going on in that country by the Europeans of that country and the House may be interested to hear a few samples of it. One paper "*Die Trasvaaler*" said:

"If Indians in South Africa preferred alignment with India, they must be regarded as foreigners and should be repatriated. The Union must act now and impose absolute segregation while India is still powerless to carry out the threats which were so freely voiced."

That, I submit, is the psychology that is working in the minds of the Europeans of South Africa. They are very clearly able to see that this country is not going to remain a slave and that it is going to become a free country in the near future. So, they want to take the time by the forelock. Before this country is able to achieve its freedom, they want to work out the havoc they have got in their minds because they know it for certain that if this country becomes free, they will not be able to do the things that they are now dreaming of. Under these circumstances, seeing that a great progress in the political status of this country is going to take place, and knowing the fact that the original Pegging Act is to expire on the 31st March 1946, they are now intriguing and hatching up a new idea of making the Pegging Act permanent. This was announced on the very day this House met here, namely, the 21st January 1946. On that day we were taking oaths of allegiance here and just at the same time General Smuts was breaking the promise in the South African Assembly, a very solemn promise that had been given earlier by the Minister of the Interior.

MOTION FOR ADJOURNMENT

He announced that he was going to pass a new Act which will be placed permanently on the Statute-book of South Africa and which will take away all the rights that the Indians in that country possessed. During the time the Pegging Act was passed in the South African Legislature a promise was given by no less a person than the Minister of the Interior. At the second reading of the Bill he said: "We must make provision not on compulsory but voluntary lines." He also stressed the fact that the Pegging Act was only a temporary measure for three years. He definitely said that the Pegging Act was only a temporary measure and further amenities for Indians were to be considered on a voluntary basis and not on a compulsory basis. That is exactly what he said.

As I have already observed, in that country perhaps one of the hobbies of men in power is to break their promises. That is a strange game that they are in the habit of playing. I do not know from what country they have inherited it, but the fact remains that they are addicted to that particular game. The Minister of the Interior promised that their future Act will be on voluntary basis but we now hear from General Smuts that he has again taken the law in his own hands and he is again coming into the open with a new Act which he is seeking to pass. And the effect of this new Act is this. Not only in a place like Durban and not only in the province called Natal but throughout the South African Union the extension of the Pegging Act is contemplated. The original Pegging Act was to be confined only to a small city Durban, but now throughout that wide country the provisions of the Pegging Act are to be extended. That is the first thing. In the second place, Indian trade is to be restricted. Thirdly, if an Indian wants to purchase any property in any part of the country, he has to get first the sanction of the Minister. These are the facts. I think this House knows that all these things are contemplated. The real reason is this. They are not able to compete on ordinary terms with the Indian traders there. Let them come into the open, let them compete under ordinary trade usage with the Indians there; let us acquire property there and let them also and then we will show what we can do. But they are not prepared to do this. In a cowardly fashion they will seek the protection of law, so that Indians who have got money may not be able to purchase any property there. I may tell you one more reason why we are so particular to purchase property in that country. It so happens that most of the Indians in South Africa are Muslims and the religious susceptibility of the Muslims is this that they do not want to lend money on interest. That is why they want to purchase property there. Of course, we are not so very particular about the property there, but we do want to invest money which we are able to save. We, who are able to earn some money there, want an outlet for it.

Sir, my time is getting up and I will conclude my speech by quoting a sentence from Sir Shafaat Ahmad Khan, who has been there as High Commissioner. This is what he has said today:

"It is unfortunate that the Union Government should identify itself in a measure which, if passed, in its present form will 'doom Indian race in Natal to political and economic servitude'."

Well, Sir, the Indians in South Africa are doomed to political and economic servitude. They are looking up to this country, to this motherland, to retaliate; if possible, to do the same things as are being done to the Indians there, by all economic pressure, by all political pressure and if possible by all moral pressure. That is what they want us to do.

Mr. Chairman: The Honourable Member's time is up.

Sri S. T. Adityan: Sir, this is my maiden speech and I thank the House for the indulgence shown to me, and I thank you, Sir.

Sir Hassan Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Sir, this question of South Africa has been debated on the floor of the

[Sir Hassan Suhrawardy]

House time and again and I think the Honourable Member who is now in charge of Commonwealth Relations will bear me out that he has taken a strong attitude in this matter. But what has happened to the Government of India now? Now that we are on the threshold of the promised liberty to all the Asiatic nations and to all the small nations, what has happened now that India which has given so much support and so much man power that Indians are being treated in such a way in South Africa? Who are doing it? The British and the Dutch, the very people whose actions were unanimously condemned in this House on the motion relating to Indonesia. They are the people who are doing this. It is not a question of Hindu or Muslim. It is a question of Indians, the self respect of India is at stake. It is of course a breach of promise and this is nothing new in this Government which is represented in a certain form, as pointed out by Diwan Chaman Lall, in many places like Indonesia, in Palestine and in India. There are subtle excuses by which the Government are giving the go-by to the most sacred promises. The Cape Town Convention or agreement of 1927 is forgotten. It suits them now. We can have ordinances, we can have new measures, but what would be the result. The poor Indian who at one time could own land, but he could not live on that land that he owns. Why? Because the climate of the land was salubrious and the Indians were told "your standard of life is low, you cannot live there". That was a discrimination, which after a lot of agitation was proposed to be removed. But now you are not only not giving the Indians the right to live, but you are also depriving them of the right to own property. As my friend from South India, Mr. Adityan, just now pointed out, the Muslims living there could not indulge in usury, they could not engage themselves in those business concerns which would multiply money, double and treble the money, and so if they have got any saving, they want to invest it in property. You are shutting them out from purchasing property. They cannot do it. However, I ask the Honourable Member in charge of the Commonwealth Relations that if we Indians were asked by the British Government to be a member of the British Commonwealth of Nations, is this the way to treat a free and equal partner? What has happened to the Government of India? I think the name of my Honourable friend is 'Khare' which means a man who can speak out straight—*Khara-bat!* I hope he will go and tell his colleagues in the Governor General's Executive Council that they should treat Indians as Indians ought to be treated because of their great background of culture, of their great political and economic importance because of her geographical position about which we hear so much and because of the great sacrifices India has made in men, and money. General Smuts, the Field Marshal of England, ought to be ashamed of himself that he should table such a resolution. How would he like himself having such a resolution passed against the nationals in Great Britain, for instance.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Turn coat.

Sir Hassan Suhrawardy: We now hear that the Jews have been allowed to come into Palestine. They are converting a majority into a minority. They are white Jews from Europe and so it is a question of Europeans coming into Asiatic country in unlimited numbers. Unabashed, you give the Jews sanction to come into Palestine. But when our own people—Indians—want to have some land, it is not that they want to migrate, the Dutch are not South Africans, the British are not South Africans and so are Indians not South Africans, all went there in order to eke out a livelihood, in honest enterprise but you want to bar Indians from acquiring any land. The Indians have survived there on account of their honest work and perhaps you cannot stand their great powers of endurance. It is not the survival of the fittest there. You are taking all kinds of mean advantage by passing certain laws and certain bye-laws to deprive them their human rights. May I ask my Honourable friend Dr. Khare who is a distinguished Member of the medical profession, "Has God even made any kind of distinction that when a white man gets malaria or when a black man gets malaria or when an Indian gets it, different kinds of medical treatment should

be given them". Does not the same infection catch them, no matter whether brown or black or white? I would ask my Indian friends on the Treasury Benches to rise to the occasion, they should resign in a body. I may assure them we do not want to take office. It is not that we want to step in their place. It has been said by our Leader in so many words, these interim governments are no catch to us. But I say, if as self-respecting Indians, while you sit on the Front Benches, you hear these things and you swallow these things in the Governor General's Executive Council meetings, it is not worthy of you as Indians. India desires, India expects much better from her people who have the background of a political career, who have got strength of character. If as my Honourable friend the Mover of the resolution has said, the Government of India has become imbecile, spineless, if the Indian Members have become *jo-hukums*, very well, that is a different thing. Then the Government of India consist of Indian Members who are merely 'yes-men', and there is no meaning in what they say, that it is a Government for the people by the people. We know what it is then.

I do not want to take much of the time of the House. This is a matter of great importance, and this has raised the same kind of feeling which the bad treatment of Arabs by the Jews and by the European nations has done for Palestine. It is the same in Indonesia, it is the same in South Africa. It is struggle for freedom, for our existence. Nations whom God has placed in more healthy places and better circumstances do not want to share those healthy places with their less fortunate brethren who wish only to have a small share. Sir, I support the motion to recall the Indian High Commissioner and apply economic sanctions.

Mr. E. N. Banerjee (Secretary, Commonwealth Relations Department): Sir, I venture to rise at this stage because I feel that the House would perhaps like to have some idea of what our information is regarding the latest developments. The House will recollect that this matter was last discussed here on 9th February 1945. They would like perhaps to hear what has happened since then. On that occasion, it was explained on behalf of the Government that the enforcement of the Reciprocity Act in the first week of November 1944 had some effect. The three Natal Ordinances which were designed for the segregation of Indians and which were the immediate occasion for the enforcement of Reciprocity Act were abandoned. The Governor General's assent was not given to those ordinances and they lapsed after the expiry of one year.

Raja Sir Saiyid Ahmad Ali Khan Alvi (Nominated Non-official): Why were they not cancelled as a protest?

Mr. E. N. Banerjee: They were cancelled really. The Union Government did not proceed with that legislation. They did not become the law of the land.

Sri S. T. Adityan: Is it not a fact that the Legal Adviser advised that the ordinances were *ultra vires* of the Provincial Governments?

Mr. E. N. Banerjee: But it was open to them to re-enact legislation in the Union Parliament, but they did not do it.

Then, Sir, Field Marshal Smuts made a public declaration that these Ordinances were contrary at least to the spirit of the Pretoria Agreement. He also made a statement that alternative settlements would have to be explored. We therefore thought of lying low a little and, as my Honourable Member has explained to this House more than once, in view of the fact that this question is a very old one and in view of our position of comparative disadvantage in this matter we have always thought it best to exhaust all possible resources of negotiation and compromise.

Then, Sir, our new High Commissioner reached South Africa about the end of February last year and the Housing Emergency Ordinance was introduced in the Union Parliament. The object of this Ordinance was to provide better housing facilities for all classes, particularly Indians. In the drafting of this Ordinance in so far as it affected India interests, our High Commissioner in consultation with the leaders of the local Indian community and their legal

[Mr. R. N. Banerjee]

advisers played rather an active part. Our High Commissioner was taken into confidence at every stage of the drafting of this Bill, and the Bill as it emerged finally was pronounced by competent authorities to be formally non-discriminatory. The Bill, however contained a provision for the establishment of provincial Housing Boards under provincial legislation. In pursuance of this provision of the Bill in August last year the Natal Government introduced a Housing Board Bill, and this Bill became law towards the end of November last. In the scrutiny of this Bill also our High Commissioner in consultation with the leaders of the local Indian community and also their legal advisers played some part. He was taken into confidence at every stage and the Bill as it emerged finally contained but one minor provision to which the Indian community took exception. That provision gave the new Housing Board the power to dispose of lands with a servitude aimed against Asiatics. We did not make a very serious grievance of this although we recorded our protest, because even without this legislation in cases of sales of land by individuals and municipal committees they have now the right of adding what is called an anti-Asiatic clause. We acquiesced in this under protest, particularly because Field Marshal Smuts issued a public statement on the date this Bill became law in which he gave a very definite assurance that all these measures would be worked without any injustice to the interests of Indians. It was after this that our High Commissioner left South Africa and came here for purposes of private discussion about the position. We agree that the latest developments have therefore come as rather a surprise. We had good reasons to hope that all these measures culminating in the Natal Housing Boards Ordinance would solve the question of the occupation and acquisition of land by Indians and that the Pegging Act would be allowed to lapse in due course after the 31st March next. I told the House earlier this morning that we have no official intimation about the exact provisions of the new measure, but we have some unofficial information which, I regret to have to say, is the same as the Honourable the Mover of the motion and the other speakers have derived from the press. It seems that the Pegging Act will lapse but a new Act is to be introduced to take its place which will provide for restrictions on the Indians' right of keeping and acquiring land more or less on the same lines as the existing restrictions in the Pegging Act. The new Act is also to be made permanent. We have also been told that the measure may contain some elements of enfranchisement for the Indian community. The utmost that we have been encouraged to hope is that there will be a loaded franchise for Indians, that is to say, Indians possessing certain minimum property or educational qualifications will be allowed to vote for European representatives who would represent them in the legislature. That is all that I am able to say at this stage. I need hardly add that Government fully realise the implications of the proposed legislation and the gravity of the situation. We have had full discussions with our High Commissioner who should be in South Africa today or tomorrow. We have, as advised by the leaders of the Indian community in South Africa, asked our High Commissioner to place before the Union Government the suggestion of sending a representative delegation of Indians from this country to South Africa to explore the possibilities of an alternative settlement. We are hoping that something will come out of this suggestion.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I ask my Honourable friend whether the delegation that he is contemplating will also be segregated like the Indians in South Africa?

Mr. R. N. Banerjee: Honourable Members who are conversant with the earlier history of our relations with that country will recall that some time about 1924-25 they had what is known as the Class Areas Bill. The position today is more or less analogous to the position in 1924-25. It was on that occasion that a delegation went from India and their efforts resulted in the Cape Town Agreement.

Several Honourable Members: That is scrapped now.

Mr. B. N. Banerjee: This is all that I am able to tell the House today. I wish this motion came a few days later so that I might be able to give the House some idea of the results of our High Commissioner's efforts. But as soon as we have any further information we shall make an occasion to place it before this House.

Diwan Ohaman Lall: May I interrupt my Honourable friend? When the High Commissioner came here did he communicate to the Government of India what information he had regarding this projected measure now before the South African Union?

Mr. B. N. Banerjee: I think I made it quite clear in the beginning of my speech that we have a certain amount of unofficial information. But the High Commissioner did not bring us a copy of the Bill because the Bill had not been drafted by the time he left there.

Diwan Ohaman Lall: May I take it, then, that even the High Commissioner is useless in this matter and powerless to give the Government of India any information of such a vital nature?

Mr. Chairman: That is a matter of opinion.

Mr. B. N. Banerjee: I venture to think that that does not follow. Our High Commissioner has kept us well posted and I can tell the House that the unofficial information, we have, was from him; and it is mainly due to his tact and diplomatic efforts that we have been able to obtain rather early information about this.

Diwan Ohaman Lall: Is it then a fact that we are back again to the days of pre-1927 agreement? This is the result of all your efforts?

Mr. Chairman: That is a matter of inference.

Mr. B. N. Banerjee: The only thing I can say at this stage is that we are still awaiting—we will have to wait for some time

Diwan Ohaman Lall: For how long?

Mr. B. N. Banerjee: the results of the discussion which our High Commissioner will have with the representatives of the Union Government, and as soon as we have had that, Government will be able to take a decision about their further line of conduct in this matter. I need hardly repeat, Sir, that Government fully realizes the implications of this measure and the gravity of the situation, and they will do their very best in giving the Indian community all possible assistance.

Diwan Ohaman Lall: What can you do?

Mr. B. N. Banerjee: What the Government can do will depend on the sort of reply that our High Commissioner is able to send us

Diwan Ohaman Lall: And if the reply is 'no'?

Mr. B. N. Banerjee: I do not propose to go into detail about the enforcement of economic sanctions and the recall of High Commissioner at this stage, but I would reserve my observations on these points for some suitable occasion in the future.

Seth Govind Das: May I ask the Honourable Member that fifteen months have already elapsed when this House adopted the Resolution on economic sanctions and recalling of High Commissioner? When is the Honourable Member going to make up his mind about that?

Shri Sri Prakasa: When will the High Commissioner become Field Marshal?

Mr. Chairman: Order, order.

Mr. Frank R. Anthony (Nominated Non-Official): Sir, I have been prompted to enter into this debate by what I just heard from the Government Member. Quite frankly—and that is no reflection on him—I have not at all been reassured by his statement. We in this House have heard over a long period of time of similar action on the part of Government, similar protests, communications and representations and we are today exactly where we were many

[Mr. Frank R. Anthony]

years ago. This whole thing has become a Hardy Annual and one which to any self-respecting Indian, including my Honourable Friends on this side, is galling. We have heard before that the Government is in complete sympathy with the Indian sentiment in this matter, they even simulate with us a good deal of righteous indignation in this matter, but nothing further has resulted. And, I believe, for too long have we acceded to this policy or accepted this policy of arrogant racial discrimination and antagonism which has been and continues to be pursued by the South African Government. One feels reluctant to say it, Sir, but I have been a student of Anthropology and Biology, and I cannot help feeling that this whole policy can be traced very directly to the fact that the two million Whites in South Africa have branded themselves by this policy as a community of moral and physical cowards. I have had occasion—it is a hard thing to say, but these things must be said—I have had occasion to meet many persons who fought with South Africans in the last war and in the war which has very recently ended, and they all testify to the fact that while South Africans have their exceptions, men who have distinguished themselves on the battlefields, that, on the whole, they make very poor soldiers. And that these same people should have initiated a policy of discrimination, of affecting an attitude of superiority towards Indian soldiers, but for whom South Africa might conceivably have been overrun, is something which to us today must be absolutely intolerable.

And after all what did my Honourable friend over there say? What is the real motive behind this policy? Let us try to strip the veil from this policy and see what is the motive behind? It is a fear motive; it is inspired by the complex of fear, fear that a community,—the Indians, essentially more virile even physically—may not only overrun the South Africans economically, in time, but perhaps exterminate them physically. That to my mind is the whole motive which to-day inspires this anti-racial, anti-Indian policy of South Africa.

I am sorry to have to say it, but my Honourable friend there, in quoting figures, has touched on the real problem. What is behind the policy which is being adopted today by Smuts? Smuts has been said to be a very great, and a very able leader. I wish he could have immortalised himself in that niche, but by lending himself to this shabby anti-Indian policy I feel that he has brought himself down to the level of the veriest mediocrity one who has lent himself to this rabid form of racial prejudice and racial inhibition which is rampant in South Africa today. It is unfortunate that he has today in lending himself to this policy lent himself to cheap political expediency. That is what it amounts to. We know that there is a deep feud and deep division between the Afrikaners and the English-speaking people in South Africa. And it is a peculiar coincidence, but it is true, that whenever Smuts, because of his pro-English policy, has been in danger of losing the support of the Afrikan-speaking section, he has immediately trotted out this ever ready weapon of racial discrimination. It is one with which he has remained in saddle and which has always whipped the Afrikan-speaking people into supporting him. That is the tragedy of the whole situation. Whenever he feels he is losing their support, he beats this drum of anti-racial and anti-Indian policy. That is why I feel that the Government of India can no longer indulge in protests, or indulge in sending delegations, because I believe that nothing will ultimately result. We have our limitations; we have certain disabilities. I believe that if we were in a position to send twenty thousand soldiers to demonstrate against South Africa, they would put their tails between their legs and resile from this policy. We are not in a position to do it, but let us use the few weapons which we can, and my Honourable friend has referred to it—economic sanctions. What is there to prevent the British Indian Government from implementing immediately the policy of economic sanction? I believe that you will immediately make the South African Government come to heel if you make them feel that

you are serious about implementing the policy of economic sanction. I am told that many articles very valuable to the trade of White South Africans—hides, for instance—are exported to South Africa. I know because I drink them—sherry, whisky and brandy, large quantities of liquor are imported from South Africa. And there are other commodities. If we implement immediately this policy of economic sanctions, you will make the South African Government feel, which you have not made them feel hitherto, that you are in real earnest about it. I do not know why my Honourable friends should be so reluctant to implement a policy of retaliation: South Africans in India should be subjected precisely to the same economic and social disabilities to which our fellow-Indians are being subjected in South Africa. It is surprising that we still have South Africans as officers in the Indian Army and also holding important positions in different parts of the country. This is something which ought to be stopped immediately.

Finally, I would make an appeal to the British Members of the Government. This is a very serious matter.—When Hofmeyer, the Deputy Prime Minister of South Africa, spoke to a meeting in the House of Commons recently, I am afraid I struck a discordant note. I told him that although he labelled himself as a Liberal their policy gave the lie to that claim. And that if South Africa persisted in this anti-racial and anti-Indian policy they would be blazing the trail of another bitter war. South Africa will sow the seeds if it continues this policy, and I am not indulging in hyperbole when I say that South Africa will sow the seeds of a racial, class and colour war. You will set a trail which will blaze around the world. Today Britain is preoccupied with the intentions of Russia. Larger interests should make them feel that South Africa's present policy will ultimately recoil adversely against the interests of the Commonwealth. If you start this racial bitterness in South Africa it will spread around the world. You are afraid and you feel that Russia is cutting across your vitals.—Russia is an Asiatic country. Her leader is a fellow Eurasian like myself, proud to call himself an Asiatic. If you start this feud between coloured people on the one hand and non-coloured on the other, you will be inviting the intervention of Russia into this field. You will be condoning a policy which will ultimately perhaps lead to a more bitter struggle and war than we have ever seen before.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I rise to support the motion which is before the House. The Mover has very ably explained all the facts and the facts and the documentary guarantees which came to our country from time to time and I would only say that they have only proved so much scrap of paper.—In the last debate that we had in 1945 in this House the Honourable Member in charge of the Commonwealth Relations was very loud in saying that he would not lose one minute in doing what he could for bringing in economic sanctions and other measures against that country, the South African Union, in order to see that the Pegging Act was abolished and that no discrimination was introduced against ownership of property by Indians in the union. What do we find, Sir? He is just sitting tight and the most helpless reply that we ever heard came today from the Secretary of the Commonwealth Relations. It expressed absolute bankruptcy of the administrative capacity of these officials of Government of India. They have not been able to know as yet what they are going to do and Government of India thinks that they should still wait for certain legislation to be introduced in the Union. It means that things were not bad enough according to Government of India to warrant an action which would keep the self-respect of this country for Indian nationals who are settled in the Union. Indian nationals have a claim on the land because it was their money, their labour which had been responsible for bringing up South Africa to the position that it occupies today on the globe. History is full of such incidents, that in matters like this armies of nations have marched forward and they have revenged themselves not only by putting sanctions but by conquering those lands. I am not here

[Mr. Muhammad Nauman]

to repeat those incidents. I will just give one single advice which Russia, the old Russia of the Czars, gave to the Kaiser about Greece. 'If you lay hands on that poor fellow, I will tear off your ram shackle Empire'. Cannot we say also to South Africa that 'if you lay hands on those Indians we will tear off your Union?' This is what we have come here to tell the Government of India as our trustees and impress upon them our own feelings. Do you think the Union Government would have had the courage to do what it has done so far if we assumed this strong attitude? I would like to know whether the Honourable Member in charge of the Commonwealth Relations is in a position to give this definite assurance to the House that he is going to take action now and here. He says "we are weak and we would not be able to compel the Union Government". He thinks: "We would not be able to inflict a greater loss on the South African Union Government. Gain or loss makes no difference. It will be a satisfaction to ourselves that we have avenged what we thought was injuring our integrity and our prestige. On the one hand, we have not examined the whole economic structure of South Africa as it compares with economic structure of this country and we are not in a position to fathom the real values of the sanctions in effect; but we have no doubt that we will be gaining in prestige. Supposing we do not gain anything in the real trade balance sheet, I am sure it does not make much difference. If we cannot have our armies march to South Africa we can at least non-cooperate with the union. That is the only solution that we can ask this Government to bring in. What is the use of an Indian High Commissioner who cannot influence anything there? Has he got the prestige and power which an Ambassador of any independent country would? Can he go to the Union Government with the prestige which the Ambassador of America or France can go? And the British Government is certainly very anxious not to offend those children because the parenthood of the parent Parliament stands as a safeguard for all the white races in the world.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): He is not even as good as the Canadian representative!

Mr. Muhammad Nauman: Yes, too true. Sir, I would like to impress on this House and the Government the futility of having a High Commissioner when he has no powers whatsoever. He is just like one of those show boys who can travel about and shake hands in society but carries no prestige or influence, as he has no sanction and no authority to speak with that force which a representative of an independent and sovereign country would. That is the whole position only because we are a subordinate of His Majesty's Government and the only assurance which would satisfy this House in the present circumstances would be that this Government should state in unequivocal terms whether they are prepared to apply economic sanctions here and now. We are not going to discuss what effect it will have. Whether it will be for our gain or for our loss, we are prepared to take the consequences for whatever it may be worth. It is the will of the people. It is the desire of the country and this is being represented through this House and you as Government of India have to act. Are you prepared to give that assurance? With these remarks and this advice, I take my seat.

Mr. K. O. Neogy (Dacca Division: Non-Muhammudan Rural): I am very pleased to find my Honourable friend, Dr Khare, in this House on this occasion and should have very much liked him to have given this House an idea as to the measures that he had adopted in pursuance of the strong feelings that were expressed in this House just about a year ago on this very question. My Honourable friend, Mr. Banerjee, has no doubt given us a summary of the events that have taken place since we discussed that adjournment motion last. But he has not dwelt upon the two particular points on which non-official opinion in this House expressed itself very strongly, namely, that the High Commissioner should be withdrawn and that the economic sanctions should be put into

force without any further delay. My Honourable friend's attitude today is almost the same that was taken up by his Honourable Chief on the last occasion. He said that the Government are now engaged in continuing their search for compromise. This is what he exactly said: "They would like to exhaust all possible avenues for compromise". I do not know whether my Honourable friend would be able at any time to exhaust all possible avenues of compromise, but if they have . . .

Mr. Muhammad Nauman: Unless they exhaust themselves!

Mr. K. O. Neogy: . . . exhausted anything, it is the patience of this House and the country and the patience of Indians in South Africa.

Sir, my Honourable friend, Mr. Nauman, referred to the question of the recall of the High Commissioner. I would remind the House that about the time when we debated this question last year, there were ungracious observations made by responsible South African politicians about the status and the utility of the Indian High Commissioner. They said, "Who is this fellow? Why is he interfering in our affairs? Why does not he leave?" That was the attitude of the South African people as represented by responsible politicians in Parliament and outside.

Sir, we felt that apart from the question of sentiment, the spirit of the Capetown Agreement having been violated, there was no meaning in continuing the High Commissioner in South Africa any longer. It is well known that the very appointment of the Agent General, as he was called then, was just an incident of the Capetown Agreement of 1927, which was brought about as a result of certain discussions that took place in South Africa between representatives of India and representatives of the South African Government. Now, Sir, one of the objects, as stated in the Capetown Agreement was that the appointment of an officer of this kind was necessary to pursue the lines of compromise that were laid down as a feature of that agreement, and that the presence of an officer of this kind would enable the promotion of good feelings and friendly relations between the two countries. My Honourable friend has already stated that we are back to the same position that obtained before the Capetown Agreement was concluded.

Mr. R. N. Banerjee: I said that this legislation was analogous to the legislation which was contemplated in 1925.

Mr. K. O. Neogy: I merely tried to interpret my Honourable friend. The position is exactly the same, because what is known as the Segregation Bill, rather the Class Areas Bill as it was really called, had the very same object as the present enactment, broadly speaking. There was tremendous opposition raised to that measure in this country as also in South Africa, so much so that it was, I believe, at the intervention of His Majesty's Government that the Government of India decided to send a delegation under the able and dignified leadership of Sir Mohammad Habibullah. The delegation succeeded in its efforts in bringing about an understanding between the two countries, which was embodied in what is now known as the Capetown Agreement. If my Honourable friend admits that, the circumstances that prevailed before the Capetown Agreement have again arisen as a result of the present attitude of the South African Government. Was I very wrong in saying that we are back where we were before the Capetown Agreement was concluded?

Now as to the question of economic sanctions, the only serious objection that I heard raised in this House to the enforcement of the economic sanctions last year was that India may have to go without wattle bark. Now, Sir, I thought that India could very well afford to go without wattle bark, and I should like to know from my Honourable friend whether that position has been examined since we debated this question last year, and how the position of wattle bark stands today.

A very interesting statement was made by my Honourable friend about this particular measure and that is this: that whereas our High Commissioner was being consulted in regard to various ordinances he had absolutely no idea about the particular measure which is now under discussion.

Mr. K. N. Banerjee: Our High Commissioner did bring unofficially the broad outlines of the legislation to us.

Mr. K. O. Neogy: I think that my Honourable friend said that apart from non-official information, he had no information on the subject.

Mr. E. N. Banerjee: I said "unofficial information".

Mr. K. O. Neogy: It seems to me that whatever the measure of success that he may have achieved, he has seriously failed in carrying out the main purpose of his appointment, namely, to prevent the reversion of circumstances that prevailed before the Capetown Agreement was concluded.

Mr. E. N. Banerjee: The Bill yet remains to be introduced.

Mr. K. O. Neogy: From the determination of General Smuts we know that the Bill is going to be introduced, and therefore we can take it that the Bill is as good as passed.

But there is another very interesting information which my Honourable friend gave to the House and that is this. I think he was referring to Natal. He said that there is in this Bill a provision for a qualified enfranchisement. I suppose it applies to Natal.

Mr. E. N. Banerjee: It applies both to Natal and to Transvaal, I believe.

Mr. K. O. Neogy: The whole question is this: that so far as Natal is concerned, it is a well-known fact that indentured labour was lured from India on a definite promise that later on, after the period of their indenture was over, the labour population would be placed exactly on a footing of equality with South Africans in Natal. There was nothing in the law up till 1896 to deny them Parliamentary franchise, and it was in that year that Indians were excluded by parliamentary legislation from the voters' role, because (I am reading from an official paper called the Broom Commission's Report) they were "persons who were not of European origin, who were natives or descendants in the male line natives of countries which had not hitherto possessed elective representative institutions founded on the parliamentary franchise". So, the misfortune of our countrymen in South Africa is derived from the fact that we in India enjoy a status of political subordination.

Now, Sir, in this situation the Honourable Member opposite, particularly the Indian Members opposite, can do a great service and that is by inducing their white masters to quit India, because unless and until the Britishers leave India we are not likely to get our rightful place in the world recognised by any other country.

Now, Sir, as regards the composition of the white people in South Africa—I am not an anthropologist like my Honourable friend Mr. Anthony—(But I know this, that the white population in South Africa is of a cosmopolitan composition. And the fact remains that the present opposition to Indians on racial grounds is mainly inspired by people of British origin. It is this section that influences the rest of the white population in South Africa. I should like to know whether it is or is not a fact. My Honourable friend can easily make an enquiry on the point from the High Commissioner, but this is the information which we have received from sources that are open to us.

I should have very much liked my Honourable friends of the European Group to participate in this debate and express their views on this particular point. Their silence is very enigmatical and is liable to be misunderstood.

An Honourable Member: They are scratching their heads.

Mr. K. O. Neogy: I should like to know from them as to what they propose to do to convince their countrymen in South Africa of the utter disservice which they are doing to the Empire, of which, I take it, they are so very proud, by maintaining an attitude of racial antagonism of this character.

My Honourable friend the Mover of this motion gave a quotation from one of the speeches made by Field Marshal Smuts. I am afraid he, rather unconsciously, omitted a very material portion from that speech. My Honourable

friend quoted only a portion of the speech where the Field Marshal described the white South Africa as being big and strong and honest enough to do justice to all races and all colours and all that. But he omitted the following words which were used by Field-Marshal Smuts on that occasion:

"And we shall do so—(that is, do justice to all races)—taking into consideration our known attitude of separatism in housing, work circles and associations."

That is Smuts. That is really the South African attitude; and I should like to know from my Honourable friends as to when they propose to take any effective action for the purpose of telling the South African Government and particularly Field Marshal Smuts, that we are not going to take this kind of attitude lying down, and that weak as we are, we are going to enforce economic sanctions against South Africa and recall the High Commissioner from there as a protest.

Some Honourable Members: The question be now put.

The Honourable Dr. N. B. Khare (Commonwealth Relations Member): Sir, I do not think I can tell the House anything new since I met this House last time, about a year ago, and spoke on this subject on an adjournment motion. Adjournments may come and adjournments may go

Diwan Chaman Lall: But you go on for ever!

The Honourable Dr. N. B. Khare: . . . but this question of South Africa will go on for ever, as long as myself and my Honourable friends opposite are not as free as any free country in the world. We were asked what measures have been taken in this last year which has elapsed after the motion was moved on the floor of this House. As my Honourable friend here told the House, we were going on with the method of negotiations and compromise; and as the House would readily agree, these things take a very very long time—an unconscionably long time in fact. So I was impatient as to what was happening in that country, and I thought it would be better if I called the High Commissioner here for a personal consultation because I had a presentiment that something much worse than the Pegging Act was going to happen to our unfortunate countrymen there—I had a presentiment, a sixth sense if I may say so, and that actually happened. The new measure which is going to be shortly introduced in that legislature—I have no doubts about it—is a definitely harmful thing to our nationals there. It is more intensive as well as extensive in its baneful effects. At the same time it is not temporary. So if that comes to pass I am sure we shall be relegated to ghettos there—there is not the least doubt about it—and the self-respect of our mother country, Mother India, will be very badly assailed. I quite realise all that. I therefore called the High Commissioner and had a personal consultation with him as to how the land lay there. He has gone back with certain instructions from the Government of India, and though those instructions cannot be disclosed at present, he will certainly talk to the representatives of the Union Government and he will tell us from there by correspondence as to what we should do and what are the effects of the negotiations or instructions. So far as I am personally concerned, I am convinced that all our efforts will fail—I have not the least doubt about it; and in spite of whatever we may do, the Government of South Africa is not going to listen to our negotiations or advice: that is my own inner feeling because after all it is Smutty. When that happens we have to think what we should do in defence of the position of Indians there.

Some friends have referred here to anatomy—I was very pleased to hear the voice of a fellow medico from that corner—I may tell him that I am also a student of anatomy, and that there is no structural difference between any human being and another, be he a Hindu, Muslim, European, Jew, Chinese or anybody: and so there should be no difference in treatment also. I agree with him. But unfortunately psychology, which I also claim to have studied, tells me that certain races in this world have degraded themselves: their heart and their brain which are two anatomical organs do not function. It is an integument of a particular colour that functions, that is wrong with them: and that

[Dr. N. B. Khare]

is why all these troubles are arising in this unhappy world; and that is why we have got this reward from our friends of South Africa for all that India has done in war efforts or for the United Nations, and all that Indian soldiers have done even to defend and prevent an attack on South Africa itself. I am sorry for it. I may assure my friend over there that I am not a Yes-man; and if you persist in calling me a Yes-man, I will call you No-man.

Some friends referred to economic sanctions. All that will depend on the advice and instructions we get after the negotiations, which are bound to fail, I am sure. But one friend here referred to it—he is not in his seat just now—and asked “Why does not the Government of India apply economic sanctions?” All right. But at the same time he says that he drinks all the time the whisky and Scotch and everything that comes from South Africa. What a strange anomaly is this? If he wants the Government of India to apply economic sanctions and boycott South African products, why should he not begin by boycotting them himself? This is the kind of people we have to deal with and that is our great handicap. He should have told . . .

Diwan Chaman Lall: May I interrupt my Honourable friend? Is he really serious in advancing this argument? Will my Honourable friend give way?

The Honourable Dr. N. B. Khare: I will not give way. It is quite relevant—I know that. Ultimately it comes to this, that whatever we may do, will not be effective, but I assure the House that I shall do all that I can . . .

Diwan Chaman Lall: What have you done so far?

The Honourable Dr. N. B. Khare: All that I can . . .

Diwan Chaman Lall: That is nothing!

The Honourable Dr. N. B. Khare: The House knows that the Reciprocity Act was enforced against South Africa, although it is only a psychological solace as I have myself said; but it is something; and my friend behind told the House that it had some effect although it was transient as it was bound to be . . .

Raja Sir Saiyid Ahmad Ali Khan Alvi: May I ask the Honourable Member whether he is willing to accept the mandate of this House to apply sanctions if he did not receive any response from the South African Government?

Diwan Chaman Lall: You are merely wasting our time.

The Honourable Dr. N. B. Khare: We are not constitutionally bound to accept it. Everybody comes to waste his time here—I am not the only exception.

Diwan Chaman Lall: This is how you look after the interests of India—wasting time! But you get well paid for it!

The Honourable Dr. N. B. Khare: You are not doing anything better and you are also paid. I assure the House that this is not a question which can be easily solved. I have said before in my previous remarks that until and unless India becomes independent this question can never be solved, and for that we are all responsible. It is no fault of mine alone that we are slaves.

Diwan Chaman Lall: You said that last time too.

The Honourable Dr. N. B. Khare: I repeat it, because it is so true.

An Honourable Member: No use of getting up then.

The Honourable Dr. N. B. Khare: As regards the recall of the High Commissioner, I still hold very strongly that he should go on functioning and helping our people. The time may come for it, after we break with South Africa, not before that.

Mr. M. Asaf Ali (Delhi: General): Would it not be better to recall him now, with a view to bringing pressure to bear at the other end?

The Honourable Dr. N. B. Khare: That is a matter of opinion. I have got my own opinions also. One thing is certain. The time has come to devise some methods and there is no escape out of it and I hope that I shall be able to announce to the House something that I will be able to do in the course of the present Session and I assure you that I will do all I can. If I fail in achieving anything, and I feel that way I tell you there will be nothing to prevent my crossing the floor. It is only three or four steps from here. I also tell the House that in this debate the official Members will not vote.

Several Honourable Members: The question be now put.

Mr. Chairman: The question is:

"That the question be now put."

The motion was adopted.

Mr. Chairman: The question is:

"That the Assembly do now adjourn."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 5th February, 1946.

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