

7th February 1946

# THE LEGISLATIVE ASSEMBLY DEBATES

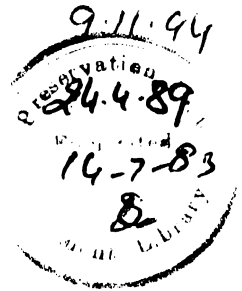
Official Report

Volume I, 1946

( 21st January to 11th February, 1946 )

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FIRST SESSION  
OF THE  
SIXTH LEGISLATIVE ASSEMBLY,  
1946



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LEGISLATIVE ASSEMBLY

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*Deputy President :*

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

SARDAR MANGAL SINGH, M.L.A.

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# LEGISLATIVE ASSEMBLY

Thursday, 7th 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.

## MEMBERS SWORN:

Mr. Vishnu Sahay, I.C.S., M.L.A. (Government of India: Nominated Official);

Mr. Muhammad Azim Hussain I.C.S., M.L.A. (Government of India: Nominated Official).

## STARRED QUESTIONS AND ANSWERS

### (a) ORAL ANSWERS

#### INDIAN NATIONAL ARMY MEN

**41. \*Pundit Thakur Das Bhargava:** (a) Will the War Secretary kindly state the number of the I.N.A. men captured by them and made prisoners?

(b) How many of them are still prisoners?

(c) How many of them have died in custody or been shot or hanged?

(d) How many of them have been punished, what was the nature of punishment awarded, and what were the offences with which they were charged?

(e) How many of them are undergoing imprisonment by way of punishment?

(f) How many of them have been released unconditionally?

(g) If some have been released conditionally, what are those conditions?

(h) How many cases are still pending against them, and how many are in contemplation?

**Mr. P. Mason:** I would like to point out that the War Department are concerned only with I.N.A. personnel who belonged to the Indian Army. My reply therefore does not cover civilian members of the I.N.A.:

(a) About 19,500 members of the Indian Army of the I.N.A. have been recovered;

(b) About 6,000 are in custody in India and 2,000 in ALFSEA.

(c) Twenty seven military members of the I.N.A. have died in custody. Two—Captain Maghar Singh and Lt. Ajmer Singh—have died from self-inflicted gun shot wounds as announced in the Press. None have been hanged.

(d) The number of those who have been punished as a result of courts martial is 27. Of these, 23 were convicted before the Recovery of Rangoon. The punishments awarded included death, transportation for life, rigorous imprisonment, cashiering and forfeiture of pay and allowances. The charges included waging war against the King, murder, abetment of murder, grievous hurt and desertion in the face of the enemy.

(e) 15.

(f) and (g). Approximately 11,000 have been released, all unconditionally.

(h) Four cases are pending before Courts Martial at present. I cannot say how many more cases may be brought before the Courts Martial until the interrogation of all members of the I.N.A. is completed.

**Seth Govind Das:** With respect to clause (b) may I know why the remaining I.N.A. prisoners are not being released?

**Mr. P. Mason:** I propose to explain this matter fully in the debate on Monday. I suggest that it is a difficult matter to explain in answer to a question.

**Seth Govind Das:** With respect to part (e) of the question, is it not a fact that when three prisoners of the I.N.A. have been released unconditionally why are these imprisonments and other punishments being meted out to other prisoners?

**Mr. P. Mason:** As explained in the press communique of the 16th November, the position during the war was very different from that now and the punishments given during the war were very much more severe. The question of the review of those punishments is at present being considered.

**Seth Govind Das:** Is it not a fact that even after the war is over certain prisoners are being punished?

**Mr. P. Mason:** Only those guilty of crimes of brutality.

**Shri Sri Prakasa:** With reference to the Honourable Member's reply to part (c), may I know the place where these men were hanged and what was done with their remains?

**Mr. P. Mason:** I should require notice of that.

**Prof. N. G. Ranga:** Will Government give the public details in regard to these gentlemen who were hanged, nine of them, why they were hanged and their names?

**Mr. P. Mason:** I should require notice of that.

**Shri Sri Prakasa:** Will the Honourable Member please state the nature of the Courts that sentenced these men to be hanged, the place where these Courts were held and whether the trials were in secret?

**Mr. P. Mason:** The Courts were military courts. As regards the place where they sat and their exact composition, I should require notice.

**Seth Govind Das:** Will the Honourable Member give dates when these prisoners were hanged?

**Mr. P. Mason:** I should require notice.

**Shri Sri Prakasa:** Did the trials take place secretly or publicly, and was there any difference between the Courts that tried them and the Courts that have been sitting in the Red Fort and the Cantonments?

**Mr. P. Mason:** They took place secretly because the war was then in progress. As to any difference between the Courts, I am not quite sure that I understand the Honourable Member. They were not composed of the same persons but they were not substantially different. The trials took place under the Indian Army Act.

**Shri Sri Prakasa:** May I know the reasons why those trials were held secretly and why publicity has been given to these trials?

**Mr. P. Mason:** As I explained the war was then in progress and it was operationally necessary not to reveal the facts of the I.N.A.

**Mr. Manu Subedar:** Did the accused in these trials get the benefit of Defence Counsel?

**Mr. P. Mason:** Yes, Sir.

**Seth Govind Das:** With respect to clause (h) may I know whether now that the war is over the Government is contemplating to withdraw all the cases against the I.N.A. prisoners?

**Mr. P. Mason:** I propose to explain the whole policy on Monday. I do not think that question arises just now.

**Haji Abdus Sattar Haji Ishaq Seth:** Arising out of (f), will the Honourable Member say whether the policy as regards release is the same in the case of every prisoner or is there any discrimination with regard to the parties who defend these prisoners?

**Mr. President** (addressing Mr. Mason): Parties who defend these prisoners.

**Haji Abdus Sattar Haji Ishaq Seth:** Political organisations which defend these prisoners. Any discrimination?

**Mr. P. Mason:** Sir, no difference is made.

**Haji Abdus Sattar Haji Ishaq Seth:** Will my Honourable friend tell us why there has been discrimination with regard to Capt. Abdul Rashid *vis a vis* these prisoners who were released?

**Mr. P. Mason:** No discrimination is made against any prisoners.

**Haji Abdus Sattar Haji Ishaq Seth:** What about Capt. Abdul Rashid?

**Mr. P. Mason:** It was because he was guilty of crimes of brutality.

**Haji Abdus Sattar Haji Ishaq Seth:** Not the others?

**Shri Sri Prakasa:** One of the charges made against those men who were hanged was that of murder. May I know if murder included shooting of the enemy while they were at war?

**Mr. P. Mason:** I should require notice of that question.

**Babu Ram Narayan Singh:** According to which section of the Indian Army Act can the trials be held secretly?

**Mr. P. Mason:** I am afraid I require notice of that question.

**Haji Abdus Sattar Haji Ishaq Seth:** May I know whether my Honourable friend thinks that murder is not included in brutality?

**Mr. President:** That is asking for an opinion.

**Seth Govind Das:** In respect to the secret trials which the Honourable Member mentioned in answer to one of the questions, may I know whether the prisoners were allowed defence counsels and if so, how were they selected?

**Mr. P. Mason:** I should require notice of that question.

**Sri M. Ananthasayanam Ayyangar:** May I ask the Honourable Member to take note of those questions in which he wanted notice and answer them himself on Monday.

**Mr. P. Mason:** I will answer as many of them I can remember.

**Mr. Sasanka Sekhar Sanyal:** May I know, Sir, whether the relations of these prisoners were given information that these prisoners were being tried secretly?

**Mr. P. Mason:** I should require notice of that question.

**Babu Ram Narayan Singh:** I require your ruling, Sir, on a point. Whenever a question is put, which arose out of the Honourable Member's answer to the main question, he says that he requires notice. Why does the Honourable Member take shelter saying: "I want notice".

**Mr. President:** Obviously it means that the Honourable Member has not got the information ready at hand and requires notice to get the information.

**Haji Abdus Sattar Haji Ishaq Seth:** With reference to the request of Mr. Ayyangar that the Honourable Mr. Mason should take note of these supplementary questions and answer them on Monday, will he prepare himself and be ready with fuller particulars with regard to the trial that I mentioned?

**Mr. P. Mason:** Certainly, that is one of the points that I wish to explain.

**Mr. Sasanka Sekhar Sanyal:** Will the Honourable Member please enlighten the House as to whether there is any codified standard of brutality?

**Mr. President:** Order, order. Next question.

#### AMNESTY FOR I.N.A. MEN

42. \***Pundit Thakur Das Bhargava:** (a) Will the War Secretary please state if it is a fact that many Burmans fought against the British and the Allies and that the Governor of Burma publicly announced general amnesty for such Burman forces as fought against the Allies?

(b) If the answer to (a) is in the affirmative, why was not a similar policy adopted towards the I.N.A.?



**Mr. P. Mason:** (a) Yes, Sir.

(b) In the first place, these Burmans were civilians: They were not soldiers and had therefore taken no oath of allegiance. In the Second place, the Burmans joined the Allies and fought against the Japanese in the closing stages of the campaign.

**Prof. N. G. Ranga:** May I know what was the treatment meted out to the civilian section of the I.N.A. by the Government of India?

**Mr. P. Mason:** That is a question which should be addressed to the Home Member.

#### POLICY TOWARDS I.N.A. MEN

**43. \*Pundit Thakur Das Bhargava:** (a) Is the War Secretary aware that there is great unrest in the Army and great uneasiness and resentment among the general public on account of the policy and treatment of the Government towards the I.N.A. personnel?

(b) Do Government propose to allay this feeling by releasing the I.N.A. men and dropping the cases against them and announcing general amnesty for the I.N.A. personnel?

**Mr. P. Mason:** (a) and (b). Government are aware of the feeling on the subject and I will endeavour to explain the policy of the Government in the House on Monday.

#### USE OF INDIAN TROOPS IN INDONESIA

**44. \*Pundit Thakur Das Bhargava:** (a) Is the War Secretary aware that the Indian public very strongly resents the use of the Indian Army for the suppression of the Indonesian and the Javanese?

(b) Is it a fact that many leaders of Indian public opinion have openly condemned this policy and many public organisations have raised protests in regard to such use?

(c) Do Government propose to ban such use in future at least without the express consent of the Legislative Assembly?

**Mr. P. Mason:** (a) Sir, I cannot agree with the implication that the Indian Army is being used for the suppression of the Indonesians, but Government are aware of Indian feeling on this subject.

(b) Yes, Sir.

(c) I would refer the Honourable Member to my speech on the 21st January in the debate on Prof. Ranga's adjournment motion on this subject.

**Prof. N. G. Ranga:** Have Government reconsidered their position in regard to this matter in the light of the adjournment motion passed in this House and given any orders to the Indian section of the Allied armies which are there in Indonesia and asked them to come back to India?

**Mr. P. Mason:** No such orders have been issued.

**Prof. N. G. Ranga:** My question is whether Government have reconsidered their position in the light of the adjournment motion. . . . .

**Mr. P. Mason:** The position is always being reconsidered.

**Prof. N. G. Ranga:** Have Government reconsidered their position since the adjournment motion was passed by this House?

**Mr. P. Mason:** Yes, Sir.

**Seth Govind Das:** May I know what orders are being sent or are they going to take a very long time over it?

**Mr. P. Mason:** No orders are sent.

**Seth Govind Das:** May I know what orders are going to be sent?

**Mr. P. Mason:** As I explained in the debate, Government do not admit that their policy requires any change.

**Seth Govind Das:** Is it not a fact that the Government's policy is not to use these armies outside India?

**Mr. P. Mason:** I am afraid I do not understand the Honourable Member's question.

**Seth Govind Das:** Is it not the policy of the Government of India not to use Indian armies outside India?

**Mr. P. Mason:** No, Sir. Certainly not.

**Shri Mohan Lal Saksena:** Will the Honourable Member please state whether there has been no change in the policy of the Government of India since the passing of the Adjournment Motion?

**Babu Ram Narayan Singh:** Does it mean that the Government does not care for what is decided in this House?

**Mr. P. Mason:** No, Sir.

**Sir Mohammad Yamin Khan:** Are the armies which are used outside India being paid for by the Indian exchequer or by the British Exchequer in these cases?

**Mr. P. Mason:** By His Majesty's Government.

**Maulana Zafar Ali Khan:** May I know whether Government propose to recall the Indian army from Java and if so, what will be the approximate date of their recall?

**Mr. P. Mason:** As I explained, those armies will be recalled when the objects for which they were sent there have been achieved.

#### BRITISH AND INDIAN TROOPS IN JAVA OPERATIONS:

45. **\*Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Will the War Secretary please state the proportion of British and Indian Troops at present engaged in the Java operations?

(b) Have Governments' attention been drawn to the statement made by Lt.-General Sir Phillip Christison, Officer Commanding British Forces in Java, on 29th September last to a correspondent wherein it was stated: "Our sole job is to rescue prisoners of war and *disarm the Japanese*. We are not going in to interfere with the political situation in Java..... I have made it clear that we are not going in to put the Dutch back into power, I am going to keep law and order only..... *Japanese troops in Java and Sumatra will also be used to maintain law and order*, until the administration can be handed over to the Dutch"?

(c) Do these views expressed by the Officer Commanding, British and Indian Troops in Java, receive the support of the British Government and the Government of India?

(d) What is the number of casualties suffered by British, Indian and Japanese Troops in maintaining law and order in Java since the above statement by the Commanding Officer was made?

**Mr. P. Mason:** (a) I am afraid that I am unable to disclose the number of troops at present engaged in these operations. I can however, tell the Honourable Member that at present Indian troops are in the majority as compared with British.

(b) Yes, Sir.

(c) The attention of the Honourable Member is invited to the debate on Prof. Ranga's adjournment motion on the subject which took place in this House on the 21st January in which I endeavoured to explain the views of the Government of India and His Majesty's Government.

(d) The total of Indian Army casualties is: killed—171, wounded—544, missing—193. No information regarding British or Japanese casualties is available.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Will the Honourable Member at least try to reduce the majority of Indian troops to minority by recalling them to India?

**Mr. P. Mason:** I will do my best.

**Sir Mohammad Yamin Khan:** Will the Honourable Member enlighten the House whether it was not the policy or at least the convention which was sought to be created in this House that no Indian armies will be used outside India without the express consent of this House and it was on this issue in 1939 that the Congress Party absented themselves. Do the Government propose to pursue a policy of non-consultation even when peace has been restored?

**Mr. P. Mason:** As I explained in the debate on the subject, no specific decision was taken to move troops forwards. It followed automatically on the Japanese collapse. In peace, the policy would be the same and we should endeavour to consult the House, if occasion arose for sending troops out of India; but in this case the troops were already outside India.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Is it a fact that the Commander-in-Chief receives orders from the Chiefs of Staff in London with regard to the despatch of troops overseas?

**Mr. P. Mason:** No, Sir.

#### INDIA'S STERLING BALANCES

**46. \*Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Will the Honourable the Finance Member please state what exactly India's stake in the matter of sterling balances is?

(b) What efforts, if any, were made by Government's representatives at Washington to get a hearing before the Anglo-American Financial Agreement was signed?

(c) Do Government propose to assure the House that India's financial position has not been affected adversely as a result of the Financial Agreement signed at Washington?

(d) Were all the Creditor Nations affected by the Agreement consulted in any way before the Agreement was signed?

(e) Within the framework of the Financial Agreement, do Government propose to suggest the following:

(i) that there will be no scaling down of the debt due by Britain to India and that no free gift of contribution will be made having regard to the poverty of the Indian Masses; and

(ii) that whatever portion of India's sterling assets is immediately released it should be substantial and sufficient to carry India through her planning programme until 1951?

**The Honourable Sir Archibald Rowlands:** (a) £1,254 millions as on 4th January 1946.

(b) None, as India was not a party to the negotiations.

(c) An agreement between two parties cannot, and does not, affect the rights of a third, and India is not bound, in any way, by the provisions of the Anglo-American Financial Agreement.

(d) Government have no information, but I believe not.

(e) I can assure the Honourable Member that if negotiations take place while the present Government is in office, they will leave nothing undone to obtain the best possible terms for India.

**Mr. Manu Subedar:** In view of the importance which this question has assumed in India on industry, the future programme of Government, on prices and on wages, will Government now endeavour to bring about a very early negotiation so as to settle this question?

**The Honourable Sir Archibald Rowlands:** Yes, Sir; as my Honourable friend knows, I have already taken steps in that direction.

**Sri M. Ananthasayanam Ayyangar:** When this clause 10 of the Anglo-American Agreement came to the Honourable Member's notice did he write to the Government of United Kingdom asking them what they propose to do in regard to the sterling balances?

**The Honourable Sir Archibald Rowlands:** As my Honourable friend knows, it is not the usual practice to disclose the nature of negotiations and correspondence that take place between two Governments; but he can rest assured that the Government are doing their duty.

**Sri M. Ananthasayanam Ayyangar:** Have the Government of the United Kingdom up till now taken any steps to implement that portion of the Agreement by writing to this Government?

**The Honourable Sir Archibald Rowlands:** That is trying to get the answer out of me by a second question.

**Sri M. Ananthasayanam Ayyangar:** May I know what amount of sterling balances are likely to be released in the near future and to what extent is the demand from the industrialists of this country?

**The Honourable Sir Archibald Rowlands:** That is a point which I do not think directly arises on my question; but again my Honourable friend can rest assured that we will present the full demands of India. The exact quantum is a matter of judgment and investigation which is at present taking place.

#### INDIAN TROOPS IN PERSIA

**47. \*Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Will the War Secretary be pleased to state the number of Indian Troops at this moment serving in Persia?

(b) Are these troops stationed in Persia for the purpose of maintaining law and order, or merely to safeguard the British oil interests?

(c) When do Government propose to withdraw all the British and Indian troops from Persia?

**Mr. P. Mason:** (a) I am afraid, Sir, that I cannot disclose the number of Indian Army Personnel in various theatres of War.

(b) Allied troops including Indian Troops are in Persia in accordance with the terms of the Tripartite Treaty, dated the 29th January, 1942, between Great Britain, the USSR and IRAN, a copy of which has been placed in the library of the house.

(c) Arrangements have been made for the withdrawal of all British and Indian troops from Persia by the 2nd March, 1946.

**Mr. Ahmed Ebrahim Haroon Jaffer:** With reference to part (a) may I ask why the Honourable Member is unable to give the information? Is it because this information may be useful to the enemy?

**Mr. P. Mason:** The reason is that—as the Honourable Member will hardly have failed to observe—the world is still in a very troubled state, and I think it would be highly optimistic to suppose that the conditions in which we now find ourselves are those of peace.

**Prof. N. G. Ranga:** Is it true that the number of Indian troops in Persia is on the increase even now?

**Mr. P. Mason:** No, Sir; emphatically not.

#### BAN ON OBSERVANCE OF I.N.A. DAY, ETC.

**48. \*Prof N. G. Ranga:** Will the Honourable the Home Member be pleased to state:

(a) if the Government of India had given orders to Provincial Governments to ban public processions and meetings on the Indian National Army Day organised in the first week of November, 1945, all over India;

(b) If they had given any instructions to Provincial Governments not to obstruct the peaceful observance of such days as the East Asia Day, the Palestine Day, the I.N.A. Day; and

(c) the policy of Government in regard to the restoration of Civil liberties, especially on the observance of such days during these peaceful times?

**The Honourable Sir John Thorne:** (a) and (b). No.

(c) The policy of the Government of India and, I believe, of all Provincial Governments is in general to permit the full enjoyment of civil liberties consistently with their responsibility for the preservation of public order; and in particular to disperse crowds by force only when such a course is necessary.

**Shri Sri Prakasa:** Is it a fact that processions are still banned in Delhi?

**The Honourable Sir John Thorne:** I shall require notice of that.

**Seth Govind Das:** Is it a fact that on account of the policy pursued by Government the tendency to violence and unrest is growing in this country?

**The Honourable Sir John Thorne:** I suggest that, that Sir, is a matter of opinion.

**Prof. N. G. Ranga:** In the light of their own experience of the banning of these processions in various provinces resulting in shooting and heavy casualties inflicted on the people, will Government consider the desirability of giving definite instructions to the provincial Governments that as far as possible they should not ban these processions when they are peacefully organised or inflict violence on them?

**The Honourable Sir John Thorne:** I do not think there is any need for the Government of India to issue instructions in that sense to the provincial Governments.

**Prof. N. G. Ranga:** After the release of the Congress leaders have Government issued any fresh instructions to the provincial Governments in regard to processions and firings and also relating to civil liberties?

**The Honourable Sir John Thorne:** I am not quite sure what my Honourable friend means. I have answered the question in respect of the particular occasions to which he has referred in his original question. If he wants any further information as to instructions sent, I must ask for notice.

**Seth Govind Das:** Are Government aware that whenever the provincial Governments or local authorities do not ban these processions or obstruct these peaceful demonstrations there is no trouble of any kind?

**The Honourable Sir John Thorne:** I do not think I can answer that.

#### RESTORATION OF REQUISITIONED PROPERTIES

49. **\*Mr. C. P. Lawson:** (a) Will the War Secretary be pleased to inform the House approximately what percentage of requisitioned property has been returned to its original owners up to the 31st December, 1945, in the following categories: (i) housing accommodation; (ii) office accommodation; and (iii) storage accommodation?

(b) Will Government please also indicate such percentages, separately, in respect of the various Military Commands in India?

(c) What steps are being taken to restore such property to a proper state of repair before it is handed back?

(d) Will Government also indicate approximately the progress in de-requisitioning which is expected up to the end of March, 1946, and the estimated date by which all requisitioned property is expected to be returned to its original owners?

(e) Can the Honourable Member assure the House that no requisitioned civilian property is being retained by the authorities if accommodation erected by the Services is available for use?

**Mr. P. Mason:** (a) Statistical information is available showing the position upto 30th November, 1945, but details under the separate categories of Housing, Office and Storage accommodation have not been maintained.

The all-India percentage of requisitioned properties returned to original owners by 30th November, 1945 is 8.8 per cent.

(b) The percentages by Commands are as follows:

	Per cent.
Northern Command . . . . .	24.1
Central Command. . . . .	8.4
Eastern Command . . . . .	7.4
Southern Command . . . . .	5.7

(c) The Lands, Hirings and Disposals Services are responsible for negotiating with the owners as regards the work that may be required to restore the property to its original state. When an agreement has been reached Lands, Hirings and Disposals are responsible for making the necessary arrangements to implement the agreement.

(d) A steady progress in de-requisitioning is expected, and it is anticipated that most of the requisitioned property will be returned to its original owners by the end of 1946.

(e) It is the policy to vacate requisitioned hired property wherever suitable alternative military accommodation becomes available. I am writing personally to Army Commanders asking them to ensure that the policy is carried out.

**Mr. O. P. Lawson:** May I ask if this percentage that he has indicated of not more than 8.3 can be compared with the reduction in service personnel in the country in any way?

**Mr. P. Mason:** No, Sir. It is definitely behind the reduction in service personnel. I think there will inevitably be a time-lag in reaching this percentage. I might explain that one of the difficulties from which we are at present suffering is the shortage of trained officers in the Lands, Hirings and Disposals Directorate, where we have only between 30 and 40 per cent. of the total strength which is really required to carry out what we want to do. But the speed of release will gradually quicken up.

**Mr. O. P. Lawson:** In view of the undetailed nature of the Honourable Member's reply can he give me any indication of how hotel accommodation stands in respect of this percentage of 8.3?

**Mr. P. Mason:** I shall require notice of that question.

**Mr. Mann Subedar:** Having regard to the fact that in Bombay the pressure on accommodation was the maximum in all-India, will my Honourable friend inquire and find out whether it is not true that certain buildings requisitioned and certain other buildings constructed for the military have remained vacant for long stretches of periods, and even now the inefficiency of the requisitioning staff is causing unnecessary inconvenience to the civil population?

**Mr. P. Mason:** I have already made inquiries in that respect since I spoke to the Honourable Member on the subject some days ago.

**Sjt. N. V. Gadgil:** May I know what the policy of Government is with respect to de-requisitioning of agricultural land taken during war time?

**Mr. P. Mason:** Sir, that hardly arises out of the question put down on the paper.

**Sir Cowasjee Jehangir:** Is it a fact that some of these buildings have been requisitioned for a definite period, *viz.*, till six months after the termination of the war, and that although they are not being required by the military they are still under requisition?

**Mr. P. Mason:** I believe that is a fact, Sir, but, as I have explained, when a building is due for release negotiation has to take place in the first instance for its restoration to its original condition and secondly, for financial settlement.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Is the Honourable Member aware of the fact that the military authorities are telling the Civilians that if properties are not leased to them then their more properties will be requisitioned and, if not, will the Honourable Member make it publicly known that no more properties will be requisitioned in future?

**Mr. P. Mason:** With regard to the first part of the question 'No'. With regard to the second part, I should like to make inquiries before I can say that no property will be requisitioned in future.

**Shri Sri Prakasa:** Will the Honourable Member give an assurance that all the premises that were requisitioned were really needed and were not so requisitioned due to the cussedness on the part of the local staff?

**Mr. P. Mason:** That would involve an undue amount of labour.

#### MUSLIMS IN ROYAL INDIAN NAVY, BOMBAY

50. **\*Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Will the War Secretary please state if Government are aware of the possibility of injustice being done to the claims of Muslim Government servants in the several Departments of the Central Government and in particular in the clerical and Store House Staff of the Royal Indian Navy, Bombay?

(b) Will the War Secretary be pleased to lay a statement on the table indicating the total strength in the Royal Indian Navy, Bombay of (i) the clerical staff, (ii) the Store House Staff, and (iii) A.N.S.O., the representation of Muslims in these cadres, the representation of non-Muslims in these cadres, and the percentage of Muslims and non-Muslims employed in these cadres?

(c) Will Government be pleased to clarify their policy in regard to the retrenchment of personnel as a result of the cessation of the war?

**Mr. P. Mason:** (a) I lay a statement on the table from which it will be seen that Muslims in this staff are under-represented. I am grateful to the Honourable Member for bringing this case to my notice. Over 90 per cent. of these personnel on the staff however, are employed on a temporary basis and the number of Muslim applicants for posts filled by direct recruitment has not been sufficient to maintain the proper percentage. Muslims will not be reduced except on grounds of inefficiency until the communal proportion is restored. A considerable number of these temporary posts will become permanent and I can assure the Honourable Member that in filling them, due regard will be paid to Communal representation.

(b) I lay on the table a copy of a press communique, dated 4th October, 1945, issued by the Home Department.

#### STATEMENT

	Total	Muslims	Non-Muslims	Percentage of Muslims	Percentage of Non-Muslims
(i) Clerical Staff	148	2	146	1.4%	98.6%
(ii) Stores house staff	157	14	143	8.9%	91.1%
(iii) A. N. S. O.	16	..	16	..	100%

#### Press Communiqué

Enquiries have been received by the Government of India whether the communal rules affecting appointment to Government service will be applied to the recruitment of 'war service' candidates to the vacancies reserved for them. When the decision to reserve vacancies for 'war service' candidates was first announced in March, 1941, the undertaking was given that young men joining His Majesty's Forces would be afforded substantially the same opportunity to enter the civil service after the war as they had at that time. This undertaking requires, and it has been decided accordingly, that in making appointments to war-reserved vacancies in the All-India and Central Services the existing rules of reservation in favour of the minority communities should apply.

It has also been decided that, in retrenching temporary staff from the Central Services consequent on the cessation of hostilities, temporary Government servants should be so discharged that the composition of the retained temporary staff is, as far as possible, in accordance with the ratios observed for the purposes of recruitment.

HOME DEPARTMENT;

New Delhi, October 4, 1945.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Will the Honourable Member warn the officers of the Department that no such thing will happen?

**Mr. P. Mason:** If it should again happen that we should have to take on an enormous number of temporary staff and if the number of Muslims forthcoming is not sufficient to maintain the communal proportion, we should have to do the same thing as we did on this occasion.

**Mr. Manu Subedar:** May I know whether temporary Indian staff including Muslims and others are not being reduced and in their places British personnel is being introduced in the Royal Indian Navy?

**Mr. P. Mason:** No, Sir.

**Mr. Manu Subedar:** Is the Honourable Member sure that in all categories and age groups this is the position?

**Mr. P. Mason:** Yes, Sir.

#### POLITICAL ABSCONDERS

**51. \*Mr. M. R. Masani** (on behalf of **Sjt. Seth Damodar Swroop**): Will the Honourable the Home Member be pleased to state:

(a) the number of political absconders in respect of authorities responsible to the Central Government have issued orders:

(b) their names;

(c) the particulars of the charges against them;

(d) what rewards have been offered for the arrest of each; and

(e) whether Government are contemplating to withdraw the warrants for their arrest; if so, when?

**The Honourable Sir John Thorne:** (a) One.

(b) Jwala Pershad son of Pran Sukh of Aligarh and Ajmer.

(c) Escaped from detention under Defence of India Rule 26.

(d) Rs. 250.

(e) This is under consideration.

**Shri Mohanlal Saksena:** Am I to understand that there are no warrants against any others?

**The Honourable Sir John Thorne:** Yes, Sir.

**Shri Sri Prakasa:** All the others can come back safely?

**The Honourable Sir John Thorne:** Who are the others?

#### MR. JAYAPRAKASH NARAYAN'S ARREST

**52. \*Mr. M. R. Masani** (on behalf of **Sjt. Seth Damodar Swroop**): Will the Honourable the Home Member be pleased to state:

(a) in what circumstances Sreeyut Jayaprakash Narayan was arrested;

(b) what amount of reward, if any, has been paid for his arrest;

(c) how many officials were promoted to higher grades in connection with Sreeyut Jayaprakash Narayan's arrest; and

(d) the grades to which they were promoted?

**The Honourable Sir John Thorne:** (a) I understand that he was arrested on the 18th September, 1943, in a train between Amritsar and Lahore.

(b), (c) and (d). I have no information on these points which are a matter of Provincial concern.

**Prof. N. G. Ranga:** Is it not a fact that the reward was offered by the Government of India.

**The Honourable Sir John Thorne:** No, Sir.

**Seth Govind Das:** Is it not a fact that the warrant of arrest against Jai Prakash Narain was issued by the Government of India?



**The Honourable Sir John Thorne:** No, Sir.

**Shri Sri Prakasa:** Then he is a prisoner of the Punjab Government and not of the Central Government?

**The Honourable Sir John Thorne:** He became a prisoner of the Central Government on the 27th June, 1944.

**Shri Sri Prakasa:** What was the exact circumstance in which from a provincial subject he became a Central subject?

**Seth Govind Das:** Since he is now a prisoner of the Central Government will the Government be pleased to make inquiries about (b), (c) and (d).

**The Honourable Sir John Thorne:** I do not think that is necessary. It is a matter for the Punjab Government whose prisoner he was in 1943. As I said he did not become a prisoner of the Central Government until 1944.

**Shri Mohanlal Saksena:** Have the Government considered the question of his release after the House passed the adjournment motion?

**The Honourable Sir John Thorne:** I spoke on that the other day.

**Mr. M. R. Masani:** Was he made a prisoner of the Central Government in order to dodge the jurisdiction of the Lahore High Court?

**The Honourable Sir John Thorne:** I do not remember the exact circumstances. I was not holding this office then. If my Honourable friend wishes to have an answer to his question, I should be glad to give it either on notice or for his personal information.

**Shri Mohanlal Saksena:** May I know whether the question of his release was considered by the Government since the passing of the adjournment motion in this House?

**The Honourable Sir John Thorne:** It is still under consideration.

**Shri Sri Prakasa:** Will the Honourable Member inquire of the Punjab Government and give an answer to the various clauses of the question on the order paper and let the House know?

**The Honourable Sir John Thorne:** I have answered that.

**Seth Govind Das:** Will the Honourable Member give a date by which this consideration will be over and Government will come to a decision?

**The Honourable Sir John Thorne:** I cannot make a precise statement on that question at this moment.

**Shri Sri Prakasa:** Will the Central Government make sure that the condition of Mr. Jaiprakash Narain when they took charge of him was the same as on the date of his arrest by the Punjab Government.

**The Honourable Sir John Thorne:** I do not understand what is meant by 'condition'.

**Shri Sri Prakasa:** The state of his health, his weight, his eye sight and all such matters.

**The Honourable Sir John Thorne:** I doubt if it will be possible to do so.

**An Honourable Member:** Was any representation made by the Provincial Government to the Central Government about maintaining the detenus of the Central Government?

**The Honourable Sir John Thorne:** I must ask for notice.

**Shri Sri Prakasa:** Our definite information is that he was treated very badly by the Punjab Government and I should like to know if the Honourable Member will make sure from records that Mr. Jai Prakash Narain was handed over to the Central Government in exactly the same physical and mental condition as he was in when the Punjab Government arrested him?

**The Honourable Sir John Thorne:** I doubt whether it will be possible to make any such verification.

**Shri Sri Prakasa:** Is it not a fact that a prisoner is weighed every fortnight? If that is a fact, is there any difficulty in the Home Member getting the exact facts?

**The Honourable Sir John Thorne:** If my Honourable friend wants the figures I am quite prepared to get them.

**Mr. Ram Narayan Singh:** Is the Honourable Member aware that there is great resentment throughout the country, especially in the province of Bihar, at the further detention of Mr. Jaiprakash Narain?

**The Honourable Sir John Thorne:** I am aware that there is strong feeling.

**Pandit Govind Malaviya:** Will the Honourable Member give an assurance to this House that the files of these prisoners will not be tampered with or any papers destroyed for fear of a popular Government coming into power, as has been alleged and reported to have been done in some of the provinces from time to time?

**The Honourable Sir John Thorne:** That is an entirely new question of which I must have notice.

**FACILITIES FOR MR. JAYAPRAKASH NARAYAN AND DR. RAM MANOHAR LOHIA**

**53. \*Mr. M. R. Masani** (on behalf of **Sjt. Seth Damodar Swroop**): Will the Honourable the Home Member be pleased to state what facilities are provided for Jayaprakash Narayan and Dr. Ram Manohar Lohia?

**The Honourable Sir John Thorne:** They enjoy all the facilities permitted by the United Provinces Security Prisoners Rules.

**Prof. N. G. Ranga:** What are those facilities? Are they in any way special to them or are they the same as are being given to the 'C' class prisoners of the United Provinces?

**The Honourable Sir John Thorne:** A copy of the Rules is in the Library of the House. It has been in the Library of the House for some years. I can assure my Honourable friend that the conveniences at the disposal of these two gentlemen are such as to arouse no complaint.

**Shri Sri Prakasa:** In view of the fact that the United Provinces Government permit one interview per fortnight and in view further of the fact that the Honourable Member himself and Mr. Sorensen have been visiting him, may we take it that he will be deprived of visits from his wife for two weeks now?

**The Honourable Sir John Thorne:** I should think that very unlikely.

**Shri Mohan Lal Saksena:** Is the Honourable Member aware that the rules in the United Provinces have been changed since the last rules were passed?

**The Honourable Sir John Thorne:** I believe all amendments made in the rules are carried out in the copy which is in the Library of the House. But if my Honourable friend thinks that it is not so, I will see that it is done.

**Shri Sri Prakasa:** May I take it that the Honourable Member had special permission of the United Provinces Government before he visited Mr. Jayaprakash Narayan?

**The Honourable Sir John Thorne:** I certainly did not do it without prior intimation to the United Provinces Government.

**Shri Mohan Lal Saksena:** May I ask if the Government was consulted when the rules were changed?

**The Honourable Sir John Thorne:** I must have notice of that. I cannot say off-hand.

#### TORTURE OF POLITICAL PRISONERS

**54. \*Mr. M. R. Masani** (on behalf of **Sjt. Seth Damodar Swroop**): Will the Honourable the Home Member be pleased to state:

(a) if he is aware of the fact that a large number of political prisoners of the Central Government were tortured;

(b) whether this torture by the police was as a result of the direction issued by the Central Government;

(c) whether it is not a fact that, among others, Sreeyut Jayaprakash Narayan, Dr. Ram Manohar Lohia, Ramanand Mishra, Shilbhadra Yaji and Arvind Bose were tortured in the most inhuman way;

(d) whether he has seen the statements issued by Shilbhadra Yaji and Arvind Bose and the copy of the letter addressed to the Prime Minister of the Punjab giving details of tortures by Shri Ramanandan Misra;

(e) whether any steps have been taken to bring the persons concerned in these tortures to book; and

(f) whether he is prepared to appoint a committee to enquire into the allegations of torture; if so, when?

**The Honourable Sir John Thorne:** I can speak only for prisoners of the Central Government. In regard to them, the answer to (a), (b), (c) and (f) is—"No".

(d) Ramanandan Misra was not a prisoner of the Central Government. I have seen newspaper reports of statements made by the other two prisoners.

(e) Does not arise.

**Shri Sri Prakasa:** Is the Honourable Member aware that Dr. Ram Manohar Lohia and Mr. Ramanand Mishra were not allowed to sleep day or night while they were under interrogation?

**The Honourable Sir John Thorne:** As I have said, I cannot speak for Mr. Ramanand Mishra. I am aware of the allegations made as regards Dr. Ram Manohar Lohia. The allegations have been denied by the Punjab Government and I understand that Dr. Lohia has had access to the Lahore High Court. I have not myself any evidence which would cause me to disbelieve the denial by the Punjab Government.

**Seth Govind Das:** Is it not a fact that this Government has cultivated the habit of declining and repudiating all these allegations without any inquiry?

(No answer.)

**Shri Mohan Lal Saksena:** May I ask if the answer applies to those who were kept in the Jail lock-up in Delhi?

**The Honourable Sir John Thorne:** My answer applies to the persons named in the question.

**Shri Sri Prakasa:** Did the Honourable Member himself inquire from Dr. Lohia in the Agra Jail on the subject?

**The Honourable Sir John Thorne:** We had some conversation on the subject.

**Shri Sri Prakasa:** Did Dr. Lohia deny that he was being kept awake for long periods of time during his interrogation?

**The Honourable Sir John Thorne:** He made to me then the same allegations that he had made previously.

**Mr. M. B. Masani:** Has the Honourable Member any reason to disbelieve those allegations?

**The Honourable Sir John Thorne:** The allegations are very serious. May I submit that I do not in any way burke this subject. It is a very important subject and I hope that I shall be given an opportunity later in the course of the Budget discussions or Demands for Grants to deal with it fully. It is difficult to deal with it in an answer to supplementary questions. My Honourable friend's question, I understand, is whether I had reason to disbelieve Dr. Lohia. The question is of weighing Dr. Lohia's statement, which is uncorroborated—I do not say that it was easy for him to get corroboration, but it is uncorroborated against the considered denial of the Punjab Government.

**Mr. M. B. Masani:** Will the Honourable Member not agree that it is a question of judging or evaluating Dr. Lohia's honesty against that of the Punjab police?

**The Honourable Sir John Thorne:** No, Sir.

**Shri Sri Prakasa:** Can the Honourable Member suggest any method of corroboration of the statement of a person when he is being handled roughly by another man in the secret cell?

**The Honourable Sir John Thorne:** I have said that I quite recognise that it is not easy.

**Shri Mohan Lal Saksena:** Did the Honourable Member receive any letter from me from the Central Jail, Lucknow, making complaints about the treatment in the police lock-up in Delhi by prisoners who were transferred from the Central Jail, Lucknow?

**The Honourable Sir John Thorne:** I do not remember.

**Sri M. Ananthasayanam Ayyangar:** In view of the serious allegations, will the Honourable Member appoint an independent tribunal to inquire into these charges?

**The Honourable Sir John Thorne:** I have answered that question.

**Shri Mohan Lal Saksena:** Will the Honourable Member inquire from the Provincial Government of the United Provinces whether this letter of mine was withheld? If so, why?

**The Honourable Sir John Thorne:** I suggest my Honourable friend may give me the details of the letter and I will then make inquiries.

**Mr. President:** Next question.

**Sir R. Venkatasubba Reddiar:** Was the police report corroborated by anybody?

**Mr. President:** Next question has been called.

#### PERSONS UNDER DETENTION

55. \***Mr. M. R. Masani** (on behalf of **Sjt. Seth Damodar Swroop**): Will the Honourable the Home Member be pleased to state:

(a) how many detenus are at present detained in the various prisons; and

(b) whether it is a fact that many of them continue to be detained in spite of the fact that the charges against them were withdrawn and that a number of them have been acquitted of the charges on which they were tried?

**The Honourable Sir John Thorne:** (a) The total number of persons in detention on the 1st February 1946 in all prisons was 2,934. Of these only three are persons detained by order of the Central Government.

(b) I have not the information required in regard to prisoners detained by orders of the Provincial Governments. One person detained by an order passed in a Chief Commissioner's Province was acquitted in a criminal case.

**Shri Sri Prakasa:** May I know when the cases of the prisoners of the Central Government were last examined and the nature of the fresh orders that were served on them?

**The Honourable Sir John Thorne:** They are still under examination. Speaking from memory, the last extensions of the orders were made in November and December.

**Shri Sri Prakasa:** Is it not a fact that the Government have to inform these prisoners every six months as to why they are being detained?

**The Honourable Sir John Thorne:** The provisions are to be found in the Ordinance.

**Sri M. Ananthasayanam Ayyangar:** May I know when their cases are reviewed after subsequent periods of six months, what are the fresh materials which these reviews take into account? Is it their conduct inside the jail that is taken into account?

**The Honourable Sir John Thorne:** There may or may not be fresh material, but surely the circumstances in India and the areas for which the Central Government are particularly responsible are constantly changing.

**Beth Govind Das:** In view of the fact that there are only three prisoners of the Central Government, will the Central Government instruct the Provincial Governments to release the remaining detenus in their respective provinces?

**The Honourable Sir John Thorne:** No, Sir.

**Shri Mohan Lal Saksena:** When was the case of Mr. Nair taken into consideration last? He is a detenué of the Central Government.

**The Honourable Sir John Thorne:** I cannot say when the order was issued, but my impression is that it was in November or December. It has been taken into consideration since then.

**Shri Mohan Lal Saksena:** Is it not a fact that he had been a Congressman all along?

**The Honourable Sir John Thorne:** He told me that he had been a Congressman for a long time.

**Babu Ram Narayan Singh:** What is the number of detenus in Bihar?

**The Honourable Sir John Thorne:** I have not the figures here.

**Shri Mohan Lal Saksena:** Was not Mr. Nair acquitted of the charge brought against him by the Court?

**The Honourable Sir John Thorne:** I believe he was given the benefit of doubt on one charge, the charge on which he was acquitted.

**Sri M. Ananthasayanam Ayyangar:** But the Executive Government does not give him the benefit of doubt? What are the grounds on which he is still kept under detention?

**The Honourable Sir John Thorne:** Not on precisely the grounds on which he was discharged.

**Sri M. Ananthasayanam Ayyangar:** Have any new grounds developed after he was incarcerated?

**The Honourable Sir John Thorne:** Quite a lot of grounds.

**Shri Mohan Lal Saksena:** How long has he been under detention since the acquittal order was passed?

**The Honourable Sir John Thorne:** I am afraid I have not the date of that order.

**Shri Mohan Lal Saksena:** Is it not more than a year?

**The Honourable Sir John Thorne:** I cannot say from memory.

**Babu Ram Narayan Singh:** The Honourable Member has just given the figure for the whole of India. How is it that he cannot give the figure for Bihar?

**The Honourable Sir John Thorne:** I have not got the figures for separate provinces. I will give the Honourable Member the figures outside the House if he wishes for them.

#### I.N.A. PRISONERS

56. \***Prof. N. G. Ranga:** Will the War Secretary be pleased to state:

(a) the conditions of food, clothing, reading materials, smoke, soaps, water supply, companionship and other creature comforts which are being allowed to the I.N.A. prisoners;

(b) in how many P.O.W. camps are they being kept and what are they;

(c) what is the present total number of I.N.A. prisoners;

(d) whether powers to shoot, to inflict corporal punishments, or to punish them with single-cell imprisonment are given to the jail authorities, and, if so, in how many cases, and in which jails were the I.N.A. prisoners shot at and how many of them were killed or injured;

(e) whether any complaints were made by these prisoners about their conditions of living, and, if so, what action was taken thereon to relieve their troubles;

(f) whether Government propose to order a public enquiry into the shooting incidents in these camps and also into the conditions subject to which these I.N.A. prisoners are being kept in these P.O.W. camps?

**Mr. P. Mason:** (a), (b), (d), (e) and (f). I would invite the attention of the Honourable Member to the debate on Diwan Chaman Lal's adjournment motion which took place in this House on the 30th of last month. Officers get Rs. 30 per month, V.C.Os.—Rs. 11-4-0 and I.O.Rs.—Rs. 5-10-0 as subsistence allowances for the purchase of cigarettes and other amenities.

(c) Approximately 6,000, as explained a few minutes ago.

**Prof. N. G. Ranga:** May I know why no information has been given with regard to part (d): whether these powers are given to jail authorities?

**Mr. P. Mason:** These military I.N.A. prisoners are not kept in jails.

**Prof. N. G. Ranga:** Are they kept in camps and if so, are the camp authorities given these powers?

**Mr. P. Mason:** Yes, Sir.

**Prof. N. G. Ranga:** What are these powers?

**Mr. P. Mason:** The camp authorities have exactly the same powers with regard to them as they have in regard to other personnel of the Indian army whose charges are undergoing investigation.

**Shri Mohan Lal Saksena:** Is it not a fact that some of the I.N.A. detenus are kept in jail?

**Mr. P. Mason:** Seven men in whom the Honourable Member is particularly interested and who are from Lucknow were not members of I.N.A., but persons detained under Ordinance No. IV of 1944.

**Prof. N. G. Ranga:** What is the answer to part (e)? Were any complaints made by these prisoners?

**Mr. P. Mason:** I mentioned several complaints in my speech the other day. Whenever complaints have been made they have been investigated, and as far as camps are concerned, I have had no specific complaints which would bear investigation.

**Prof. N. G. Ranga:** Has the Honourable Member ever visited any of these camps or all these camps at least once and got into touch with these prisoners to find out whether their complaints are genuine or not?

**Mr. P. Mason:** As I explained the other day, I had been to the Red Fort and I had no time to visit others because my time is fully occupied in preparing answers to questions put by Honourable Members in this House.

**Prof. N. G. Ranga:** Will he visit them in future?

**Mr. P. Mason:** As I said, all my time is spent in answering supplementary questions.

**Prof. N. G. Ranga:** The point is how does he satisfy himself that proper attention is being given to their complaints and necessary satisfaction is being given to these people?

**Mr. P. Mason:** I am afraid in this matter I have to rely on reports.

**Shri Mohan Lal Saksena:** Am I to understand that a number of these prisoners to whom I referred are not included in the total number given here?

**Mr. P. Mason:** I have already answered that question.

**Shri Mohan Lal Saksena:** Are there other prisoners like those of the prisoners from Lucknow?

**Mr. P. Mason:** They have all been released except one.

**Prof. N. G. Ranga:** Why does not the Government order public enquiry into the shootings and other incidents in these camps?

**Mr. P. Mason:** I have already been through every instance of shooting which has been alleged. I have explained the whole position in my speech. I

think it is hardly proper to explain the whole matter again in answer to questions.

**Prof. N. G. Ranga:** Are we to understand that the Honourable Member constitutes himself into a court of justice? Has he ever served as a District Judge?

**Mr. President:** Order, order. That does not arise out of this question.

**Mr. President:** Question No. 57. Seth Yusuf Abdoola Haroon.

**Haji Abdus Sattar Haji Ishaq Seth:** The Honourable Member, Mr. Yusuf Abdoola Haroon, is absent.

**Mr. S. Guruswami:** May I put that question Sir, on behalf of Seth Yusuf Abdoola Haroon?

**An Honourable Member:** Have you been authorised by Seth Yusuf Abdoola Haroon?

**Mr. President:** I would invite the attention of the House to Rule 44, (Standing Order 19) which says:

"If on a question being called, it is not put or the member in whose name it stands is absent, the President, at the request of any member, may direct that the answer to it be given."

There is no question of any authority being given to another member to put the question. It is only a request to be made to the President and usually the President will direct the answer to be read out.

The Finance Secretary will give the reply to Question No. 57.

#### INCREASE IN ESSENTIAL COMMODITY PRICES

57. \***Seth Yusuf Abdoola Haroon:** (a) Will the Honourable the Finance Member please refer to his reply to my starred question No. 212 (a), dated the 14th February, 1945, in which it has been stated that the increase in prices of essential commodities to the extent of 238 per cent. over the pre-war rates has been overstated?

(b) What approximately is the rise in the percentage of the following essential commodities over the pre-war rates: (i) food stuff, (ii) clothing, and (iii) toilets?

**Mr. B. C. A. Cook:** (a) and (b). According to the index of wholesale prices maintained by the Economic Adviser, the following is the percentage rise in the cost of certain essential commodities over the rates prevailing in August, 1939: on an all-India basis:

Food articles: 137 per cent. up to the quarter ended December 1945.

Clothing: 168 per cent. up to the quarter ended September 1945.

Toilet articles: There is no all-India index number in respect of toilet articles. Only the figure compiled by the Madras Government in respect of washing soap for the city of Madras is available, and that is given as 160 per cent.

**Mr. S. Guruswami:** May I ask whether the figures include the black market price?

**Mr. Manu Subedar:** Is it a fact that the Economic Adviser in computing the index number takes the control prices as declared by Government?

**Mr. B. C. A. Cook:** I must ask for notice.

**Prof. N. G. Ranga:** Has any effort been made by the Economic Adviser or by his office to ascertain the percentage of total distribution of these various articles here which can be purchased only in black markets?

**Mr. B. C. A. Cook:** I must ask for notice.

## DEARNESS AND WAR ALLOWANCES TO NON-GAZETTED STAFF, AUDIT AND ACCOUNTS OFFICES

58. \*Mr. Muhammad Nauman (on behalf of Seth Yusuf Abdoola Haroon):

(a) Will the Honourable the Finance Member please state the percentage rate of the dearness and war allowances sanctioned to the non-gazetted staff in the Audit and Accounts Offices in India getting up to Rs. 100 per month and from Rs. 101 per month to Rs. 200 per month?

(b) Do Government consider that the grant of this increase from 1st January, 1945, in the dearness and war allowances is adequate?

(c) Are Government aware that there is a wide spread resentment and disappointment on this meagre relief? Do Government propose to reconsider the whole position and to revise immediately the present rates of the dearness and war allowances commensurate with the rise in prices of all the necessities of life in the case of the non-gazetted staff? If not, why not?

**Mr. B. C. A. Cook:** (a) A statement showing the percentages of dearness and war allowances admissible to the non-gazetted staff in the Audit and Accounts Offices in India getting pay upto Rs. 200 per mensem is laid on the table of the House.

(b) and (c). The Honourable Member's attention is invited to the replies to his starred questions No. 213(b) and (c) on 14th February 1945, and 176 (d) on the 8th November 1944. The position is constantly under review.

*Statement showing the percentages of Dearness and War Allowances admissible to Central Government Servants drawing pay upto to the limit of Rs. 200 p. m.*

Pay	Rate of Dearness Allowance	Percentage rate of pay	War allowance percentage rate of pay.
<b>AREA A</b>			
Below Rs. 40 p.m.	Rs. 20 p.m.	From about 154 % to 50% of pay.	..
From Rs. 40 to Rs. 100 p.m.	Rs. 22 p.m. or 17½ % of pay whichever is greater.	From 55 % to 22 % of pay.	..
From Rs. 101 to Rs. 250 p.m.	Do.	From 22 % to 17½ % of pay.	..
<b>AREA B</b>			
Below Rs. 40 p.m.	Rs. 16 p.m.	From about 160 % to 40 % of pay.	..
From Rs. 40 to Rs. 100 p.m.	Rs. 18 p.m. or 17½ % of pay whichever is greater.	From 45 % to 18 % of pay.	..
From Rs. 101 to Rs. 200 p.m.	Do.	17½ % of pay	..
<b>AREA C</b>			
Below Rs. 40 p.m.	Rs. 14 p.m.	From about 100 % to 35% of pay.	..
From Rs. 40 to 100 p.m.	Rs. 16 p.m. or 17½ % of pay whichever is greater.	From 40 % to 17½ %	..
From Rs. 100 to 150 p.m.	Do.	17½ % of pay	..
From 151 to Rs. 200 p.m. and onwards.	..	..	17½ % of pay



**Pandit Govind Malaviya:** There are a number of new Members in this House. May I ask the Honourable Member to repeat those answers which were given last year?

**Mr. B. C. A. Cook:** I have them here, Sir, and can read them out if desired.

**Mr. President:** That will take time.

**Mr. P. J. Griffiths:** They are in the records.

#### DEARNESS AND WAR ALLOWANCES TO NON-GAZETTED STAFF, AUDIT AND ACCOUNTS OFFICES

†59. **\*Seth Yusuf Abdoola Haroon:** (a) Has the Honourable the Finance Member received a copy of the resolutions passed at the 21st Session of the All-India Audit and Accounts Offices Conference held at Nagpur on the 14th and 15th April, 1945?

(b) Have Government taken note of the feelings of disappointment and dissatisfaction as expressed in resolutions Nos. 2 and 3 relating to the recent meagre relief afforded in the increase of the dearness and war allowances and in the refusal of the revision of the existing scales of pay?

(c) Do Government propose to reconsider the matter in the light of the reasons and argument given in both the above resolutions for the immediate increase in the rate of the dearness and war allowances and to revise the existing scales of pay to the extent demanded in the above two resolutions? If not, why not?

**Mr. B. C. A. Cook:** (a) My Honourable friend did not receive copies of the resolutions referred to. The Auditor General of India however received them and duly replied to the points raised.

(b) The two resolutions referred to do not relate to the increase in the rates of dearness and war allowances and revision of scales of pay.

(c) In view of the answer to part (b), the question does not arise.

#### IMPROVEMENT OF AUDIT AND ACCOUNTING SYSTEM

†60. **\*Seth Yusuf Abdoola Haroon:** Has the Honourable the Finance Member read resolution No. 4 passed at the 21st Session of the All-India Audit and Accounts Offices Conference held at Nagpur on the 14th and 15th April, 1945, a copy of which was also sent to him? If so, does he propose to appoint a Post-war planning Committee to improve the system of Audit and Accounting and to ameliorate the condition of living in this country? If not, why not?

**Mr. B. C. A. Cook:** My Honourable friend cannot reconcile the question with the Resolution referred to.

#### LEAVE RESERVE FOR TEMPORARY STAFF, AUDIT AND ACCOUNTS OFFICES

†61. **\*Seth Yusuf Abdoola Haroon:** (a) Will the Honourable the Finance Member please refer to his reply to my starred question No. 210 of the 14th February, 1945, in which it has been admitted that no leave reserve has been sanctioned for the additional temporary posts in the Audit and Accounts Offices, although the rules permit the recruitment of substitutes for the temporary staff?

(b) Is it a fact that there are at least 40 per cent of men employed purely on temporary basis in all the Audit and Account Offices in India?

(c) Is it also a fact that recruits having requisite qualifications for each cadre are not always available to be appointed to substitute the temporary staff on leave?

(d) In the circumstances stated in (c) above, do Government propose to sanction an additional leave reserve of 12½ per cent for the temporary staff as well to avoid the recurring hardships to permanent men in getting leave at present? If not, why not?

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—†Answer to this question laid on the table, the questioner being absent.

**Mr. B. C. A. Cook:** (a) and (b). About 54 per cent. of the staff in the Indian Audit Department are employed against temporary posts.

(c) No.

(d) Does not arise in view of the answer to part (c) above.

**CAPTAIN MOHAN SINGH OF I.N.A.**

**62. \*Shri Sri Prakasa** (on behalf of **Sardar Mangal Singh**): Will the War Secretary please state:

(a) Whether Capt. Mohan Singh, founder of the first I.N.A. is under custody; if so, whether he is likely to be tried by a Court Martial;

(b) whether it is a fact that after some time, on account of his differences with the Japanese, he disbanded the first I.N.A. and was imprisoned by the Japanese and also ill-treated by them; and

(c) whether, in view of the special circumstances of his case, Government are prepared to release him forthwith?

**Mr. P. Mason:** (a) Captain Mohan Singh is in custody and I am afraid I cannot yet say whether or not he will be brought before a Court Martial.

(b) and (c). Government do not agree that the reasons for the disbandment of the first I.N.A. were as stated by the Honourable Member; and in any case it was during the recruitment period for the first I.N.A. that the worst acts of coercion were committed. The extent of Captain Mohan Singh's knowledge of what took place in the concentration camp at Bidadari must be fully investigated.

**Prof. N. G. Ranga:** Is it not a fact that he was ill treated by the Japanese? That is part (b) of the question.

**Mr. P. Mason:** The implication of the question was that he was imprisoned entirely on account of differences of opinion with the Japanese. My reply is that we are trying persons only on charges of brutality, and his conduct in this respect must be investigated. Since my words are invariably suspect, it might interest the Honourable Member to hear the opinion on this subject of Mr. Rash Behari Bose who will be accused by no one of being a tool of Imperialism. Mr. Bose was the President of the Council of Action of the Indian Independence League and in a pamphlet which he published himself he made the following statement:

"Mr. Mohan Singh in his speech made statements which now appear to be misrepresentation of facts because he solemnly gave us to understand that a majority of the Indian army personnel were prepared to join this movement without any threat or force and that they had acclaimed him as their military leader. I was horrified at a later date to learn of the atrocities meted out to officers and men of the Indian Army for which the blame actually falls on Captain Mohan Singh. Many of our poor brethren were ill treated and humiliated or sent to concentration camps and thus by sheer threat and violence he demoralised the majority of officers and men and compelled them to become volunteers which is against our principle."

I think the Honourable Member would agree that this requires investigation.

**Shri Sri Prakasa:** Does the Honourable Member agree only with this statement of Mr. Rash Behari Bose or all his other statements as well?

**Mr. P. Mason:** I never agree with any statement until it is investigated.

**Sardar Sampuran Singh:** What authority the Government has to say that this pamphlet was written by Mr. Bose?

**Mr. P. Mason:** His name on the cover.

**Sri M. Ananthasayanam Ayyangar:** May we know how the Honourable Member got into possession of this document?

**Sardar Sampuran Singh:** Is he a Court of law?

**Mr. P. Mason:** This is not a court of law. I was only saying that investigation is necessary.

**Sardar Sampuran Singh:** There must be some legal evidence to prove such documents before action taken on their authority.

**Mr. P. Mason:** That is why we are investigating.

**Prof. N. G. Ranga:** Is that document in the handwriting of Mr. Rash Behari Bose?

**Mr. P. Mason:** This is a printed document which I shall be glad to lay on the table if it is so desired.

**An Honourable Member:** Is the name of the printer and publisher given there?

**Mr. P. Mason:** Published by the Indian Independence League Headquarters.

**Prof. N. G. Ranga:** How have the Government satisfied themselves that it is not a forged document?

### (b) WRITTEN ANSWERS

#### DOLLAR POOL

**63. \*Mr. Manu Subedar:** (a) Will the Honourable the Finance Member please state what proposals have been made by the Government of India to His Majesty's Government in regard to the Dollar Pool since the stoppage of hostilities?

(b) What proposals have been received by the Government of India from His Majesty's Government with regard to the Dollar Pool since the stoppage of hostilities?

(c) Are Government in a position to announce their policy in regard to the availability of dollars to India, in view of the very great anxiety entertained on this score throughout the country?

(d) To what extent does the figure of twenty million dollars per year, over and above the normal figure mentioned by the late Finance Member, stand modified by the Anglo-American Agreement and Loan and the declarations connected therewith?

**The Honourable Sir Archibald Rowlands:** (a) and (b). As the Honourable Member is aware communications between Governments are confidential; but I would draw his attention to the provisions of the Financial Agreement between the Governments of the United States and the United Kingdom dated the 6th December, 1945 and in particular to Section 7 thereof which, if it is ratified, will involve the termination of the foreign exchange arrangements known as the Dollar Pool.

(c) Dollars are, as before, made available for essential imports into India.

(d) The arrangement explained in paragraph 35 of the Finance Member's Budget Speech for 1945-46, by which an amount of \$20,000,000 for the calendar year 1944, and a similar amount for 1945 subject to re-examination of the relevant statistics for that year, were earmarked specifically for India's post-war development, has not been modified by the Anglo-American Loan Agreement or the declarations connected therewith.

#### INDIA'S SHARE IN DOLLAR POOL

**64. \*Mr. Manu Subedar:** (a) Will the Honourable the Finance Member please state the share of India in the Dollar Pool beginning with the year 1939-40 for each year?

(b) How much, if any, was used for strictly Indian purposes and how much was appropriated by the United Kingdom?

(c) What was the total of dollars standing to the credit of India in the Dollar Pool on the 31st of December, 1945 (or any earlier available date)?

**The Honourable Sir Archibald Rowlands:** (a) The arrangement is that the total dollar earnings of all member countries are surrendered to the Empire Dollar Pool from which each country draws dollars according to its needs. No share was, therefore, allotted to India in any year.

(b) In view of the arrangements governing the working of the Dollar Pool, as explained in (a), the question does not arise.

(c) By the very nature of the pooling arrangement no amount can be said to have stood to the credit of India at any particular date.

## DEATHS OF LT. MAGHAR SINGH AND LT AJMER SINGH

65. \*Sardar Mangal Singh: Will the War Secretary please state;

- (a) the circumstances under which Lt. Maghar Singh of the Kapurthala Infantry and Lt. Ajmer Singh of 6/1 Punjab Regiment died in the Red Fort, Delhi;
- (b) whether it is a fact that the deaths took place on the 5th November, 1944;
- (c) when the next of their kin were informed;
- (d) where the bodies were cremated, and who performed the obsequies; and
- (e) whether any enquiry was held into the circumstances of their deaths, and what the result of the enquiry was?

Mr. P. Mason: (a), (b) and (e). The attention of the Honourable Member is invited to my speech on the 30th of last month on Diwan Chaman Lal's Adjournment motion.

(c) The 29th of January, 1945.

(d) In Delhi Cantonment, under the supervision of Risaldar Balwant Singh.

## DEMAND BE REMAINS, ETC., OF LT. MAGHAR SINGH

66. \*Sardar Mangal Singh: Will the War Secretary please state:

(a) whether any telegram by the widow of Lt. Maghar Singh was sent to His Excellency the Commander-in-Chief at the time of his visit to Kapurthala State on the 9th December, 1945, demanding the ashes, *Kara* (iron bangle) and other remains to be kept as *souvenirs*;

(b) whether the ashes or other articles demanded by the widow were sent to her; and

(c) whether any reply to her telegram was sent; if not, why not?

Mr. P. Mason: (a) Yes, Sir. The telegram contained many requests all of which are receiving consideration.

(b) No, Sir; some delay has occurred in tracing these articles as the Subedar-Major responsible for their final disposal has left the service.

(c) An acknowledgment has now been sent, but I regret that it was not sent until the Honourable Member brought the matter to notice and I am grateful to him for this.

## DETENTION OF SGT. SATYARANJAN BAKSHI

67. \*Mr. Sasanka Sekhar Sanyal: Will the Honourable the Home Member be pleased to state:

(a) the period during which Sg. Satyaranjan Bakshi, formerly editor of *Forward Liberty*, etc., has been in detention;

(b) the places in which he has been detained and the period of detention in each such place;

(c) his present condition of health setting forth the nature of his ailments and disclosing the approximate time when each such ailments were discovered;

(d) the treatment which has been given to him for the ailments from which he has been suffering;

(e) the medical reports that have been made available to Government from time to time regarding the condition of his health;

(f) whether Government have considered the anxious representations made for his release on grounds of health; and

(g) what the Government attitude at present is with regard to his being released on grounds of health?

The Honourable Sir John Thorne: (a) Mr. Satyaranjan Bakshi was detained under the orders of the Central Government from the 14th March, 1942 to the 14th January, 1946. I understand that he is at present detained under the orders of the Government of Bengal.

(b) After his arrest in Bengal, he was brought to the Delhi Fort on the 21st March, 1942 and kept there till the 29th June, 1942 when he was transferred to the United Provinces. He was there kept first in the Central Prison at Bareilly and later in the Central Prison, Naini. From Naini he was transferred to the Presidency Jail, Calcutta, on the 19th November, 1945.

(c) to (g). I can answer only for the period when he was a Central Government prisoner. During that time monthly reports of his state of health were received. In April-May, 1944 he was for the first time reported to be suffering from occasional palpitation and insomnia and from anaemia. In June he was removed to the Civil Hospital at Allahabad and treated there up to the middle of July when he was discharged. I have no details of the treatment administered. At the request of the Central Government he was examined by a Medical Board who reported on the 26th July 1945 that his condition was not such as to make prognosis grave. In December, 1945 after his transfer to Bengal, he was again examined by a Medical Board who reported that he was suffering from heart trouble but that his condition was not serious. The question of his release on grounds of health is now for the Government of Bengal to decide.

#### EXCISE DUTY ON BETELNUTS

**68. \*Haji Abdus Sattar Haji Ishaq Seth:** Will the Honourable the Finance Member be pleased to state:

(a) whether he has received representations from many parts of the country including Malabar pointing out that the excise duty on betelnuts has been a heavy burden on the cultivators and that the cultivators are running the plantations at a heavy loss and consequently cutting down the trees;

(b) that as this duty was introduced purely as a war measure, whether he proposes now to abolish it and thus give relief to the cultivator; and

(c) what steps he is taking to prevent the dumping into India of the great quantity of betelnuts that is now lying in Malaya?

**The Honourable Sir Archibald Rowlands:** (a) Representations have been received to the effect that the trade, instead of passing the excise on to the consumer, has tended to pass it back to the producer; but there has been little suggestion that producers may feel disposed to cut down trees and there is no evidence that this has taken, or is likely to take place.

(b) I cannot anticipate my budget proposals, but would point out that the tax was not introduced as a purely war-time measure.

(c) The Government is already investigating the position and keeping a watch on the market conditions with a view to taking necessary steps for the safeguarding of the internal market against a sudden fall in prices due to exceptional imports from abroad.

#### RELEASE OF REQUISITIONED ACCOMMODATION IN BOMBAY

**69. \*Sri M. Ananthasayanam Ayyangar:** Will the War Secretary please state:

(a) (i) the number of British military personnel, Officers and other ranks, and (ii) the number of civilian non-Indian personnel and displaced persons from countries in Europe and Asia, who came to India as refugees;

(b) the number of such personnel for whom houses and flats have been requisitioned in the Bombay City and suburbs;

(c) the number of houses, requisitioned by Military or Provincial Government authorities in the Bombay City and suburbs which are occupied by the class of persons in (a) above as on the 1st January, 1946;

(d) when it is proposed to restore the houses back to their owners; and

(e) if he proposes to issue instructions that any remaining persons in such requisitioned houses or flats should be removed to military camps or tents which might be available owing to the end of the war and the repatriation of Italian, German and other prisoners of war from India?

**Mr. P. Mason:** (a) (i). The number of military personnel, officers and other ranks, in Bombay on the 1st December 1945, was 40,263.

(ii) This part of the question should have been addressed to the Secretary, Commonwealth Relations Department.

(b) and (c). It has not been possible in the time at my disposal to ascertain the exact number of British military personnel for whom accommodation was requisitioned in Bombay, but I may inform the Honourable Member that the total number of buildings requisitioned by the Military authorities for purposes in Bombay was 412, of which 25 had been released by the 1st of January and orders for the release of another 40 have issued since.

(d) Derequisitioning is proceeding as speedily as possible and it is anticipated that the majority of the requisitioned buildings will be restored by the end of 1946.

(e) Instructions have already been issued that in order to release buildings as soon as possible, the fullest use should be made of suitable alternative military accommodation as it becomes available.

#### OFFICERS UNDER CENTRAL GOVERNMENT

70. **\*Sri M. Ananthasayanam Ayyangar:** Will the Honourable the Home Member please state:

(a) the total number of officers in the Imperial Secretariat in New Delhi and in all the attached and subordinate offices under their control throughout India as on the 1st January 1946;

(b) how many of them are Europeans and how many of them are Indians;

(c) how many both Europeans and Indians there were on the 1st April 1939;

(d) how many of these Europeans were obtained from England during the war and for what purposes;

(e) how long it is proposed to retain their services in India under Government; and

(f) if he proposes to place on the table a detailed statement showing the pay and allowances and any other benefits paid to each?

**The Honourable Sir John Thorne:** The collection of the information desired would be an enormous task, which I should not be justified in inflicting on the many Departments concerned. Some information was collected in 1944 about experts and special officers brought from abroad and appointed since the beginning of the war. I lay on the table a statement containing the information.

Statement showing the number and other particulars of experts and special officers brought from abroad and appointed from time to time in the Departments of the Government of India since the beginning of the war

Serial No.	Name of Department	Number of officers	Qualifications	Post held	Pay	Date of appointment	Period of appointment	Reasons for appointment	Remarks
1	Military Finance Department	3	4	5	6	7	8	9	10
1.	Military Finance Department	1	Officer of the Air Ministry in U. K. with long experience of Air Force establishments work.	Dy. Financial Adviser (Air Force).		24-1-'43		To strengthen the Military Finance Department in dealing with the rapidly expanding Air Forces in India and to assist the Department in the exercise of the enhanced powers of sanctioning Air establishments conferred by the Air Ministry.	...
2.	Department of E. H. & L.	1	..	Irrigation Adviser to the Government of India.		17-5-'43		..	..
		1	..	Animal Husbandry Commissioner to the Government of India.		3-3-'44		..	..
		1	..	Director General of Archaeology in India.		..	..	..	..
3.	Department of Food,	1	..	Food Adviser, Rs. 1,000 (compensatory allowance).		..	..	..	Reverted to the Ministry of Food on 20-9-'43.
		1	..	Rationing Adviser Rs. 2,500.		..	..	..	..

1	..	Dy. Director of Purchase Rs. 1,750 (fixed).	..	..	Appointed as Dy. Director on 28-10-'41, in the Directorate General of Supply and transferred to Food Deptt. on 1-1-'43.
1	..	Special officer for work connected with the production of Cinematograph films relating to the war.	£. 1,000/- per annum plus Rs. 700 p.m.	December 1940 to 31-12-'41	..
1	..	Chief Engineer, All India Radio.	Original Scale of pay :— 1,650—50 —1,850 Scale of pay after extension Rs. 1,900 —50— 2,100.	Brought before the beginning of the War. Extension for 5 years from 18-8-1941.	In addition a number of persons were imported from China, Burma, Iran and Baghdad for work in connection with the Chinese, Burmese, Thai, Persian and Arabic broadcasts given by All India Radio but they do not seem to fall in the category of Experts and Special Officer.
1	..	Director of News.	Rs. 1,000 —50 + 1,200 O. P. £ 30 (original scale) = Rs. 1,650—50 1,850 (Scale after extension).	Ditto. Extension for 5 years from 9-9-1942	..
1	..	Labour Adviser to advise H. M. Labour on labour matter.	..	December 1942 to June 1943.	Returned to U. K.
1	..	Do.	..	January, 1944.	..



1	2	3	4	5	6	7	8	9	10
100	..	..	..	For imparting training to War Technicians.	..	..	..	..	..
1	..	1	..	Officer on Special Duty.	..	..	7-2-1942 to 9-8-1942	..	Returned to U. K.
1	..	1	..	Superintending Inspector.	..	..	30-4-'42 to 5-8-43 and 1-9-1943 to 21-9-1943	..	Do.
1	..	1	..	Inspector	..	..	Ditto	..	Do.
1	..	1	..	Structural Provisions Adviser.	..	..	1-10-'42 to 1-1-1943	..	Do.
1	..	1	..	Technical Officer (Structural Engineer).	..	..	4-6-'42 to 18-7-1942	..	Services placed at the disposal of the Civil Defence Department.
1	..	1	..	O. S. D. Chief Technical Officer	..	..	7-2-'42 to 12-5-43, 14-5-'43 to 7-1-1944	..	Contract being extended from time to time.
1	..	1	..	Joint Chief Adviser.	..	3-4-1942	..	..	Do.
1	..	1	..	Essential Services Officer.	..	3-4-1942	..	..	Do.
1	..	1	..	Inspector	..	3-6-1941	Up to 2-6-1943	..	Returned to U. K.
6. Department of Posts and Air (Civil Aviation Directorate).	..	1	..	Reserve Pilot Instructor, Pilot Training Scheme.	..	..	..	..	..
1	..	1	..	Engineer, C.A.R.E.	..	..	17-7-1941 to 28-2-1942	..	Services transferred to Air Force Forces.
1	..	1	..	Inspector, C.A.R.E.	..	..	16-5-1941 to 20-10-43	..	Went over to U.P. Govt. Repair Workshop, Cawnpore.
1	..	1	..	Do.	..	..	7-6-1941 to 6-2-1942	..	Went over as Tool Room Foreman at Mathematical Instruments Office, Calcutta.
1	..	1	..	Aircraft Shop Supdt., C.A.R.E.	..	..	11-7-1941 to 3-1-1944	..	Was AAI grade I with effect from 19-1-'42.

1	Inspector, C.A.R. E.	..	..	8-7-1941 to 28-2-1943	..	Now with Messrs. Tata Aircraft Ltd. Was AAI grade I with effect from 20-2-42. Went over to Tata Aircraft Ltd. Transferred to Supply Deptt. with C.A.R.E.
1	Do.	..	..	17-7-1941 to 13-3-1943	..	Went over to Tata Aircraft Ltd.
1	Devahtaman C. A.R.E.	..	..	14-8-1941 to 31-12-1941	..	Went over to Tata Aircraft Ltd.
1	Inspector, C.A.R. E.	..	..	21-7-1941 to 20-10-1941	..	Went over to Hindustan Aircraft Ltd., Bangalore.
1	Asstt. Foreman C.A.R.E.	..	..	20-10-1941 to 19-11-1942	..	Went over as Asstt. Manager, U.P. Govt. Workshop, Cawnpore.
1	Superannuary Officer at Hqrs. from 5-9-'43 & S. T. (Mechanics) from 10-10-1943. Specialist Instruc- tor, M.T.S.	..	..	5-9-1942	..	Went over to Tata Aircraft Ltd.
1	Do.	..	..	28-2-41	..	No longer in service.
1	Deputy Superin- tendent, Tele- graphs Workshops, Calcutta.	..	..	24-11-42	..	Do.
1	Excess Profits Tax Adviser to C.B. R.	..	..	..	..	..
7.	Department of Posts and Air (P. & T. Direc- torate).	..	..	..	..	..
8.	Central Board of Revenue.	..	..	..	..	Was Chief Inspector of Taxes under the Board of Inland Revenue in the United Kingdom and had wide experience of Excess Profits Tax legislation in that country.

1 2 3 4 5 6 7 8 9 10

9. Railway Department.	24	..	Fire Sub-Officer Grade II.	..	..	..	<p>Fire Sub-Officers from the National Fire Service were recruited from the United Kingdom for employment on Indian Railways. They have been appointed against non-gazetted posts. The persons were obtained through the Civil Defence Department.</p>	<p>Arrived in India in Decr. 1945 and returned to America in March, 1944.</p>
	1	..	Production Engineer.	..	..	..	<p>A representative of M/S Baldwins was appointed to assist in the erection of X-Eagles and to report on the defects of MacArthur's locomotives.</p>	<p>Period of employment about six months.</p>
	1	..	Locomotive Engineer, Canadian Pacific Railway.	..	..	..	<p>Reassembly of 145 X Dominion locomotives being shipped from Canada for Indian State Railways.</p>	..
10. Defence Department (Civil Defence Branch).	33	..	..	-	<p>Appointments were for varying periods between the end of 1941 and beginning of 1944.</p>	..		



## GOLD AND SILVER PRICES

71. \*Sri M. Ananthasayanam Ayyangar: Will the Honourable the Finance Member please state:

- (a) the present price per ounce of gold and silver in London;
- (b) the present price of the same in India (Bombay);
- (c) the reason for the difference in price and to whom the difference goes;
- (d) whether the Reserve Bank of India is the only authority which can import gold and silver from abroad and sell it to the market in India, and whether it is proposed to allow private imports of bullion direct; and
- (e) how far the Reserve Bank of India is guided in their purchase and sale of bullion by the Government of India or other authorities?

**The Honourable Sir Archibald Rowlands:** (a) The present price of gold in London is £8-12-3 per ounce and of silver 44d. per ounce.

(b) The ready price of gold in Bombay on the 30th January, 1946 was Rs. 94-4-0 per tola and of silver Rs. 142-14-0 per 100 tolas.

(c) The difference between the prices of gold and silver in India and those in London is accounted for by the fact that there are no free sales of these metals in the United Kingdom and by the various economic factors in India. As there is at present no free movement of gold and silver between India and London, the latter part of this question does not arise.

(d) It is not correct to say that the Reserve Bank of India is the only authority which can import gold or silver from abroad. The Reserve Bank of India is only the authority for issuing licences for the import of these metals and licences have been issued by that Bank for the import of gold and silver in consultation with Government and in accordance with their policy from time to time. It would not be in the public interest to disclose whether and to what extent it is proposed to allow private imports of bullion.

(e) The Reserve Bank of India makes no purchases of bullion on its own account. The sales of bullion which have been made by it in the past have been either on account of the Government of India or on behalf of the Government of the U. K. or the Government of the U. S. A. The role of the Reserve Bank of India has been merely that of a selling agent, and its operations have been in accordance with the policy of the authorities on whose behalf the sales were made.

## W.A.C.'s AND W.A.C. (I.)s.

72. \*Sri M. Ananthasayanam Ayyangar: Will the War Secretary please state:

(a) if his attention has been drawn to a report in the *Hindustan-Times* of the 14th November last, about the behaviour of certain WACs in Barrackpore or some such place near Calcutta, towards the Indian WACIs, a question about which was put and answered in the House of Commons;

(b) the number of European and Anglo-Indian WACs in India as on the 1st January, 1946, and how many of them have been posted in Calcutta, Delhi, Bombay, Madras and other places;

(c) the monthly salary paid to them, and whether it is chargeable to the Indian or British revenues;

(d) the number of Indian WACIs in India, Calcutta, Bombay, Madras and other places showing the number of officers and other separately;

(e) the monthly salary paid to the persons in (d) above for officers and others;

(f) if the necessity for continuing the WACs and WACIs in India still exists; if so, what the detailed reasons are;

(g) the reasons for not replacing such WACs and WACIs by the Indian trained Army male personnel from the various Army Training Centres; and

(h) the duties these WACs and WACIs are called upon to perform both during the war and now?

**Mr. P. Mason:** (a) Yes, Sir. The matter was investigated and the true facts published in a Press Note which appeared on the 16th December 1945.

(b) The term W. A. C. is used of an American Corps. It is presumed the Honourable Member means the Auxiliary Territorial Service. These are all

European. There are 31 officers and 89 other ranks. The totals are 80 officers and other ranks in Delhi, 25 in Calcutta, 5 in Jhansi and 10 elsewhere.

(c) A statement showing the rates of pay is laid on the table. The expenditure is not wholly chargeable either to India or to His Majesty's Government. It is allocated between the two Governments in accordance with the cost of the units or formations in which they are employed.

(d) and (e). Statements giving the number of Indian members of the WAC(I) by Commands and certain large Provinces, and the rates of pay admissible to them, are laid on the table.

(f) and (g). The WAC(I) was raised in an attempt to relieve the serious manpower shortage which arose during the war. Although the situation is now not so critical as it was, the volume of work in Commands has not diminished as much as might be expected because of the demobilization, resettlement and the re-organization of the services to suit peace time conditions.

An India Army Order is however under issue, calling for volunteer clerks rendered surplus to the requirements of disbanding units, for transfer to the Indian Army Corps of Clerks, with a view to replacing, among others, Auxiliary Territorial Service and WAC(I) personnel serving in clerical appointments.

(h) A statement is laid on the table.

*Statement in reply to part (c) showing the rates of pay admissible to A. T. S. Personnel*

(i) OFFICERS

	Rs.
Senior Controller . . . . .	900 p. m. plus free board and lodging at a cost not exceeding Rs. 300 p.m.
Chief Commander . . . . .	930 p. m.
Senior Commander . . . . .	720 p. m.
Junior Commander . . . . .	500 p. m.
Subaltern . . . . .	395 p. m.
2nd/Subaltern . . . . .	355 p. m.

} inclusive of Japanese Campaign pay.

Staff/additional/charge/ corps pay is admissible at 2/3rds of the rates payable to male officers in the same appointment.

*N.B.*—Officers have to pay for their own board, lodging, furniture, etc.

(ii) AUXILIARIES

Auxiliaries rates of pay, including Japanese Campaign Pay, vary between Rs. 95 and Rs. 276 p. m. according to rank and trade group.

2. In addition to the above rates of pay, war service increments are admissible to both officers and auxiliaries on completion of a minimum of 3 years war service.

*Statement in reply to part (d)*

INDIANS BY COMMANDS (OFFICERS & AUXILIARIES)

	Officers	Auxiliaries
Northern Command . . . . .	11	312
Southern Command . . . . .	23	1,140
Eastern Command . . . . .	11	494
Central Command . . . . .	36	1,013
W. R. I. N. . . . .	63	280
Air Wing . . . . .	..	866
	144	4,105

	Officers			Auxiliaries		
	Army	Navy	Total	Army	Navy	Total
Bombay . . . . .	3	29	32	531	80	611
Madras . . . . .	6	7	13	141	17	158
Calcutta . . . . .	13	5	18	218	15	233
Delhi . . . . .	12	14	26	296	28	324
<b>Total</b> . . . . .	<b>34</b>	<b>55</b>	<b>89</b>	<b>1,186</b>	<b>140</b>	<b>1,326</b>

Statement showing the rates of pay including war service increments of members of the WAC (I) in answer to part (a).

## (i) OFFICERS

	Pay	Servants allowance if in GS terms	Bombay Calcutta Allowance	If employed ex-India Ex. Allowance	Jap. Camp. Pay	Field Allowance
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Senior Controller . . . . .	980	30	55	50	...	30
Controller . . . . .	865	30	55	50	...	30
Chief Commander . . . . .	575	30	55	50	...	30
Senior Commander . . . . .	380	30	35	50	...	30
Junior Commander . . . . .	220	30	35	40	40	30
Subaltern . . . . .	175	30	35	40	40	30
2nd/Subaltern . . . . .	150	30	35	40	40	30

Staff/additional/charge/corps pay is admissible at 2/3rd of the rate payable to male officers in the same appointments.

## (ii) AUXILIARIES

They are enrolled as recruits non-trade at the rate of Rs. 65 p.m. After a period of training extending over one month to four months they are classified as tradeswomen and are then paid according to the rank of the appointment held. The rates of pay of tradeswomen vary between Rs. 95 and Rs. 185 p. m. exclusive of war service increments.

If employed ex-India they receive ex-patriation allowance at Rs. 30 p. m. and Japanese Campaign pay ranging between Rs. 13 and Rs. 26 according to rank of employed in countries to the east of India.

(iii) In addition, both officers and auxiliaries, if no general service terms, which involves liability to serve at any station in India, are provided with free board and lodging at Government expense.

Messing allowance is admissible to local service personnel at the rate of Rs. 1 per diem to officers and Annex 12 per diem to auxiliaries.

## Statement in answer to part (h).

List A below shows the trades in which WAC(I) auxiliaries were employed during the war—List B those in which they are now employed.

WAC (I) officers were and still are employed in WAC (I) administrative appointments, E.R.E. appointments and on the staff of Army, Navy and RAF formations.

E.R.E. appointments include Signals officers, Personal Assistants, Mess Caterers and Mess Secretaries, Officers to run Officers Shops and D.I.Ds., Assistant to Matrons in I.M.Hs. or B.M.Hs. and certain Education appointments.

WACs (A.T.S.) officers in India are employed as staff officers, Intelligence officers, Signals instructors and WAC (I) OCTU/RTC Instructors.

A.T.S. other ranks are employed as switchboard operators, storewomen, RAOC, Clerks General Duties, Clerks Signals Intelligence Duties, Medical orderlies and Chiropidists.

## List 'A'.

Cipher Clerks.	Modellers/Photographers.
Cipher Operators.	Operators Special W/L.
Clerks General Duty.	Operators Special W/T.
Clerks Provisioning.	Operators Switchboard.
Clerks Pay & Accounts.	Packers parachute, etc.
Clerks Others.	Plotters/Tellers.
Confidential Book Correctors.	Radiographers.
Dispensers.	Recruits.
Dome Teacher Operators.	Stenographers.
Draughtswomen.	Storewoman Hospital.
Driver Mechanics.	Storewomen RAOC/IAOC.
Driver Motor.	Storewomen unspecified.
Electricians.	Non-Trade Tested Women.
Equipment Assistant.	Telephonists.
Fleet Mail Clerks.	Teleprint Operators.
Boaters.	Transfusion Orderlies.
Keyboard Operators.	Typists.
Kitchen Supervisors.	Unspecified.
Laboratory Assts.	Censors.
M. I. Orderlies.	Clerks Non Trade Tested.
Wassouses.	Radio Mechanics.
Wear Caterers.	Storewomen Non-Trade Tested.
Mess Sergeants.	

List 'B'.

Cipher Clerks.  
 Cipher Operators.  
 Clerks General Duty.  
 Clerks Provisioning.  
 Clerks Pay & Accounts.  
 Clerks Others.  
 Confidential Book Correctors.  
 Dispensers.  
 Dome Teacher Operators.  
 Draughtswomen.  
 Driver Mechanics.  
 Driver Motor.  
 Electricians.  
 Equipment Assistant.  
 Fleet Mail Clerks.  
 Issuers.  
 Keyboard Operators.  
 Kitchen Supervisors.  
 Laboratory Assts.  
 M. I. Orderlies.  
 Masseuses.

Mass Caterers.  
 Mess Sergeants.  
 Modellers/Photographers.  
 Operators Special W/L.  
 Operators Special W/T.  
 Operators Switchboard.  
 Packers parachute, etc.  
 Plotters/Tellers.  
 Radiographers.  
 Recruits.  
 Stenographers.  
 Storewomen Hospital.  
 Storewomen RAOC/IAOC.  
 Storewomen unspecified.  
 Non-Trade Tested Women.  
 Telephonists.  
 Teleprint Operators.  
 Transfusion Orderlies.  
 Typists.  
 Unspecified.

CONVERTIBILITY OF STERLING BALANCES

73. \*Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state whether the sterling balances are convertible in hard currencies as and when required by India, or whether the Government of India have accepted any limitation on such conversion imposed by His Majesty's Government? If so, what is the limitation, and what is the understanding on this subject?

(b) Have the Reserve Bank of India Board, at any time, represented to Government the desirability of not issuing any further notes and of not using the machinery for the issue of paper currency against sterling accumulating in the United Kingdom? If so, will Government indicate the gist of such representation and place the detailed papers on the table of the House?

(c) Has the Reserve Bank of India, through its Board or Managing Governor, made any representation to the Government of India with regard to the assets of the Reserve Bank accumulating in the United Kingdom? If so, will Government indicate the gist of such representations and place the detailed papers on the table of the House?

**The Honourable Sir Archibald Rowlands:** (a) As a voluntary partner in the Empire Dollar Pool, India has reduced its demands on hard currencies to its minimum essential requirements.

(b) and (c). Communications between Government and the Reserve Bank of India are confidential.

VOLUME OF STERLING BALANCES

74. \*Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state the volume of sterling balances on the nearest date, for which figures are available, of the stoppage of hostilities in the west, and the volume of sterling balances for the last date for which information is available?

(b) How much of these balances belong to the Government of India, and what is the reason for the conversion of the Government of India funds into sterling and their removal into the United Kingdom?

(c) What is the reason for the increase of these balances after the stoppage of hostilities, and what steps have Government taken to prevent the growth of these balances?

(d) Has any proposal been made or received by the Government of India with regard to the repayment of these balances?

(e) Have any negotiations been started, and has any commitment been made by the Government of India in this matter?

**The Honourable Sir Archibald Rowlands:** (a) Rs. 13,94,26,28,000 on the 11th May 1945. Rs. 16,77,43,47,000 on the 25th January 1946.

(b) The answer to the first part is none, Sir and therefore, the answer to the second part is also none.



(c) The factors which led to these did not cease with the end of hostilities. The expenditure incurred in India on behalf of His Majesty's Government is being greatly curtailed, as a result partly of the decision to discontinue from 1st April 1946 (except in respect of certain limited and agreed categories of stores) the use of India as a source of supply for His Majesty's Government's demands and partly by the reduction in the strength of the Indian armed forces employed overseas at His Majesty's Government's expense.

(d) and (e). As the Honourable Member is aware, negotiations are pending between the two Governments with a view to discussions as to the treatment of these balances.

#### FORMATION OF MILITARY UNITS OF SWEEPERS FOR SERVICE IN BURMA

75. \*Sri R. Venkatasubba Reddiar: Will the War Secretary please state:

(a) if his attention has been drawn to reports in the press about *bhangis* and sweepers being recruited in the Indian Army and sent to Burma for service in Rangoon and other places in Burma as part of regular military units;

(b) if he is aware of reports in the Indian press that requests of the Burma civil authorities for sending Indian sweepers for service in Burma were turned down by the Commonwealth Relations Department of the Government of India;

(c) if it is true that sweepers and other menials have been as a matter of fact, recruited in the Indian Army and sent to Rangoon and other places in Burma for menial work, thus by passing the reported refusal of the Commonwealth Relations Department;

(d) if the facts are as stated in (c) above, whether the Commonwealth Relations Department was consulted before a decision was reached in the War Department; and, if not, why not;

(e) whether the War Department are aware of the deep feeling in this country against sending out Indians as sweepers and menials of foreign countries—in any capacity, military or otherwise; and

(f) if the answer to (e) above is in the affirmative, what steps the War Department propose to take to respect that feeling?

Mr. P. Mason: (a) and (b). No, Sir.

(c) and (d). Indian Army units normally have their own sweepers sanctioned on their authorised establishments and these sweepers accompany their units overseas along with other authorised 'followers'. The question of consulting the Commonwealth Relations Department or by-passing the refusal of that Department to send out civilian Indian sweepers for service in Burma does not arise.

(e) and (f). No, Sir, in so far as sending out of Indian sweepers as authorised followers of the Indian Army is concerned. The policy regarding sending abroad of Indian sweepers in a civil capacity is the concern of the Commonwealth Relations Department.

No case has been brought to my notice of military sweepers being lent to any civilian organisation.

#### COST OF I.N.A. TRIALS

76. \*Sri R. Venkatasubba Reddiar: Will the War Secretary please state:

(a) the cost of the various I.N.A. trials held in the Delhi Red Fort or elsewhere from the time the decision to try these people was taken;

(b) the cost of counsel for the prosecution and any assistants to such counsel, Army Officers or others, in the various trials;

(c) the cost of bringing witnesses for the prosecution or defence incurred by Government so far; and

(d) the cost to the Indian Exchequer of the various I.N.A. camps throughout India?

Mr. P. Mason: (a), (b) and (c). The cost of counsel incurred up to and including January 1946 is Rs. 20,220 and that of the stenographers Rs. 6,625. The Members of the Court and most of the witnesses were Military persons and almost all were brought by Service means of transport, which was carrying other persons as well. The extra cost of the trials on this account was therefore small;

to work out actuarially the proportionate cost would involve a great deal of work and would be of little practical value.

(d) With the exception of the Bahadurgarh camp all the other camps, which are being used for the I.N.A., were already in existence. The expenditure on the Bahadurgarh camp together with the expenditure incurred on converting the other camps is estimated at approximately 7 lacs of rupees. The question of the incidence of this expenditure is under consideration.

#### INDIAN AND ANGLO-INDIAN PERSONNEL IN GENERAL HEADQUARTERS

**77. \*Sri R. Venkatasubba Reddier:** Will the War Secretary please state:

(a) the number of Anglo-Indian personnel of all ranks in the General Head Quarters (i) male, and (ii) female as on the 1st April, 1945 and as on the 1st April, 1939, before the war;

(b) the number of Anglo-Indian steno-typists employed in the General Head Quarters at present, both male and female, and the scale of pay which is given to them;

(c) whether it is a fact that Indian steno-typists with the same technical qualifications get less;

(d) whether it is proposed to replace all Anglo-Indian steno-typists by Indian steno-typists on lesser or equal scales of pay; and, if not, why not;

(e) whether there is any reason for preferring Anglo-Indian female steno-typists to Indian steno-typists such as are employed in other Branches of the Secretariat;

(f) whether he is aware of the common impression outside the General Head Quarters that female Anglo-Indian typists are employed on jobs which are not properly those of a steno-typist such as bringing tea to the officers to whom they are attached and such like jobs and that that is the reason why they are preferred to male steno-typists; and

(g) whether he proposes to take steps to see that steno-typists for the General Head Quarters are recruited hereafter on the same terms and conditions as those for other Departments of the Secretariat and by the same authority, and if not, why not?

**Mr. P. Mason:** (a) The number of Anglo-Indian personnel of all ranks (excluding officers) in GHQ, on the 1st of April, 1945 was 74 males and 71 females, and on the 1st of April, 1939, the figures were 9 males and 11 females.

(b) The total number of stenographers at present employed in G. H. Q. is 267, of whom 251 are men—all Indians. The following is the composition of the 16 female stenographers:

W.A.C. (I)—13, of whom 7 are Anglo-Indians.

Civilians 3 of whom 1 is an Anglo-Indian. The 7 Anglo-Indian W. A. C. (I.) stenographers get their pay of rank *plus* a short hand allowance, and the Civilian gets paid in the scale of Rs. 125 rising by increments to Rs. 300.

(c) No, Sir. All civilian stenographers are appointed in the same scale of pay, whether male or female, Indian, Anglo-Indian or European.

(d) As 7 of the 8 Anglo-Indian stenographers are members of the W. A. C. (I.) they will, undoubtedly, be replaced by Indian male stenographers on the terms and conditions of service applicable to stenographers in all Departments of the Secretariat, as they waste out on being released from the Service. But they will not be reduced on racial grounds.

(e) As supply will not meet the demand, the question of preference does not arise. We are still below establishment by 39 stenographers.

(f) This may be the impression outside G.H.Q. but the facts do not bear it out.

(g) The general terms and conditions of service are already the same. The normal recruiting authority (Home Department) are unable to meet demands.

## DETENTION OF SARDUL SINGH CAVEESHAH

78. \*Mr. Sasanka Sekhar Sanyal: Will the Honourable the Home Member be pleased to state:

(a) the period of detention of Sardul Singh Caveeshar, the place or places in which he has been kept during such detention, and the period spent by him at each such place of detention;

(b) the reasons for such detention;

(c) how many times his case has been considered in connection with the question of release, and when it was last examined;

(d) the result of the examination referred to in (c) above; and

(e) the present state of his health?

**The Honourable Sir John Thorne:** (a) Mr. Sardul Singh Caveeshar has been in detention since 9th March 1942. He was kept in the Lahore Fort up to the 11th October 1942 and thereafter in the Campbellpur Jail up to the 25th March 1943 when he was transferred to the Jail at Dharamsala.

(b) He was detained in order to prevent him from acting in a manner prejudicial to the Defence of British India, the public safety, the maintenance of public order and the efficient prosecution of the war.

(c) The six-monthly reviews prescribed by law have been carried out in 1944 and 1945; but his case has been considered at other times also and is under consideration at present.

(d) At each of the periodical reviews the decision was to extend the detention order.

(e) The last report received was that his health is satisfactory except for occasional pain in the back.

## DETENTION OF S. NIRANJAN SINGH TALIB

79. \*Pundit Thakur Das Bhargava: (a) Will the Honourable the Home Member please state whether Sirdar Niranjan Singh Talib, Editor and Proprietor, Punjabi Daily *Desh Darpan* of Calcutta, was arrested and detained without trial under the orders of the Central Government? What was the reason for his arrest, and where and under what circumstances was he arrested?

(b) Where was he kept during his detention and for how long?

(c) Did he suffer from any ailments during his detention? If so, what are the details of the ailments?

(d) During the period of his detention, did Sardar Niranjan Singh Talib make any representations to the Central Government about his medical treatment, and did he ever complain about the places (jails) where he was kept? If so, what are the details of the same?

**The Honourable Sir John Thorne:** (a) Mr. Niranjan Singh Talib was arrested in the Punjab under the orders of the Punjab Government on the 6th February, 1942, and was detained under the orders of the Central Government on the 11th February, 1942, with a view to preventing him from acting in a manner prejudicial to the defence of British India, the public safety, the maintenance of public order and the efficient prosecution of the war.

(b) He was detained up to the 11th October 1945 and was kept at the following places:

Lahore Fort—from 6th February, 1942, to 20th June, 1942, then in various jails in the Punjab till 11th October, 1945.

(c) He suffered from the following ailments during his detention:

Chronic rhinitis; chronic gingivitis; caries of teeth; tartar deposit; dysentery; liver trouble; anaemia; dyspepsia; enlarged prostate; malaria; Hay fever.

(d) On the 28th February 1944 while he was undergoing treatment at Lahore, he informed the Central Government that he considered Montgomery and Jhang to be unsuitable places for his detention. He did not complain about his medical treatment.

## RESTRICTIONS ON S. NIRANJAN SINGH TALIB

80. \*Pundit Thakur Des Bhargava: (a) Will the Honourable the Home Member please state whether Sardar Niranjan Singh Talib has been released? If so, when? Are there any restrictions on his movements now? If so, what are the restrictions?

(b) Are Government aware that he is still ailing and that he is experiencing great difficulty in getting proper medical aid on account of the restrictions put on him?

(c) What happened to his Printing Press and Daily Paper after his arrest?

(d) Do Government pay any allowance to him or his family after his release when all the sources of his income have by the action of Government been dried up and he has been restricted in a place where he has no means to earn for himself and his family?

(e) What objection, if any, do Government have to remove this restriction and allow him to resume his previous profession?

The Honourable Sir John Thorne: (a) Mr. Niranjan Singh Talib was released on the 11th October, 1945. The Central Government have placed no restrictions on his movements but I am informed that he has been externed from British India by the Government of the Punjab.

(b) I have no information except that he has been permitted by the Government of the Punjab to reside temporarily at Amritsar since the 26th November, 1945.

(c) I am informed that his paper ceased publication from the 2nd May 1942 and that in 1944 his brother-in-law came to Calcutta, sold the press and left with the sale proceeds for delivery to Mr. Niranjan Singh Talib's wife.

(d) The Government of India do not pay allowances to persons who are no longer detained or restricted under their orders.

(e) Does not arise.

APPEALS FROM V.C.O.'s *re* DEDUCTIONS

81. \*Babu Ram Narayan Singh: (a) Has the attention of the War Secretary been drawn to the non-enforcement, in the case of Indian personnel, of the statutory provision contained in the proviso to the Royal Warrant dated 22nd February 1902 requiring that in every case in which a deduction has been made, and if the soldier so desires, the case shall be forwarded for the orders of the Secretary of State for India in Council, and is he aware that in no case the request of the soldier or V.C.O. to forward the case to the Secretary of State has been acceded to?

(b) Is he aware that almost every case of total stoppage or of partial deduction or reduction has been disposed of by the Controller of Military Accounts (Pensions) and by General Headquarters without dealing with the issues raised by a complainant?

(c) Is he aware that appeals have been returned with reference to the previous disposal of the case as distinct from the fresh issues raised in the appeals or fresh law relied upon by the complainant?

(d) What action does he propose to take in cases referred to in (a), (b) and (c) above?

Mr. P. Mason: (a), (b), (c) and (d). No, Sir, I am not aware of any cases of the nature referred to, but if the Honourable Member will give me specific instances, I will have them examined.

## PROFESSIONAL TAX IN NASIRABAD CANTONMENT

82. \*Pundit Mukut Bihari Lal Bhargava: (a) Is the War Secretary aware that the Cantonment Board authorities of Nasirabad have imposed a heavy Professional Tax on the residents?

(b) Is it a fact that such tax does not exist anywhere else in India?

(c) Is it also a fact that in levying this tax a single person or firm is being taxed under more than one heads which are over-lapping?

(d) Are Government aware that there is a strong opposition to this tax by the residents of Nasirabad? Are Government prepared to consider the advisability of instructing the Cantonment authorities to stop collection of this tax?

**Mr. P. Mason:** (a) and (b). As in many other cantonments, a professional tax has been in force in the Nasirabad Cantonment since the year 1910. The rates prevailing at Nasirabad are not heavy compared with those in other Cantonments.

(c) Where any person carries on more than one trade, profession or calling, he pays the full tax for the one which carries the highest rate and half the tax in respect of the remaining trades, professions or calling, subject to a maximum of Rs. 50 per annum.

(d) The proposal was published locally, inviting objections under section 62(1) of the Cantonments Act, 1924, but none was received within the statutory period of thirty days prescribed by that section. The necessary notification imposing the tax was therefore published. Certain representations against the imposition of the tax were, however, subsequently received. Government do not intend to instruct the Cantonment Board to stop the collection of this tax.

#### RELIEF TO CERTAIN INDIAN ARMY MEN PROSECUTED IN CRIMINAL COURTS

**83. \*Babu Ram Narayan Singh:** (a) Will the War Secretary please refer to his reply to starred question No. 489 of the 22nd February, 1945, declaring that any person who joins His Majesty's Indian Forces and becomes subject to Military law does not thereby cease to be subject to civil law of India and state the difference between the privilege that governed (i) Havaldar Gauri Shankar Sarma, referred to in that question to become triable by a civil court for an offence alleged to have been committed in respect of military stores from the Central Ordnance Depot, Delhi, while on "Active Service" and while such stores were alleged to be taken out under colour of Military duty and (ii) the personnel of the Indian National Army who for purely civil offences alleged to have been committed whole prisoners of war are being tried by court martial?

(b) Does he propose to compensate such persons as in (a) who on discharge or without discharge have been tried by a criminal court as distinct from Court Martial?

(c) Does he propose to remit their pay in view of their agreement for the "duration of war" read with section 43 (h) (iii) Indian Army Act and section 44 (6) of the Army Act?

(d) Does he propose any other relief on the ground that the statutory obligation to pay them during the war has not been honoured and the Indian soldier has been put to the unnecessary cost of prosecution in a criminal court as distinct from a prosecution by Court Martial for a civil offence on "Active Service"?

**Mr. P. Mason:** (a) By joining His Majesty's Forces a man subjects himself to an additional legal code superimposed on his normal rights and liabilities as a citizen. If, therefore, he commits a civil offence, he becomes liable to the ordinary process of criminal law; Section 41 of the Indian Army Act, however, provides that military personnel who commit a civil offence shall also be deemed to have committed a military offence and may be tried by a Court Martial. It is therefore a matter of discretion whether a man is tried by Civil or Military law.

(b) I am unable to see, Sir, how any question of compensation arises.

(c) No question of remission of pay can arise since the persons concerned have been duly discharged in accordance with the provisions of the law.

(d) As regards the first part of the question—No, Sir. As regards the second part—a person subject to Military Law who is tried in a Civil Court for a Civil offence is in exactly the same position as any other citizen.

#### HINDI POLICY OF ALL-INDIA RADIO

**84. \*Seth Govind Das:** (a) Will the Honourable Member for Information and Broadcasting be pleased to state whether he is aware of the fact that there is great discontent in the Hindi speaking public of this country over the present

language policy pursued by the All-India Radio in broadcasting in the so-called Hindustani, which is highly Persianised?

(b) Is the Honourable Member prepared to modify this policy to meet the demand of the Hindi speaking public as voiced and put forth by the All-India Hindi Sahitya Sammelan?

**The Honourable Sir Akbar Hydari:** (a) I am aware that there is discontent on this subject among some sections of the Hindi-speaking public.

(b) I recently summoned a small expert committee to advise me on this subject consisting of (1) Dr. Zakir Hussain, (2) Dr. Tara Chand, (3) Nawab Siddiq Ali Khan, M.L.A., and (4) Honourable Rai Bahadur Sri Narayan Mehta.

I would refer the Honourable Member to the Press Note summarising the recommendations of this committee which I have accepted. A copy of this Press Note is placed on the table of the House.

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*Press Note*

At the invitation of the Hon'ble Sir Akbar Hydari, Member for Information & Broadcasting, a Committee consisting of the Hon'ble Rai Bahadur Sri Narain Mahtha, Member, Council of State, Nawab Siddique Ali Khan, M.L.A. (Central), Dr. Zakir Hussain and Dr. Tarachand, met on the 26th of January 1946 to advise the Government of India on the following questions:

(i) Should the Hindustani news of All-India Radio continue to be broadcast in a common language or should it be broadcast separately in Hindi and Urdu

(ii) If in a common language, what steps should be taken for the selection of vocabulary which should be satisfactory and generally acceptable?

(iii) What programme composition would achieve a fair representation of Hindi and of Urdu in spoken-word items other than news?

All the previous discussions on the Hindi-Urdu question which had taken place under official auspices, including the debates in the Legislature, were placed before the Committee and the difficulties that had arisen on account of the rival demands of the various sections of the people regarding the language of the Hindustani news bulletins and the composition of the Hindustani programmes of All-India Radio were brought to their notice.

2. So far as the language of the Hindustani news bulletins is concerned, it was pointed out to the Committee that during the last ten years or so the linguistic style of the Hindustani news bulletins had been fluctuating either from purely practical considerations or in response to the varying demands of the public. The language of these bulletins was, therefore, to be regarded as an experiment which had been in progress for some years, and the question for consideration now was whether this experiment should be continued and, if so, on what lines. In this connection, All-India Radio had compiled a Lexicon of about 8,000 English words commonly used in news, together with their Hindi and Urdu equivalents and suggestions for simple Hindustani synonyms, with the intention of circulating it to experts in the country for their comments on the simple synonyms suggested. The Lexicon was placed on the table.

3. After a full discussion, the Committee unanimously came to the conclusion that the use of Hindustani as the common language for news bulletins though not free from difficulties should not be given up without a further attempt at arriving at a generally acceptable vocabulary. For this purpose the Committee recommended that a Standing Advisory Committee should be set up to advise the Director General, All India Radio, on the choice of vocabulary for Hindustani and that the All India Radio Lexicon, which was a very valuable and constructive compilation, should be circulated to suitable experts in the country for comments which, when received, should also be considered by the Standing Advisory Committee suggested above.

4. One member, while agreeing with these recommendations, proposed that of the four Hindustani bulletins broadcast daily, two should be given in Hindustani, one in Urdu and one in Hindi. This was not agreed to by the rest of the Committee as they feared that the existence of an Urdu and a Hindi bulletin side by side with bulletins in a common language would tend to defeat the purpose of the latter reducing its chances of success as an experiment and the Urdu and Hindi bulletins, because of their separatist character, would tend to become literary and would, therefore, be less widely intelligible.

5. For spoken-word programmes other than news, such as talks, plays, poetry recitations, etc., the Committee unanimously recommended that items in Hindi and items in Urdu should continue to be broadcast in spoken-word programmes other than news as it was most desirable to help and not to hinder the literary development of the two languages and that the question of fair and adequate representation, as between the two, should be referred to the Standing Advisory Committee mentioned above, as the matter would require detailed examination.

6. As for the composition of the Standing Advisory body, the Committee recommended that it should consist of experts representing the Anjuman-e-Taraqqi-e-Urdu, the All India Hindi Sahitya Sammelan and the Hindustani Prachar Sabha, with temporary members to be co-opted by Director General, All India Radio as and when the questions coming up before the Committee required it.

7. It was also suggested that as an auxiliary to the Lucknow Station of All India Radio, a studio should be installed at Allahabad where spoken-word items could be arranged for inclusion in the programmes of the Lucknow Station as it was felt that, pending the installation of more radio stations, this arrangement would enable the Lucknow Station to utilise the talent in the Eastern part of the United Provinces, more adequately than it could at present, in view of the long distance involved.

8. The Government of India have decided to accept all the recommendations of the Committee. Steps are being taken to set up a Standing Advisory Committee on the lines suggested by the Committee, to circulate the All India Radio Lexicon to suitable experts in the country for eliciting opinion and to install an auxiliary studio in Allahabad as early as possible.

#### BROADCASTING STATIONS FOR CENTRAL PROVINCES AND BERAR

85. \*Seth Govind Das: (a) Will the Honourable Member for Information and Broadcasting be pleased to state whether the Government of India have approved of the installation of a Broadcasting Station at Nagpur? If so, does the Honourable Member realise that the claims of the Hindi speaking population of the Central Provinces and Berar have been overlooked in spite of the fact that this population is far greater in number than the Marathi speaking population of the said Provinces, including Berar?

(b) In view of these facts, do Government propose to cancel the permission and direct that the Broadcasting Station in question be constructed at Jubbulpore or any other suitable place in Mahakoshal?

The Honourable Sir Akbar Hydari: (a) The Government of India have not yet taken a decision.

(b) The question does not arise.

#### EXTENSION OF SERVICE TO MR. BOKHARI OF ALL-INDIA RADIO

86. \*Seth Govind Das: Will the Honourable Member for Information and Broadcasting be pleased to state if Government have given a further extension to Mr. Bokhari, Director General, All India Radio, and are they prepared to consider revision of their decision?

The Honourable Sir Akbar Hydari: First part—Yes: Second part—No.

#### DIRECT BROAD GAUGE RAILWAY LINE BETWEEN NAGPUR AND JUBBULPORE

87. \*Seth Govind Das: (a) Will the Honourable Member for Planning and Development be pleased to state whether he is aware of the fact that the two biggest and foremost towns in the Central Provinces and Berar; i.e., Nagpur and Jubbulpore are not connected by shortest Railway route?

(b) Is the Honourable Member, prepared to consider the claims of the said Province in post-war planning and development to connect these towns by a broad gauge Railway, passing through Seoni as was contemplated and planned after the first world war of 1914 and is recommended by a committee set up by the Central Provinces Government which is carried on under Section 93 Government of India Act?

The Honourable Sir Akbar Hydari: The reply will be given by the Honourable Member for War Transport on the 22nd February, 1946.

#### TRAFFIC CONTROL BY MILITARY POLICE IN CENTRAL PROVINCES CITIES

88. \*Seth Govind Das: (a) Will the War Secretary be pleased to state the reasons why the traffic control duties have been taken over by the Military Police at various places and particularly at Jubbulpore, Nagpur, Raipur, Bilaspur and Seoni in my Province?

(b) Is the Honourable Member aware of the discontent prevailing in the areas on account of the annoyance, hardships and humiliation caused to the vehicular traffic due to the enforcement of this measure?

(c) What does the word locality mean in the notification issued in this connection?

(d) Is the Honourable Member prepared to exempt the civilian traffic from the operation of the order and limit the authority of the Military Police over Military and Military Engineering Service traffic only?

**Mr. P. Mason:** (a) and (d). I would refer the Honourable Member to my speech in this House on the 4th February 1946, on his adjournment motion on the subject.

(b) No, Sir. No complaints have been received by the local authorities either the Civil or Military.

(c) The notification was issued by the Provincial Government; as I have not seen a copy of it I am unable to comment on the meaning of the word "locality" used in it.

#### RECRUITMENT TO INDIAN CIVIL SERVICE AND INDIAN POLICE

**89. \*Mr. K. O. Neogy:** Will the Honourable the Home Member be pleased to lay on the table of the House a comprehensive statement regarding the future recruitment to the Indian Civil Service and the Indian Police, particularly indicating the arrangements that may have been adopted as a result of consultations on this subject between the Secretary of State and the Governor General in Council on certain proposals of the former referred to by Sir Richard Tottenham in reply to a short notice question asked in this House on the subject on the 9th April 1945?

**The Honourable Sir John Thorne:** I can give the information orally. The consultations in question referred to recruitment to vacancies in the Indian Civil Service and the Indian Police reserved for men with war service. The Recruitment Regulations and details of conditions of service are contained in the pamphlet 'Civil Appointments in India and Burma' which was published on 1st June 1945; a copy is in the Library of the Legislature. The Secretary of State has since decided that the reservation of vacancies in favour of men with war service should cease with the vacancies which accrued in 1945.

Recruitment to these war-reserved vacancies has begun but will take some time to complete owing to the large number of candidates.

#### ACCOUNTS IRREGULARITIES re DENIAL MEASURES IN BENGAL

**90. \*Mr. K. O. Neogy:** (a) Will the Honourable the Finance Member be pleased to refer to the debate that took place on the report of the Public Accounts Committee in the Legislative Assembly on the 8th February, 1945, with reference to certain grave accounts irregularities connected with Denial measures in Bengal on which the Auditor-General had made strong comments, and make a statement whether any comprehensive report has been received from the Bengal Government on this subject since the said debate took place?

(b) Will the Honourable Member be pleased to place on the table all reports that may have been received by Government from the Government of Bengal and Audit authorities on this subject, subsequent to the 8th February 1945?

(c) Will the Honourable Member be pleased to refer to starred question No. 697 of the 7th March, 1945, and the reply thereto, and state the final result of the local audits on this subject referred to in the reply to part (a) of the said question?

(d) Will the Honourable Member be pleased to lay on the table a summary of the final accounts referred to in the reply to part (d) of the said question?

**The Honourable Sir Archibald Rowlands:** (a) and (b). In pursuance of the recommendation made by the Public Accounts Committee in their Report on the accounts for 1942-43, the Auditor General presented to the Committee at its last session a comprehensive report on the expenditure on the 'Denial Policy' and other similar measures in Bengal. This report, which is printed as Appendix X of the Report of the Public Accounts Committee on the accounts of 1943-44, has been accepted by the Bengal Government as a fair presentation



of the facts. In addition, the Government of Bengal presented a comprehensive report on this expenditure to the Government of India in June 1945. The view taken by the Public Accounts Committee of this matter will be found in paragraph 11 of its Report and paragraphs 115 to 117 of its Proceedings.

(c) The facts brought to the notice of the Auditor-General as a result of the local audits conducted in Bengal were taken cognizance of in the Auditor-General's Memorandum referred to above.

(d) I have applied to the Bengal Government for these accounts and I will lay a summary of them on the table when they are received.

#### PROGRESS *re* POST-WAR INDUSTRIAL DEVELOPMENT

91. \*Mr. K. O. Neogy: Will the Honourable Member for Planning and Development be pleased to make a statement indicating the progress made by the different Committees and the Industrial Panels concerned with the question of post-war industrial development, and has any detailed plan yet been adopted by Government with regard to the establishment of any new industry, or expansion of any existing industry, as a result of the activities of the said Committees and Panels?

**The Honourable Sir Akbar Hydari:** In answer to the first part of the question, I lay a statement on the table of the House.

The answer to the second part of the question is that while some plans are near completion none except the one for the expansion of the Cement Industry has yet been finalised.

#### *Statement showing the progress made by Industrial Panels.*

1. Cotton Textiles . . . . .	The Planning Sub-Committee (Textiles) of the Textile Control Board, which has functioned as the Panel for drawing up a plan for the development of the Cotton Textile Industry, has submitted its report which has been communicated to Provincial Governments for their comments.
2. Non-Ferrous Metal Industry.	} Meetings of representatives of Provincial Governments and major Indian States and their Industries Committees will be held this month to discuss draft reports embodying the provisional conclusions of the Panels.
3. Sugar, Alcohol and Food Yeast	
4. Iron and Steel (Major).	
5. Heavy Chemicals . . . . .	
6. Electro-Chemicals . . . . .	} These Panels have completed their deliberations and the drafting of the reports has been taken up.
7. Rayon & Artificial Silk.	
8. Paper, Pulp and Wood Pulp	} These Panels have nearly completed their deliberations and the drafting of the reports will be taken up shortly.
9. Plastics and Celluloid . . . . .	
10. Leather . . . . .	
11. Glass . . . . .	
12. Refractories and Ceramics	
13. Ready made Clothing . . . . .	
14. Hosiery . . . . .	
15. Wool . . . . .	
16. Fine Chemicals, Drugs and Pharmaceuticals . . . . .	
17. Silk	
18. Coir, Rope, Cordage, etc.	
19. Scientific Instruments . . . . .	
20. Soaps & Oils . . . . .	} The factual data to be placed before the Panels have been collected.
21. Paints & Varnishes . . . . .	
22. Industrial Plant and Machinery	} Questionnaires have been issued to manufacturers and consumers as well as Industrial and Trade Associations and replies are being collated.
23. Prime Movers . . . . .	
24. Automobiles and Tractors	} These Panels have held preliminary meetings and factual data are being collected.
25. Electrical Machinery and Equipment . . . . .	
26. Machine Tools . . . . .	
27. Ship-Building and Marine Engineering . . . . .	

28. Light Engineering Industries      Factual data are being collected.
29. Iron & Steel (Minor)      Regional Sub-committees have been formed as this Panel deals with six industries which will be run partly as cottage industries, partly as small-scale and partly as large-scale industries. Questionnaires have also been issued to various important firms, etc., and on receipt of their replies, the Panel will examine the data and visit important factories in the country.

#### IMPORTATION OF CONSUMER GOODS *vis a vis* POST-WAR DEVELOPMENT

**92. \*Mr. K. O. Neogy:** Will the Honourable Member for Planning and Development be pleased to refer to the second paragraph of his reply to part (c) of starred question No. 123 of the 10th February 1945, and make a statement of the result of the consideration stated to have been given by his Department to the repercussions of the policy of importation of consumer goods on post-war development in respect of the different individual industries that may be affected thereby?

**The Honourable Sir Akbar Hydari:** I invite the attention of the Honourable Member to the notification on Open General Licence and to a press note dated the 22nd January 1946, issued by the Commerce Department, copies of which are laid on the table of the House. Articles not covered by these notifications are subject to import control. Before deciding which articles should be covered by Open General Licence and which subject to import control, careful consideration is given to the effect of the decision on the development of indigenous industry.

#### Press Note

#### IMPORT CONTROL AS AID TO INDUSTRIAL EFFORT SCOPE OF OPEN GENERAL LICENCE EXTENDED NOT TO INCLUDING COMPETING GOODS NOW

With a view to aiding the industrial effort of the country, a new Open General Licence has been published in a Gazette of India, Extraordinary,\* dated January, 22, 1946, which extends decontrol of Imports to a number of important industrial requirements and makes it applicable to goods not only from the U. K. but also from most other parts of the Empire. Inclusion of further items is under consideration, but it is not at present intended to relax control over imports of goods which are subject to special procurement programmes (such as foodstuffs) or which are produced or manufactured in India in appreciable quantities.

Among the new items included in the Open General Licence are ball, roller and taper bearings, electrical instruments and accessories, chemicals in bulk (with some important exceptions), woollen yarn, printing and lithographic material, hosiery needles, optical, scientific and surgical instruments, moulding powders and metallic ores.

The new Open General Licence replaces the existing Open General Licence No. VII, which was originally issued in March 1945 and expanded in October 1945 and which made it unnecessary for importers to obtain import licences for a wide range of consumer goods from the U. K., mainly falling in Part IV of the Import Trade Control Schedule. The scope of the revised Open General Licence has been widened so as to include various classes of industrial requirements falling in Parts II and V of the Schedule, and it has been made applicable to imports not only from the United Kingdom, but also from any part of His Majesty's Dominions (excluding Canada and Newfoundland), any British Protectorate or Protected State and any territory in respect of which a mandate is being exercised by His Majesty's Government in the United Kingdom or in a Dominion. It will however, only cover imports of goods produced or manufactured in those territories.

Commerce Department;  
New Delhi, January 21, 1946.

#### RECONDITIONING OF BOATS REMOVED UNDER 'DENIAL POLICY' IN BENGAL

**93. \*Mr. K. O. Neogy:** Will the War Secretary be pleased to refer to starred question No. 368 of the 19th February, 1945, regarding the construction or reconditioning of boats removed from certain areas of Bengal under 'Denial Policy' and restoration thereof to the persons concerned, and supply the information that was promised in reply thereto, bringing such information up-to-date?

\*Not printed in the Debates, copies have been placed in the Library of the House.

**Mr. P. Mason:** (a) The total number of boats constructed and reconditioned is 2,000 and 4,288, respectively.

Information in respect of the last part of the question is not yet available.

(b) The expenditure on reconditioning the boats which is approximately Rs. 14,09,000, is debitable to "64-Miscellaneous connected with the war-expenditure on denial measures".

(c) It is impossible at this distance of time to obtain accurate figures of the persons who actually lost employment. The total amount paid upto-date on account of value of boats, compensation for loss of earnings and other incidental charges is Rs. 1,24,81,000, but the proportion of this amount directly attributable to compensation is not readily ascertainable.

#### BURMA GOVERNMENT SERVANTS EMPLOYED UNDER GOVERNMENT OF INDIA

**94. \*Raizada Hans Raj:** Will the Honourable the Home Member please state:

(a) whether it is a fact that those evacuees who were the servants of the Government of Burma are not eligible for employment in India under the Government in preference to Indians;

(b) whether any such evacuees have been employed in offices and organisations under the Central Government particularly the General Headquarters and the Medical Directorate; and

(c) what steps, if any, have been taken to repatriate the Burma Government servants, if they are not eligible for appointments under the Government in this country and if they are blocking the legitimate promotions of the inhabitants of this country?

**The Honourable Sir John Thorne:** (a) No particular orders were passed about servants of the Government of Burma. The position is that British subjects of Indian descent evacuated from any country within the Commonwealth were made eligible for appointment under the Central Government.

(b) Some evacuated Burma Government servants were employed on a temporary *ad hoc* basis owing to the shortage of staff. Information as to the total number so employed under the Central Government is not readily available, but only nine such persons were employed in General Headquarters and the Medical Directorate.

(c) The Government of Burma are themselves taking steps to repatriate their servants.

#### UNSTARRED QUESTIONS AND ANSWERS

##### ARECA-NUT CULTIVATION IN MALABAR AND SOUTH KANARA

**9. Sri A. Karunakara Menon:** Will the Honourable the Finance Member be pleased to state:

(a) the total area of areca-nut cultivation in the two Districts of Malabar and South Kanara;

(b) the rate of excise duty collected from the above districts;

(c) the total amount collected as excise duty for the years 1944-45 and 1945-46 from the two districts;

(d) the average extent of holding in each district;

(e) whether Government have made an enquiry about the cost of cultivating an acre of areca-nut garden in Malabar and South Kanara; if so, what it is; and

(f) whether the system of flow irrigation or lift irrigation is prevalent in the Malabar District?

The Honourable Sir Archibald Rowlands: (a), (c) and (d).

Districts	Area under areca-nut cultivation	Excise duty collected, 1944-45	1945-46 (Upto December 1945)	Average extent of holdings:
	(a) (Acres)	(c) Rs.	Rs.	(d) (Acres)
South Kanara . . . . .	12,038	17,06,938	10,26,948	1.38
Malabar . . . . .	61,535	14,37,436	11,72,124	0.50

(b) 2 annas per lb.

(e) No; but a marketing survey is being carried out.

(f) Both lift and flow irrigation are practised in the Malabar District.

#### MARKETING OF ARECA-NUTS IN MALABAR AND SOUTH KANARA.

10. Sri A. Karunakara Menon: Will the Honourable the Finance Member be pleased to state:

(a) whether any steps have been taken to facilitate the marketing of areca-nuts in the two Districts of Malabar and South Kanara; and

(b) whether any scientific research was undertaken at any time to benefit the growers?

The Honourable Sir Archibald Rowlands: (a) A complete survey of the betelnut industry has already begun with a view to organising the marketing of betelnut in order to secure the maximum benefit to the growers.

(b) A report has been prepared on the subject of the diseases of areca-nuts and the Imperial Council of Agricultural Research will consider this.

#### IMPORTS OF ARECA-NUTS

11. Sri A. Karunakara Menon: Will the Honourable the Finance Member be pleased to state:

(a) the extent of imports of areca-nuts into India and the home production in normal years;

(b) the rate of duty levied on the imports; and

(c) what relation the excise duty in India bears to the import duty on areca-nuts per lb.?

The Honourable Sir Archibald Rowlands: (a) The average pre-war imports of areca-nuts into India amounted to 1.7 millions cwts. During the war imports declined to an average of 1,50,000 cwts.

It is exceedingly difficult to form an accurate estimate of normal home production but the average probably lies in the neighbourhood of 3 million cwts.

(b)

Description	Tariff value per cwt.	Rate of Duty			Effective rate of Duty		
		Standard, i.e., from foreign countries	From British Colonies other than Burma	From Burma	From foreign countries	From British Colonies other than Burma	From Burma
1	2	3	4	5	6	7	8
	Rs.				Rs. per cwt.	Rs. per cwt.	Rs. per cwt.
Betelnuts (husked):							
Whole from Goa . . . . .	50	54% <i>ad valorem</i>	...		27.0		...
Whole from Ceylon . . . . .	53	...	45% <i>ad valorem</i>	20% <i>ad valorem</i>		23.9	...
Split from Ceylon:							
(a) Mature . . . . .	40	...	...	...	...	18.0	...
(b) Immature . . . . .	60	...	...	...	...	27.0	...
All other sorts . . . . .	40	...	...	...	21.6	18.0	...

(c) Import duty varies with different kinds and qualities of nuts. Speaking generally, it is higher than the excise duty by from 54 per cent. to 93 per cent. in the case of foreign nuts, and from 29 per cent. to 93 per cent. in the case of nuts from a British Colony other than Burma. Imports from Burma are non-existent or trifling.

#### DETENTION OF S. NIRANJAN SINGH TALIB

**12. Mr. Sasanka Sekhar Sanyal:** (a) Will the Honourable the Home Member be pleased to state when and why Sirdar Niranjan Singh Talib, Editor and proprietor of the Punjabi Daily *Desh-Darpan* of Calcutta was arrested and how long he was kept in detention?

(b) What are the places where he was kept while he was in such detention, giving the period of each such place of detention?

(c) What was his weight at the time of arrest, and what was his weight when he was released?

(d) What are the ailments from which he suffered, and what was the treatment that he obtained?

(e) What are the complaints that he made regarding his medical arrangements and regarding the unsuitability of the places where he was kept in detention so far as medical facilities are concerned?

(f) What has happened to his paper and the printing press?

(g) Have any restrictions been imposed upon him since his release from detention? If so, what is the nature of such restrictions and the reason for the imposition of such restrictions?

(h) Have Government considered the question of granting him allowances for the period after his release until now?

**The Honourable Sir John Thorne:** (a) Mr. Niranjan Singh Talib was arrested on the 6th February 1942 and was detained by order of the Central Government on the 11th February 1942 with a view to preventing him from acting in a manner prejudicial to the defence of British India, the public safety, the maintenance of public order and the efficient prosecution of the war. He was released on the 11th October, 1945.

(b) He was kept in the Lahore Fort from the 6th February 1942 to the 20th June 1942; in the Central Jail, Montgomery, from the 21st June 1942 to the 20th December 1942; in the Central Jail, Rawalpindi, from the 21st December 1942 to the 12th May 1943; in the District Jail, Jhang, from the 13th May 1943 to the 16th October 1943; in the Central Jail, Lahore, from the 17th October 1943 to the 21st June 1944; in the District Jail, Jhang, from the 22nd June 1944 to the 13th October, 1944; in the Central Jail, Rawalpindi, from the 14th October 1944 to the 7th December 1944; and in the New Sub-Jail, Gujrat, from the 8th December 1944 to the 11th October 1945.

(c) His weight at the time of arrest was 154 lbs. and at the time of release 120 lbs.

(d) The various ailments from which he suffered from time to time during the period of his detention are:

Chronic rhinitis; chronic gingivitis; caries of teeth, tartar deposit; dysentery; liver trouble; anaemia; dyspepsia; enlarged prostate; malaria; hay fever.

He was treated in the jail hospital for ordinary ailments and by experts in the Mayo Hospital and the Punjab Dental Hospital at Lahore for chronic troubles.

(e) His complaints were that:

(i) the allopathic treatment had proved ineffective in his case;

(ii) the climate of Jhang was unsuitable for his health; and

(iii) adequate arrangements for his medical treatment did not exist at Gujrat.

(f) I am informed that his paper ceased publication from the 2nd of May 1942. An unsuccessful attempt was made in September, 1942 to revive its publication. Subsequently Mr. Niranjana Singh Talib's brother-in-law came to Calcutta in 1944, sold the press and left with the sale proceeds for delivery to Mr. Niranjana Singh Talib's wife.

(g) The Government of India have imposed no restrictions upon Mr. Niranjana Singh Talib since his release. I am informed that the Punjab Government have externed him from British India on the 12th October 1945 but have allowed him to reside temporarily at Amritsar since the 26th November, 1945.

(h) No.

#### IMPORTED MEN IN CERTAIN OFFICES OF AJMER-MERWARA

**13. Pandit Mukut Bihari Lal Bhargava:** Will the Honourable the Home Member please lay on the table a statement showing appointments given to persons imported from provinces outside Ajmer-Merwara in the Departments of Price Control, Rationing, Law and Enforcement, Education and Area Rationing in Ajmer-Merwara during 1940 to 1945? Will Government explain why in each case the appointment was given to an outsider in preference to local talent?

**The Honourable Sir John Thorne:** I lay on the table a statement giving the information asked for.

Men from outside the Province are appointed only when suitably qualified local candidates are not available.

## LIST OF PERSONS RECRUITED FROM OUTSIDE IN AJMER-MERWARA DURING THE PERIOD FROM 1940 to 1945

No.	No. of outsiders appointed.	Province from which recruited	Posts to which recruited	Remarks
<b>EDUCATION DEPARTMENT</b>				
<b>1940.</b>				
1	1	United Provinces	Agriculture teacher, Govt. Secondary School, Bhinai.	
2	1	"	Manual Training Teacher, Govt. Secondary School, Sawar.	
3	1	Delhi	Manual Training Teacher, Govt. Secondary School, Pisingan.	
4	1	United Provinces	Assistant Mistress, Govt. Normal School for Women, Ajmer.	
5	1	Kotah State	Headmistress, Govt. Pry. Sch. Chouala.	
<b>1941.</b>				
6	1	United Provinces	Agriculture Teacher, Govt. Secon. Sch., Sardhna.	
7	1	"	Manual Training Teacher, Govt. Secon. Sch., Masuda.	
8	1	Kotah State	Assistant Mistress, Govt. Pry. Sch., Deoli.	
9	2	"	Headmistresses, Govt. Pry. Schs., Bandarwara & Para.	
<b>1942.</b>				
10	1	Jodhpur State	Headmistress, Govt. Central Girls High Sch., Ajmer.	
11	2	United Provinces	Agriculture Teachers, Govt. Secon. Schs., Srinagar & Jalia.	
<b>1943.</b>				
12	1	Kotah State	Headmistress, Govt. Pry. Sch., Ghantiali.	
<b>1944.</b>				
13	1	Jaipur State	Agriculture Teacher, Govt. Secon. Sch., Jalia.	
14	1	Delhi	Headmistress, Govt. Normal School for Women, Ajmer.	
15	1	Bengal	Assistant Lecturer, Govt. College, Ajmer.	
<b>1945.</b>				
16	1	United Provinces	Demonstrator, Govt. College, Ajmer.	
17	1	Central India	Assistant Mistress, Govt. Central Girls High School, Ajmer,	
18	1	United Provinces	Assistant Mistress, Govt. Central Girls High School, Ajmer,	

DIRECTOR OF CIVIL SUPPLIES DEPARTMENT  
1944.

1	United Provinces . . . . .	Assistant Director of Civil Supplies, A./M.
2	Tonk State . . . . .	Inspectress, Civil Supplies.
3	Jampur State . . . . .	Inspector, Civil Supplies.
4	United Provinces . . . . .	Inspector, Hoarding & Profiteering.
5	Tonk State . . . . .	Sub-Inspector, Civil Supplies.

1945.

RATIONING DEPARTMENT, AJMER-MERWARA  
1944.

1	Bombay . . . . .	Town Rationing Officer, Ajmer.
2	United Provinces . . . . .	Dy. Town Rationing Officer, (Storage and Issue), Ajmer.
3	United Provinces . . . . .	Ward Officer.
4	Central Provinces . . . . .	Ward Officer.
5	Delhi . . . . .	Statistical Officer.
6	Kishangarh State . . . . .	Godown Keeper.
7	Bharatpur State . . . . .	Inspector Rationing.
8	United Provinces . . . . .	"
9	Punjab . . . . .	"
10	Kathiawar . . . . .	"
11	United Provinces . . . . .	Upper Division Clerk.
12	United Provinces . . . . .	"
13	Dacca (Bengal) . . . . .	Lower Division Clerks.
	Punjab . . . . .	"
	" . . . . .	"
	" . . . . .	"

1945.

14	Dacca (Bengal) . . . . .	Inspector Rationing.
15	United Provinces . . . . .	Assistant Manager, Godowns.
16	Central India . . . . .	Upper Division Clerk.
17	Punjab . . . . .	Lower Division Clerk.
18	Tonk State . . . . .	"
19	Baroda . . . . .	"
20	United Provinces . . . . .	Lower Division Clerks.

LAW AND ENFORCEMENT BRANCH  
1945.

1	United Provinces . . . . .	Inspector.
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AREA RATIONING AUTHORITY DEPARTMENT  
1945.

1	United Provinces . . . . .	Area Rationing Authority.
2	Punjab . . . . .	Lower Division Clerk.



## POST-WAR RECONSTRUCTION OFFICER, AJMER-MERWARA

**14. Pandit Mukut Bihari Lal Bhargava:** (a) Is the Honourable the Home Member satisfied that the gentleman who has been appointed Post-War Reconstruction Officer for Ajmer-Merwara possesses the special qualifications necessary for the highly technical work of Post War Reconstruction?

(b) Will Government state whether a highly qualified person could not have been secured on the salary that is being given to the present incumbent, and why the appointment was not made through the agency of the Federal Public Service Commission?

**The Honourable Sir John Thorne:** (a) The Government are satisfied that the officer appointed is suitably qualified for what is an administrative and not a technical post.

(b) Efforts were made but without success to obtain a suitably qualified officer before the present incumbent was recalled from another post. The appointment of this officer did not require consultation with the Federal Public Service Commission.

## PUBLIC SERVICE COMMISSION FOR AJMER-MERWARA

**15. Pandit Mukut Bihari Lal Bhargava:** (a) Is the Honourable the Home Member aware of the widely-felt complaint of the public in Ajmer-Merwara against favouritism and nepotism in the matter of appointments to Government Service?

(b) Have Government ever considered the possibility and advantages of establishing a representative Public Service Commission in Ajmer-Merwara for recruiting to Provincial Services, so as to provide full facilities for local talent? If not, do Government propose to take up the question now?

**The Honourable Sir John Thorne:** (a) Government are not aware of the existence of any such feeling.

(b) The number of appointments to be made is too small to justify the establishment of a separate Public Service Commission for Ajmer-Merwara. Nor does the Government of India Act, 1935, contemplate the establishment of separate Public Service Commissions for Chief Commissioners' Province.

## NEWSPRINT QUOTAS FOR NEWSPAPERS

**16. Pandit Mukut Bihari Lal Bhargava:** (a) Will the Honourable the Home Member please lay on the table a statement showing (i) the newsprint quota given to papers newly started after 1942, (ii) the newsprint quota given to newspapers that suspended publication in 1942 but reappeared subsequently, and (iii) the names of newspapers to whom newsprint quota was refused?

(b) Are Government aware that newsprint quota was refused to the *Rajasthan Kesari* of Ahmedabad which suspended publication in 1942? If so, will Government state the reasons for such refusal and will Government now see that it is given the required quota?

**The Honourable Sir John Thorne:** This question should have been addressed to the Honourable Member for Industries and Supplies.

## SUPERSESSION OF CANTONMENT BOARD, NASIRABAD

**17. Pandit Mukut Bihari Lal Bhargava:** (a) Is the War Secretary aware that the Cantonment Board at Nasirabad has been superseded on account of War and all the powers are placed in the hands of the Executive Officer?

(b) Is it a fact that a representation signed by a number of the citizens of Nasirabad has been addressed to the Secretary, Government of India, Defence Department complaining against the high handedness of the Executive Officer?

(c) Now that the War is over, are Government contemplating restoration of the elected Cantonment Board? If so, when?

**Mr. P. Mason:** (a) The constitution of the Cantonment Board, Nasirabad, has been varied in accordance with section 14 (1) of the Cantonments Act, 1924. The Board now consists of the Officer Commanding the Station and

two nominated members. The Executive Officer is the Secretary of the Cantonment Board.

(b) Yes, Sir. On enquiry the allegations were not substantiated.

(c) Yes, Sir, we expect to hold elections before the autumn.

#### WATER SCARCITY IN NASIRABAD CANTONMENT

**18. Pandit Mukut Bihari Lal Bhargava:** (a) Is the War Secretary aware of the acute scarcity of water in Nasirabad and the great difficulties that are being experienced by the residents of the Cantonment area to get sufficient water for their daily use?

(b) Is it a fact that most of the water of the Nasirabad Water Supply is taken for the use of the Military stationed there and the residents are doled out only a very small portion?

(c) Do Government propose to take steps to relieve the residents of Nasirabad by ensuring an adequate supply of water for them before the hot season starts?

**Mr. P. Mason:** (a) Yes, Sir. The supply has to be supplemented by well water both for Civilians and the Military.

(b) The supply of water is restricted for the military as well as the civil population, a though the former have priority.

(c) Measures for improving the supply of water are already under the consideration of the local authorities. Substantial improvement in the supply situation in the near future will, however, be difficult, as the rainfall on which the water supply in the Cantonment depends has been below average recently

**Sri T. A. Ramalingam Chettiar:** Sir, before you take up other business, may I draw your attention to the fact that there are a very large number of questions down for answer but we have been able to get through only a small number and for the replies to the others we do not know what they are. I do not know when they are going to be replied or if they are replied to at all.

**Mr. President:** I see the difficulty. But I might just suggest that a number of questions which are put down as starred questions might as well go as unstarred ones: that is one way of doing it. Then, members themselves are giving the dates. That is another. And except in the case of questions which are of importance, the supplementaries may be shortened. That is the only way of getting through the list.

**Sri T. A. Ramalingam Chettiar:** May I also suggest that as in some of the Provincial Assemblies, the answers to these questions may be placed on the table of the members a few minutes before the meeting, so that they may be gone through, and the supplementaries may be regulated according to the needs of the day.

**Mr. President:** I might inform the Honourable Member that I was myself thinking of this procedure which was being followed in the Bombay Assembly. (*An Honourable Member:* In Madras also.) There, the questions were circulated the previous day and the answers were placed on the table of the members about an hour before the question hour; and the Honourable Member putting the question used to say "Question No. so and so," and the Honourable Minister would reply: "As printed". Then supplementaries began. But this is a matter in which, I do not think, I can exercise my discretion. If the House so desires, then it is principally for them to devise some ways and means. I have suggested one way and I do not know whether it is acceptable to the House. Anyway the matter will be considered later on.

#### SHORT NOTICE QUESTION AND ANSWER

##### APPLICATION FOR DOLLAR EXCHANGE

**Mr. Manu Subedar:** (a) What are the instructions of the Honourable the Finance Member to the Reserve Bank of India in dealing with applications for dollars?

(b) On what basis is priority given as between (i) consumer goods, (ii) capital goods, (iii) travelling expenses, (iv) study expenses, and (v) expenses in connection with American technical advisers brought to this country?

(c) What is the percentage of rejections in such applications made?

(d) Is it a fact that applications are held up pending for months at a time, and businessmen and industrialists approaching the Reserve Bank for dollar exchange for legitimate purposes are kept hanging?

(e) Will Government state their policy on this question generally and give an assurance that the position will be made easier hereafter?

**The Honourable Sir Archibald Rowlands:** (a) and (b) Dollar exchange is granted only if (i) the expenditure of dollars is essential in the national interests and (ii) subject to certain exceptions, the goods, services or other facilities to be purchased are not available in the sterling area. As all applications which fulfil these two conditions are granted the question of priorities between various classes of expenditure does not arise.

(c) I regret it is not possible to ascertain this information without a disproportionate expenditure of time and labour.

(d) Not as a general rule. Individual applications might have been subjected to delay at times on account of the necessity for obtaining fuller information.

(e) The policy has been stated in answer to part (a): the easing of the position will depend on the increasing availability of dollars.

**Mr. Manu Subedar:** May I know, with regard to those articles or services which could not be secured in sterling areas, when applications are made by various people, what is the method of sorting out those applications? Are any preferences or priorities given and is any discrimination made or have Government fixed any particular proportion by provinces or by trade or in certain other ways?

**The Honourable Sir Archibald Rowlands:** There is no discrimination as between class and class. Obviously this is a question of judgment in individual cases as to whether, in the judgment of the department or the province concerned, it is essential to obtain, in the interests of general policy, the articles sought to be obtained in the hard currency area.

**Mr. Manu Subedar:** Is this judgment exercised by the Reserve Bank authorities or is it exercised by any section of the Honourable Finance Member's Department here?

**The Honourable Sir Archibald Rowlands:** It is not exercised solely by the Finance Department. The Commerce Department, the Planning and Development, the Industries and Civil Supplies Departments or the Supply Department will be consulted according to the commodities sought to be imported.

#### CHECKING UP OF DECLARATION AND CASH OF SCHEDULED BANKS

**Mr. Manu Subedar:** (a) Will the Honourable the Finance Member please state whether, in connection with Ordinance No. II, dated the 12th January, 1946, the Reserve Bank of India checked up the declarations of all the Scheduled Banks and their branches?

(b) Is it a fact that the Reserve Bank used discrimination against Indian Banks by checking up their declarations and cash, but did not take such action with regard to (i) Exchange Banks, and (ii) the Imperial Bank of India?

(c) What was the object of such checking up, and what was the object of such discrimination?

(d) Have any discrepancies been found between the declared cash and the actual cash? If so, in the case of which banks?

**The Honourable Sir Archibald Rowlands:** (a) and (b) I understand that the Reserve Bank of India, Bombay, received numerous returns from scheduled banks and other banks established all over the country and it has not been possible to check up all such returns with the figures shown in the books of the banks. Under the orders of the Government of India instructions were, however, issued by the Reserve Bank of India to their Managers to inspect at their centres the books of all banks whose declared balances exceeded Rs. 10 lakhs and others where they had reasons to believe that the returns

might not have been prepared in conformity with the requirements of the Ordinance. No discrimination in this regard was made between the Indian Banks and the Exchange Banks. In fact several Exchange Banks were inspected in Bombay and other centres. The Imperial Bank of India were exempted from this inspection being the statutory agents of the Reserve Bank of India.

(c) The object of checking up the returns was to ensure that the requirements of the Ordinance had been duly complied with and no means were employed to circumvent the provisions of the Ordinance.

(d) From the reports received so far by the Reserve Bank of India from its offices I understand that no discrepancies have been detected between the notes declared by banks and those shown in their books though it was found that in certain cases the balances of high denomination notes as on the 11th January 1946 were unusually high as compared to their normal holdings. These cases are being examined by the Reserve Bank and will be reported to the Central Government in due course.

**Mr. Manu Subedar:** This limit of ten lakhs which was fixed is an arbitrary limit. May I know whether in effect a very much smaller number of exchange banks got inspected under this arbitrary limit?

**The Honourable Sir Archibald Rowlands:** I have no particular information about the proportion of banks compared to the total number of banks. The limit was not rigidly applied.

#### MOTIONS FOR ADJOURNMENT

##### *Point of Order re Admissibility of Adjournment Motions of Absentee Members*

**Mr. President:** We have now to deal with the adjournment motions. The first one stands in the name of Diwan Chaman Lall, about the imminence of a general strike in the Posts and Telegraphs Department in pursuance of the decisions taken by certain unions.

**Mr. M. Asaf Ali (Delhi: General):** We have reached only No. 80 so far, Sir.

**Mr. President:** No. 82 was discussed last time.

**Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural):** There is a similar notice given by me, which is coming later on: so this may be held over and we will move the other one.

**Mr. President:** As the Honourable Member, Diwan Chaman Lall, is not present, this motion goes. A point of order was raised as to whether leave can be granted for moving an adjournment motion if the member giving notice is absent.

When a motion of adjournment standing in the name of Sardar Mangal Singh was called on on 30th January 1946, the Honourable Member was not present and a point of order was raised as to whether the motion could be taken up for grant of leave, notwithstanding the absence of the Member who had tabled the adjournment motion. I had then stated that I would consider the point and give my ruling. The same point was again raised on 4th February 1946 in connection with a similar motion standing in the name of Pandit Govind Malaviya.

It was argued, on the wording of Standing Orders 21 and 23, that the Member's presence was not necessary at the stage of grant of leave, though it was necessary at the time the adjournment motion was actually to be moved in the House. The opposite view was also urged upon the said Standing Orders read with Standing Order 22.

The decision turns upon a proper interpretation of Standing Orders 21, 22 and 23. Standing Order 21 lays down the time of asking leave for motion of adjournment. It does not specifically mention as to who is to ask the leave, but Standing Order 22 makes it clear that the person who asks for leave must be the Member who has given notice of the motion and no other.

[Mr. President]

Standing Orders 21, 22 and 23 all deal with the subject of adjournment motions and the various stages thereof. They have to be read together as they deal with one entire subject which is divided for the sake of clarity into three parts. The first stage in the House is the time of asking leave and that is provided for by Standing Order 21. Standing Order 22 provides the condition precedent on which leave to make a motion can be asked for in the House. It states that the Member asking for leave must leave with the Secretary a written statement of the matter proposed to be discussed. Therefore, though Standing Order 21 does not mention as to who is to ask the leave, it is clear from Standing Order 22 that the only person who can ask for leave is the person who has left with the Secretary a written statement of the matter proposed to be discussed. Some further conditions in this respect are laid down by Rule 11 (2), but they are not relevant for the present purpose. Standing Orders 21 and 22 thus make it clear that the Member who has left with the Secretary a written statement on the matter can alone ask for leave.

Standing Order 21 is peremptory and says that leave "must be asked for" and then follows Standing Order 23 which gives the procedure to be followed. Obviously, this is the procedure after leave is asked for. The Member, therefore, must be present at the time of asking the leave as also at the time of grant or refusal of leave. Standing Order 23 makes it very clear. It mentions the words "the member" at two places. If Standing Order 23 had stood by itself, without Standing Order 21 and 22, it could possibly be argued, as was done, that the words "the member" occurring for the first time may or may not be the Member who had given notice but the matter is clarified by the last sentence of Standing Order 23 which says:

"If less than twenty-five members rise, the President shall inform the Member that he has not the leave of the Assembly."

When and where is the President to inform the Member, if he were absent from the House? Could it be contended that a duty is cast upon the President to find out the whereabouts of the absent Member and inform him about the refusal of leave at the place where the Member is? How is the President to discharge this duty if the Member was absent? Obviously, therefore, it means that Standing Order 23 contemplates that the Member is present in the House when the President reads the statement of the motion to the Assembly and asks whether he has the leave of the Assembly to move the adjournment. The position is made crystal clear by Standing Order 22 which recognizes no other Member but the Member who gave notice as competent to ask for leave and by Standing Order 21 which makes it compulsory to ask for leave.

In the light of what I have said above, it becomes unnecessary to consider the analogy of questions or of resolutions. As the analogies were raised, it may, however, be not out of place to mention that in the case of questions, answers can be given even when the Member is absent, at the request of any other Member (*vide* Standing Order 19), and in the case of resolutions, they can be moved if the absent Member has given written authority to another Member to move the resolution (*vide* Standing Order 61).

Absence of any such provision enabling absent Member to authorize any other Member to ask for leave to move an adjournment motion as in the case of ordinary resolutions as also the absence of any provision authorizing the President to put the question of leave to the House in the absence of the Member, on the analogy of the President's discretion to direct an answer to a question as provided for by Standing Order 19, also go to show that leave for an adjournment motion cannot be asked for by any person other than the Member who has given notice of the same and that, that Member and that Member alone has to remain present and ask for leave.

The reason for this difference in respect of questions and resolutions on the one hand and adjournment motions on the other is also very clear. An adjournment motion is not part of the business of the House for the day, but is a method of introducing a new matter, outside the order of the day, on the

ground of the urgency and importance of the matter sought to be introduced. It would, therefore, be naturally expected that the Member seeking such deviation must remain present not only in token of the urgency and importance of the matter but also to ask for leave and explain to the House, if necessary, the importance and urgency of the same.

In my opinion, therefore, it is clear that leave for an adjournment motion cannot be asked for by any Member other than the Member who has given notice of the motion.

Apart from what I have said before, I find that the practice in the House of Commons is the same. Under their Standing Order No. 8 it is the Member who submits to the Speaker in advance the terms in writing of the motion, and who is to rise to obtain the leave of the House.

It was stated during the course of arguments that it was the practice of this House to grant leave even if the Member who gives notice was absent and that the motion for leave need not be made by that Member. I do not find any support for such practice in the previous records of decisions from the Chair.

It is, however, possible to visualize circumstances in which a Member who has given notice of a motion for adjournment may not be able to remain present to ask for leave. Such cases will of course occur rarely and under exceptional circumstances. If the House so desire, it may amend the Standing Orders and provide that a Member giving notice of an adjournment motion may be permitted to authorize another Member to ask for leave on his behalf, but till such amendment is made, the procedure will be as ruled above by me.

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REFUSAL OF LEAVE TO EMPLOYEES IN CERTAIN DEPARTMENTS OF THE GOVERNMENT OF INDIA TO PROCEED TO SIMLA TO CAST VOTES IN THE PUNJAB ASSEMBLY ELECTIONS.

**Mr. President:** The next adjournment motion (No. 84) is in the name of Syed Ghulam Bhik Nairang who wishes to adjourn the business of the House to discuss a definite matter of urgent public importance, namely,

"The refusal of the Government of India in its Departments of Labour, Education and Finance and the General Headquarters to grant leave to its employees who are recorded as Simla voters for the Punjab Legislative Assembly for proceeding to Simla to cast their votes in the Punjab Legislative Assembly elections which are to commence on the 1st of February 1946."

I should like to know the position.

**Syed Ghulam Bhik Nairang** (East Punjab: Muhammadan): I gave notice of my intention to move this adjournment motion on news appearing to that effect in the papers and later on I discussed this subject with the Honourable the Home Member. He gave me certain particulars which showed that any applications that had been made to the Departments concerned for leave to proceed to Simla to vote had been granted and there had been none which had been refused. So on that assurance of the Honourable the Home Member I decided not to press this matter.

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PROSECUTION OF PERSONS IN PUNJAB UNDER SECTION 196, CR. P. CODE

**Mr. President:** The next adjournment motion (No. 85) is in the name of Mr. Abdur Rahman Siddiqi who wishes to discuss a definite matter of urgent public importance, namely,

"The failure of the Government of India in not taking action against the orders issued by the Government of the Punjab empowering District Magistrates, under Section 196 of the Criminal Procedure Code to sanction prosecution of persons invoking divine displeasure if their votes in the coming elections were not cast to a certain manner thereby interfering with the religious belief of Muslims guaranteed to them in the proclamation of Queen Victoria in 1858."

This has been disallowed by the Governor General.

**Mr. M. Asaf Ali:** I want to say just one word. We have heard during the last three or four days, or rather during the last week or 10 days over and over again that the Governor General has disallowed this or that motion. May I know whether the Governor General, before disallowing these motions consults you in any way?

**Mr. President:** Consults the Chair? It is entirely his province. There is no consultation. There cannot be.

**Mr. M. Asaf Ali:** It is entirely your province, Sir, even if it is disallowed to allow the House to discuss it.

**Mr. President:** I am afraid the whole constitution will have to be revised and new rules will have to be framed.

**Mr. M. Asaf Ali:** I am throwing out a suggestion.

**Prof. N. G. Ranga** (Guntur *cum* Nellore Non-Muhammadan Rural): Is it necessary for the Governor General to state reasons for his refusal?

**Mr. President:** The reason is that this matter is not the primary concern of this House.

**Prof. N. G. Ranga:** Is that stated?

**Mr. President:** Yes.

#### STRIKE OF STUDENTS' OF DELHI POLYTECHNIC

**Mr. President:** The next adjournment motion (No. 86) is in the name of Diwan Chaman Lall who wishes to discuss a matter of urgent public importance of recent origin, namely:

"The strike of 758 students of the Delhi Polytechnic."

**Shri Satya Narayan Sinha:** (Dharbhanga *cum* Saran: Non-Muhammadan). Before giving your ruling, I wish to say that I had a talk with the Leader of the House..... May I request either of these members to make a statement on this before you give your ruling.

**Mr. M. Asaf Ali:** If I may remind you that when this motion came up last I think a notice of it was given by Sardar Mangal Singh—some discussion ensued and Sir John Sargent made a statement and my honourable friend, Sri Prakasa said that negotiations were going on between Sir John Sargent and himself and that Mr. Sri Prakasa himself was negotiating on behalf of the Polytechnic Institute and it was suggested that in view of the delicate nature of these negotiations it would be better if the adjournment motion was held over, and it was postponed pending the negotiations that were going on. We should like to know what has happened to these negotiations before we can say one thing or another about the subject.

**Mr. President:** I will just correct a slight misstatement in what the Honourable Member has said. We had before the House the motion, I believe No. 70, standing in the name of the Honourable Member, Sardar Mangal Singh. Then it was that I remarked that a similar motion is also coming later on and we held over No. 70 just with a view to see that, by any discussion in this House a position is not created which would interfere with a peaceful settlement of the situation. That is how it was held over.

**Mr. Manu Subedar** (Indian Merchants' Chamber and Bureau: Indian Commerce): May I bring to your notice that on my prompting my friend Chaman Lall got up and you said you would permit either party to move this motion.

**Mr. M. Asaf Ali:** The point is that Sardar Mangal Singh's motion, after having been admitted, was held over to await the result of these negotiations. The motion still stands. It still stands and it should be called up at 4 o'clock unless we know something about the result of the negotiations which may satisfy the House that the result of the negotiations is reasonable.

**The Honourable Sir Edward Benthall** (Leader of the House): I suggest, Sir, that if the records are searched.....

**Mr. President:** The Honourable Member is committing a slight mistake. The motion was not admitted. The question for leave came up. I read the

motion. Before admitting it, this point of postponing it in the interests of a settlement arose and therefore the whole matter was held over. One thing could be said that if that matter was held over by common consensus of opinion in the House or by the Chair, it would not be fair to the Honourable Sardar Mangal Singh that it should not be again postponed till such time as he is able to remain present in the House. I do not find him in the House today.

**Mr. M. Asaf Ali:** Sardar Mangal Singh could not anticipate the coming up of this motion today, and as you have suggested, it would be perfectly fair if this motion was held over for say, another day, pending a report of the result of these negotiations. We do not know what has happened in the meantime.

**Mr. President:** What is it, that Mr. Sinha wants to say?

**Shri Satya Narayan Sinha:** I have given notice of a similar motion.

**The Honourable Sir Edward Benthall:** I may respectfully say that you have just ruled that if an Honourable Member is not in his place the adjournment motion will not be moved. Neither of the two members is in his place. There is however another motion by Mr. Satya Narayan Sinha on the same subject which will come up later.

**Mr. M. Asaf Ali:** I object to what the Leader of the House has said for the reason that according to your ruling a member who gives notice of an adjournment motion—and mind you Sir, this ruling has been given today—may or may not be in the House at the time its admissibility is being considered. The original position was different when you suggested that this particular motion should be held over, pending the discussions that were going on between Sir John Sargent and Sri Prakasa. We must know something about the result of these negotiations before the question of the adjournment motion can come up again.

**Shri Sri Prakasa** (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): You have also said that the special circumstances of each case will be taken into consideration. These are special circumstances here which must be considered.

**Mr. President:** My ruling is very clear on the point. If a Member is absent no other can ask for leave to move the adjournment motion. That is very clear.

**Mr. M. Asaf Ali:** From today!

**Mr. President:** From today. And if I have come to the conclusion today, it should be retrospective also in application. But that is a different matter. The real point of difficulty which I feel, on account of the absence of Mangal Singh is, that, on the day that he was present to ask for leave, he was induced into a course of conduct of postponing the taking up of the consideration of that motion on the assumption that it would be taken up along with this motion and I suggested the course of postponement just to give some time to see that the negotiations proceeded peacefully without the interference of any heat or arguments in the debate. Sardar Mangal Singh could not expect that his motion would come up today. So the only course which I would suggest to the House (and of course with the agreement of all sides of the House) is that we take it up at a later date.

As regards the suggestion of the Honourable the Leader of the House, I may point out to him another difficulty which may arise. According to the previous rulings in this House, if this motion is not taken up now, it will be urged that the urgency of the matter has ceased by lapse of time.

**The Honourable Sir Edward Benthall:** My suggestion would be to take up Mr. Satya Narayan Sinha's adjournment motion in priority to the others, which stand higher on the list. We are prepared to deal with the matter here and now.

**Mr. Sasanka Sekhar Sanyal** (Presidency Division: Non-Muhammadan Rural): I rise on a point of order, Sir. You have observed that your ruling may have retrospective effect. I agree that even if it has retrospective effect, it will



[Mr. Sasanka Sekhar Sanyal]  
not prejudicially affect Sardar Mangal Singh's present motion, because I admit . . . . .

**Mr. President:** Order, order. The Honourable Member is not saying anything new. He is merely repeating what I have been saying.

**Mr. Sasanka Sekhar Sanyal:** The question of the leave of the House does not arise, because of some negotiations between the parties. That, Sir, is perfectly in order. The question is whether it should be discussed today at 4 P.M. or whether by consent of all the parties the consideration of urgency should be waived and the matter taken up later.

**Mr. President:** There is no use entering into all these technicalities. Here is a suggestion from the Honourable the Leader of the House, that he is prepared to give priority to Mr. Satya Narayan Sinha's motion on the same subject (which comes later on) and that it may be taken up today.

**Srijut Dharendra Kanta Lahiri Choudhury** (Bengal: Landholders): Sir, there is another standing in the name of my friend Mr. Gadgil.

**Mr. President:** Practically the subject matter is the same. So by agreement of the House then . . . . .

**Mr. M. Asaf Ali:** Sir, in regard to the question of priority, it is very kind of the Leader of the House to agree to give priority to this particular motion but I am only thinking of other members who have given notice of their adjournment motion and they may consider their subjects to be more urgent and important than this particular subject. Therefore I should not like a new precedent to be created. It will, in these circumstances, be by far the best to let this motion come up in due course. In the meantime negotiations can continue. Sir John Sargent will then have time to come to some decision and we shall know where we stand.

**Mr. President:** The House has practically agreed that this subject should be discussed: that is how I think. It is now a question of procedure, as to whether we discuss it now or later. But I do see the difficulty which is pointed out by the Honourable Member, Mr. Asaf Ali, that we should not give priorities. It is a difficulty which we will have to consider.

**Shri Sri Prakasa:** There is an additional danger, Sir. At that time it may be said by Government that the notice was given long after the urgency had arisen.

**Mr. President:** I think the better course would be to take up the original motion of Sardar Mangal Singh. That would be the best solution of the whole difficulty. Another additional advantage would be some more time will be gained to complete the negotiations. This course will not interfere with the question of urgency. The only argument that can be advanced is that the urgency has ceased.

**The Honourable Sir Edward Benthall:** Government will not advance that argument. We are only too anxious to keep to the rules on the one hand and on the other to accommodate the views of the House.

**Mr. President:** For the present we keep over these motions. Sardar Mangal Singh's, Mr. Dewan Chaman Lal's and Mr. Sinha's. These motions are practically speaking the same. Sardar Mangal Singh's motion is kept over.

**Sir Cowasji Jehangir** (Nominated Non-Official): Till when?

**Mr. President:** Till we are able to dispose off all the other motions. It is an equitable solution and the Honourable Member himself has created this exception. Any way, we keep that motion over and the other one (No. 86) also has to be kept over.

#### EMPLOYMENT OF NON-INDIAN W.A.C.

**Mr. President:** The next adjournment motion is No. 87 in the name of Mr. Ayyangar with reference to:

"The continued employment even after many months of cessation of hostilities of Non-Indian W.A.C. at the cost of the Indian Exchequer."

**Mr. P. Mason** (Government of India: Nominated Official): Sir, I am not quite clear as to what exactly the Honourable Member has in mind. I think he is under some slight misapprehension on this subject, partly due to the wording of his motion and also to various questions on this subject which he has asked to which I was unable to reply just now. I think, perhaps, I shall just explain the position in full.

He refers to a corps, the W.A.C., which he distinguishes from another corps, apparently the W.A.C.I. The W.A.C. is actually a purely American corps and there is no corps under the British or Indian governments with those initials. I think, however, that the Honourable Member may be referring to the A.T.S., that is the Auxiliary Territorial Service, which is the British women's army service. If that is his intention, the answer is that the numbers of the A.T.S. in India have always been extremely low. At the moment there are 120, altogether, other ranks and officers. The corps was started considerably earlier than the W.A.C.I. It had a good three years' start and therefore we drew on the A.T.S. to some extent for officers to help us to train the W.A.C.I. and for certain other ranks in specialised appointments. The number, as I say, is small. If, on the other hand, by non-Indian W.A.C. the Honourable Member refers to the European and Anglo-Indian members of the W.A.C.I., they are of course in exactly the same position as Indian members of the corps and no distinction is made between them from start to finish. If that is what the Honourable Member is referring to, his point is really met by the press note which we issued on the 30th of last month announcing that the entire corps is to be disbanded. It is to be finally disbanded, we hope, early in 1947, which means that it will be substantially reduced during the current year. These reductions will take place not on a racial basis but on a basis of appointments, and appointments will be reduced as they can be filled by other means or abolished. The corps will entirely vanish in the course of the next 16 months. I submit therefore, Sir, that the matter is not one of urgent public importance.

**Sri M. Ananthasayanam Ayyangar** (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I do not want to press my motion.

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**Mr. President:** The next adjournment motion is in the name of Dr. Sir Zia Uddin Ahmad, about the failure of the Government of India in not removing the restrictions after the cessation of the hostilities placed on the export of Indian hides and skins and permitting the Governments of U. K. and U. S. A. to purchase at uneconomic prices fixed by them.

I see the Honourable Member is not here.

Then there is the motion by Seth Govind Das to discuss the deposition of the Maharaja of Rewa.

The Governor General withholds his consent to this.

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#### PROPOSED EVACUATION OF VILLAGES IN THE PROSECUTION OF THE DAMODAR SCHEME

**Mr. President:** Then there is the motion of Mr. Ram Narayan Singh, about the proposed and forced evacuation of thousands of people of hundreds of villages of the Hazaribagh, Manbhum and Sonthal Parganas districts of Bihar from their homes and hearths in the process of the prosecution of the Damodar Scheme. I should like to know what exactly the Honourable Member means by this motion.

**Babu Ram Narayan Singh** (Chota Nagpur Division: Non-Muhammadan): Sir, land acquisition proceedings are going on in some of the districts. In the process of the prosecution of the Damodar Scheme, several villages are going to be occupied by the Government and the people are about to be asked to evacuate those areas.

**Mr. President:** May I know when the scheme was started and how far it has proceeded?

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I would like to submit that at this stage there is absolutely nothing to be discussed. Government has no doubt under contemplation putting certain dams on the Damodar River, which flows through Bihar and Bengal; but with regard to the specific questions raised in this adjournment motion, which speaks of forced evacuation, all I have to say is this: that we are at a very very preliminary stage: we are merely making an inquiry as to how much land would be submerged by the enclosure of this water, what would be the area that would be affected, etc., and we are trying to see how many persons will have to be evacuated, the nature of their holdings and what rights they have. There is really nothing specific; no action has been taken by government at this stage which could be the subject matter of discussion; and what I would like to say is this: that I hope when the government has come to some definite conclusion in this matter I shall be able to circulate a paper to the House containing the conclusions of government and members can then raise the matter for discussion in any way they like.

**Babu Ram Narayan Singh:** My information is that the land acquisition proceedings are going on in the Hazaribagh district and they are asking people to go away.

**Mr. President:** Is the Honourable Member sure that those proceedings are in respect of this very scheme?

**Babu Ram Narayan Singh:** Yes.

**Mr. President:** But it appears that the Government has done nothing so far.

**The Honourable Dr. B. R. Ambedkar:** Government are merely acquiring some land for the purpose of having access roads.

**Mr. President:** In connection with this scheme?

**The Honourable Dr. B. R. Ambedkar:** Yes: they have only served notices in order to prepare some access roads. No question of evacuation has arisen at this stage . . . . .

**Mr. President:** The acquisition is for the purposes of collection of data?

**The Honourable Dr. B. R. Ambedkar:** There is no question of acquisition at this stage at all. No doubt if government decide to construct certain dams on the Damodar River, certain approach roads must be made for that purpose; and for that purpose they have served notices on a few people in order to acquire small strips of land for the purpose of making roads. As to the specific question raised in the adjournment motion regarding forced evacuation of thousands of people in hundreds of villages in the Hazaribagh district and Manbhum and Sonthal Parganas, from their homes, it certainly does not arise at this stage because government has no idea as to what will happen, if I may say so. It is very very preliminary.

**Mr. President:** The difficulty I am feeling about this is that, if Government have decided that the dams should be put up and if they are taking steps initially for approach roads, what does it matter whether they have been able to ascertain or not as to how many people will have to be evacuated, because the dam will be an established fact?

**The Honourable Dr. B. R. Ambedkar:** No, Sir; we are still consulting consultants from outside to help us as to what correct decision we should take. I submit it is very preliminary: I can make no statement to the House at all.

**Mr. President:** What I want to know is, have the government decided that the dams should be put up?

**The Honourable Dr. B. R. Ambedkar:** It is their project—it is not a final project as yet.

**Shri Mohan Lal Saksena** (Lucknow Division: Non-Muhammadan Rural): May I understand that it will come up before the House?

**The Honourable Dr. B. R. Ambedkar:** It is under examination. We have not yet got the financial sanction for it.

**Mr. President:** The position seems to be that it is in a very initial stage.

**Pandit Govind Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Then the question may arise as to whether even when the scheme is not finally adopted and is only in the stage of investigation, the government can be justified in acquiring so much land merely for the purpose of making roads for investigation with the result that so many people are asked to evacuate.

**Mr. President:** The quantum of land to be acquired is not mentioned. They say it is for approach roads. As I understand the position, it is for the purpose of enabling the Government to investigate the matter further.

**Pandit Govind Malaviya:** I do not know the facts. I take the facts from what has been said by the Honourable Member who has given notice, and, I should also say that projects of dams in the very nature of things are not bad. They are beneficial projects. But I am only dealing with the question which is before you, that, the Honourable Member who has given notice has stated that a number of people are going to be ejected and the project has not even been decided upon. Is that therefore not a matter which the House might be allowed to take up?

**Mr. President:** What the Honourable Member says or believes does not seem to be the fact: that appears from the statement made by the Honourable Member for Government. The scheme is still to commence: they have decided nothing yet; they are going on with preliminary investigations; and for the purpose of these investigations they are having certain approach roads: they have not yet decided where the dams have to be put in and they may abandon the whole idea even!

**Babu Ram Narayan Singh:** In view of the statement made by the Honourable Member, I do not like to press the motion now.

**Mr. President:** Very Well. Then there is the motion of Pandit Balkrishna Sharma: the Honourable Member is absent from the House; and the subject seems also to have ceased to be urgent as I read in the morning papers that Mr. Chatterji has given up his fast.

#### INDIA'S CONTRIBUTION TOWARDS THE WORKING CAPITAL OF U. N. O.

**Mr. President:** Then there is one more motion of Mr. Manu Subedar, about the failure of Government of India to protest against the fixing of India's contribution towards the working capital of the U. N. O. at 4.8 per cent. of the whole, or one million dollars, by the Organisation's financial experts, as reported in the *Hindustan Times* evening edition of 2nd February and the *Statesman* of the 3rd February 1946.

**Mr. Manu Subedar:** If there is a certain kind of assurance coming from government I will not press my motion. May I explain the position?

**Mr. President:** Yes.

**Mr. Manu Subedar:** If this country has to contribute, it has to give 4.8 per cent. But when it gets reparations we get only 2 per cent. To the League of Nations we contributed 160 lakhs on a basis of about 10 lakhs a year average; where as here the starting basis is 33 lakhs, which is the first and preliminary estimate of this vast organisation, with about 3,000 employees—this United Nations Organisation. The United Nations Charter is not to be applied to us: our questions are not even discussed there and I would like to know if the Government of India at this stage have committed themselves. If, however, the Government of India say they will produce a White Paper and give us an opportunity and some definite information and give the House an opportunity to deal with this issue, I will not press the motion.

**Mr. H. Weightman** (Secretary, External Affairs Department): I think there has been a little misunderstanding about this. It is not a matter of a committee having fixed India's annual contribution to the U. N. O. It is a matter of a committee of the Organisation having proposed to the General Assembly that a working capital fund should be created and that member states should be asked to make advances. Those advances will be adjustable against the annual contributions which will be asked for later.

Now, the scale of those annual contributions will not even come up for consideration by the General Assembly until the second part of its first session, which we believe in all probability will take place in September; but this present matter of a working capital fund is merely a matter of a temporary advance which will be adjustable at a later date against the annual contributions to be fixed.

**Mr. Manu Subedar:** Would Government then consider, in view of India's financial stress and India's dire famine condition that this Government should not be in a hurry and pay out this money. Let the richer nations pay. Pending that, will the Honourable Member circulate a White Paper giving all the information on this subject. We do not want to pay these international organisations which yield nothing for us and certainly as it is merely a provisional call for funds, let those pay who stand to benefit from this international organisation and I want an assurance that the Government will wait for the time being at all events.

**Mr. H. Weightman:** It is not possible to give any such undertaking.

**Mr. President:** Does the Honourable Member wish to press the motion at this stage?

**Mr. Manu Subedar:** My colleagues seem to think that we had better take this up at the time of the Budget. I warn the Finance Department that they are taking very grave risks in throwing out this country's money in this manner for such purposes. I do not press the motion.

**Mr. President:** The next motion is in the name of Dr. Sir Vijaya Ananda. The Honourable Member is not present. No. 94 in the name of Mr. B. B. Varma is withdrawn.

#### IMMINENCE OF STRIKE IN POSTS AND TELEGRAPHS DEPARTMENT

**Mr. President:** The next one, No. 95 is in the name of Mr. Gadgil. He wishes to discuss a definite matter of urgent public importance, *vis.*, the imminence of a general strike in the Posts and Telegraphs Department in pursuance of the decisions taken by certain Unions.

I do realise that the matter is undoubtedly of importance. It is undoubtedly of urgency also but the difficulty I feel is that an identical motion, No. 88 tabled by Diwan Chaman Lall on the 28th January has fallen through. How can this be taken up on the score of urgency?

**Sjt. N. V. Gadgil:** In the intervening period, two other Unions have passed similar Resolutions and the fact has been intimated to the Secretary of the Department concerned. I submit the question of not admitting the motion of Diwan Chaman Lall does not come in the way of admitting my motion for the simple reason that the situation has worsened after the 28th. The day on which I and my Honourable friend Mr. D. K. Lahiri Choudhury gave notice a number of unions have passed Resolutions to the effect that if adequate satisfaction is not given by a certain date, then a strike notice will be given to the Department on the 9th February. The All-India conference of Postal Workers held at Mymensingh on the 25th and 26th December 1945 also passed a Resolution that if provision was not made for the revised scales in the Budget of 1946-47 a strike would be ordered. In today's papers and in yesterday's papers we find that unions all over the country are passing similar Resolutions after Resolutions. I think it is a matter not only of public importance but of urgent importance, because from the middle of February right up to the middle of

March there will be elections in most of the provinces. If this department downs tools, then one can easily imagine what will be the fate of the general election campaign. Apart from this, the Department is a Public Utility department. It is worked on commercial principles and therefore if I am able to convince this House that there is enough money left out of which it can satisfy the legitimate demands, I think this House should allow this motion to be moved.

**Sir Gurunath Bewoor** (Secretary, Posts and Air Department): The motion relates to the imminence of a strike. Sir, in the Posts and Telegraphs Department, it is a fact that the Director General of Posts and Telegraphs has received during the past two months certain Resolutions passed by recognised Posts and Telegraph Unions. They refer to a variety of demands and generally conclude by saying that if these are not granted the members may have recourse to direct action. The demands relate mainly to fear of retrenchment, increase of dearness allowance, revision of scales of pay and better pension conditions. The latest of these Resolutions presented jointly on behalf of some Unions was received only on the 4th of February. The Director General has brought these Resolutions to the notice of Government who have the matter under their very careful consideration. I myself have had a number of discussions with the President, Vice-President and Secretaries of a number of Unions. The problems raised in the demands made involve issues of great importance and of far-reaching consequence to the whole class of Government servants and to Government finances as a whole and not merely to those of the Posts and Telegraphs Department. They need therefore very careful consideration. I will not deal with any of these demands individually or say how important they are but there is one very important demand which Mr. Gadgil mentioned in the course of his speech. That relates to revision of the scales of pay introduced during the period 1931-35 and known usually as the revised scales of pay. I am authorised to announce in this House that Government intend to appoint a commission which will be predominantly non-official in character to go into the whole question of the scales of wages, pensions and other conditions of service for the whole class of Central Government servants, suitable in post-war conditions, as also the question—and this is important—of setting up some machinery for negotiation between Government and its employees somewhat on the lines of the Whitley Councils in the United Kingdom. As regards the fear of retrenchment the danger of any retrenchment on a large scale immediately in the Posts and Telegraphs Department does not exist and no permanent servant of the Posts and Telegraphs will be compulsorily retrenched. I hope to issue a statement on this subject so far as the Posts and Telegraphs Department is concerned for the assurance of its employees. As regards the other demands, Government will be able to announce their decision in the near future. Government are fully aware of the general situation and of the demands and of the reasons for them and as I have said they have the matter under sympathetic consideration. In the circumstances I hope it will be realised that there is no need whatsoever for any strike by the staff and Government are confident that the fine record of the P. and T. Department for devoted public service will not be affected in any way and that this essential service will continue to be performed efficiently and without any interruption in these critical days. In view of this statement, perhaps the Honourable Member will not care to move his motion.

**Srijut Dharendra Kanta Lahiri Choudhury**: After listening to the Honourable Member, I am not at all satisfied that any purpose will be served by his statement. As a matter of fact, I happen to be the President of the All-India Post and Telegraphs Union whose Council is to be held today and we shall seriously take up this matter and the Resolution which was passed at Mymensingh. I think the Honourable Sir Gurunath Bewoor will bear with me that these Committees and Commissions have got little effect on these points which have just been brought before the House. I do not want to go into the details but I want a definite answer as to the time when these matters will be settled. I can say this that last time on a similar matter I had a communication

[Srijut Dhirendra Kanta Lahiri Choudhury]

with the Secretary for Posts and Air and after the assurance that he gave me that the matter will receive sympathetic consideration, what I found was that the matter did not get sympathetic consideration to the extent that we wanted. It was a burning question regarding the second grade clerks. The grade was abolished without giving any relief to the employees in matters of pay. This time my Honourable friend has come up with a statement that the Government will give their sympathetic consideration, but we want to know categorically from him how much time he will take and in what way he wants to deal with the affairs. The matter is not a new one. Agitation had been going on for more than a year. Time after time deputations of different character have waited on the Director General of Posts and Telegraphs without any effect. The time has now come when the employees have become very impatient and today in the All-India Council a definite decision is to be taken. Before the Council takes that decision, I warn the Government to take this matter in right earnest and be serious about it. They should not refer to Committees and Commissions but take a definite step today to do something substantial for the solution of the troubles of these unfortunate postal employees.

**Sjt. N. V. Gadgil:** Sir, I do want to move my motion because we had bitter experience of such Inquiry Committees. In 1945 an Inquiry Committee was appointed when a similar notice was given by the Poona Postal Union. The Committee took evidence, but the report has not been published as yet. Unless some points with respect to this Committee are made clear, it will not be in the interests of the employees, on whose behalf I propose to move this motion, to agree immediately. I, therefore, request you to allow this motion. If in the course of the debate we find that there is something on which we can act up, I may not press the motion to a division.

**Sir Gurunath Bewoor:** Sir, my only point is this that I want time to settle the question of the revision of scales of pay. Government have decided to appoint a Commission and it is not a matter which can be decided or any answer given in the course of a debate.

**An Honourable Member:** Why not?

**Sir Gurunath Bewoor:** You could not revise the scales of pay of 120,000 men in the course of a debate. I merely mention that these questions are under consideration and I think that a debate is unnecessary. We are fully aware of the reasons for the demands, but Government has the matter under consideration and I hope to be able to give a reply to the Unions. It does not follow that because they are threatening a strike, Government should yield everything. Government is prepared to consider fair and just treatment, but I would not be able in the course of a debate this afternoon to deal with these demands, because, as I have said, the demands are at present under consideration and the debate is not likely to serve any useful purpose. We have had discussions with the Unions and we have got their request before us. We have got their written statements as well as verbal statements and Government has the matter under consideration. The latest resolution was received by us only on the 4th February. I think in those circumstances Government should be given a sufficient time to decide the matter.

**Mr. President:** From what has come out, I see that there is urgency in the matter. The Honourable Member perhaps wants to know the definite time in which the Commission will come to its conclusions. That is how I understood the trend of his pleading. Whether the adjournment motion should be moved or not in the interests of the employees or the Government is a matter of propriety which the Honourable Members have to decide. I am concerned with the importance of the matter, the definiteness of the matter and the urgency of the matter. It appears that, as days pass on the situation is getting more and more grave and the latest intimation was on the day on which this notice

was given. I am inclined to allow this motion. It will be for the Honourable Members to decide as to whether they should move it or come to an agreement. The motion will be taken up at 4 o'clock.

### MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL

**Mr. President:** I have received a message from His Excellency the Governor-General which reads as follows:

*"In pursuance of the provisions of sub-section (2) of section 63C of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, I, Archibald Percival, Viscount Wavell, hereby signify that I approve the election by the Legislative Assembly of Sir Muhammad Yamin Khan, C.I.E., as Deputy President of the said Assembly."*

(Sd.) WAVELL,  
Governor General

NEW DELHI;

The 5th February, 1946.

**Shri Sri Prakasa** (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, on a point of order. I draw your attention to the fact that, despite the very explicit Standing Order on the subject, Honourable Members opposite have a habit of standing when you stand. I think this habit must be discontinued.

**Mr. President:** Stray instances do not make a habit.

### ELECTION OF MEMBERS TO STANDING COMMITTEE FOR PLANNING AND DEVELOPMENT DEPARTMENT

**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 Standing Committee for the Department of Planning and Development, twelve nominations were received. Subsequently, two members withdrew their 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 rest of the current financial year and the whole of the next financial year, 1946-47: (1) Mr. P. J. Griffiths, (2) Sri R. Venkatasubba Reddiar, (3) Pandit Govind Malaviya, (4) Mr. B. B. Varma, (5) Mr. M. Asaf Ali, (6) Raja Bahadur of Khallikote, (7) Rai Bahadur D. M. Bhattacharyya, (8) Mr. Tamizuddin Khan, (9) Seth Yusuf Abdoola Haroon, and (10) Mr. Ahmed Ebrahim Haroon Jaffer.

### ELECTION OF MEMBERS TO STANDING COMMITTEE FOR WAR TRANSPORT DEPARTMENT

**Mr. President:** I have also to inform the Assembly that upto 12 Noon on Friday, the 1st February, only one nomination was received for the eighth vacancy in the Standing Committee for the Department of War Transport. I, therefore, declare Khan Bahadur Sharbat Khan to be elected to the Standing Committee in that vacancy.

As regards the vacancy caused by the resignation of Mr. M. Ananthasayanam Ayyangar of his membership of this Standing Committee, I have to inform the Assembly that upto 3 P.M. on Tuesday, the 5th February, only one nomination was received. I, therefore, declare Sardar Surjit Singh Majithia to be elected also to this Standing Committee, the election of which is now complete.



[Mr. President]

### NOMINATION OF MEMBERS TO THE HOUSE COMMITTEE

**Mr. President:** I have further to inform Honourable Members that I nominate the following Members to constitute the House Committee for the year 1946:

- (1) Sir Mohammad Yamin Khan (*Chairman*),
- (2) Mrs. Ammu Swaminadhan,
- (3) Sri M. Ananthasayanam Ayyangar,
- (4) Khan Abdul Ghani Khan,
- (5) Shri Mohan Lal Saksena,
- (6) Babu Ram Narayan Singh,
- (7) Dr. Sir Zia Uddin Ahmad,
- (8) Haji Abdus Sattar Haji Ishaq Seth,
- (9) Mr. Muhammad Nauman,
- (10) Mr. C. P. Lawson,
- (11) Sir Cowasjee Jehangir, and
- (12) Sardar Mangal Singh.

### ELECTION OF MEMBERS TO STANDING COMMITTEE FOR COMMERCE DEPARTMENT

**The Honourable Dr. Sir M. Azizul Huque** (Commerce Member): Sir, I move

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, nine non-official members to serve on the Standing Committee to advise on subjects with which the Commerce Department is concerned for the unexpired portion of the current financial year and the financial year 1946-47."

**Mr. President:** Motion moved:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, nine non-official members to serve on the Standing Committee to advise on subjects with which the Commerce Department is concerned for the unexpired portion of the current financial year and the financial year 1946-47."

**Sri M. Ananthasayanam Ayyangar** (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, may I request the Honourable Member who makes this motion to take us into his confidence and tell us what was done during the past year with the help of this Committee? What subjects of importance were placed before this Committee? How far was this Committee of any use to him or how far has the Government reposed confidence in this Committee?

**The Honourable Dr. Sir M. Azizul Huque:** I can be quite frank in this matter. Last year during May, June and July nobody knew what the position was going to be. Every one was busy at that time in discussions of which the House is quite aware. After that the Assembly was dissolved. Previous to that, I called for several meetings of the Committee and I remember many important questions of the Commerce Department arising at that time, such as contributions to U. N. R. R. A. and several other matters, imports and exports, were all discussed. Last year, to be quite frank, the Committee did not meet.

**Prof. N. G. Ranga** (Guntur cum Nellore: Non-Muhammadan Rural): I learn there is soon going to be Empire Trade Conference or some such conference which will be held in London. I do not know whether the Government of India has been invited to it. If so, what the agenda is going to be and what is the attitude of the Government of India regarding the same? May I know if the Honourable Member propose to take this committee into his confidence before the Government finally decides upon this matter in regard to the agenda and also in regard to the attitude which they will adopt there. It is quite possible that imperial preference might again be brought up there for discussion. That is a subject on which India holds very strong views. The House has expressed its disapproval not once but repeatedly on the infamous Ottawa duties and preferences. Therefore, I suggest that this House ought to be given an assurance that this Committee will be taken into the fullest confidence in this matter.

**The Honourable Dr. Sir M. Azizul Huque:** It is very difficult for me at this stage to give an answer off hand specifically regarding one particular item. I shall certainly comply with the wishes of this House in consulting this Committee in as many matters as possible.

**Prof. N. G. Ranga:** This is a matter of outstanding importance. It is not every day that such an important matter comes up before the Commerce Department. After all the Commerce Department has got to deal with this matter in as judicious a manner as possible. I sincerely trust that the Honourable Member will find it possible to give an assurance to this House that on this particular matter he will certainly take the committee into his confidence in the future.

**The Honourable Dr. Sir M. Azizul Huque:** As I have answered already, I shall bear the wishes of the House in mind.

**Mr. President:** There is an Amendment to this Motion.

**Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgris: Muhammadan):** I move:

That in the original Motion for the word 'nine' the word 'ten' be substituted."

**Mr. President:** Amendment moved:

That in the original Motion for the word 'nine' the word 'ten' be substituted."

**The Honourable Dr. Sir M. Azizul Huque:** I have no objection if that would satisfy the House. Last year, I increased the number. This year, again one more is asked for. I have no objection.

**Sri M. Ananthasayanam Ayyangar:** May I submit, Sir, we have got a number of motions relating to Standing Committees for various Departments. I would like, Sir, that before each one is moved, a statement is given to the House about the activities in which the Committees engaged themselves in the previous year. Otherwise, with a plain charter like this, it is useless for the Assembly to vote particularly in view of the fact that during the previous year this Committee was completely in the dark.

**The Honourable Dr. Sir M. Azizul Huque:** My difficulty was this. In the previous year, I consulted the members. In at least one or two matters, I remember distinctly the Members were not able to give their own opinion. They simply said that they would abide by whatever the Party decided.

**Mr. President:** The question is:

"That in the original Motion for the word 'nine' the word 'ten' be substituted."

The motion was adopted.

**Mr. President:** The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official members to serve on the Standing Committee to advise on matters with which the Commerce Department is concerned for the unexpired portion of the current financial year and the financial year 1946-47."

The motion was adopted.

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

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

#### SECTION OF MEMBERS TO STANDING COMMITTEE FOR INDUSTRIES AND SUPPLIES DEPARTMENT

**The Honourable Mr. A. A. Waugh (Member for Industries and Supplies):** I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, eight non-official members to serve on the Standing Committee to advise on matters with which the Department of Industries and Supplies is concerned during the unexpired portion of the current financial year and the financial year 1946-47."

**Mr. President:** Motion moved:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, eight non-official members to serve on the Standing Committee to advise on matters with which the Department of Industries and Supplies is concerned during the unexpired portion of the current financial year and the financial year 1946-47."

**Shri Satya Narayan Sinha** (Darbhanga *cum* Saran: Non-Muhammadan): Sir, I move:

"That in the original motion for the word 'eight' the word 'ten' be substituted."

**Mr. President:** Amendment moved:

"That in the original motion for the word 'eight' the word 'ten' be substituted."

**The Honourable Mr. A. A. Waugh:** Sir, I am prepared to accept the amendment.

**Mr. President:** The question is:

"That in the original motion for the word 'eight' the word 'ten' be substituted."

The motion was adopted.

**Mr. President:** The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official members to serve on the Standing Committee to advise on subjects with which the Department of Industries and Supplies is concerned during the unexpired portion of the current financial year and the financial year 1946-47."

The motion was adopted.

### ELECTION OF MEMBERS TO IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two members of the Assembly to serve on the Imperial Council of Agricultural Research and its Governing Body."

**Mr. President:** Motion moved:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two members of the Assembly to serve on the Imperial Council of Agricultural Research and its Governing Body."

**Sri M. Ananthasayanam Ayyangar** (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, this Imperial Council of Agricultural Research has not improved the agriculture of this country and it has not extended its research throughout the length and breadth of this country. We have not had any tangible results of that research at all. Whatever researches have been made up till now, there was no occasion for those researches to be tested and put into action in the past five years. The Honourable Member from year to year has been moving this House for the formation of a committee of this House to advise the Imperial Council of Agricultural Research but he has not taken this House into confidence as to what results have been achieved and how far they have been given effect to by this Government. I really want that whenever any Honourable Member moves for the formation of a Standing Committee he should circulate a paper or make a statement on the floor of the House as to what has been done, what is proposed to be done in the coming year and what sort of advice is required. I want this particularly for this Imperial Council of Agricultural Research. I am afraid it has been receding into the background; it has not been pulling its weight or doing enough in the critical days through which our country is now passing. I want an answer in regard to all this from the Honourable Member who moved this motion.

**Sir Pheroze Kharegat:** Sir, I shall be very pleased to lay on the table of the House a report on the work of the Imperial Council. In fact, an annual report is published every year and my information is that a copy is placed in the Library of the House. But if it is desired that every Member should be supplied with a copy that shall be done in future.

**Sri M. Ananthasayanam Ayyangar:** What I want to know particularly is, what is the kind of co-operation that is required from this committee to be elected and how this co-operation is to be given, how many meetings were called in the last year and what opportunities were given to the members, etc. A statement may be circulated on these points and I want my Honourable friend to enlighten us on them.

**Sir Pheroze Kharegat:** Sir, I am afraid there is some misunderstanding here. The Honourable Member is referring to a Standing Committee. This is not a Standing Committee; this is the Governing Body of the Imperial Council of Agricultural Research and the House has simply to elect two members to serve on that Governing Body.

**Mr. President:** The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two members of the Assembly to serve on the Imperial Council of Agricultural Research and its Governing Body."

The motion was adopted.

#### ELECTION OF MEMBERS TO STANDING COMMITTEE FOR INFORMATION AND BROADCASTING DEPARTMENT

**The Honourable Sir Akbar Hydari** (Member for Information and Broadcasting): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, five non-official members to serve on the Standing Committee to advise on subjects in the Department of Information and Broadcasting for the unexpired portion of the current financial year 1945-46 and for the financial year 1946-47."

**Mr. President:** Motion moved:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, five non-official members to serve on the Standing Committee to advise on subjects in the Department of Information and Broadcasting for the unexpired portion of the current financial year 1945-46 and for the financial year 1946-47."

**Shri Satya Narayan Sinha** (Darbhanga *cum* Saran: Non-Muhammadian): Sir, I move:

"That in the original motion for the word 'five' the word 'ten' be substituted."

**Mr. President:** Amendment moved:

"That in the original motion for the word 'five' the word 'ten' be substituted."

**The Honourable Sir Akbar Hydari:** Sir, I accept the amendment.

**Prof. N. G. Ranga** (Guntur *cum* Nellore: Non-Muhammadian Rural): Sir, I wish to make one submission; I am sorry I did not make it earlier when the motion was first put. I find that in the provinces the practice is for Government to supply their various administrative and other reports dealing with general problems to every member of the legislature. But here unless a member specially asks for a particular report after coming to know that such a report has been published, it is not supplied to him. And it so happens that even when a member asks for the report he is told that he has to apply in the usual way to the Manager of Government Publications who will supply on payment, and so on, with the result that most of us are handicapped for want of proper literature and information. It may suit the convenience of Government to keep as many of us as possible in as much ignorance as possible in regard to the activities of their various departments; but I would certainly like you, Sir, to strengthen our plea that Government should, as far as possible, place their published reports at our disposal. If they can legitimately plead shortage of paper or any other difficulty they may at least take the trouble to inform us what reports have been published so that those of us who are interested in any one of those reports may write to them and get it free.

**Sri M. Ananthasayanam Ayyangar** (Madras Ceded Districts and Chittoor: Non-Muhammadian Rural): In addition to that I will show how absurd the conduct of Government is in this matter. I have been writing to various departments to supply me with these reports so as to enable me to address the House much better. They would say that many of them were not available, and after two years we would get an intimation from the Manager of Civil Publications, Delhi, that those reports which we wanted while they were current were all there and at our own cost we could carry them home. But by that time they have become out of date. Instead of repeating that mistake I suggest that Honourable Members on that side would do well to circulate these reports to Members. By that, Government which are spending 400 to 500 crores are not going to lose.

**The Honourable Sir Akbar Hydari:** In so far as my two departments of Information and Broadcasting and Planning and Development are concerned, it is not my wish to keep Honourable Members in the dark, and I shall be glad to have a statement prepared of the several publications of the two departments which are for sale. Honourable Members can then tick off the publications they want and they will be sent to them free of charge.

**Sri M. Ananthasayanam Ayyangar:** I hope other Honourable Members would also do likewise.

**Mr. President:** I may add that in Bombay, this is the practice: A circular is sent to Members mentioning all the publications which Government publish from time to time—reports and such other things—and then Members are requested, as the Honourable Sir Akbar Hydari has just said, to tick off the publications each individual Member is interested in, and then those publications are supplied to him regularly free of charge without waiting for any requisition on his part.

**Sri T. A. Ramalingam Oshettiar (Madras: Indian Commerce):** The same practice is followed in Madras also.

**Pundit Thakur Das Bhargava (Ambala Division: Non-Muhammadan):** This was the practice in this House also with regard to Railway Reports which were made available on application.

**Mr. President:** The question is:

“That in the original motion for the word ‘five’ the word ‘ten’ be substituted.”

The motion was adopted.

**Mr. President:** The question is:

“That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official members to serve on the Standing Committee to advise on subjects in the Department of Information and Broadcasting for the unexpired portion of the current financial year 1945-46 and for the financial year 1946-47.”

The motion was adopted.

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

	Date for nomination	Date for election
1. Standing Committee for the Department of Commerce.	11-2-1946	13-2-1946
2. Standing Committee for the Department of Industries and Supplies.	11-2-1946	13-2-1946
3. Imperial Council of Agricultural Research	11-2-1946	14-2-1946
4. Standing Committee for the Department of Information and Broadcasting.	11-2-1946	14-2-1946

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

### ELECTRICITY (SUPPLY) BILL.

**The Honourable Dr. B. R. Ambedkar (Labour Member):** Sir, I move for leave to introduce a Bill to provide for the rationalisation of the production and supply of electricity, and generally for taking measures conducive to the electrical development of India.

**Mr. President:** The question is:

“That leave be granted to introduce a Bill to provide for the rationalisation of the production and supply of electricity, and generally for taking measures conducive to the electrical development of India.”

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar:** Sir, I introduce the Bill.

## TRANSFER OF PROPERTY AND SUCCESSION (AMENDMENT) BILL.

**The Honourable Sir Asoka Roy** (Law Member): I move for leave to introduce a Bill further to amend the Transfer of Property Act, 1882, the Hindu Disposition of Property Act, 1916, and the Indian Succession Act, 1925.

**Mr. President:** The question is:

"That leave be granted to introduce a Bill further to amend the Transfer of Property Act, 1882, the Hindu Disposition of Property Act, 1916, and the Indian Succession Act, 1925."

The motion was adopted.

**The Honourable Sir Asoka Roy:** Sir, I introduce the Bill.

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## INSURANCE (AMENDMENT) BILL

**The Honourable Dr. Sir M. Azizul Huque** (Commerce Member): Sir, I move:

"That the Bill further to amend the Insurance Act, 1938, be taken into consideration."

Sir, it was in November 1944 that the Bill was first introduced in the Assembly and after a full debate referred to a Select Committee. Amongst the present Members of the Assembly Mr. Satyanarayan Sinha, Sir Muhammad Yamin Khan, Mr. Essak Sait, Mr. Nauman, Mr. Chapman-Mortimer and Mr. Gwilt were members of that Select Committee. Others, but no longer in this Assembly, were Sir Vithal Narayan Chandavarkar, Sir Abdul Halim Ghuznavi, Mr. N. C. Chunder, Mr. T. T. Krishnamachari, Mr. Akhil Chandra Datta, Sir Bhagchand Soni, Mr. Abdul Qaiyum, Mr. Hooseinbhoj A. Lalljee and Mr. Bhulabhai Desai. I should acknowledge here the valued work done by those who are not in our midst today, specially at the Select Committee stage, and I should specially like to mention about the great help and assistance we had received from Mr. Bhulabhai Desai, the distinguished Leader of the Opposition in the last Assembly and an eminent lawyer of All-India fame. The Bill was very carefully considered at the various sittings of the Select Committee in January 1945. While the Select Committee substantially agreed to the main features of the Bill, either in their original form or with a few minor changes, a few new features of far-reaching importance were introduced at the Select Committee stage, the most important being two clauses relating to limitation of overall expenses of both life and non-life companies. As borne out by the Report of the Select Committee, there was a sharp difference of opinion in the Committee on this point, and it was a subject of minutes of dissent for some reason or other from almost every member of the Committee; even those who were definitely in favour of the principle of overall limitation suggested in their notes to have the figures recommended by the Select Committee further investigated.

The Report of the Select Committee was presented to the House on the 11th February, 1945, and Government were anxious to proceed further with the next stage of the Bill and take up all the provisions of the Bill as recommended by the Select Committee excepting the two new clauses added at the Select Committee stage, and which were both controversial in nature. But unfortunately the Budget discussions, voting of grants and other business of the Assembly filled up almost the entire time-table and there was not enough time left for further consideration of the Bill within its time-limit fixed for the last Session of the Assembly.

In the meantime, the attention of Government had been drawn to certain evil trends in the management of insurance companies, prejudicial to the best interests of insurance business in India. Government immediately appointed a committee under the Chairmanship of Sir Cowasjee Jehangir with Mr. Wajahat Hussain—the Deputy Governor of the Reserve Bank who unfortunately died sometime ago and was a great loss—Sir Alan Lloyd, Sir George Morton, Mr. K. R. P. Shroff, Mr. J. K. Mitter and Mr. Vaidyanathan, Superintendent of

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Insurance, as members of the Committee. That Committee submitted its report to Government sometime in July 1945, and in accordance with the recommendations of this Committee, a Bill is being drafted which, I hope, to bring before the House as soon as possible. As the new clauses introduced at the Select Committee stage of the Bill I introduced in 1944 focussed a good deal of attention from insurance interests in India and were not free from certain amount of controversies from a section of Insurance interests, I have excluded these two clauses from the present Bill, so that the present Bill may deal as far as possible with more or less non-contentious items or clauses that were generally agreed to by the last Select Committee. I propose to incorporate the two new sections which are subject matters of controversies at the second Bill which I propose to introduce as soon as possible.

Since that time our attention has also been drawn to certain other flaws and lacunae, more or less of a minor nature, and opportunity has been taken to include a few clauses to remove them with a view to clarifying some of the provisions of the main Act.

The present Bill also introduces two or three new proposals which I hope will be agreed to by the House and some of them very urgently necessary. Under the Indian Insurance Act, the Superintendent of Insurance must be a qualified actuary. Unfortunately the number of qualified actuaries is extremely limited, only about 15 in the whole of India, and all of them are in most responsible positions in Insurance companies and it is almost impossible to get a suitable man from amongst actuaries with experience and knowledge to fill this very important post. I am grateful to the Oriental that at a critical moment in war time they came to our assistance and let us the services of Mr. Vaidyanathan. Mr. Vaidyanathan has been an asset to us and I wish to take this opportunity of placing on record his invaluable service to the cause of insurance in India. But it will not be possible for Government to have the services of Mr. Vaidyanathan after March next and it was with extreme difficulty that we have managed to keep him on till the end of March. We have tried our best to find out some suitable person after Mr. Vaidyanathan's eminent services with his experience and talents, but without any success, and I am sure the House will not desire me to get the Superintendent of Insurance from abroad. I am advised, after consulting the best insurance opinion that the time has come when with actuarial assistance under him it should be possible for the Superintendent of Insurance to administer the Act, even if he himself is not an actuary. Some of the most intricate technical, financial and economic places are being ably manned by Indian personnel as recruited from the various services or from the public life of this country. The Governor of the Reserve Bank is from the Civil Service, and I do not therefore see any reason why we should not be able to find a suitable Indian for this post, even if he is not an actuary himself. Government therefore feel that the relevant clauses of the Act should be urgently modified to enable us to appoint a suitable Superintendent of Insurance. Necessary provision has therefore been made in the present Bill to incorporate an amendment on this point.

Sir, another new proposal relates to the stage when the Superintendent of Insurance can step in to ensure better management among the insurance companies. Under the Statute, he can under Section 22 question the valuation, and under Section 33 he has powers to order an enquiry into the affairs of the company under certain contingencies. But he has no power, as the law stands, to step in to correct the affairs of any company at the proper stage. In fact, he can only exercise his power after all the mischief has been done. It will be realized that in the long run the soundness of insurance business depends on the rates of premia and the conditions on the basis of which these insurance contracts are issued. If premium rates on which the working of a company depends are unsound, the result of the valuation will be naturally such as to

invoke ultimately the exercise of power under Section 22 by the Superintendent of Insurance. That happens at a later stage when the wrong as I have said has already been done. It has recently come to our notice that some companies have been quoting special reduced premium rates for special classes of policy-holders, e.g., "Directors and their friends". In one case, the House will be surprised to learn the category was further improved upon by the inclusion of "acquaintances" also in the list. All these discriminatory and unfair rates of premium must naturally affect the soundness of the company and ultimately its valuation. It is therefore proposed that the Superintendent of Insurance should have some power to have the rates of premia and conditions on the basis of which insurance contracts are issued to be certified by an actuary approved by him, if he has reasons to hold that the original rates are *prima facie* unworkable. This will avoid the necessity of questioning a valuation under Section 22 at a later stage and will obviously give an opportunity to the insurance companies to rectify their defects at an early stage. The relevant clause of the Bill seeks to secure this end.

Another minor addition, purely of a formal nature, is proposed to give power to the Superintendent of Insurance to issue duplicates of registration certificates on payment of a fee. Insurers themselves sometimes desire more than one copy as original certificates may be mislaid or lost or the companies themselves may desire to have duplicate copies exhibited in their Branch offices.

The next change is to allow commission to an agent who may revive a lapsed policy when he is himself not the agent who actually secured the original policy. Old agents sometimes do not pursue their policies and the proposed section provides that it will apply only in case of genuine lapse. In other words, it cannot be revived without a fresh medical examination and that only after giving proper notice to the original agent, and therefore it should be possible for another agent to revive a lapsed policy.

Sir, the present law also provides for penalty to an agent for offering rebates or to anyone insuring his life accepting such rebates. But the penalty is very small to be in any way effective. In fact, the penalty is only Rs. 100 for the agent and Rs. 50, for the man who has insured his life. It is an open secret that in spite of this penalty the rebate trick has been going on all through and it has been represented that the penalty in both cases should be substantially increased and necessary provision has been made in the Bill to that effect.

Barring these few additions, the present Bill is practically the same as the old Bill, omitting, as I have said before, the clauses about the limitation of overall expenditure. But as most of the Members of the House are new, I should like this opportunity to explain a few main provisions of the Bill.

Firstly, the provision about the separation or earmarking of the investments representing the assets of life insurance policy-holders: Honourable Members are aware that the insurance company may be either a life insurance company or a composite company representing fire, marine, accident and other contracts. But whatever may be the nature of the company, the life insurance fund is in the nature of a trust and should always be available most readily and no-one should be allowed to play with that money if the interests of the policy-holders are to be protected and safeguarded till their dues mature. But a composite company, representing fire, marine or accident may invest its life funds in non-life ventures and that it may have to incur serious loss and may meet even with disaster in the long run upon its non-life business. Anything that prejudices the interests of the life policy-holders must be scrupulously safeguarded so that no disaster or loss in any non-life business may affect the interests of the life policy-holders, such as it may possibly be in marine, accident or fire business. Again if a purely life insurance company goes into liquidation its other creditors who are not policy-holders should look to the realization of their dues only from the assets of the company outside the fund representing the life insurance interests. They cannot impinge in any way upon the interests of the



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life policy-holders. This was exactly what was recommended by the Clauson Committee in the United Kingdom. It strongly advocated this course being adopted. Recent legislation in the Commonwealth of Australia have also provided for this. In America, in fact, the Government have gone further. A company transacting life business is prohibited from transacting any other type of business, including other types of insurance business, so that any bad trading under any class of business may not in any way adversely affect the interests of the life policy-holders. This was also the idea behind legislation in

3 P.M. fund should be separately earmarked and separately invested, as 1938, namely that the investments representing the life insurance would appear from the Notes on Clauses which form the Annexure to the Bill as originally introduced. But the section, as it stands at present, does not achieve this end. The clause in the present Bill only seeks to ensure the position so that the life insurance fund may be separately invested and earmarked as funds which cannot be touched upon by any other class of business or in any other transaction.

Secondly, there has recently been a tendency among insurance companies transacting life business to expand into other classes of business. While this should not in any way be discouraged, it is only reasonable that they should not be allowed to transact other classes of business before they are able to bring up their life insurance fund to such a size as would cover their liability to their life policy-holders. Otherwise a composite company would start with a deficit to its life policy-holders. The life policy-holders of a company which transacted only life business at the start naturally look to the original share capital as a security only to the life policy-holders: but once other classes of business are entered into the share capital would then provide joint security to all classes of policy-holders and to that extent the fund to which the life policy-holders will look to, should adversity set in, is diminished. The present Bill therefore proposes to raise the life insurance fund to an amount equal to the liabilities under life insurance policies before an insurance company may be permitted to undertake any other class of insurance business, namely fire, accident and marine.

Thirdly, there have not been a few cases in which a company transacting life insurance business was *prima facie* unable to meet its liability towards life policy-holders, taking into account only the paid up capital. In such cases the companies deemed themselves to be solvent, taking into account uncalled capital as if it was cash in hand. It is manifestly unfair to the life policy-holders for a company receiving its funds from the life policy-holders to spend away its money and then to plead the uncalled capital and try to equate a part of the liability to policy-holders from the uncalled capital. Uncalled capital represents nothing but promises and may not in several cases be realisable, particularly when the concern is driven to the necessity of calling the uncalled capital in times of emergency to cover their thoughtless expenses and then to try to meet its liabilities to the policy-holders from the uncalled capital. In view of the law as it stands at present, it has been held that uncalled capital could not be ignored and should be considered as available to meet the position of insolvency and no action for taking the company to liquidation could arise unless it is proved that the uncalled capital was unrealisable. You can understand how difficult it is to prove that the uncalled capital is not realisable and this is an unsatisfactory position, having regard to the interest of the life policy-holders and the present Bill tries therefore to rectify this defect. I can quite easily visualise the case of a company which started with a paid up capital of a lakh of rupees and a very large unpaid capital of 99 lakhs. They go on merrily spending the life insurance fund of the policy-holders to the tune of 99 lakhs or near that amount. When that stage is reached it can easily be seen how very difficult it would be to realise even a small fraction of the uncalled capital in time. In any case that is a contingency which will depend upon the realisation and life policy-holders must always be sure of prompt payments.

Fourthly, there are some cases in which companies sit tight on claims even when they have been decreed by Courts of Law; without paying their liability as decreed by the Court they still go on merrily roping in new policy-holders, while profusely advertising their strength and, amongst other things, their prompt settlement of claims. The present Bill provides that this should be stopped, so that any company against whom payment of claims is outstanding should be debarred from securing any new life business before it is able to pay off their claims to policy-holders.

Fifthly, with a view to enabling companies to settle claims promptly, the 1938 Act desired to give policy-holders the facility of nomination as distinguished from assignment under the Married Women's Property Act, as the latter is somewhat more rigid than the former. It was not at that time contemplated that the nomination which in most cases may be for the benefit of the wife or children or both, should attract the rigid provisions of the Married Women's Property Act. While it was not in any way desired that a policy-holder wanting the security provided by the Married Women's Property Act should in any way be deprived of it, however rigid such conditions may be, it was intended that the policy-holder specifically desiring the elasticity provided by the nomination under the Insurance Act should not be subject to any rigidity as contemplated under the Married Women's Property Act. As the language of the law stands, it is open to a doubtful interpretation and this has to a certain extent militated against many policies getting the privilege of nominations as was desired by the legislature when this Bill was passed into law. An amendment seeks to remove this lacuna and confer on nominations the elasticity originally contemplated.

Sixthly, the Bill provides facilities for amalgamation and transfer of business of Provident Societies as between themselves with the sanction of the Superintendent of Insurance, and without resorting to heavy expenditure in a court of law. There are some societies which are struggling for existence and if they, should they wish to do so, can be amalgamated with stronger units, they can improve their condition. The amendment contemplates to make this possible without loss of time and without much expenditure that may be necessary for effecting amalgamation, if they are to do it through court proceedings, which will naturally involve heavy expenditure. There are actually some societies and as Honourable Members are aware these provident societies reach a class of people which cannot be reached by the ordinary insurance business. They are so small and their means are so small that if they had to make the transfer a court affair, there would be nothing left for them. It is only with a view to prevent that that this power is given to the Superintendent to direct the amalgamation of the company subject to his being satisfied on all particulars.

I do not wish to lengthen my speech. I have tried to explain the main features and provisions of the Bill. Barring a few additions which I have tried to explain in the Bill. The present Bill is actually what was before the Select Committee except the controversial clauses about the limitation of overall expenditure, about which I hope I may be able to introduce another Bill as soon as possible.

Sir, I move.

**Mr. President:** Motion moved:

"That the Bill further to amend the Insurance Act, 1938, be taken into consideration."

I would now request Honourable Members to move their amendments.

**Mr. Ahmed Ebrahim Haroon Jaffer** (Bombay Southern Division: Muhammadan Rural): Sir I move:

"That the Bill be referred to a Select Committee, consisting of the Honourable the Commerce Member, the Honourable the Law Member, Messrs. L. S. Vaidyanathan, Abdur Rahman Siddiqi, T. Chapman-Mortimer, Ali Asghar Khan, N. V. Gadgil, Sri Prakasa, M. Ananthasayanam Ayyangar and Ahmed E. H. Jaffer, with instructions to report by the end of February 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

**Mr. President:** I take it that the Honourable Member has given up the idea of moving his first amendment.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Yes, Sir.

**Mr. President:** Amendment moved:

"That the Bill be referred to a Select Committee, consisting of the Honourable the Commerce Member, the Honourable the Law Member, Messrs. L. S. Vaidyanathan, Abdur Rahman Siddiqi, T. Chapman-Mortimer, Ali Asghar Khan, N. V. Gadgil, Sri Prakasa, M. Ananthasayanam Ayyangar and Ahmed E. H. Jaffer, with instructions to report by the end of February 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

**Mr. Ahmed Ebrahim Haroon Jaffer:** Sir, Reading the Statement of Objects and Reasons, it is mentioned that "certain alternations mostly of a minor nature including those necessary to rectify defects which have come to light since the introduction of the above-mentioned Bill in 1944 have been made, and certain provisions requiring further consideration have been omitted." The very fact that there are so many amendments to this Bill clearly shows that it contains matters of a controversial nature, which should be referred to a Select Committee. After all the Select Committee has got to submit its report by the end of February and I can see no objection to it; because the report has to be submitted to the House and I see no reason whatever why the Bill should be pushed through now. All over the world in matters of insurance changes, the Bills are brought to the notice of the public. The Bill which is now presented has come out from the one which was presented before, and I suggest that we sit together and examine it minutely. There are so many clauses in the Bill now proposed that they require definite scrutiny.

One of them suggests the question of the appointment of an insurance superintendent. The old Act says that he should be an actuary: this Bill seeks to remove that qualification. Secondly the changes are of a vital nature and they should be properly laid before a committee who can go into all these questions. I suggest there can be no better remedy than to refer this Bill to a Select Committee, which I have proposed.

**Mr. Manu Subedar** (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, I have no desire to block the transfer of this Bill to a Select Committee; but personally I think that most of the clauses (though it looks a voluminous Bill there is nothing really in it), are simple: the two or three new clauses which have been introduced into this Bill have been explained by the Honourable Mover, and I think they are non-controversial so far as we are concerned. The surprise is that the state of the law was such that hitherto the provision made in clause 25 with regard to the calculation of unpaid calls, that these unpaid calls could be considered in the question of valuation in the past is itself a lacuna; and I am surprised that the Government permitted it in the past. Anyway, now that they are bringing it in, none of us quarrel with it and it is very welcome.

Similarly, the provision with regard to the isolation and determination of the life fund before a company is permitted to indulge in insurance activities in other fields. This is a very salutary and good provision and it is all right. But even if one life company is not permitted to enter into another field until their finances are carefully scrutinised—clauses 8 and 47—even if this is provided, how are you going to deal with those cases in which promoters and managers of insurance companies are interested not only in one class of insurance but in various other classes of activities and the whole question of the inter-locking finance? Really, there is no meat in this Bill, if I may say so; and I must say that I am not at all happy or satisfied with the statement made by the Honourable Commerce Member explaining the reason why it has been necessary not to bring in all the items which were included in the last Bill; why have they not brought them into this Bill? So far as the question of limitation of expenses is concerned, I do not know whether that was also a topic given to my friend Sir Cowasjee Jehangir and his committee, but it is

that kind of question which would require directly a reference to the Select Committee. Why has the Honourable Commerce Member omitted the two or three clauses which were formulated at the time of the last Select Committee—40B and the other one—why have they not been included in this Bill? Why is he afraid? He says he is formulating another Bill. Had he not got enough time? The Cowasjee Jehangir Committee reported, I take it, in July 1945. There have been more than six months in the hands of the Government since then to formulate a Bill which could have been knocked into shape in Select Committee and the members of the Select Committee would have had adequate time to deal with the matter. Why, may I know, has all this time been taken and why has he thought it necessary to defer those items? Now he is promising—he is not even promising—he has said that the Bill is being drafted! We are quite familiar with Treasury Bench announcements which are always guarded and always leave a door of escape. I am not happy. I want a clear assurance that the rest of that Bill, the rest of the important clauses—and really the most important clauses with which we were concerned—that these will be embodied into law as early as possible, and that he will not try to lock the door after the horse has flown. Even today, as I am talking, various negotiations are going on at various places, some of which I know, which are not entirely to the advantage of the insuring public or the policy-holders. Why is government putting in unnecessary delay? I hope the Bill will be introduced and that in his reply he will give us an assurance that it will be introduced soon and he will give adequate time to the Select Committee to sit on it and finish it before the end of this session.

Now, with regard to the post of superintendent of insurance. This post has been to my knowledge—subject to correction—occupied by two persons since it was instituted and both of them have it is acknowledged done very good work. We are on our side glad to associate ourselves with the tribute which has been given to Mr. Vaidyanathan by the Commerce Member for the very good work which he has done; and it is regrettable that the requirements of the company to which he belongs do not permit an extension of his service in this place. But the solution does not seem to be satisfactory and happy. The Honourable Commerce Member seemed to imply that as an I.C.S. man has been found good enough for the Reserve Bank, why should not an I.C.S. man be found good enough to do the work of the superintendent of insurance?

**The Honourable Dr. Sir M. Azizul Huque:** On a point of personal explanation, I never said I.C.S. I said from the services and from the public life of this country.

**Mr. Manu Subedar:** I am very happy to have this elucidation and I am happy that the Honourable Commerce Member has not already made up his mind with regard to the filling of this post by an I.C.S. I have no quarrel with the I.C.S. Many distinguished men have done very good work in various fields; but I do say,—and I say this with some intimate knowledge of the task involved not only in running insurance but in detecting and checking the evils which are likely to grow if things are not run properly—and I do say this: that I would like to see in the superintendent of insurance qualities not only of the head and capacity as an intelligent administration in general, but I would like to see in him an intimate knowledge and familiarity with the operations of insurance companies and the questions which arise, particularly the border-line questions which arise; and I say, without any fear of contradiction, that I cannot think of an I.C.S. man, picked up from the district, or even picked up from the lower ranks of the Secretariat in Delhi, who can promptly and efficiently discharge what we conceive to be the function of the superintendent of insurance. If I may venture to make a suggestion, my suggestion would be that on this occasion at all events and for the next few years the Honourable the Commerce Member should make an attempt to fill this post with a man who not being an actuary is still engaged in the business of insurance or has been intimately associated with it so as to enable him to have inside knowledge of the practices of insurance companies and of

[Mr. Manu Subedar]

the malpractices which some of the insurance companies may be resorting to. I want them to pick out a man who has general experience and to put him in the place of Superintendent of Insurance even if he does not happen to be an actuary because I take it that a number of actuaries are already engaged by Government themselves and their advice, as and when required, would be available to the Superintendent.

I again say that it is deplorable that in our country legal reform in the organisation of business is slow. When the Companies Act was passed in the United Kingdom, India followed the U.K. after many years with a number of necessary alterations. When an adequate Insurance Bill was passed in the United Kingdom, India came a few years behind as usual and now we are today amending something which was passed in 1938. In a country in which the Government is alert, in which the people and the country are co-operating, the evils get known at once and Government ought to be ready with an amending Bill within a period of 12 months to put right all the little details. When you draft a very large Bill, these are likely to escape attention and that sort of thing cannot be expected in India. Here we must wait for years. Why could not this Bill be rushed through on the last occasion. Most of the useful clauses of this Bill could have been put through in the last Assembly itself.

**The Honourable Dr. Sir M. Azizul Huque:** I gave notice.

**Mr. Manu Subedar:** Therefore I say that my friend is the victim of the general tendency on the part of the Treasury Benches to leave things to grow until the evil becomes too great. They are not prompt in calling for reports from the provinces on the subject and not prompt in bringing forward amending Bills. I do not speak in any spirit of quarrel or controversy. I only urge that in the case of this and various other Acts relating to business organisations and business contracts, there are various lacunae which I am surprised Government does not bring in amending Bills to stop them. Sir, I support the motion.

**Mr. T. Chapman-Mortimer** (Nominated Non-Official): This Bill of 48 clauses looks on the face of it very formidable but as the Honourable the Commerce Member and my Honourable friend opposite have pointed out, in fact it is much less formidable than it looks. It is more in the nature of a tidying up measure following on the great work done by the late Sir Nripendra Nath Sircar in 1937. Most of the amendments proposed in this Bill are of a minor nature so that there is some reason for the Bill being dealt with straightaway on the floor of the House, more especially as it was thrashed out in a Select Committee of this House just a year ago. In these circumstances our Group would not propose that the matter should be referred to a Select Committee. On the other hand we recognise that there are many new members of this House and if the feeling were strongly in favour of a Select Committee to report at a very early date, before the end of February, we on these Benches should not resist that. On the other hand, I have been asked by my party to draw attention to the fact that whereas in the past we were given two members on the Select Committee on this occasion only one name from our Group has been put forward.

With regard to the Bill itself, there are, I think, five major points that call for attention. The first of these is in clause 2 where Government propose, and, in my opinion, in our Group's opinion, rightly propose to do away with the rigid insistence on the Superintendent of Insurance being a qualified actuary. We recognise that Government in this matter should be free to choose the best man available. After the 1937 Bill was introduced, it was vitally important that in the early stages the work should be done and supervised personally by a trained actuary and we were very fortunate to get first Mr. Thomas and then Mr. Vaidyanathan; and I should like on behalf of the European Group to

associate myself fully with what the Honourable the Commerce Member said about the excellent work done by the Superintendent of Insurance. This Bill, though I call it a tidying up measure, in one respect, is a tribute to Mr. Vaidyanathan himself in that he seeks to fill up all these lacunae in the law which were left after the great struggle in 1937 when the Bill was debated for some 4 months. We do associate ourselves fully with the tribute paid to him.

Then the second point is in relation to clause 3, where, I am very glad to see, Government are going to take further action to deal with people who, under the guise of calling themselves something else, are in fact managing agents. I refer to the words of sub-clause (g) which says:

"(g) in sub-section (6), for the words 'The Superintendent of Insurance' the words, figures and letter 'Subject to compliance with the provisions of sections 5, 10 and 32 and of any order made. . . . ' should be substituted."

Now, Sir, by this amendment the Superintendent of Insurance will now be able, without any excuse whatever for saying that he has no power, to deal promptly and effectively with managing agents, to deal with them whether they are disguised as managers or managing directors or in any other shape or form; and in that connection I should like to draw the attention of the House and of the Government to the definition of a "managing agent." It says: "*Managing agent*" means any person, firm or company entitled to the "management of the whole affairs of the Company by virtue, etc.;" then it goes into details and finally ends with the words 'by whatever name called'. When Sir N. N. Sircar agreed to that amendment he thought, in my opinion rightly, that it gave Government full power. Actually Government have felt for various reasons with which I do not agree but which I recognise are strong reasons that they could not act against people who were evading the provisions of section 32. They now propose to arm themselves with the necessary powers. I am sure, and indeed I hope that Government will immediately, as soon as this Bill becomes law, deal with the said persons. We welcome the new provision.

I do not propose to deal with the Bill clause by clause. I would however like to deal with clause 4 and two others because they are very important. In clause 4 Government propose to arm themselves with powers of a most desirable nature and I should like to take this opportunity to express on these Benches our welcome to the strong powers that they propose to take; for two reasons, one, that they are strong and secondly, they are flexible. In other words Government do not propose to tie themselves in bundles of red tape. They merely say that power should be given to Government to decide whether in fact the insurance company concerned, when they apply for the registration of the company or for the renewal of registration, in fact is offering terms which are sound and proper. There are cases of companies that make a valuation on the basis of  $4\frac{1}{2}$  or 5 per cent. and say that that is the assumed rate of interest that they are going to earn and on that basis they made all their actuarial calculations. In fact it is quite obvious from their accounts that instead of earning  $4\frac{1}{2}$  or 5 per cent. they are in fact earning 3 per cent.—or even less, when you take into account the losses on investments and so forth. By means of the provisions that Government seek to incorporate in the Act that kind of company should be dealt with immediately. I hope Government will take very prompt action with regard to about 20 or 30 companies whose affairs are in a very "dicky" state, to say the least.

Then, Sir, the fourth point to which I should like to draw the attention of the House is in clause 8. The Honourable the Commerce Member has made it quite clear that Government, for good and sufficient reasons, desire to insist upon a rigid line to be drawn between life business and all other classes of business. Sir, as he pointed out, this is a recommendation of the Clauson Committee. It is very sound and we on these Benches whole-heartedly support it. It will secure the assets of the policy-holders and prevent a lot of the rather undesirable activities that have been taking place, more especially within the last two or three years. I should like in that connection to inquire whether the proposed new sub-clause (2A) will be used by Government promptly and effectively in

[Mr. T. Chapman-Mortimer]

connection with powers they seek to take for themselves under the proposed new section 3B. It is most necessary that having got the law changed they should promptly act upon it and not simply pat themselves on the back for having got the new Act through and do nothing effectively.

Then, with regard to clause 20. I am afraid I do not quite agree with the arguments put forward by the Honourable the Commerce Member. I myself sat on the Committee in 1937 and took some part in the subsequent debates in this House. I do not recollect that at any stage the then Law Member had it in his mind that the proposal now in the Bill should, in fact, be the effect of the change made at that time. Indeed, I have got here the report of the Select Committee and I find that what they said was this:

"Clause 32 (now 34).—We have supplied an omission in sub-clause (5) and by a new sub-clause (7) we have made a necessary provision excluding from the operation of the clause insurances by a married man for the benefit of his wife or children which are subject to the provisions of Act III of 1874."

Act III of 1874 is the Married Women's Property Act and, if Honourable Members will look at that Act, they will see that one of its main provisions relates to this very subject. It is headed "Insurance by husband for the benefit of his wife". It may be that I have misinterpreted the position, but, when we come to the clause itself, I should like to hear more adequate reasons than Government have given up-to-date as to why they seek this amendment of the section.

And, lastly, Sir, clause 35. In this clause the Government seek to substitute for the word "Government" the word "approved". We have no strong objection to this and, in fact, it is obviously desirable in certain respects that Provident Societies should be given a slightly greater facility in the matter of investments than they have at present. On the other hand, I do hope that Government will recognise the full effect and meaning of what they seek to do, because what they propose will have the effect, though I do not say that is the intention, of putting Provident Societies in a more favourable position than a small Insurance Company. It may, of course, be their intention that most of the small insurers will disappear and that the better Provident Societies will thereby benefit. At the same time, I draw attention to this point because I feel sure that whatever Government are doing in the matter, it is most important that the House as a whole should recognise fully the significance of what is being done, more especially when we remember that Insurance Companies can acquire Provident Societies and some, who do, would thereby reap an advantage over those who do not do that. I mention the point because it is a matter which we should fully consider.

Now, earlier in my remarks I made a reference to the late Sir Nripendra Sircar and, with your permission, I would like to say a word or two about that. Of his great qualities as a lawyer, I have nothing to say. There are others who are better qualified to speak on that subject. But I should like to say a word or two about his qualities as a parliamentarian and as a man. When he came to this House, the business of the House was conducted very much as it is conducted today and he was faced with an Opposition which was, as far as the Congress were concerned, suspicious of him because he was a notable and redoubtable critic of the Congress. As far as the Muslims were concerned, they were not quite sure, because he was known as a great champion of the Hindu cause. Within a very few months Sir Nripendra had established himself as the undoubted master of the House and I am sure that all those who worked here with him will agree with me that he achieved that mainly because of his own great qualities,—his courage which none of us would deny and many of us envy, his sincerity and his integrity. He could not bear humbug. Sir Nripendra was one of those men who want to know the truth. If you believed in the thing, he expected you to prove why you wanted it. He was not satisfied with the usual

kind of excuses or reasons of expediency which are frequently advocated or advanced by politicians and business men when they seek their own advantage. All that Sir Nripendra wanted to know was: is it right or is it wrong? If it was right, he fought for it with all those qualities which he had, and they were great qualities of mind and character. If it was wrong, he opposed it tooth and nail. And, finally, of Sir Nripendra as a man: those of us here who had the privilege of knowing him knew him as a man of great kindness. As a man, he was a loyal friend and in his later days he was greatly concerned and saddened by the miseries that overcame his people. Sir, I support the motion.

**Sri M. Ananthasayanam Ayyangar** (Madras Ceded Districts and Chittoor: Non-Muhamadan Kural): Sir, I have no quarrel with the Bill as brought before the House now. But I find that it is a bald and sapless Bill. In a few respects it wants to tighten the loopholes here and there, which may unavoidably creep into the administration of any Insurance company. To that extent, I welcome it. But there are a few retrograde measures which are sought to be imported into this Bill. I have got a particular quarrel with them. First of all, it was with very great difficulty that in the original Act of 1938 a clause was introduced that the Superintendent should be an Actuary. My Honourable friend from the European Group, Mr. Chapman-Mortimer, who spoke just now, welcomed the change that he is foregoing the qualification that the Superintendent should be an Actuary. I am surprised that his Group should have changed their mind, because I find that in 1938, it was the spokesman of that Group Mr. Aikman who wanted to introduce this qualification, where in the original Bill there was no such qualification. He wanted to introduce the qualification that the Superintendent should be an Actuary of 15 years standing. My Honourable friend Shri Sri Prakasa removed the 15 years qualification lest it should stand in the way of any Indian being appointed to that post because at that time, Indians did not have the requisite qualification of 15 years standing. In that form, Sir N. N. Sircar, who was piloting the Bill adopted the amendment. I am really surprised that all the arguments have been turned down which were used by the European Group originally which were also accepted by the Government for having a fully qualified Actuary as the Superintendent. How overnight changes came about to alter the mind of the European Group and also the Government, I cannot understand. It is no excuse to say that men with that qualification are not available. I learn that there are about 15 persons in this country who are fully qualified. They may be young men. Young men are competent to rule large tracts of country, big Provinces. They must only have a different colour. But if our own men are here who are fully capable and qualified, their only sin is they are dark in colour, their age stands in the way. I am surprised how my Honourable friend should have lent himself to accepting this modification in the qualification for a Superintendent, namely to bring in an I. C. S. man or even an outsider . . . .

**The Honourable Dr. Sir M. Azizul Huque:** I never said I. C. S. men in my speech.

**Sri M. Ananthasayanam Ayyangar:** You must have it in your mind not to bring in an Actuary. That is enough for me.

**The Honourable Dr. Sir M. Azizul Huque:** You are entering into the domain of astrology.

**Sri M. Ananthasayanam Ayyangar:** As far as a human being can judge from the remarks made by the Honourable Member, it prompts me to think that he is thinking of bringing in an I. C. S. man. If he is not an Actuary whom else can he put in as Superintendent. Sir, I emphatically protest against this. There is no reason why the head of the administration should not be an Actuary. We do not say that the Engineering Department should be manned by persons other than Engineers, I do not say that electricity should be put in my hands who has not qualification in electricity. It is already wrong and bad enough on this side of the House and also the country to some extent that



[Sri M. Ananthasayanam Ayyangar]

I. C. S. man has been suffered to occupy all kinds of jobs. This is the act of a foreign government. I am really surprised that a seasoned statesman like my Honourable friend who is now occupying the position of an Executive Council Member here should easily lend himself to this that he can put an I. C. S. man for any job, whether he is qualified to hold it or not. I cannot understand how anybody other than an Actuary will be able to discharge the duties of a Superintendent of Insurance satisfactorily. That is one retrograde step, that is one amendment which has been allowed to creep into the Bill. Sir, I oppose this provision and I hope that clause will be removed.

The next point is this. A very wholesome provision was made regarding insurance made by married persons where their nominees are their wives or their children. As early as 1874 the Married Women's Property Act was passed and one of the main objectives of that was to provide for a husband who insures his life to nominate his wife as beneficiary. When once the wife or the children are nominated as the beneficiary on the face of the policy, it becomes a trust and the assured can no longer deal with that property. It is for the benefit of the wife or the children as the case may be. That is why such a restriction was placed in the Married Women's Property Act. But when that Act was passed it was not extended to persons professing Hindu religion, Jains or Buddhists or Muslims. Later on in 1918 that Act was extended to all communities in the country and in 1923, it was made applicable fully. In the 1938 Insurance Act, that provision was incorporated in section 39 of the Insurance Act. That is a substantive law. We know that in Hindu families which are governed by Mitakshara law, as soon as a son is born, he is entitled to half a share of the father's ancestral property. (Interruption). I am referring to the first born son. I am obliged to my Honourable friend that he seeks to put more limitation because with each son, the right of the father to alienate the property goes down and with each son the share of the father also climbs down. That was a provision made not trusting fathers, lest in a bad mood they should alienate the property or they should fall into evil ways and alienate property leaving the children helpless. It was on similar grounds that a provision was made in the Insurance Act of 1938 that once an assured nominates his wife or children, the policy becomes a trust in favour of the wife or children and it is no longer possible for the person assured—the husband or the father—to deal with it as he likes. That provision is now sought to be taken away by indirect methods . . . . .

**The Honourable Dr. Sir M. Azizul Huque:** It is not.

**Sri M. Ananthasayanam Ayyangar:** I have tried to study the provisions of this measure. I shall wait for a reply at leisure. I say once again that by backdoor methods this wholesome provision is sought to be removed. It is sought to remove this substantive piece of law by improper methods. The only argument I have been able to hear from the other side both inside this House and outside for this removal is that it works to the disadvantage of Agents who go about canvassing business, that once the prospective policyholders are told that they may not be able to deal with the policies as they liked, if they nominate their wives or children as beneficiaries, then they feel reluctant to insure at all, they refuse to insure. That is the only excuse given, namely that the Agents want this. But the Government forget the fact that besides speaking for the Agents of the insurers, they must also speak for the country at large, in the interest of those persons for whom the policies are held. My Honourable friend does not seem to have advertised this provision broadly. If the All-India Women's Association should get to know this, they would have raised a great hue and cry over this matter. They would have crowded all the galleries here and would have protested against this provision being adopted. I say, Sir, this is an improper modification that is sought to be introduced in this Bill.

The next point I wish to refer is this. I have studied that portion relating to Agents commission. I feel the provision relating to Agents commission in the case of policies revived has been wrongly worded. I feel that that provision cannot fit in here. Under the existing law no policy is allowed to lapse if it has been in existence for over three years. Therefore that new provision which the Honourable Mover is introducing in this Bill thinking it is a wholesome provision is really ineffectual. It will apply only to very few instances for which this horrid amendment ought not to have been tabled.

Then, Sir, it is true that regarding provident society transactions, the limit has been raised from Rs. 500 to Rs. 750 and also a higher limit is given so far as annuity is concerned. To that extent the provident societies will be benefited. My own impression is that the higher limit must be Rs. 1,000 instead of Rs. 750. It is meagre. The provident societies are really crumbling down though they are capable of doing good work. From 350 or 400 provident societies which were in existence a few years ago the number has now come down to 150. The value of money has now gone down. The amount of Rs. 500 which was the highest limit as fixed a long time ago is now equivalent to Rs. 1,500. Therefore I suggest that a maximum of a thousand rupees may be set up for transactions of provident insurance companies. I hope some day my Honourable friend will have all the credit and all the courage which the late Sir Nripendra Sircar had when he brought into existence the old Bill of 1937 and got it passed into law; he was the pioneer of insurance legislation in this country. Before that in 1912 there was only a skeleton Act which was not at all useful; it was only an adjunct to the Indian Companies Act. I thought my Honourable friend would muster up courage and nationalise this insurance. We must move with the times. If the Government here is an appendage of that other Government ruling in the United Kingdom, he must have introduced socialistic legislation by this time. He offered some sop to us that very soon he will introduce another piece of legislation which will radically alter or substantially improve the existing institution of insurance companies. I am expecting, therefore, that he will try to nationalise as much as possible most of the institutions in our country.

Then, Sir, in any case in the previous Bill, though they were not at that time prepared to nationalise all insurance companies, the late Sir Nripendra Sircar was prepared to go to this extent that he allowed on the directorate of insurance companies, in proprietary companies, 25 per cent. of policyholders. But in the previous Bill of 1944 my Honourable friend did not even try to extend the percentage of 25 for policyholders to 50. That is the natural consequence of a principle that was started in 1938. Even in that matter my Honourable friend did not muster up sufficient courage. I am sure he will modify his views and will at least try to make all proprietary companies into mutual companies in the course of 10 or 15 years. There is no reason why, so far as insurance companies are concerned, small persons who invested small amounts as shares should have in their hands as directors large amounts to deal with by way of premium income. I can give one instance of an insurance company which carries on business in Madras and of which the paid-up capital is only Rs. 74,000 (the authorised capital being 4 lakhs); all the shares were purchased by one or two individuals and every year the premium income is one crore of rupees,—small savings of various people from end to end of this country. Would you allow that state of affairs? The policyholder directors are there but we do not know the names of the policyholders. The previous Act says that the names need not be made known to all the persons because there are rival companies who would go and catch hold of them, try to get their policies lapse and make them take fresh policies in their own company. Therefore even the names of policyholders is kept secret. So 25 per cent. representation of policyholders in proprietary companies is not working well and you must increase that proportion. I know also of a case where

[Sri M. Ananthasayanam Ayyangar]

directors cornered all the shares and did away with one manager on the plea that one thousand rupees was too much by way of his salary, and after his dismissal one of the Directors became the managing director and took Rs. 2,500 a month as remuneration. That is how they are managing these affairs. Policyholders are not getting any benefit; they are going to the wall under some ground or other. Insurance companies are not declaring bonuses nowadays. Are any steps being now taken in the Bill to remedy these defects? There are 44 and odd clauses in this Bill. Most of them deal with removing a bracket here and inserting a bracket there or putting a comma here and a semi-colon there. But with respect to one or two provisions of substance they disturb the joint family life of this country and they disturb the small property which an unwary husband, soon after his marriage, on account of love and affection may settle on his wife. Later on he may go to the races or become immoral, change his mind and change his affection; and then my Honourable friend on the other side wants to give him a long rope so that he can deny the benefit to his wife and children and transfer the policy to some other party. That is the policy of my Honourable friend. I can show that wherever this Bill seeks to do something it does not go far enough; in other cases it treads on dangerous ground and tries to unsettle many of these matters.

I will now come to one or two circumstances with respect to which it is necessary or useful that sufficient attention may be paid to it in the Select Committee. I have tabled a number of amendments to the clauses; I thought originally that without the Bill going through the Select Committee we may get these amendments through in the House. But in as much as my Honourable friend laid sufficient stress and gloated over having given us a boon by way of removing the clause with respect to married women and also removed the qualification of the Superintendent being an Actuary, I submit that these matters should have some attention given to them in the Select Committee.

As regards assets there is a differentiation of keeping life assets separately from the other assets. This is certainly an improvement. But I find that even in that matter my Honourable friend has been very halting. In the Banking Bill introduced during the last session—I am sure it will be reintroduced this session—there was a provision making it incumbent on banking companies whether incorporated in the United Kingdom or in this country to have 75 per cent. of their assets kept in this country. I do not find a similar provision here. Provision was made in the Insurance Act of 1938 for 55 per cent. of the assets being invested in Government securities or in other approved securities, 30 per cent. in one and 25 per cent. in the other. Insurance companies are competent to deal with the balance of 45 per cent. in the manner they like, in profitable investments or at a higher rate of interest, so that they may be able to meet the expenses. But there is no provision insisting upon all the assets, at least 55 per cent. of the assets being kept in British India. We have known of cases where foreign banking companies have transacted business in the country and when they went into liquidation it was not possible for those persons who invested monies in those banks in this country reaping the full benefits of all the assets. Take for instance the Travancore National Bank. Those persons in Travancore, depositors and others, who kept a rupee there got a full rupee back where we others got only about 12 or 18 annas for our rupee that we invested. Therefore provision should be made in this Bill where section 27 of the original Act is sought to be amended that 55 per cent. of the assets at least must be kept in this country, whoever may transact the business. That provision is necessary and I am sure that in the Select Committee my Honourable friend will consent to such a modification which will be in the interest of all the policyholders in this country.

So, as regards amalgamation of provident societies I am afraid that this Bill is trying to place too much power in the hands of the Superintendent.

The power is given to him and not to the court. In the original Act of 1938 this amalgamating power is vested in the court so far as insurance companies are concerned but here it is the Superintendent who is given all power from the beginning to end. For cancellation and registration it is the Superintendent who is given power; when it is a question of moving the court for winding up it is the Superintendent that is given power. I know the present Superintendent Mr. Vaidyanathan is an exceedingly lovable person; he is absolutely devoted to justice and truth and interested in the welfare of all insurance companies in this country. But other persons may come into the place with some prejudices. It ought not to be left in the hands of any one person, however important or however great he may be, to deal exclusively, even with the aid of courts, with the fortunes of private companies or insurance companies.

**Mr. President:** Order, order; it being 4 o'clock, the House will now take up the motion for adjournment.

### MOTION FOR ADJOURNMENT

#### IMMINENCE OF STRIKE IN POSTS AND TELEGRAPHS DEPARTMENT

**Sjt. N. V. Gadgil** (Bombay Central Divisions: Non-Muhammadan Rural):  
Sir, I move:

"That the Asembly do now adjourn."

Sir, I wish to discuss the imminence of a general strike in the Posts and Telegraph Department in pursuance of the decisions taken by certain Unions. Before I go into the merits of the question, I want to make one thing clear. In the morning Sir Gurunath made a statement that a Commission is to be appointed by the Government of India to go into the larger question of revision of scales of pay. He stated that it was a large question, that it affected not only the employees in the Posts and Telegraph Department, but in fact all the Government servants of the Central Government. I do not want to minimize the importance of this, but I want to state very frankly that the experience which the public had about these committees and commissions has not been very happy. To-day, Sir, I am speaking about one lakh and seventy thousand non-gazetted employees of the Posts and Telegraph Department. There is a class of 'new poors', those who are getting just a thousand and more per month and for whom special dearness allowance has been very recently granted. I am not pleading their cause because they have always had the ear of the Government at their disposal. I am pleading the cause of those who are really poor and who are finding it extremely difficult to make their both ends meet.

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

Sir, in the month of October 1945, the Bombay Postmen and the Lower Grade Staff R.M.S. Union passed several resolutions. In one of them it stated that if within a reasonable time the demands made by them were not satisfied necessary action should be taken. Similarly, the All-India Postal and R.M.S. Conference, which was held at Mymensingh, passed a Resolution and among other things stated that if in the Budget for 1946-47, which was going to be presented to the Central Assembly in January-February, no effect was given to the resolution demanding revision of scales of pay, a Council of Action be appointed for the purpose of taking such action as was necessary to enforce the demands.

Sir, the main demands of these postal workers are:

(i) revision of scales of pay; (ii) working conditions; (iii) retrenchment; (iv) the pension they are entitled to get.

Before I go into these questions, I want to impress on the mind of this House that this Department is not like other departments of the Government

[Sjt. N. V. Gadgil]  
of India; this Department is a commercial department and it has always claimed it to be so.

"(In this Department).....the expenditure must be as nearly as possible in economic relation with the receipt. It has, therefore, not been possible to extend to the lower paid staff of the department the same immunity from the cuts which has been extended to the other Departments."

That was in a letter dated 21st December 1931.

Now, let us see the present financial position of the Department. In 1942-43 this Department earned a profit of Rs. 4,51,00,000; in 1943-44 Rs. 9,02,57,000; in 1944-45 Rs. 10,24,65,000; and in 1945-46 I am told it will be more than ten crores. With this background the House will judge whether the employees of this Department are adequately paid.

Taking the first question of revision of scales of pay, I know that a Commission will be appointed and it will go into the larger question, but it is only necessary to understand how injustice was done upto now and the appointment of a Commission may be good for the future but it does not detract from the fact that injustice has been done to these employees. Sir, with your permission, I will briefly read out what was the position from the memorandum submitted by the Bombay Postmen Union to the Enquiry Committee that was appointed by this Department in 1944-45.

Minimum pay of Overseer and Postmen before 1914 was Rs. 15. In 1920 it was Rs. 27, in 1927-28 it was Rs. 30, in 1935 there was a revision and it was reduced to Rs. 24. The pay of the packer in 1914 was Rs. 12. In 1920 it was raised to Rs. 20. In 1927-28 it was Rs. 25. In 1935 it was reduced to Rs. 16.

The Boy Peon in 1914—minimum Rs. 7. In 1920 it was Rs. 15. In 1927-28 it was Rs. 18. In 1935 it was reduced to Rs. 12.

You will find, Sir, that there has been a reduction in 1935 from anything like 33 to 42 per cent.; that was the position. The reason given then was that the prices had gone down. The Government is very quick to take advantage when there is a decline in prices, but when it is a question of rise in the cost of living, the Government is not equally prompt. This will be obvious from the way in which these employees were treated in the matter of dearness allowance during the period of war:

For the first nine months nothing was paid. From the 1st of April 1941 to December 1941 from 2 to 3 Rupees. From 1st January 1942 to 31st July 1942 Rs. 3 to Rs. 5. From 1st of August 1942 to 31st December 1942 Rs. 6 to 9. Then from 1st September 1943 to May 1944—from 7 to 10. From 1st March 1944 to 31st August 1944—from 14 to 18. During this time the price index doubled and the working class cost of living also showed an upward rise. In the month of September 1939 it was 106 and in the month of December 1944 it went to 247. Now, if during the whole period of war we were to compare the rise in the index number and take an average, the average is 163, deducting 105 that is the index before the war started, there has been an average increase of 58: whereas whatever this Department has granted by way of dearness is taken into consideration, the average neutralisation effect has not been more than 10 per cent. for a man drawing Rs. 60 by way of basic pay. In some cases it has been less than 8. It has been laid down in many disputes decided by the Industrial Disputes Court and also in England that at least those who are getting just above the minimum living wage should not be so reduced in their income that they should fall below that. Now, it has been laid down in one of the decisions by the Industrial Court in Bombay that the neutralisation should be 66 per cent. at least. Nowhere, in no grade has this been achieved by whatever has been done by the Department up till now. Therefore, Sir, leaving aside the wider question of revision of scales of pay and till that is achieved, I should like to make a constructive suggestion for the time being to the Honourable Member in charge of the Department, that he at least should restore those scales which were available in the

year 1927-28 and further he should increase the dearness allowance to such an extent that the rise in the cost of living should be neutralised to the extent of 66 per cent. at least. What great suffering is being undergone by these persons is a matter which is in the knowledge of the Honourable Member. The Committee that was appointed by him toured several provinces, prepared a report, submitted it to the Department, but it has not been published. If that were to be published, the public would know what recommendations the Committee made. That is one of the demands made by the several unions. Before that Committee evidence was laid to show that many postmen had to go without footwear. Many had to go without proper and protective food. Many had to live under roofs practically comparable to stables.

**Mr. Chairman:** The Honourable Member has got one minute more.

**Sjt. N. V. Gadgil:** Most of them are in the clutches of sawkars, the violent pathan and the non-violent marwari. The few that are left are subject to the penal interest clauses of the co-operative societies. I doubt whether there is one or two per cent. of the non-gazetted employees of this Department who are free from indebtedness. This is the position. During the war they did good work. That was a compliment paid to them this morning. What has been their reward? They have incurred debts and in many cases they have sold their ornaments. During war they proved loyal, now the war is over, and when they merely ask for living wage, their demand is practically turned down. Sir, the other question of retrenchment is a wider question and it is not possible to do justice to it within the short time of fifteen minutes. If this Government accepts that it is the duty of every Government to provide sufficient food and of requisite quality for everyone then it must find employment for everybody. If it does not it is not doing its duty by the people. I maintain that every citizen has a right to employment and if they are retrenched without provision, they will be thrown on the streets. If they are honest they must perish and die. If they become criminals they will be fed, clothed and looked after in jails. This is present society and the present state!

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

**Sjt. N. V. Gadgil:** I will finish. In view of the profits made by this Department, I submit, Sir, that maintenance of a decent standard of living for all its employees is the first charge on the profits and unless that is done I think this Government ought to be condemned. Sir, I move:

**Mr. Chairman:** Motion moved:

"That the Asembly do now adjourn."

**Mr. Muhammad Nauman** (Patna and Chota Nagpur *cum* Orissa. Muhammadan): I rise to support the motion for censuring the Government for not having done anything substantial so far for the employees of this particular Department of Posts and Telegraphs. The Honourable mover has very ably given the House the figures of the dearness allowance and has also stated how they compared with the index of price levels from 1939 to 1945-1946. He has also given to the House the figures of the profit that this Department has been able to earn during the period of the war from 1939 to 1945, which he calculates to be in the neighbourhood of about ten crores, and he has accepted the claim of the Government that it is a commercial organisation. I personally do not accept his assertion of Posts and Telegraphs being Commercial Department. I believe that it is a public utility department and should be paid accordingly; whether the Department earns any profit or not is a question immaterial to the issue. This Department has got to run efficiently in spite of losses, being a public utility service department and it cannot be argued that it should be treated as a commercial organisation and I am not going to base my argument on the line that because this Department has earned larger income that it should necessarily give away a bigger part of it towards salaries or dearness allowances of the employees. My argument is this: that this is the only Department which has been able to earn a better reputation

[Mr. Muhammad Nauman]

of honesty and hard integrity than any other department of the Government of India so far. If you do not give encouragement by way of better emoluments to employees, then it only means that you are discouraging honest employees in their discharge of duties. I am not here, Sir, to take the brief of those who have been engaged in the Supply Department or in the Food Department, although there may be honest people there as well; but the notoriety those other departments have earned is enough indication of the fact that whatever the index prices may be, they have been able to earn more than they required in view of higher index prices in India. This is a point which I placed before the Honourable Member in charge of Posts and Air (the Secretary was present and the Director General of Posts and Telegraphs) last year when I led a deputation in my capacity as President of All-India Posts and Telegraphs Union. I impressed on the Honourable Member for Posts and Air that although the question of revision of the scales of pay may be a question which requires scrutiny on behalf of the entire service section of the Government of India as certain uniform regulations regarding salaries and scales of pay have to be maintained, yet it was so necessary in the meantime that this particular Department should be given a higher dearness allowance to compensate it for the particular conditions under which it has been working in these hard times.

You will notice Sir, as the Honourable the Mover has proved to the House, that for a period of four years they did not pay anything to this Posts and Telegraphs Department more or less—for nine months no dearness allowance was given and for the other three years the allowance given was in the nature of Rs. 2 to Rs. 6. You will notice that the higher index prices have been mostly for those commodities which are among the essentials of life; I mean food-grains and cloth and it was not possible to cut out a certain amount of luxury for these poor people and even then to make both their ends meet. On this point I think the Honourable Secretary, Sir Gurunath Bewoor, will appreciate when I say that he has not been doing what his conscience prompted him to do in such particular circumstances. I remember the reply given to me, during the discussion, was that effort was being made to do something more substantial as soon as the report of the Enquiry Committee was laid before them. The report probably is with them. It has not been given out to the public and we are not in a position to know exactly what the report contains. In any case I would like to know whether any action has been taken on that report. Although the question of revision of pay, may be a larger issue, which may involve not only the Posts and Telegraphs Department but also other departments of Government of India, yet surely the increase of dearness allowance to suited conditions which would allow those people to exist is a matter of emergency and is within the powers of the Department itself. This Government has failed so far and has done nothing for Postal Employees which is more or less criminal. I would only suggest that they should rather compensate them by making such allowances as would take effect not from 1946 but from 1939 or at least 1940, since the time they have been victims of such abnormal rise in prices of essential commodities of life.

On the bigger issue of revision of scales of pay I have no doubt in my mind special regard has got to be given to this Department. The Government have got to look into the integrity of this Department, they have got to see how this Department has worked over a period of fifty or sixty years and whether any other department of the Government of India has been able to earn that reputation for honesty, that reputation for integrity and regularity as this Department has earned so far. How has that Department earned this reputation? Not only because the Director Generals or the Honourable Secretaries have been good people or that the Secretary to the Department has been very alert, but because the small man, the postal and telegraph peons, the man who deals with the humbler sections of the people, have been good hard working and honest. There was an argument advanced by someone that

the chances of dishonesty were very remote in this Department but can you say that there were absolutely no chances of indulging in corruptions by employees of this Department. You cannot say that at all, for instance, telegraph peons or postal peons who distribute letters could have indulged in taking an anna or two pice per letter or per telegram if they so chose to do. They have kept up their honesty so far and you must appreciate that. This is the only Department that has earned that reputation even from those critics of the Government of India who have not seen eye to eye with them on any other matter. I would only impress upon this House that it is high time that immediately some sort of arrangement should be made so that the Government of India could give some relief to these poor people of Posts and Telegraphs Department soon.

I am not going to say that they are justified in going on a strike. That may not be a very correct thing for them to do but it is the last resort. If a man cannot find any appreciation or redress of his grievances to get the authorities to a proper sense of consciousness to do their duty they have to resort to such measure, to risk everything that they have. It is in a spirit of helplessness rather than defiance that they are probably resorting to a general strike. I have always advised the Postal and Telegraphs Department employees whenever they came to me not to resort to this method and I will continue to give them that advice provided I am given assurance by Government that some thing will be immediately done. I want Government to give me an assurance that they are prepared to give immediately here and now some such concession which would eventually satisfy those people and which will also satisfy us as the representatives of the country. We are not here to tell the Government that they should be extravagant. The money has to be found from the general exchequer and we are the subscribers to that general exchequer. We do not for a moment suggest that the salaries of Posts and Telegraphs Department employees should be increased by five or ten times. Of course we feel that so far as this Department is concerned you have not done anything for your employees nor have you tackled this question in the manner in which you should have done. I ask the House to look into the whole question and ask for an assurance from the Government here and now that they are immediately going to set up a committee to see that the old grades of 1927 are immediately brought into existence and grant dearness allowance on the lines I suggested to them that is—those people who get less than 100 should get a minimum of Rs. 50 as a dearness allowance those who get 100 and above up to Rs. 500 should have a certain percentage, with a minimum increase of Rs. 100 per month towards dearness allowance. I am not here to say that this will satisfy the interested people but at least it will satisfy the House. Government will be able to satisfy representatives like us that they have done something substantial for these honest people who have worked hard all these days and have earned a reputation for honesty and integrity for themselves and for their Department in all conditions.

With these words, Sir, I support the motion.

**Lt.-Col. Dr. J. G. Chatterjee** (Nominated Non-Official): Sir, if I intervene in this debate, it is merely because I wish to support the plea made on behalf of public servants like postmen and telegraph peons and people working in these Departments, who play such an important part in the everyday life of the people of this country. I feel, Sir, that these men, whatever their faults may be, deserve well of the public. Every householder knows how welcome the visit of a postman is and equally that of the telegraph peon, even though he may occasionally bring bad news. One waits in the morning for the postman to bring his letters or bring his newspapers and there is some sort of void in the daily life of a householder until the arrival of the early postman.

Sir, sometime ago, in the days of my youth, in this city of Delhi, I do not know for what reason but somehow, I was asked to become a chairman—I do not know what they call him, perhaps the President of the Union of Postmen. In those days I used to do a certain amount of social work and came to know



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

these people and to like them immensely. They are a very respectable set, of public workers who are not well to do and yet as my Honourable friends have said, they are people who have earned the esteem of the general public in a city like Delhi or even outside and I have always had a great deal of affection for them and have felt a great deal of concern over the way in which they have had to face their many difficulties. Most of them are literate. They have to send their children to school and I have often wished that I could get them admitted free into schools. These are the people who have been very hard hit by the difficult times through which we have passed. Anything that can be done for them is well deserved.

I was surprised to hear the Honourable the Mover say that they were very badly shod. I thought that this Department generously, or shall we say equitably, supplied them with uniforms. Till recent times they used to appear quite respectably clothed in their postal uniforms. Lately things have deteriorated immensely and they appear in all kinds of multi-coloured clothes. Probably my friend has not supplied them with uniforms lately.

**Sir Gurunath Bewoor** (Secretary, Posts and Air Department): Lack of cloth.

**Lt.-Col. Dr. J. C. Chatterjee:** Lack of cloth? This is not his fault. I hope he will do his best. As far as I remember in England all postmen and telegraph peons are very well shod. Is it true that my friend's department, though not able to give them good uniforms lately, has also deprived them of shoes? If that is so, I hope he will supply them in with shoes before long . . . . .

**Mr. M. Asaf Ali** (Delhi: General): And umbrellas too.

**Lt.-Col. Dr. J. C. Chatterjee:** And even ice-containers in the hot weather because they do have to do a great deal of trudging in the hot weather.

My friend just now said they are the only species of public servants who have a reputation for integrity and honesty. I agree with him to a very great extent; but I feel that that is not quite and completely hundred per cent. true always, may be because the dearness allowance is so small. I do not know whether my friend goes into the villages very much, but if he did he would know that whenever a money order is received even by a poor man or the family of persons serving overseas, the postman does occasionally get a certain amount of, shall we call it a commission or good will offering.

**Mr. M. Asaf Ali:** It is only a tip.

**Lt.-Col. Dr. J. C. Chatterjee:** It is sometimes a little more than a tip.

**Mr. Muhammad Nauman:** That is your hearsay evidence: you have no experience of it. I know the villages more closely.

**Lt.-Col. Dr. J. C. Chatterjee:** That is a matter of opinion anyway; but if my friend would face facts, he could know that it is common in a great number of cases that illiterate people and even others have to give some consideration to obtain their money orders or their telegraph forms written, and knew the various kinds of vexations which one has to undergo when one has the misfortune to go to a post office counter. It may not happen in a place like Delhi, but I cannot say it is not true that these gentlemen do things occasionally which they are not entitled to. I am not blaming them; it does not in any way detract from their qualities as a class, but I do want to point out that these things do happen and perhaps these things will not happen when their dearness allowance is increased. As I began by saying, it is perfectly true that these men are some of the hardest working individuals and very heavily worked; but when I am told and it is claimed that the work of the posts and telegraphs in recent years has become excellent, though I agree generally, I do demur to a certain extent. I feel that any one who has the misfortune of using the telephone in Delhi would agree with my view—it may be due to war conditions; but I still maintain that the telephone in Delhi (the number is not even one-tenth of the telephones in London) and other large towns is very unsatisfactory. Does my honourable

friend remember these sub-exchanges which he has now introduced with anti-diluvian machines and that some peoples' telephones have been taken away for the use of officials or other favoured people? The fact remains that any one who lives in Delhi cannot really compliment my friend on the efficiency of his telephone exchange. I am a man who does not have a reputation for losing his temper often. In fact even in senates where members are very unruly I keep an unruffled temper. But if anything makes me lose my temper, it is the telephone exchange which my honourable friend provides and for which he is responsible.

In the same way, talking of money orders which are sent, and that to poor people, I could quote instances which have come to my notice lately, where a money order from Agra to Delhi takes something like two months to travel; and if ever a complaint is made, no acknowledgment is even received; and that is particularly true of the very efficient telephone system here. You may write to them; you may telephone to them, but nothing happens . . . . .

**Mr. Muhammad Nauman:** Have you ever written to them and received no reply?

**Lt.-Col. Dr. J. C. Chatterjee:** Manytimes; and not received a reply. They only maintain their serene majesty because they have the whiphand over every one; and if you complain they say you can get your telephone disconnected or may be they can sell it at a premium of a thousand rupees to some one else. Therefore I cannot fully agree with my friend that there is any great reason to compliment the Posts and Telegraphs Department on the good work of these men. I do not know who is responsible . . . . .

**Mr. Muhammad Nauman:** Which other department are you prepared to compliment then?

**Lt.-Col. Dr. J. C. Chatterjee:** The question does not arise.

**Mr. Muhammad Nauman:** But it does. I have (?) (inaudible)

**Lt.-Col. Dr. J. C. Chatterjee:** If he wants a comparison, let him have it. As regards this honesty and integrity, they may be more honest than others: anyway I will not quarrel with him over that matter.

The last thing which I want to say is this: that whereas I fully support this motion which has been so ably moved, I do hope their dearness allowances will be increased: but I also wish to make it equally clear that I am not one of those who support dearness allowances to officers drawing large salaries. (Interruption). I have never drawn dearness allowance myself. The point is that I do not think for a moment that it is necessary to give dearness allowance for persons getting over one thousand and two thousand rupees a month. I do not quarrel with my friend over this matter. The sooner such allowances are withdrawn the better. When a commission of inquiry is appointed by my friend, the Honourable Member incharge, he should also tell them that they make it part of their business to see as to how they should improve the efficiency of the working of the telegraph and postal and telephone departments. I think an inquiry of this kind should not be confined only to one matter. I fully agree that if you pay a man well, he will do better work. Let them by all means do all in their power to improve these men's efficiency by clothing them better, by 'shodding' them better, and also by raising their dearness allowances, and improving their efficiency by any other means that he can find. I would also urge him to exercise greater vigilance, or may be perhaps he has already taken that action, over the working of these departments, which I quite realise do very hard work, and have passed through difficult times: Yet I think when normal times return, as they are now returning and when we are anxious to provide them with better food and clothing, they will also see to it that their efficiency is increased in like manner.

**Mr. S. Guruswami (Nominated Non-Official):** Sir, I rise to support this adjournment motion. In doing so, I am sorry to state that the statement made

[Mr. S. Guruswami]

by Sir Gurunath Bewoor this morning explaining the attitude of the government leaves the position as unsatisfactory as ever. Why do I say that? I judge them by their conduct in 1944 and 1945. There was universal discontent in the department in 1944. A committee of inquiry was appointed. Hopes were given that the conclusions of that committee would be implemented and something better would happen. But what did happen? That committee's report is still a secret. Government is ashamed to reveal the recommendations of that committee. I challenge the government to tell me whether or not it is a fact that the committee has recommended that the inferior service employees should get the same pension as the subordinate employees, and this government is sitting silent on that. If that is the attitude, in regard to the committees appointed by them, then what confidence will the workers have in regard the government's announcement that a commission, a roving commission with indeterminate terms of reference, will be appointed, to conclude its task perhaps by 1950 or 1960? That will not do. What are the demands of the workers? The demands of the workers are in respect of wages, that they should be better off than what they were twenty years ago. Is that an irresponsible demand? Nothing of the kind. The implication of this demand is that new scales of pay which were introduced in 1931 must go lock, stock and barrel. If the Honourable Member had made a categorical statement this morning that he is prepared to recommend to the Government the abolition of the new scales of pay he would have been in a better position to ask for our co-operation. Not only that, Sir. Even in regard to the old scales of pay in 1927 there was discontent and the Government told them—have patience. What is more, in regard to the scales of pay, we have a new situation after the war. These men are not able to have the conditions of service or the conditions of standard of living which they had at the time of the declaration of war. Therefore they have been demanding an equitable dearness allowance and this department had a new system of dearness allowance partly covered by a system of so called good conduct pay. Is it that men under 125 are men with good conduct and above that without any conduct? I say, Sir, that this discrimination in regard to conduct pay is an inequitable discrimination and what is more, this committee known as the Krishna Prasad Committee which was appointed in 1944 wanted to recommend the opening of grain shops. In the wake of that agitation of 1944, they opened cheap grain shops in Bombay City and soon after the conclusion of the labours of this Committee the department went to sleep. I condemn this department strongly for not opening cheap grain shops throughout the length and breadth of India, wherever practicable. Not only that. They have not been able to implement the other recommendations of the Krishna Prasad Committee. There are different sets of leave rules for people doing the same job and I say that this inequitable system must go, whether the workers are railwaymen or employees of the Postal Department or the Telegraph Department. Whether these men belong to these departments or other departments, we will fight for them tooth and nail. I say that any Government which is responsible for the continuance of that system of discriminatory conditions of service for the same work will stand self-condemned.

I do not want to make a big speech. I would appeal to the Honourable Member to give a categorical assurance here and now that the new scales of pay will go. Not only will it go but the men who are subjected to the iniquity of the new scales will be fixed in the corresponding positions in the old scales. That is No. 1. No. 2—that dearness allowance on a rational basis based on the findings of the several courts of inquiry in different parts of the country will be fixed. No. 3—that pensions for inferior service employees will be on the same basis as that granted to subordinate employees in the light of the recommendations of the Krishna Prasad Committee report and to take the old employees of the Department into confidence and discuss the post war schemes of absorption of the so-called surplus men. The Honourable Member has been referred to as the most intelligent officer of the Department and therefore when

the question of retrenchment came he said that so far as the permanent employees are concerned, their positions are safe and in regard to others unfortunately styled as temporary he did not have the courage to give any assurance. The other day, when there was a debate on the railway question, the whole discussion was derailed by misleading questions that were put. It was alleged against the workers that they are such impossible men that they were against all retrenchments, that there would be necessity for retrenchment and that the workers are not taking a reasonable stand but what is the position today. Two issues are involved in the question of the temporary staff. One is the grant of privileges which the permanent employees enjoy and which are denied to people who have been treated as temporary from 1942. No. 2 is insecurity of service which threatens them unnecessarily not because the activities of the Department are going down but because of a policy which was irresponsibly indulged in by this Government by saying that 70 per cent. of the vacancies after 1942 would be reserved for ex-service men. I have already said on a previous occasion that we are not against the employment of ex-service men but I say that these employees of the Department who served the Department loyally during the period of the war, who were subject to the provisions of the Essential Services Maintenance Order and were not allowed to seek better jobs should not be kicked out as if they are men of no consequence. They should be continued to be employed as long as there is work in this Department. If you want to give employment to ex-service men, give them employment in regard to the future vacancies when you think of extending the post war activities of the Postal Department. Take the Unions into confidence and consider various alternative methods. Until you do so it would be premature on the part of this Department to send away from employment any single employee of the Department. If you do so, you will be liable to be tried one day for the crime of forcing unemployment on the citizens of this country. I say this, because this is an occasion, the second of its kind which has been given to me, to respectfully warn this Government that their policy in regard to the temporary men is wrong, is unfair and unjust. If you indulge in that policy, it will be creating a situation which will be very difficult for the responsible officials of the Department who will come hereafter. I therefore appeal to Sir Gurnath Bewoor to give the three types of assurances that I have asked for, so that under a good atmosphere this roving commission which he contemplates may have some success and may do justice both to the workers in this Department and to the public who are the real owners of this Department.

**Srijut Dharendra Kanta Lahiri Chaudhury** (Bengal: Landholders): On behalf of the All-India Postal and R. M. S. Union I feel it my duty to support this motion which has been so ably moved by my Honourable colleague Mr. Gadgil. In supporting this motion, I can tell Sir Gurnath Bewoor that if he thinks that he can divert from the real issue by some means of setting up a committee or a commission he is much mistaken. Only this afternoon we were having the meeting of the All-India Council where we will have the pleasure of meeting representatives of different parts of India. What I find is this. There are so much dissatisfaction with the existing state of things that they are prepared to go even to the extreme steps. I would invite the Honourable Member's attention to the recent statements of no less a responsible man than Pandit Jawaharlal Nehru where he says if the postal employees owe a duty for the public then public and Government owe a duty to the employees. Even today he says that before things take a serious turn it is the duty of the Government to look to the interest of these employees of theirs. It is not out of any bad spirit that they are bent on strikes. The question touches their bread and butter. When I was coming to Delhi from Calcutta, I have had the privilege of meeting the employees at the different main stations. I heard harrowing details of their daily life. They could not provide milk even to their children. That is the position, not to speak of clothing. When the war started there were instructions, that Government servants could have their places of duty in case of extreme

[Srijut Dharendra Kanta Lahiri Choudhury]

emergency such as bombing but so far the postal employees are concerned it was definitely instructed not to leave their duty and take shelter when such emergency arises. Now after the war is over these unfortunate Postal, R. M. S. and Telegraph employees are not even given the benefit of their legitimate demand. This is the reward they are getting. And what is their demand? The Honourable Member wants to take time. May I ask him what for does he want time? This question of the revision of scales of pay is not a new one. Last year in Bombay a resolution was passed to that effect. At that time they gave a definite scheme and also suggested how to fix up that scheme. It was not an excessive demand. If you look at that scheme, which I have got in my hand, you will find that it is not at all excessive. It is a most moderate one and I do not think Sir Gurunath Bewoor should take time to consider it. Last time, if I may say so, when I had the pleasure of meeting Sir Gurunath Bewoor, he gave me the assurance that the case of the second grade clerks was to be dealt with sympathetically. What is the result of that sympathy? Just before he departed for England, I tried to find out what had been done with that scheme and to my utter surprise I found that no relief had been given to the employees. The only thing that has been done is that the second grade has been abolished. Can any man with commonsense understand that if the grade is abolished the pay will remain the same? But it is only possible in the Department of Sir Gurunath Bewoor. If any untoward things happen. I tell him that the responsibility will rest with him for it. It was he who introduced the new scale of pay in 1931 and it is for him to revise it. If he does not do that, the whole blame will be on him. I want a categorical reply from him to the question as to what he is going to do? If there is any Commission or Committee, let it take place in due course. But what is the immediate relief that the employees are going to get? There is a concrete suggestion that has been made by my friend Mr. Guruswami. It is a pity that in this House we have only a nominated member of labour when in other parts of the globe labour conducts the destinies of the nation. His Excellency the Governor General could add one nominated member more on the ground of enlargement of port folios but he could not think it expedient to add one or two more labour representatives amongst the nominated members. It is a disgrace to the present administration to have such a poor representation of labour in this House. Mr. Guruswami spoke very rightly and I entirely endorse his views. If Sir Gurunath Bewoor wants the goodwill from this side of the House, he must come out with a categorical reply. What we want him to do is that he must abolish forthwith that new scale system and introduce immediately the scale which prevailed before 1931 with point to point system.

As regards the dearness allowances, everybody knows how the prices have gone up. They have granted the dearness allowance to the extent of 17½ per cent. When there was depression there had been a reduction of pay to the extent of 30 per cent. only, when there is so much increase in the price of every commodity they sanction dearness allowance only 17½ per cent. It is a great pity. Sir Gurunath Bewoor ought to consider this matter in a very serious way and not in a light-hearted manner by suggesting the appointment of Commissions and Committees. I know it fully well that at present there is a great dissatisfaction among the postal employees and the entire administration may collapse if their grievances are not redressed in time. Let me give him this warning that before any crisis happens, he must look into things in their proper perspective and avert it. It can only be averted by a definite assurance that the Honourable Member can give on the floor of the House, namely, that the system which prevailed before 1931 will be immediately introduced and the dearness allowance will be increased by 60 per cent. If you look at the index figure, you will find that the price level has gone up by more than 150 and in some cases 200 per cent. even to day as compared to the price-level

before the war. So, there is no justification for the Honourable Member to refuse this.

As regards the work of the postal employees, I can tell him that after the termination of 50 years service, their work is 25 per cent. more than that of any other Government servant. Here I have got the whole calculation. In 50 years service he works 55,000 hours more than the employee of any other department.

My Honourable friend Mr. Chatterjee made some remarks about the efficiency of the postal employees. Can you expect efficiency from people who are dissatisfied and undertired who have to work with enormous pressure of work with most insufficient hand? I can tell you a particular instance. I was meeting some of postal employees and my Honourable friend was telling us about the issue of money orders. Now, the instructions of the Government are that each clerk should receive and discharge 90 money orders per day. But they receive as many as 250 money orders per day and there is no extra hand to help them. There is a sort of understanding that they should take help from their co-counters, which is generally not forthcoming. In these circumstances, how can you expect efficiency when no extra hand is granted for extra pressure of work? Furthermore, so far as honesty is concerned, I can say without any fear of contradiction that it is only the Postal Department which is working with honesty and dignity in the whole of the Government of India. I am sure Sir Gurunath Bewoor cannot deny that fact. And the reward of their honesty is this that they cannot make both ends meet. Sir, this is a very grave situation.

Before I resume my seat—and I am not in the habit of making long speeches; my speeches are short, terse and positive—I would like to tell him that if no direct step is taken immediately and if no relief is given forthwith by the Government of India, they will have to face an unprecedented situation and the entire administration will come to a stand still. As the President of Union, I give him this warning.

**Shrimati Ammu Swaminadhan (Madras City: Non-Muhammadan Urban):**

Sir, I rise to support this motion because I have seen the hardship that is experienced by the subordinate staff of the Postal Department. I feel that the Posts and Telegraphs subordinate staff work harder than most other staff in the other Departments and yet they never have a proper encouragement from the Government nor have they been given enough pay for a decent life. Sir Gurunath Bewoor told us this morning that they were going to appoint a Commission to look into the matter of the revision of pay. We know too well about Commissions and Committees and we know how long they sit and how long it takes them to write out a report. Even after the report is written, we know how long it takes to put that report into effect. If they are not satisfied with the effect of the report or if they think that the report is not exactly of the kind that they wanted, then another Commission is appointed to go into that report. So, if we are going to delay the matter of increasing the pay of the subordinate staff of the Posts and Telegraphs Department, then they are going to have a great deal more hardship and suffering than they are having now. I know with regard to branch post masters, for instance, their

5 P.M. pay is about Rs. 8 a month and out of that pay, they are supposed to buy stationery, also pay rent for the building in which the branch post office is situate. Sir, I want to know if Government is going to encourage dishonesty deliberately. How does Government expect any man to live on Rs. 8 a month. It may be that in England Branch Post Masters perhaps occupy themselves in some other job which gives them enough livelihood. Moreover, in England perhaps the Branch Post Masters have the post office in their own houses. I have seen that done; they also run a small shop which brings them some money, apart from their pay as Branch Post Masters. In India it is not the same case. You know very well that in little villages, Branch Post Masters have no other job at all. Post office work more or less becomes his full time

[Shrimati Ammu Swaminadhan]

job. With regard to postal runners and carriers, I believe their pay is about Rs. 6 to Rs. 12 a month and the maximum they get is Rs. 16 with a promise to grant them a pension of Rs. 3 to Rs. 5 a month, after they worked in the job for over thirty years, after their health is ruined. It was already brought to our notice that they have been granted certificates for having worked hard during the war. Indeed postal employees have been most loyal, they never struck work. I feel that if they brought on a strike at that time, they would have got whatever they wanted. Because they were loyal, because they did not strike, because they did not create trouble during the war, they are suffering now, while others who have given trouble are also being given better pay. I submit that if the Government feel that each person who does work for the Government should get at least a decent living wage, then they must soon revise their cadre of pay and give them something better than what they get now. You can never expect us to live on Rs. 8 a month and out of that Rs. 8 a month, he has to purchase stationery and give house rent also. Surely the Government do not expect them to live on that pay and work here also. Their health fails and still they go jogging along day to day and month to month and year to year. With regard to runners and carriers, I am sure Sir Gurunath Bewoor has seen them run in the hot sun. If my Honourable friend should come down to South India in May and June, he can see for himself how those poor runners run from one village to another. I want to know whether for this job, they should be paid a pittance of Rs. 12 a month. They have nothing to look forward to in later life at all.

With regard to subordinate services, they have no prospects in their own Department, and they have no opening in other departments also. They cannot get a transfer to another department, once they enter the Postal Department. I understand this is the rule. I do feel that the setting up of Commissions and Committees will not help them. It is necessary that the Government should approach this question with a human touch. They have to see whether it is possible for any man to live on such a low salary. You might as well not give him any salary at all. Ask him to find his own food and clothing rather than pay him this pittance of Rs. 8. I should like to know why the postal staff have not been given this dearness allowance. I feel that the Government should not give any of their servants less than a basic pay of Rs. 50. Dearness allowance should be given to them whenever necessity arises. I always hear of people drawing higher salary getting dearness allowance. It is only people who kick up a row get their grievances redressed, whereas people who are docile are always put off with the promise that a commission will be appointed to look into the matter. It takes months and months before they come to any decision at all. The man who gets a small salary is kept on the same low salary with no prospects to look forward to. I feel strongly that it is not enough for Sir Gurunath Bewoor to give us an assurance that a commission will be appointed. Surely he has got the data in his office, surely he knows what people in his Department are getting, surely he can find out all details for himself. Is that not enough? It is not necessary for him to appoint a commission to find out these things. I hope that Government will see that before things get worse than it is now, I do not think it can be much worse as far as the lot of the people are concerned, the situation in the country might become worse, and I hope before that, something will be done and people in the subordinate ranks of the Posts and Telegraph Department will be given much better pay so that they can live and carry on their work, so that they won't have to have recourse to bribery or any other dishonest modes of living. We feel that Government themselves are encouraging dishonesty in this class of Government servants.

Sir, with these words, I support the motion.

**Sir Gurunath Bewoor:** Sir, the debate has ranged over a very wide field and it is quite possible that I may not be able to cover all the points raised. I would first of all like to express on behalf of the Posts and Telegraph Department our appreciation of the remarks made by various speakers about the loyal and devoted service of the staff of the Department and about their honesty and integrity. I am sure it will make them proud and make them work more efficiently.

Remarks were made about the inefficiency of the service. I should like to be honest about it. I would not ascribe it to inefficiency of staff. It is due to the fact that we have a very large number of inexperienced staff, but it is not their fault. Large expansion of business came after the war broke out and it has been impossible for us to secure all the additional staff required on account of the large demand of various other Departments at the same time. Further no amount of training can be a substitute for experience. The equipment is worn out; we have not been able to secure new apparatus and a great deal of the inefficiency is due to causes and difficulties created by the war and it would be wrong to blame the staff of the Department for this inefficiency.

Now, Sir, this morning, I made a short statement to the effect that we had received communications from various Unions and that these were under consideration. We have in the Department about 12 to 13 recognised Unions each of which has its provincial, divisional and district branches. There is an arrangement by which these Unions have opportunities of discussing their various grievances with the local officers. Indeed the Unions have large opportunities of placing their cases before the Director General and before Government. Mr. Nauman mentioned the instance of the interview he had last year. I am merely mentioning this to show that so far as Government are concerned, they have a complete appreciation of the case as presented by the Unions.

**An Honourable Member:** With what results?

**Sir Gurunath Bewoor:** Now, Sir, we have received from time to time numerous demands for remedying a large number of grievances. We do our best to deal with each of them individually. Recently I have had discussions, as I mentioned, with the office bearers of the new Federation which has been organised quite recently and I told them that I would like to have in brief what their main demands are and they were good enough to give me a statement of which I have no doubt that Diwan Chaman Lall, Mr. Gadgil and others are fully aware. One of these related to retrenchment. Mr. Guruswami in the course of his talk referred to that. I think you would like me to deal with this very briefly. The question of railway staff retrenchment was dealt with the other day in connection with an Adjournment Motion about railway retrenchment. I need not repeat all the arguments that were then advanced on behalf of the Government. I should like to say that so far as the Postal Department is concerned, there is really no need for any great fear of retrenchment on a large scale in the near future.

The total number of permanent employees in the Indian Posts and Telegraphs Department is about 1 lakh and six hundred in round figures and the temporary employees are about 24,700. We have sent on military service on a voluntary basis about 2,170 men of the grade of clerks and other persons. When these are demobilised—and they are not going to be demobilised in one lot—they will revert to civil employ, and we estimate that an equal number of temporary employees will have to be discharged. We have in addition reservations, made under the promise given by Government, of a total of about 8,177 non-gazetted and about 1,150 inferior servants, i.e. men of the class of packers and porters. Thus taking both those who have volunteered and those for whom reservation has been made, the total number of possible discharges from the Posts and Telegraphs Department is about 6,500.

**Prof. N. G. Ranga** (Guntur cum Nellore: Non-Muhammadan Rural): Why were these reservations made? Were they previously employed by the Postal Department?



**Sir Gurnath Bewoor:** This reservation is made, as was explained the other day, on the general orders of Government in all departments, that the reservation is for discharged war service personnel, that 70 per cent. of the permanent vacancies occurring during the war would be reserved for returned or discharged war service personnel. The reason was that people who volunteered for war service lost their chances of permanent employment in the civil services and this was considered as an unfair thing for those who went to risk their lives in the war.

**Maulana Zafar Ali Khan** (East Central Punjab: Muhammadan): How are these retrenched people to live?

**Sir Gurnath Bewoor:** I am coming to that. I said the total number of people who may be discharged is 6,500 out of a total of 26,000 temporary employees,—roughly 25 per cent. Now, Sir, we do not expect this retrenchment to occur in one day or in one month; this will be spread over a long period; it can only occur when the demobilised personnel have been discharged and they have applied for employment in the Posts and Telegraphs Department, have been tested to see whether they possess the minimum qualifications and training, and then they will displace these people. In the meantime, in the Posts and Telegraphs Department there is an annual intake of about three thousand persons,—due partly to the creation of new posts and partly due to retirements, discharges, dismissals, deaths, resignations, etc. Now so far as these vacancies occur, such temporary personnel as have been discharged will have the first claim to all such vacancies which occur after the 1st January 1946. In addition we have a large programme of post-war expansion, particularly in the rural areas, and we hope that there will be new posts created in order to meet this expansion. The total traffic of the Posts and Telegraphs Department may possibly fall; our own anticipation is that it is not likely to fall in the near future to any appreciable extent. But the point I wish to make clear is that there is no great fear of immediate retrenchment in the Posts and Telegraphs Department. There will undoubtedly be discharges here and there, particularly in areas where due to the moving away of the population or industry the post and telegraph traffic falls; but this is one of the normal features of the Department.

Sir, before I deal with the main point I should like to remove an impression which my Honourable friend Mrs. Swaminadhan must have given to this House, namely, that we pay Rs. 8 to our branch post masters. This is a matter which this House knows very well. These are what we call extra-departmental agents, and they are not employed unless they have independent sources of income. When these people are first employed an inquiry is made as to whether they have an independent source of income. A very large number of our branch post masters in villages are schoolmasters, pound-keepers, railway station masters or Government pensioners, either of the Postal Department or of other departments. The idea is that the amount of work involved is so small in the small post office that a man can carry on the work of the post office in addition to whatever his normal profession is. If the work is too much it is open to the agent to say that this is taking too much of his time, and we then increase his allowance up to a maximum of Rs. 20.

**Prof. N. G. Ranga:** You only replace him by another, that is the trouble.

**Sir Gurnath Bewoor:** Then the other man has an independent source of income.

**Prof. N. G. Ranga:** There is so much unemployment and you exploit it.

**Sir Gurnath Bewoor:** That is a matter of opinion. Anyhow I want to remove the impression created by Mrs. Swaminadhan. The other thing that she said was that runners get a very small salary and get three rupees as pension. That is not correct. The pay of runners is from Rs. 12 to Rs. 17 per month and they get dearness allowance now.

**Shri Satya Narayan Sinha** (Darbhanga cum Saran :- Non-Muhammadan): Not in all cases; I know of runners who are paid Rs. 5.

**Sir Gurunath Bewoor:** They must be extra-departmental men. Their pension is the same; it is subject to a minimum of Rs. 8 and they get Rs. 4 as dearness allowance on pension.

Sir, I find that I am not dealing with the main points in trying to answer these various questions, and I have a limited time. Now taking the main grievances advanced by the Union I explained this morning that on the question of the revision of the scales of pay Government have decided to appoint a commission which will be a commission on a very high level and will be, as I said predominantly non-official in character; and it will examine the whole range of Government salaries, particularly what should be the minimum wage. We cannot decide the question of posts and telegraphs in isolation. It is because attempts have been made in the past to fix a scale for each different department that we have reached a chaotic condition in which one department represents that another department is getting a higher pay and therefore it should get the same, and when the Posts Department gets a higher pay the other department says that there was always a difference of Rs. 5 say between them and so they must get more, and so on. It is in order to get over all this chaotic condition that Government now intend to appoint a commission which will examine the whole basis on which Government servants' wages are fixed and, what is still more important, provide means by which such disputes as arise today are not taken to a stage at which threats of strike have to be made. I think it will be an excellent thing if we have a national tribunal before which all disputes can be placed and the award of the national tribunal could be taken as the final word in the matter. I would urge on Honourable Members that this is not a case which could be decided for the Posts and Telegraphs Department, however, great in numbers they are.

**Shri Mohan Lal Saksena** (Lucknow Division: Non-Muhammadan Rural): How long will the commission take?

**Sir Gurunath Bewoor:** I cannot say. I myself feel that it will be a very big job and will take some time.

**Shri Mohan Lal Saksena:** How are they expected to carry on in the meantime?

**Sir Gurunath Bewoor:** I am trying to deal with that. The new revised scales of pay have come in for a good deal of criticism. These were introduced during the depression period of 1931-34. We recognise that these scales of pay are unreal in the present condition. Government have tried by the grant of dearness allowance to bring them to meet the present day cost of living. I am aware that there is a difference of opinion as to whether the amount of dearness allowance given is adequate or not. It is true that various comparisons could be made, various percentages could be calculated. We are however giving quite an adequate dearness allowance. Take a man who is on the lowest scale of pay—a packer for instance on Rs. 16 in Bombay—he is now getting altogether Rs. 54; before the war he was getting Rs. 27; so that there is in this case a hundred per cent. increase. But if you take a man on higher pay, the percentage is lower until you come to a stage where we give 7½ per cent. uniform dearness allowance.

**An Honourable Member:** What do you call "higher pay"?

**Sir Gurunath Bewoor:** I am merely showing the percentage. I recognise that there can be difference of opinion on this point. Also the question of pensions of inferior servants has been advanced. There again it has been advanced more than once in this House in budget debates and so on.

These and various other suggestions, or demands if you like to call them, which have been made by the Unions we intend to examine, to give them immediate consideration, and we hope to be able to communicate our decision to the Federation of Unions who have presented this case to us.

**An Honourable Member:** When?

**Sir Gurunath Bewoor:** As soon as we possibly can. I think Honourable Members are rather inclined to think that you could grant these things just by a stroke of the pen . . .

**An Honourable Member:** Where there is a will, there is a way.

**Sir Gurunath Bewoor:** One has to see the consequences of giving something and see what it is going to cost. I agree with Mr. Nauman that the Post and Telegraph Department is not just a commercial department and there is no justification that because it is making a profit it should throw away money to its employees. I would like to point out here that when Mr. Gadgil spoke of the ten crores of profit, as he calls it, he must remember that this is a wartime income and it would be very unwise to build on this surplus in the future. We look upon the Posts and Telegraphs Department as both a commercial as well as a security service. Its accounts are maintained on a commercial basis. To pay fair wages to its employees is the right thing in any commercial concern. But you must give time to Government to examine what is a fair wage. In the meantime we shall examine very carefully the proposals or the demands made by the Unions and we shall give them a sympathetic consideration, and we shall give our considered decision on the demands made, but I consider that it would be entirely unjustified for the Unions to take any desperate action, and I hope that in this matter Members of this House would support the Government. Mr. Gadgil himself has referred to the situation in the country and with the food position being what it is, surely no one in this House would like any upsetting of the communication system of this country. It is in the general public interest that I plead that there is no need for any desperate action, that Government will do its best to give consideration to the demands, but it will be very wrong to compel Government under a threat to do something which fairness or justice does not demand.

**Srijut Dharendra Kanta Lahiri Choudhury:** It is a legitimate demand.

**Mr. Frank B. Anthony** (Nominated Non-Official): There have been so many speeches from so many different points of view and with so many implexions of voice that I do not know that I can add very much more to what has been already said. I may from the point of view of some of the Union representatives, seem to strike a discordant note when I say that I am partially thankful to the Honourable Sir Gurunath for his statement. But I would also like to sound a warning to the Department. After all I speak for a section of the workers who can claim that they have founded and built up this Department and whose vital services have over and over again maintained the stability of this Department in periods of crisis. But I have just come to know during my recent tour—I do not know if the authorities already know it, but they ought to be told—that there is a very serious and widespread feeling of unrest among the employees of this Department. And while I realize the proportions of the problems which face this Department, and it may be necessary to undertake a most careful investigation by a Commission, I would also ask Sir Gurunath to consider giving some immediate relief to the lower paid employees. These people are in very dire circumstances and while they are still motivated by an impulse to maintain the stability of the administration, they feel that unless they join some movement, with which they may not be in complete sympathy, they cannot get anything from the administration. I would ask the administration at this stage, as gracefully as possible, to make some concession to the lower-paid employees. Later on the whole matter may be explored and investigated on the basis of a commission. There is a feeling that there is not sufficient sympathy towards the lower-paid employee on the part of the senior official. If you make some gesture now—I am not only pleading for the menial employee; I am talking of the lower middle class and the middle class worker; the man who is getting up to 800 rupees per month—if you make some gesture now, it will be very much appreciated. The revised scales are quite justifiably regarded by the employees as a matter for resentment. It is not for me to elaborate the figures here,

but as far as I remember, so far as the Telegraphists, Telegraph Masters and clerical cadres are concerned, the revised scales give these people at the end of their service what people in the old scales of pay got as a starting wage. The continuation of this state of affairs is entirely unjustified.

There is another matter which I would like to bring to the notice of the Department, and that is the undue insistence on high technical and academic qualifications. As I have claimed—and I believe I have claimed quite justifiably—it is my community which founded and built up this Department. And nobody can say that it has not maintained this Department at the highest level of efficiency and integrity. But today your Department seems to have been over-born by a fetish of requiring very high academic qualifications. You are prepared in pursuance of this fetish, call it a *babu complex* if you like, to sacrifice efficiency, aptitude, real ability to the demand for a paper degree or a high technical qualification. This is the matter which is causing and which will continue to cause very considerable hardship.

**Sir Gurunath Bewoor:** The qualification required for the posts of Clerks and Telegraphists is a pass in the Matriculation Examination or its equivalent.

**Mr. Frank E. Anthony:** My community instead of passing the Matriculation Examination take the School Certificate Examination which is considered as its equivalent, but from the academic point of view it is higher than the Matriculation Examination. In a country like England do the authorities require qualifications, such as the School Certificate, for the posts comparable to those in India. In the past you took people who did not have a School Certificate Examination to offer you. Did your departmental efficiency or your integrity suffer? On the contrary it is a matter which is admitted by people who controlled this Department in the past that in spite of the fact that you did not insist on these very high paper academic qualifications, the Department was run at the highest possible level of administrative and technical efficiency.

Finally, Sir, I do want to say a word on this matter of retrenchment. Here again various leaders of the Unions, particularly my Honourable friend on my left, may not agree with me. I am in complete sympathy with the desire to try to whittle down to the lowest possible scale unemployment in this country. But at the same time I am one of those who feel that you do owe a duty to the ex-soldier. And the Government has made it very clear on the basis of what I regard as a solemn pledge that you have reserved—and I believe quite rightly—70 per cent. of appointments in certain Central Departments for ex-soldiers. I believe that if the Government attempts under pressure or under threat to renege from this promise that it will be guilty of a gross breach of faith. As I say, I am not in any way arguing against the man who is temporarily employed, but after all you are under no pledge to him. More than that you are under no contractual obligation to him; the temporary employee was specifically employed on the understanding and on the agreement that he would be employed only for the duration of the war. You are under no obligation, legal or moral, to employ them for a longer period. Whereas you have, as I say quite rightly undertaken, as a result of a solemn promise to employ 70 per cent. of ex-soldiers. If you renege from it, then I wish to give a warning, not only to the Posts and Telegraphs Department but to all departments of Government, if under any pressure you adopt or are driven to an ill-conceived policy of resiling from this promise then you will be creating a most serious position for the Government itself. You owe your first duty to these people. After the last war you fell down on many promises made to the ex-soldier. If you repeat that mistake you will be creating the most serious repercussions from the point of view of administrative integrity and stability.

**Mr. Muhammad Nauman:** These are good soldiers.

**Mr. Frank E. Anthony:** I include Muslim ex-soldiers.

**Mr. Muhammad Nauman:** These are as good soldiers.

**Mr. Frank B. Anthony:** Government are under no obligation, moral, contractual or legal to employ these people. I am not unsympathetic towards them. I hope they can be all reabsorbed into permanent employment but your first duty is due to those people to whom you have given a solemn pledge, I would repeat my request to the Honourable Member that he will—even though it may be necessary in order to produce a complete report to appoint a Commission—give whatever redress is possible immediately to the lower paid employees and also consider restoring as far as possible the old scales of pay.

**Shri Satya Narayan Sinha:** 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 Asembly do now adjourn.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 8th February, 1946.