

Tuesday
10th August, 1948

THE
CONSTITUENT ASSEMBLY OF INDIA
(LEGISLATIVE) DEBATES
(PART I—QUESTIONS AND ANSWERS)

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THIRD SESSION
of the
CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)
1948



CONTENTS

VOLUME VI—9th August to 31st August, 1948

	PAGES.
MONDAY, 9TH AUGUST, 1948—	
Declaration by Members	1
Starred Questions and Answers	1—35
Statements laid on the Table	35—67
TUESDAY, 10TH AUGUST, 1948—	
Declaration by Members	69
Starred Questions and Answers	69—108
WEDNESDAY, 11TH AUGUST, 1948—	
Starred Questions and Answers	109—73
THURSDAY, 12TH AUGUST, 1948—	
Starred Questions and Answers	175—202
FRIDAY, 13TH AUGUST, 1948—	
Starred Questions and Answers	203—57
MONDAY, 16TH AUGUST, 1948—	
Starred Questions and Answers	259—97
Unstarred Questions and Answers	297—98
TUESDAY, 17TH AUGUST, 1948—	
Declaration by Members	299
Starred Questions and Answers	299—333
Short Notice Question and Answer	333—34
WEDNESDAY, 18TH AUGUST, 1948—	
Starred Questions and Answers	335—67
FRIDAY, 20TH AUGUST, 1948—	
Starred Questions and Answers	369—406
Transferred Starred Questions and Answers	406—24
Transferred Unstarred Questions and Answers	425
MONDAY, 23RD AUGUST, 1948—	
Declaration by Members	427
Starred Questions and Answers	427—74
TUESDAY, 24TH AUGUST, 1948—	
Declaration by Members	475
Starred Questions and Answers	475—515
WEDNESDAY, 25TH AUGUST, 1948—	
Starred Questions and Answers	517—49
THURSDAY, 26TH AUGUST, 1948—	
Starred Questions and Answers	551—90
SATURDAY, 28TH AUGUST, 1948—	
Starred Questions and Answers	591—619
MONDAY, 30TH AUGUST, 1948—	
Starred Questions and Answers	621—59
Unstarred Question and Answer	659—60
TUESDAY, 31ST AUGUST, 1948—	
Starred Questions and Answers	661—706
Unstarred Question and Answer	706
Short Notice Questions and Answers	707—09

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)
DEBATES

(PART I—QUESTIONS AND ANSWERS)

Tuesday, 10th August, 1948

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

DECLARATION BY MEMBERS

The following members made the declaration under Rule 2C:

Shri Ari Bahadur Gurung (West Bengal: General);

Mr. R. V. Thomas (Travancore State); and

Mr. E. John Philipose (Travancore State).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

DISAPPEARANCE OF DOCUMENTS PERTAINING TO DIVISION OF ARMED FORCES

33. *Mr. R. K. Sidhva: Will the Honourable Minister of Defence be pleased to state:

(a) whether it is a fact that on or about the first week of June, 1948 important documents pertaining to the division of the armed forces between India and Pakistan mysteriously disappeared while the same were being transmitted from Bombay to Delhi; and

(b) if so, whether the same have been recovered; if not, what steps have been taken in this direction?

The Honourable Sardar Baldev Singh: (a) and (b). Some documents containing details of stocks of spare parts of certain types of vehicles to be divided between India and Pakistan which were brought by an officer from Bombay to Delhi were lost between Palam Aerodrome and New Delhi on the 4th June 1948. The documents had been taken away by a fellow passenger by mistake and were returned intact to Army Headquarters the next day.

SALARIES OF RULERS OF STATES MERGED IN PROVINCES OR IN UNIONS OF STATES

34. *Mr. R. K. Sidhva: (a) Will the Honourable Minister of States be pleased to state the salary of each Ruler who has agreed to merge either in a province or in a Union of States?

(b) Will their salaries be a first charge on the State income or are they subject to revision according to the income of the State?

The Honourable Sardar Vallabhbhai Patel: (a) A statement showing the amounts of privy purse so far fixed for Rulers, who have agreed to merge their States either in a Province or in a Union of States, is placed on the table of the House.

(b) The privy purse amounts are not subject to revision and will be a charge on the revenues of the Union. So far as States merged in Provinces are concerned the privy purse is a charge on the Provincial revenues.

STATEMENT

Showing the privy purse amounts of Rulers who have agreed to merge their States in Provinces or in a United State.

Name of State	Amount of privy purse fixed
	Rs.
1 Athgarh	36,100
2 Athmallik	48,500
3 Bamra	95,300
4 Baranba	22,700
5 Baudh	69,300
6 Bonai	52,800
7 Daspalla	33,500
8 Dhonkanal	89,700
9 Gangpur	1,35,100
10 Hindol	32,000
11 Kalahandi	1,14,000
12 Keonjhar	1,41,500
13 Khandpara	33,600
14 Kharsawan	33,000
15 Narsinghpur	28,100
16 Nayagarh	62,800
17 Nilgiri	40,000
18 Pal-Lahara	25,000
19 Patna	2,40,800
20 Rairakhol	29,700
21 Raupur	25,000
22 Seraikella	88,900
23 Sonapur	76,700
24 Talcher	62,500
25 Tigiria	11,200
26 Alwar	5,20,000
27 Bharatpur	5,02,000
28 Dholpur	2,64,000
29 Karauli	1,05,000
30 Banswara	1,26,000
31 Bundi	2,81,000
32 Dungarpur	1,98,000
33 Jhalawar	1,36,000
34 Kishengarh	1,36,000
35 Kotah	7,00,000
36 Mewar	10,00,900
37 Partabgarh	1,02,000
38 Shahpura	90,000
39 Tonk	2,78,000
40 Nawanganar	10,00,000
41 Bhavnagar	10,00,000
42 Porbandar	3,80,000
43 Dhrangadhra	3,80,000
44 Morvi	8,00,000
45 Gondal	8,00,000
46 Jafrabad	16,000
47 Wankaner	1,80,000
48 Palitana	1,80,000
49 Dhrol	1,10,000
50 Limbdi	1,95,000
51 Rajkot	2,85,000
52 Wadhwan	1,42,000
53 Lakhtar	91,000
54 Sayla	62,500
55 Chuda	51,250
56 Vala	88,750
57 Jastan	1,50,000
58 Amarnagar Thana Devli	1,00,000
59 Vedia	78,250
60 Lathi	77,500

Name of State	Amount of privy purse fixed.
	Rs.
61 Muli	53,000
62 Bajana	65,500
63 Virpur	44,500
64 Maliya	47,500
65 Kotda-Sangani	67,000
66 Jetpur	1,00,000
67 Bilkha	1,00,000
68 Patdi	20,000
69 Khirsara	30,000
70 Ajaigarh	74,700
71 Baoni	46,850
72 Baraurdlha	14,500
73 Bijawar	70,700
74 Chhatarpur	1,00,350
75 Charkhari	95,900
76 Datis	1,54,300
77 Maihar	56,500
78 Nagod	55,400
79 Orchha	1,85,300
80 Panna	1,47,300
81 Rewa	10,00,000
82 Samthar	51,800
83 Alipura	28,150
84 Banka Pahari	3,000
85 Beri	7,750
86 Bhaissanda	5,600
87 Bihat	5,600
88 Bijna	3,000
89 Dhurwai	5,000
89 Garrauli	10,050
91 Gaurihar	15,000
92 Jaso	8,600
93 Jigni	5,950
94 Kamta Rajaula	5,000
95 Khaniadhana	15,600
96 Kothi	15,400
97 Lugasi	10,100
98 Naigawan Rebai	5,000
99 Pahra	5,300
100 Paldeo (Nayagaon)	10,400
101 Sarila	18,650
102 Sohawal	25,900
103 Taraon	5,850
104 Tori Fatehpur	7,000
105 Alirajpur	95,000
106 Barwani	1,45,000
107 Dewas (Senior)	1,45,000
108 Dewas (Junior)	1,80,000
109 Dhar	2,96,000
110 Jaora	1,75,000
111 Jhabua	1,27,000
112 Jobat	32,500
113 Kathiwar	32,000
114 Khilchipur	60,000
115 Kurwai	60,000
	For life time of the present Nawab. Thereafter Rs. 48,000 to his succe- ssors.
116 Narsingarh	1,15,000
117 Rajgarh	1,40,000
118 Ratlam	1,50,000
119 Sailana	70,000
120 Sitamau	48,000
121 Mathwar	6,000

Name of State	Amount of privy purse fixed.
	Rs.
122 Kurundwad (Junior)	28,000
123 Akalkot	73,783
124 Savanur	30,316
125 Miraj (Senior)	85,800
126 Miraj (Junior)	50,454
127 Mudhol	55,300
128 Phaltan	1,40,442
129 Sangli	2,62,639
130 Aundh	75,212
131 Ramdurg	32,486
132 Bhore	89,042
133 Jamkhandi	91,168
134 Jath	49,924
135 Kurundwad (Senior)	49,924
136 Sawantwadi	1,07,500
137 Wadi Jaghir	6,000
138 Nandgaon	3,53,650
139 Baster	2,10,100
140 Kunkor	68,700
141 Udaipur	50,000
142 Sakti	29,000
143 Chhuikhadan	20,300
144 Raigarh	1,72,600
145 Kawardha	63,800
146 Sarangarh	63,600
147 Korea	2,78,700
148 Khairagarh	1,02,300
149 Surguja	1,45,300
150 Jashpur	66,300
151 Changbhakar	17,300
152 Loharu	50,000
153 Dujana	34,000
154 Pataudi	48,000
155 Gwalior	25,00,000
156 Indore	15,00,000

Mr. B. K. Sidhva: Which ruler is getting the highest salary or remuneration?

The Honourable Sardar Vallabhbhai Patel: There is no salary fixed. It is a privy purse. As will be seen from the statement laid on the table the highest amount of privy purse is that of the Maharaja of Gwalior.

Mr. B. K. Sidhva: What is the amount of the privy purse fixed for Gwalior?

The Honourable Sardar Vallabhbhai Patel: Rs. 25,00,000.

Mr. B. K. Sidhva: Is it a fact that it is Rs. 27,50,000?

The Honourable Sardar Vallabhbhai Patel: I said Rs. 25,00,000.

Shri Gopikrishna Vijayavargiya: What is the privy purse for the Maharaja of Mysore?

The Honourable Sardar Vallabhbhai Patel: Mysore is not a State which has either merged in a province or a union of States, and therefore we have not fixed any privy purse for the Maharaja. The amount of the privy purse will therefore be an arrangement between the Ministry in the State and the Maharaja.

Mr. Speaker: A statement has been already laid on the table of the House and let no question be asked on the details contained in the statement.

Shri Khurshed Lal: In the case of rulers who have merged their states in the provinces, will their privy purses be subject to income-tax?

The Honourable Sardar Vallabhbhai Patel: The privy purse is not subject to income-tax.

Seth Govind Das: May I know if a uniform policy has been pursued in regard to the fixing of these privy purses according to the revenue of each state or has there been any variation?

The Honourable Sardar Vallabhbhai Patel: You will find it in the white paper published by the States Ministry. There are certain fixed principles on which the privy purse is fixed.

Shri K. Hanumanthaiya: Is there any revising authority in regard to these privy purses?

The Honourable Sardar Vallabhbhai Patel: There is no revising authority.

Shri K. Hanumanthaiya: A constituent assembly is to be convened in these unions. May I know if they have got any jurisdiction over and powers to revise these privy purses?

The Honourable Sardar Vallabhbhai Patel: Nobody can revise it, because it is an arrangement under which the Rulers have agreed to surrender their powers.

Dr. B. Pattabhi Sitaramayya: In view of the fact that Bilaspur is neither a viable state, nor has formed a union nor has joined the Himachal Pradesh, on whom will the privy purse be a charge?

The Honourable Sardar Vallabhbhai Patel: The case of Bilaspur is still under consideration: it has not been finally decided.

Mr. Tajamul Husain: After the death of a ruler whose state has merged either in a union or a province, will the privy purse paid to him be paid to his eldest son or be divided among the heirs?

The Honourable Sardar Vallabhbhai Patel: The privy purse is given to the ruler and whoever succeeds as ruler will get it.

Mr. Tajamul Husain: If there is no ruler what happens to the privy purse?

The Honourable Sardar Vallabhbhai Patel: The State is the successor where there is no ruler.

Begum Aizaz Rasul: Besides the amount of the privy purse that is fixed for the rulers, is any allowance being given to those who have been appointed Rajpramukhs and Uprajpramukhs?

The Honourable Sardar Vallabhbhai Patel: A certain amount is fixed for Rajpramukhs and Uprajpramukhs for their functions as such.

Begum Aizaz Rasul: Has any uniform policy been adopted in this respect?

The Honourable Sardar Vallabhbhai Patel: Oh, yes. You will find all this information in the white paper.

Shri S. Nijalingappa: Is the income from private property taken into consideration when fixing the privy purse?

The Honourable Sardar Vallabhbhai Patel: Private property is his own.

Shri S. Nijalingappa: So that income is not deducted?

Mr. Speaker: That is argument.

Shri Mahavir Tyagi: Such of the princes as have been appointed Rajpramukhs, do they draw any extra pay?

Several Honourable Members: That has already been answered.

Shri Yudhisthir Mishra: Do Government grant any allowances to the relations of the rulers?

The Honourable Sardar Vallabhbhai Patel: That will be included in the privy purse.

Mr. Tajamul Husain: Supposing the ruler does not pay to his wife or relations.

The Honourable Sardar Vallabhbhai Patel: That will be a matter which will be dealt with when it arises.

श्री राम सहाय : मैं यह मालूम करना चाहता हूँ कि ज्यादा से ज्यादा किस परसेंटेज (percentage) से प्रीवी पर्स (privy purse) दिया गया है और ग्वालियर को किस परसेंटेज से दिया गया है ।

Shri Ram Sahai: May I know what is the maximum percentage governing the grant of privy purses, and the percentage on which it has been fixed in the case of Gwalior?

वानरेबल सरदार वल्लभभाई पटेल : अभी तो वहां तक नहीं पहुंचे हैं ।

The Honourable Sardar Vallabhbhai Patel: We have not as yet reached that stage.

Shri L. Krishnaswami Bharathi: Is the income from the private property subject to income-tax?

The Honourable Sardar Vallabhbhai Patel: The privy purse is not subject to income-tax.

Babu Ramnarayan Singh: Are the wishes of the people consulted in these arrangements?

The Honourable Sardar Vallabhbhai Patel: Generally.

Babu Ramnarayan Singh: In what way?

The Honourable Sardar Vallabhbhai Patel: In the usual way.

Shri Yudhisthir Mishra: Is it a fact that there has been some correspondence between the Government of Orissa and the Government of India regarding the grant of allowances to the relatives of the rulers of the Orissa States?

The Honourable Sardar Vallabhbhai Patel: I know of no correspondence but if the honourable member can draw my attention to any such correspondence I will look into it.

Seth Govind Das: On what principle is the private property of these Rulers kept apart and given to them?

The Honourable Sardar Vallabhbhai Patel: It differs from property to property. It is a very big matter and I cannot give you a detailed answer now.

Shri Kallur Subba Rao: Is it a fact that the Nawab of Banaganpalli gets more from his privy purse than he used to get as a Ruler?

The Honourable Sardar Vallabhbhai Patel: I do not think so.

Mr. R. K. Sidhva: Will you permit me to put questions on Nos. 34 and 35 as one question. I sent it as one question but your office has divided them into two.

The Honourable Sardar Vallabhbhai Patel: That will give you two opportunities!

Mr. Speaker: He may put his question. It is not the office that splits up. It is the Speaker who splits up! The questions have been split up because they relate entirely to two different matters. Undoubtedly they are connected but the matters are distinct.

Yes: Question No. 35.

OWNERSHIP OF HOUSES OF RULERS OF STATES IN DELHI AND BOMBAY

35. ***Mr. R. K. Sidhva:** (a) Will the Honourable Minister of States be pleased to state the names of rulers who have their houses in Delhi and Bombay?

(b) Are these properties the personal assets of the rulers or were they built from the State funds? If the former, have Government been fully satisfied of the fact by verification from records kept by the State authorities?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). The information is being collected and will be placed on the table of the House in due course.

Shri H. V. Kamath: Is it a fact that many of these Houses in Delhi and Bombay lie vacant for most part of the year?

The Honourable Sardar Vallabhbhai Patel: I do not think so. Several houses in Delhi belonging to the Princes have been requisitioned and have been in the possession of Government for many years.

Shri H. V. Kamath: What is the position in Bombay?

The Honourable Sardar Vallabhbhai Patel: They are not empty. They are occupied. Occasionally they are empty also. But if the Bombay Government wants to requisition any particular house it is open to them to do so as they have the powers.

Shri B. Shiva Rao: Is the Honourable Minister aware that a number of these houses have been sold to foreign embassies in Delhi?

The Honourable Sardar Vallabhbhai Patel: I have no information but if the honourable member has any information he may supply it and we shall look into it.

Mr. R. K. Sidhva: Will the information be supplied to the House?

The Honourable Sardar Vallabhbhai Patel: It will be placed on the table of the House.

ADMISSION OF STUDENTS IN AND GRANT TO LAXMI NARAIN INSTITUTE OF TECHNOLOGY AT NAGPUR

36. ***Mr. R. K. Sidhva:** (a) Will the Honourable Minister of Education be pleased to state whether it is a fact that the Laxmi Narain Institute of Technology at Nagpur admits students from C. P. and Berar only under the terms of the Deed by the Donor?

(b) Is sufficient number of students available from the C. P. for training in various technical subjects?

(c) Is it a fact that the Government of India contemplate giving a grant to enable the Institute to admit students from all over India?

انریہل مولانا ابوالکلام آزاد : (a) ہاں ایسی ہی شرط لگائی گئی تھی - لیکن سنہ ۳۷-۳۸ میں ناگپور یونیورسٹی نے سنٹرل گورنمنٹ کی گرانٹ لیتے ہوئے اس بات سے اتفاق کیا کہ اس انسٹی ٹیوٹ میں دوسرے پروانٹوں کے ودیارتھی بھی لئے جائینگے - اور یہ بات سنٹرل گورنمنٹ پر چھوڑ دی کہ وہ ہر پروانٹ کے لئے ایک کوتا تھرا دے -

(b) یہ انسٹی ٹیوٹ ہر برس صرف ۳۰ ودیارتھیوں کو لیتا ہے اور یقیناً یہ تعداد اتنی بڑی نہیں ہے جسے سی-پی-برار پروانٹ پورا نہ کر سکے - بہر حال اب دوسرے پروانٹوں کے لئے بھی وہ کھل گیا ہے -

(c) ہاں - لکشمی نرائین انسٹی ٹیوٹ بھی اُن ۱۳ انسٹی ٹیوٹوں میں سے ہے - جنہیں سنٹرل گورنمنٹ گرانٹ دے رہی ہے یا دینا تجویز کیا گیا ہے - گرانٹ کی شرطوں میں ایک شرط یہ ہے کہ دوسرے پروانٹوں کے ودیارتھیوں کو بھی بغیر کوئی

نئی فیس لگائے لیا جائیگا۔ یہ بات کہ کس صوبے سے کتنے ودیارتھی لئے جائیں؟ گورنمنٹ نے اپنے ہاتھ میں رکھی ہے۔ وہ پراونشل گورنمنٹوں اور انسٹی ٹیوٹوں کی رائے لیکر اس کا فیصلہ کرتی ہے۔

The Honourable Maulana Abul Kalam Azad: (a) Yes, but in accepting the Central Government's grant to the institution for 1947-48 the Nagpur University has agreed that the institution will admit students from other Provinces in accordance with the quota for each Province to be determined by the Central Government.

(b) The institution admits only thirty students per year and the Province of C. P. and Berar can certainly provide that number.

(c) Yes, the Luxminarayan Institute of Technology, Nagpur, is one of the fourteen technological institutions whom the Government have given or propose to give grants with a view to strengthening and developing them. It is one of the conditions of the grant that the institution will admit students from other provinces, without charging any capitation fees, according to the Provincial quotas to be fixed by the Central Government in consultation with the Provincial Governments and the institutions concerned.

مسٹر آر۔ کے۔ سدھوا: ابھی کتنی گرانٹ اس انسٹی ٹیوٹ کو سنٹر سے دی جاتی ہے۔

Mr. R. K. Sidhva: What amount of grant does the Centre give to this institute at present?

آنریبل مولانا ابوالکلام آزاد: اس کے لئے نوٹس چاہئے۔

The Honourable Maulana Abul Kalam Azad: I would like to have a notice for this.

سٹھ گوویند داس: چونکہ جہ لکشمی ناراین جی نے ناگپور یونیورسٹی کو دان دیا تھا اس وقت یہ شرط رکھی گئی تھی کہ مध्य प्रांत और बरार के विद्यार्थी लिये जायें, इसलिए क्या गवर्नमेंट इसबात का ध्यान रखेगी कि दूसरे प्रान्तों के विद्यार्थी तभी लिये जायें जब कि मध्यप्रांत और बरार के सारे विद्यार्थियों को स्थान मिल जाय।

Seth Govind Das: As Shri Lakshminarayan had, while making the donation to the Nagpur University, imposed a condition that students from the C. P. and Berar only should be admitted, will Government, therefore, please keep this in view that students from other Provinces are admitted only after those from C. P. and Berar have been admitted?

آنریبل مولانا ابوالکلام آزاد: ہاں یہ بات گورنمنٹ کے سامنے ہے۔

The Honourable Maulana Abul Kalam Azad: Yes. This is receiving Government's attention.

श्री एच० वी० कामत: क्या गवर्नमेंट ने मध्यप्रांत और बरार के अलावा दूसरे प्रान्तों के लिए कोटे (quotas) मुकर्रर किये हैं ?

Shri H. V. Kamath: Have Government fixed the quotas for other Provinces apart from the C. P. and Berar?

• **آنریبل مولانا ابوالکلام آزاد :** جس وقت ۳۸ - ۱۹۴۷ کی گرانٹ دی گئی تھی - اس وقت یہ شرط رکھی گئی تھی - کہ دوسرے پرائنٹوں کے لئے بھی دروازہ کھول دیا جائے - اور اسکا کوٹا گورنمنٹ نے مقرر کر دیا تھا -

The Honourable Maulana Abul Kalam Azad: While giving the grant for the year 1947-48, a condition was imposed that door should be opened for other Provinces also and the Government had fixed the Provincial quotas.

श्री एच० वी० कामत : क्या अभी तक कोटा ठहराया है या नहीं और दूसरे प्रान्तों के लिए क्या कोटा है ?

Shri H. V. Kamath: Have quotas been fixed yet; what is the quota for other Provinces?

آنریبل مولانا ابوالکلام آزاد : وہ میں ابھی نہیں بتلا سکتا - اس کے لئے نوٹس کی ضرورت ہے -

The Honourable Maulana Abul Kalam Azad: I cannot say. I require notice.

Shrimati Dakshayani Velayudhan: Is it a fact that this Institute gives admission only to caste-Hindu students?

آنریبل مولانا ابوالکلام آزاد : میں نہیں سمجھتا کہ کوئی پابندی کاسٹ یا غیر کاسٹ کے لئے لگائی گئی ہے - سب کے لئے دروازہ کھلا ہے -

The Honourable Maulana Abul Kalam Azad: I do not think if any restriction for the admission of caste-Hindus or others have been imposed. The door is open to all.

Shrimati Dakshayani Velayudhan: I could not understand the answer.

Mr. Speaker: It is not restricted to caste-Hindus only.

श्री अजीत प्रसाद जैन : क्या गवर्नमेंट इस अम्न पर भी गौर कर रही है कि तुलबा की तादाद तीन से बढ़ाकर ज्यादा कर दी जाय ।

Shri Ajit Prasad Jain: Are Government also contemplating to increase the number of students from thirty?

آنریبل مولانا ابوالکلام آزاد : یہ تو اس انسٹی ٹیوٹ کی کپیسٹی پر موقوف ہے - گورنمنٹ کوشش کریگی -

The Honourable Maulana Abul Kalam Azad: This entirely depends on the capacity of the institution. Government will try.

DISCOVERY OF ARMS AND AMMUNITION DUMPS

37. ***Mr. R. K. Sidhva:** Will the Honourable Minister of Home Affairs be pleased to state:

(a) whether Government are aware that frequently arms and ammunition are discovered from various places in India; and

(b) how many such discoveries have been made since August 15, 1947 in areas under the administrative control of the Central Government?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). The honourable member's attention is invited to the reply I gave to his question No. 412 on the 29th November, 1947. I have nothing to add to that reply.

Mr. R. K. Sidhva: Is it not a fact that since then many discoveries have been made of arms and ammunition?

Mr. Speaker: He can give that information to the Honourable Minister outside the House.

Mr. R. K. Sidhva: I wanted to know whether since that statement was made any further discoveries in the smuggling of arms have been made.

The Honourable Sardar Vallabhbhai Patel: The honourable member is aware that discoveries are made almost day to day. Many searches are being made and many discoveries are also made. Only last week several arms were discovered.

Shri H. V. Kamath: Are deterrent punishments being awarded to persons convicted?

The Honourable Sardar Vallabhbhai Patel: These punishments are awarded by the Judiciary and not by the Ministry.

DISCOVERY OF ARMS AND AMMUNITION MANUFACTURING FACTORY IN MONGHYR DISTRICT, BIHAR

†38. ***Mr. R. K. Sidhva:** (a) Will the Honourable Minister of Home Affairs be pleased to state whether it is a fact that on or about 20th May, 1948 a factory for the manufacture of rifles and other arms was detected in Monghyr District in Bihar?

(b) Is it a fact that nearly two lakhs of guns and ammunition were distributed from this factory?

(c) Have any arrests been made? If so, what are the details of the said factory and its origin?

(d) What class of people was involved in the manufacture of arms etc.?

The Honourable Sardar Vallabhbhai Patel: (a) No.

(b), (c) and (d). Do not arise.

GOVERNMENT POLICY CONCERNING EXCAVATION WORK CARRIED OUT UNDER THE AUSPICES OF THE ARCHAEOLOGICAL DEPARTMENT

39. ***Shri Lakshminarayan Sahu:** (a) Will the Honourable Minister of Education be pleased to state the policy of the Government of India so far as excavation work under the auspices of the Archaeological Department is concerned?

(b) Has Government recognised certain learned bodies who may undertake excavation work on behalf of the Government of India?

(c) Do Government propose to consider the question of according recognition to Kalinga Historical Research Society (Bolangir) (Orissa) and the Orissa Government Museum Committee as learned bodies and allow them to carry on excavat on work either on behalf of the Government of India or independently but partly helped and guided by technical advice from the Government of India Archaeological Department?

(d) Do Government propose to have a record of survey of ancient sites in Orissa?

† Answer to this question laid on the table, the questioner having exhausted his quota.

(c) Do the Government of India propose to authorise or direct the Provincial Governments of the Indian Union to undertake survey work in different Provinces so as to facilitate excavation work in future?

آئرپبل مولانا ابوالکلام آزاد : (a) آرکیالاجیکل ڈیپارٹمنٹ نے کھدائی کے کام کے بارے میں کچھ برسوں سے اپنی ایک پالیسی تھرائی ہے - وہ یہ ہے کہ پہلے اُن جگہوں میں کام کیا جائے - جو پوری طرح جاننے بوجھلے میں آگئے ہیں اور معلوم ہو چکا ہو کہ یہاں سے پرانی کام کی چیزیں نکل سکتی ہیں - پھر انکے بعد اُن جگہوں کو لیا جائے - جو ابھی پوری طرح جاننے بوجھلے میں نہیں آئی ہیں لیکن پھر پھر کام کی چیزوں کے ڈھلے کی وہاں اُمید لگائی جاسکتی ہے - مطلب یہ ہوا کہ پہلے وہاں جانا چاہئے جہاں پوری روشنی مل رہی ہے -

(b) ہاں جو شرطیں تھرائی گئی ہیں اگر اُن کے مطابق کوئی باقی کام کرنا چاہے اور ٹیکلیکل اسٹاف بھی اُسکے پاس موجود ہو تو گورنمنٹ ضرور اسے کام کا موقعہ دیتی ہے -

(c) ہاں گورنمنٹ ضرور اس معاملہ پر سوچ بچار کریگی - اگر کام کی ضروری شرطیں پوری کر دی گئیں - البتہ یہ بات سامنے رکھنی چاہئے کہ گورنمنٹ ٹیکلیکل اسٹاف کا یا روپیہ کا انتظام اس وقت نہیں کر سکیگی - کیونکہ کھدائی کے کام کے لئے جو روپیہ اس کے ہاتھ میں ہے وہ بہت بلندا ہوا ہے -

(d) ہاں - دوسرے پرائنٹوں کے ساتھ اُرمیسہ کا کام بھی گورنمنٹ کے سامنے ہے -

(e) گورنمنٹ اس سبکدست پر پرائنٹوں کی گورنمنٹوں کو دھیان دلائیگی اور اُنکے کو اپریشن کو نہایت خوشی سے منظور کریگی -

The Honourable Maulana Abul Kalam Azad: (a) The policy of the Archaeological Department in regard to excavation work has for some years past been to proceed from the excavation of sites of known archaeological importance, where there is a strong likelihood of digging up objects and monuments which will be of value in the understanding of the past, to less known sites but which are expected to yield good results.

(b) Yes, on the usual conditions and whenever properly trained technical staff approved by the Department of Archaeology is forthcoming.

(c) Yes, when the necessary conditions have been fulfilled. The Archaeological Department will be glad to give technical advice, but it is not possible for it either to lend technical staff or to give any financial assistance as both the staff and the exploration grant are very limited.

(d) Yes, along with similar surveys of other Provinces.

(e) Government of India would welcome all co-operation from Provincial Governments in this respect. It is the intention of Government of India to address Provincial Governments in this respect in due course.

मेठ गोविन्द दास : चूंकि यह स्थानों का निर्णय कि कहां खदाई की जाय उस समय हुआ था जबकि राष्ट्रीय सरकार स्थापित नहीं हुई थी, इस हालत में क्या गवर्नमेंट उन स्थानों का फिर से विचार करेगी जिनको खुदाया जाना जरूरी है, खासकर मथुरा और अयोध्या जहां पर हमारी बहुत बड़ी-बड़ी सलननें रह चुकी हैं।

Seth Govind Das: The decision for the excavation of these sites was taken at the time when the National Government had not been formed. Will Government, therefore, please reconsider what important sites should be excavated, especially Mathura and Ayodhya which were the seats of our mighty Empires in the past?

آئرپیل مولانا ابوالکلام آزاد : گورنمنٹ یہ کام شروع کر چکی ہے ۔

The Honourable Maulana Abul Kalam Azad: Government have already started this work.

श्री बी० पी० इनझुनवाला : जहां पर कोई ऐसी चीजें निकलने की आशा है और यह गवर्नमेंट बे नोटिस में लाया गया है कि ऐसी चीजें निकलने की आशा है तो क्या गवर्नमेंट उसके प्रोटेक्शन (protection) का इन्तिज़ाम करेगी जब तक कि उसके एक्सकेवेशन (excavation) का काम हाथ में न लें ।

Shri B. P. Jhunjhunwala: Will Government take care to see that such sites which are expected to yield good results and have been brought to their notice are protected till the excavation work is undertaken?

Mr. Speaker: The question is "Will the Government take care to see that these ancient sites are protected till the excavations take place?"

آئرپیل مولانا ابوالکلام آزاد : ضرور ۔ گورنمنٹ کے سامنے یہ بات ہے اور گورنمنٹ اسی ذہنگ پر کام کر رہی ہے ۔

The Honourable Maulana Abul Kalam Azad: Certainly. This is already receiving Government's attention and they are acting on these very lines.

Shri M. Ananthasayanam Ayyangar: When a Provincial Government is authorized to undertake work of excavation and research, may I know whether steps are taken to see that it fits into the all-India scheme?

آئرپیل مولانا ابوالکلام آزاد : ہاں اِس کے لئے قاعدے تھہرا دے گئے ہیں ۔

The Honourable Maulana Abul Kalam Azad: Yes, the rules have been framed for this.

ESTIMATED POPULATION OF INDIA AND NUMBER OF WOMEN AND PERSONS BELOW FIFTEEN

40. ***Shri Biswanath Das:** Will the Honourable Minister of Home Affairs be pleased to state:

(a) whether Government have undertaken the enquiry to estimate the population of India, the provinces and States for the purpose of 1951 census; and

(b) what is the estimated population of India for 1947 or 1948 giving the estimated figures for India, the provinces and States separately and also showing the number of females and persons below 15?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). Estimates are made yearly based on the average annual excess of births over deaths. On this basis the estimated population for 1947 for the Indian Union is 881.7 millions. Applying the sex ratio disclosed by the 1941 Census i.e. 925 females per thousand males, this would show 171.4 million males and 160.3 million females.

Calculations based on vital statistics have to await the completion of the year in question; thus a figure on a similar basis for 1948 cannot yet be given. The population would, however, be of the order of 337 million.

Since there was no age tabulation at the 1941 Census it is not possible to give an age distribution of the population now.

**ATROCITIES ON ORIYAS CONSEQUENT ON TRANSFER OF ADMINISTRATION OF
SERAIKELLA AND KHARSAWAN STATES FROM ORISSA TO BIHAR.**

41. *Shri Lakshminarayan Sahu: (a) Will the Honourable Minister of States be pleased to state why the administration of the two Orissa States of Seraikella and Kharsawan has been taken over from the Orissa Government and given to Bihar Government?

(b) Are Government aware that since the transfer of the two above-mentioned States to Bihar, the Oriyas living there have been subjected to various oppressions—such as atrocities on women, house-burning, threat to certain Oriya families to go out of the Seraikella State within 48 hours?

(c) Have the services of the Oriya teachers in certain Government schools been dispensed with and in their place, Bihari teachers have been appointed to teach Hindi in place of Oriya?

(d) Are Government aware that the Bihar Government performed a victory celebration, after the transfer of administration to Bihar, in the two States of Seraikella and Kharsawan and thereby has wounded the feelings and susceptibilities of the entire Oriya population?

(e) Are Government aware that the transfer of the administration of the two States of Seraikella and Kharsawan from the Government of Orissa to the Government of Bihar has caused great resentment among the Oriya people and protests have been made by way of public meetings, processions, and hartals by Oriyas within the Province of Orissa as well as outside such as Calcutta, Bombay, etc.?

(f) What steps do Government propose to take in order to redress the grievances of the Oriyas?

(g) Have the two States of Seraikella and Kharsawan been permanently handed over to Bihar and merged in it?

The Honourable Sardar Vallabhbhai Patel: (a) These two States are geographically so situated as to make it administratively necessary that they should be handed over to the Government of Bihar.

(b) to (d). Information is being collected and will be laid on the table of the House in due course.

(e) Yes.

(f) Government are not aware of any legitimate grievances of Oriyas of these two States.

(g) In this transitory world nothing is permanent.

Shri Lakshminarayan Sahu: Have the Government received telegrams and letters from the President of the Utkal Union Conference that there was much oppression in these two States?

The Honourable Sardar Vallabhbhai Patel: It is possible. I am not aware but I will enquire.

Shri M. Tirumala Rao: With regard to part (d) of the question where the Bihar Government is said to have performed a victory celebration, may I ask whose victory it was and over whom?

The Honourable Sardar Vallabhbhai Patel: That question may better be addressed to the Bihar Government—I do not know whether they are celebrating any victory.

Shri M. Tirumala Rao: Will the Government draw the attention of the Provincial Governments that they should not wound the susceptibilities of the neighbouring Provinces?

Mr. Speaker: It assumes that there was some victory celebration.

Shri Biswanath Das: With reference to the reply to part (a) of the question, is it not a fact that it is only on administrative grounds that these two States have been decided to be merged in the district of Singbhum, as different from the Province of Bihar, over which district the Province of Orissa also has a claim?

The Honourable Sardar Vallabhbhai Patel: As I have said, these two States have geographically no approach to Orissa unless Singbhum district is separated from Bihar and handed over to Orissa. Therefore it is impossible for these two States to be given to Orissa.

Shrimati Dakshayani Velayudhan: Are not the two Provinces units of the same Dominion, and as such are they entitled to celebrate any victory?

Mr. Speaker: That question has been already answered.

REPATRIATION OF SILVER BULLION BACKING RESERVE FOR CURRENCY TRANSFERRED TO BRITAIN

42. *Shri Biswanath Das: Will the Honourable Minister of Finance be pleased to state:

(a) the silver reserve Government had, just before World War II, to back the paper currency;

(b) what quantity of this reserve was transferred to London during the course of the war and especially in 1942;

(c) whether the silver so transferred was put to sale in London and Great Britain;

(d) the rate at which and the amount for which the quantity of silver was sold during the war and especially in 1942;

(e) whether any discrimination was observed in such sales in London by selling to Indians at rates higher than those at which it was sold to Britishers;

(f) if the answer to part (e) above be in the affirmative the quantity and the amount for which it was sold to Indian and British nationals respectively;

(g) whether it is a fact that the Indian Chamber of Commerce and the Indian Press protested against this policy;

(h) whether the Government of India in their negotiations before May, 1948 with British delegates have called upon Britain to pay back our silver bullion reserve which was the only backing of our currency; and

(i) whether the sterling balance delegation to Britain have taken up this question of repatriating our bullion reserve back to India as a preliminary condition for any financial settlement?

The Honourable Shri R. K. Shanmukham Chetty: (a) The paper currency of the country is issued by the Reserve Bank under the Reserve Bank of India Act, which does not require that any part of the backing shall be in the form of silver bullion. If the honourable member is referring to the Government of India's silver stock, the answer is 185 million fine ounces, which was held partly in London and partly in India.

(b) The quantity physically transferred from India to London during the course of the War amounted to 68 million in fine ounces, of which 12 million ounces were despatched in 1942.

(c) Yes.

(d) The total quantity sold to His Majesty's Government amounted to about 152 million fine ounces at international rates varying between 17½ d. and 23½ d. per standard ounce, the total sale price being Rs. 21.4 crores = £16.1 million. Figures for the calendar year 1942 are not available but in the financial years 1941-42 and 1942-43, the sales amounted to 84.8 and 2.5 million fine ounces respectively at prices varying between 22d. and 23½d. per standard ounce.

(e) No.

(f) Does not arise.

(g) There were such protests against the policy of selling silver in London at the international prices.

(h) In view of my answer to part (a), this part of the question does not arise.

(i) No; the silver has been sold once for all and there can be no question of repatriation.

Shri Biswanath Das: May I know the then difference between the international price of silver and the local prices?

The Honourable Shri E. K. Shanmukham Chetty: In 1941-42 for instance the average price per fine ounce in Bombay was 38½d., i.e., Rs. 66-11-4 per 100 tolas. In 1942-43 the Bombay price was 45d., i.e., Rs. 94-2-6 per 100 tolas.

Prof. N. G. Ranga: How does it compare with the price at which we have sold in London?

The Honourable Shri E. K. Shanmukham Chetty: I gave the prices in my answer. The price varies from 17½d. to 23½d.

Prof. N. G. Ranga: Have we exhausted all our silver reserves in London or are there any remaining? Is the Government still carrying on its transactions in the London market and selling silver?

The Honourable Shri E. K. Shanmukham Chetty: We are not selling any silver in the London market or anywhere just now.

Dr. P. S. Deshmukh: Has India suffered any loss in this transaction, and if so, what is the total amount of the loss?

The Honourable Shri E. K. Shanmukham Chetty: Of course the prices will indicate that India has suffered a loss. I think the total loss in this transaction is over Rs. 5½ crores.

Shri B. Das: Although the Honourable the Finance Minister was not a party to the perfidy of the U. K. Government of the time, does the Honourable Minister agree with the views expressed by the India Chamber of Commerce and the Indian Press over such selling of silver?

The Honourable Shri E. K. Shanmukham Chetty: The honourable member is asking for an expression whether I agree with the criticism; but the hard fact remains, whether I agree with the criticism or not, that in this transaction India has lost Rs. 5½ crores.

Shri M. Ananthasayanam Ayyangar: May I know from the Honourable Minister how much has been added to the stock of silver by the Government of India after nickel coins have been introduced?

The Honourable Shri E. K. Shanmukham Chetty: Sir, we do not give any information regarding our stocks of silver.

REPORT OF ALL-INDIA AYURVEDIC COMMITTEE

43. *Shri Biswanath Das: Will the Honourable Minister of Health be pleased to state:

(a) whether Government have received the report of the All India Ayurvedic Committee;

(b) whether the report will be supplied to members of the Assembly and if so, when; and

(c) the action proposed to be taken on the recommendations of the Committee?

The Honourable Dr. Syama Prasad Mookerjee: (a) A typed copy of the Report has been received. The Appendices to be attached to the Report have not yet been submitted but they are expected in a few days.

(b) The Report will be printed, and when printed copies are available, copies will be placed in the Library of the House. Copies will also be sent to honourable members who may desire to have them.

(c) This will be decided after the recommendations of the Committee have been considered by Government.

Shri H. V. Kamath: Considering that the report was expected as early as February last, what is this abnormal delay due to?

The Honourable Dr. Syama Prasad Mookerjee: I shall refer it to the Committee, if desired.

Shri Biswanath Das: May I know how long Government would take to arrive at a conclusion on this important question?

The Honourable Dr. Syama Prasad Mookerjee: The matter has already been taken in hand, but the Appendices have not been submitted. Already a summary of the Report has been prepared and the Department is examining the recommendations.

Shri Biswanath Das: May I know why Government think that it is not necessary to supply copies of this Report to all the honourable members of this House?

The Honourable Dr. Syama Prasad Mookerjee: It would be supplied to every honourable member who may desire to have it.

Seth Govind Das: In view of the fact that only the Appendices are left to be finished, why is the Report itself delayed and why should it not be circulated before the Appendices are completed?

The Honourable Dr. Syama Prasad Mookerjee: The Report has just been received and it is only a typed copy. As soon as the complete Report is received it will be in the hands of the honourable members of the Legislature, who may want it.

Shri B. Das: Will the Honourable Minister for Health postpone the building of the Drug Research Institute in Delhi until the Report is published and considered by the country?

The Honourable Dr. Syama Prasad Mookerjee: We have not decided to establish a Drug Institute in Delhi.

Shri B. Das: Was it not published in the Press a few days ago that the Health Ministry is building a huge Drug Research Institute at Delhi, and if so, will it be postponed?

The Honourable Dr. Syama Prasad Mookerjee: I believe the honourable member is referring to the Institute which is proposed to be created under the auspices of the Council of Scientific and Industrial Research.

Shri B. Das: No, Sir. I say that the Ministry of Health is going to build a Drug Research Institute at Delhi. I hope nothing in this direction will be done without correlating all the recommendations in the Report on Aurvéda, Homeopathy, Allopathy, etc.

The Honourable Dr. Syama Prasad Mookerjee: That will be borne in mind.

PAUCITY OF ORIYAS IN CENTRAL EXCISE DEPARTMENT IN ORISSA

44. *Shri Lakshminarayan Sahu: Will the Honourable Minister of Finance be pleased to state:

(a) how many Oriya Officers are now working in Orissa in the Central Excise Department;

(b) whether it is a fact that no Collector has been appointed in Orissa in the Central Excise Department;

(c) whether Government propose to consider the desirability of having a separate Collector for Orissa which has twelve districts;

(d) whether it is a fact that one Assistant Collector is appointed for two or three districts;

(e) how many Assistant Collectors of Excise there are for Orissa which has 12 districts now; and

(f) whether Government are aware that there is great dissatisfaction in Orissa as Oriyas are not given proper representation in service in the Central Excise Department?

The Honourable Shri E. K. Shanmukham Chetty: (a) I would invite the honourable member's attention to part (b) of the statement laid on the table of the House on the 5th April, 1948 in reply to his starred question No. 1195.

(b) Yes.

(c) No; Orissa is too small a charge from the Central Excise point of view to justify the employment of a whole-time Collector of Central Excise.

(d) No. It is the quantum of Central Excise work and not the number of administrative districts that determines the jurisdiction of an Assistant Collector of Central Excise.

(e) One.

(f) Government have received some references on the subject. I would, however, invite the honourable member's attention in this connection to part (a) of the statement laid on the table of the House on the 5th April 1948 in reply to his starred question No. 1195 which sets out the policy of the Government in regard to recruitment to the Central Excise Department. I can assure the honourable member that there will be no discrimination against the members of any particular province.

Shri B. Das: Has the Honourable the Finance Minister assured himself that since that last reply on the floor of this House, his Collector of Central Excise in Bengal did take steps to recruit Oriyas and does not always get outsiders in the Central Excise Department?

The Honourable Shri E. K. Shanmukham Chetty: I am glad to have that information.

Srijut Rohini Kumar Chandhuri: May I know whether in making appointments to posts at the disposal of the Government of India, the claims of Provinces or the grievances of Provinces are taken into consideration at all?

The Honourable Shri R. K. Shanmukham Chetty: The question underlying the policy for recruitment to Central Services has been laid down by the Ministry for Home Affairs. In the previous answer referred to by me that policy has been explained; that policy will be adhered to and no discrimination will be shown against any Province.

Shri B. Das: Will the Honourable the Finance Minister call from time to time periodic reports from the Collector of Central Excise, Calcutta that he is carrying out the Central policy of the Home Ministry and the Finance Ministry?

The Honourable Shri R. K. Shanmukham Chetty: Unless I have got reasons to suspect that any particular Collector of Excise is not conforming to the policy laid down, there is no point in my calling for periodic returns.

Srijut Rohini Kumar Chaudhuri: If no discrimination is exercised, may I know how is it that certain Provinces have either no representation or very inadequate representation?

The Honourable Shri R. K. Shanmukham Chetty: It is quite possible that suitable candidates from a particular Province were not available.

Srijut Kuladhar Chaliha: May I know whether the Collector of Central Excise, Calcutta has been appointing officers from Calcutta to Assam, in spite of the fact that Assam contributes a very big sum to the Central excise?

Shri B. Das: Particularly on opium!

Srijut Kuladhar Chaliha: No, on tea, petrol, kerosine, etc.

The Honourable Shri R. K. Shanmukham Chetty: Recruitment is not based on a provincial basis at all for Central Services.

REPORT OF ECONOMY COMMITTEE AND ECONOMY IN DEFENCE DEPARTMENT

45. *Shri B. Shiva Rao: Will the Honourable Minister of Finance be pleased to state:

(a) the progress made by the Economy Committee, with particular reference to:

- (i) the interim report or reports submitted by the Committee;
- (ii) the action taken thereon by the departments concerned;
- (iii) the nature and volume of economy effected as a result of such action;

(b) when the final report of the Committee may be expected; and

(c) whether the estimates of the Defence Ministry have been scrutinised by the same or another committee?

The Honourable Shri R. K. Shanmukham Chetty: (a) (i) The Reports of Economy Committee on the Ministry of States, the Ministry of Law, and the Cabinet Secretariat have been received.

(ii) and (iii). The recommendations are in two parts, viz., those relating to each particular Ministry, and those which are of general application to all Ministries. As regards the first part, the recommendations are under consideration by the Ministries concerned, and their reports are expected to be received very soon. As regards the second part, viz., general recommendations, these are also under consideration and will be disposed of shortly.

(b) The Economy Committee is quite alive to the necessity to complete its work as expeditiously as possible. No date can obviously be specified.

(c) According to the terms of reference the Committee will review expenditure on the Defence Secretariat which is charged to Civil estimates, but not the expenditure on the General Headquarters etc., which are chargeable to Defence Estimates.

Shri B. Shiva Rao: May I ask the Honourable Minister how many meetings the Economy Committee has held since it was first appointed, and the number of occasions on which the Chairman of the Committee presided over its deliberations?

The Honourable Shri E. K. Shanmukham Chetty: I have no information on that point.

Shrimati G. Durgabai: May I know from the Honourable Minister whether it is a fact that this Committee was appointed as early as January 1948 and it was expected to finish its work in three or four months? Since that time a long delay has occurred. What are the reasons for such a delay?

The Honourable Shri E. K. Shanmukham Chetty: Sir, I do not know what are the causes for the delay in the submission of the Reports by the Economy Committee at all. As I have already stated, three interim reports have been received and the Chairman of the Committee has told me that before the end of this month they expect to send another about six or seven reports.

Shri B. Shiva Rao: Is it a fact that the delay is due to the fact that the Chairman of the Committee is too preoccupied with many other interests?

The Honourable Shri E. K. Shanmukham Chetty: I have no information on that.

Shri K. Santhanam: May I know if it is a fact that so far as the States Ministry is concerned the evidence of the responsible officials of that Ministry was not taken before the report was made?

The Honourable Shri E. K. Shanmukham Chetty: I have no information on that point, but I take it for granted that in making its investigation the Economy Committee would have contacted the officers in the respective Departments or Ministries concerned.

Prof. N. G. Ranga: Are we to understand that the Honourable the Finance Minister has not thought it his duty to remind this Committee about the urgency for finishing its work and also in the meanwhile sending its interim reports much quicker and more expeditiously than has been possible till now?

The Honourable Shri E. K. Shanmukham Chetty: I have reminded the Chairman of the Committee about the need for expediting its reports.

Shri M. Ananthasayanam Ayyangar: Is it a fact that the Chairman of this Committee is the Chairman of two other important Committees and he has absolutely no time to attend to this matter?

The Honourable Shri E. K. Shanmukham Chetty: That shows how important the Chairman of this Committee is.

Shri M. Ananthasayanam Ayyangar: May I know, Sir, if on account of the enormous delay in convening the first meeting one of the two members of this Assembly who are members of this Committee resigned and the other is threatening to resign?

The Honourable Shri E. K. Shanmukham Chetty: I have nothing to do with the working of the Committees. When Government appoints a Committee with a responsible person as Chairman and responsible gentlemen as members, the Government does not generally interfere with the working of that Committee. They trust to the good sense and the sense of responsibility of the Chairman and the members of the Committee to discharge their functions.

Shri M. Ananthasayanam Ayyangar: May I ask the honourable member if it is not the responsibility of the Honourable the Finance Minister to this House and to the world to see that this Committee does not delay matters, but on the other hand submits its report promptly, and if they do not do that, to supersede it if necessary?

The Honourable Shri R. K. Shanmukham Chetty: I have, as I said, reminded the Chairman of the Committee about the needs for expediting the reports and he told me that in addition to the three reports that they have already sent they expect to send about six more reports before the end of this month.

Shri M. Ananthasayanam Ayyangar: How is it then that the Honourable Minister says he has no information regarding matters which have been put to him here, as to how many meetings have been convened, whether they have been convened regularly, whether they have submitted any reports and what action has been taken on them and so on and so forth. It is unfortunate that the Honourable Minister is not able to give this information.

The Honourable Shri R. K. Shanmukham Chetty: I do not enquire into the working of a Committee, as to how many meetings they have held and so on.

Shri M. Ananthasayanam Ayyangar: As regards the matter of procedure, may I ask the Honourable Minister whether the rate of retrenchment is at a flat rate of five per cent. instead of going into detail as to whether a person or officer should be removed or retrenched? Is it correct that the Committee sits one day and disposes of two or three Departments saying five per cent. must be cut in this Department and the other Department?

The Honourable Shri R. K. Shanmukham Chetty: The honourable member seems to know more about the working of this Committee than myself.

Shri M. Ananthasayanam Ayyangar: Yes, I know, it is the duty of every honourable member of this House to watch with a thousand eyes whether the Departments are working well or not. Therefore, it is my duty and it is my privilege and I am asking the Honourable Minister if it is so or not. We are entitled to this information.

The Honourable Shri R. K. Shanmukham Chetty: Sir, the Economy Committee has already sent in three reports and from the trend of these reports I do not think there is any justification to draw the inference suggested by the honourable member.

Shri B. Shiva Rao: May I ask whether any vacancies have occurred in the personnel of this Committee and how those vacancies are filled? Vacancies caused by resignation or otherwise.

The Honourable Shri R. K. Shanmukham Chetty: No. There was only one member who resigned and his place was taken by another member of this House. He was nominated. I am not aware of any other vacancy.

Shri M. Ananthasayanam Ayyangar: May I know why he, the honourable member of this House, resigned?

The Honourable Shri R. K. Shanmukham Chetty: I do not know why he resigned.

Shri M. Ananthasayanam Ayyangar: Did he not state reasons for his resignation? Did not the Honourable Minister persuade him to stay? He did not resign for reasons of health. The honourable member is still here, quite hale and healthy and capable of discharging his duties.

Mr. Speaker: I think we might now pass on to the next question.

REQUISITIONING OF MOTOR VEHICLES IN DELHI

46. *Shri B. Shiva Rao: (a) Will the Honourable Minister of Home Affairs be pleased to state whether the attention of Government has been drawn to a letter signed 'Jitendra', appearing in the *Hindustan Times*, dated 18th June, 1948, regarding the requisitioning of a motor cycle?

(b) How many motor vehicles, whether cars or cycles, have been so requisitioned in Delhi and under what authority?

(c) For what periods are these vehicles retained by the authorities?

(d) How many are still in possession of the authorities?

(e) Is any compensation fixed or paid for the use of such vehicles and for possible damage or wear and tear?

The Honourable Sardar Vallabhbhai Patel: (a) Yes.

I would add however for the information of the honourable member that no motor cycle registered in the name of Mr. Jitendra has ever been requisitioned by the District Magistrate, Delhi.

(b) Sixteen cars and one motor cycle were requisitioned by the District Magistrate, Delhi, under Section 10(2) (c) of the Punjab Public Safety Act, 1947, during the period from 9th June, 1948, to 12th July, 1948.

(c) Vehicles are not requisitioned for any fixed period. They are retained according to requirements during periods of emergency.

(d) None.

(e) Yes. Rs. 20 per day are paid for cars and Rs. 5 per day for motor cycles. Compensation for damage is also paid where necessary.

STAFF OF AND PUBLICATIONS UNDERTAKEN BY PUBLICATIONS DIVISION OF MINISTRY OF INFORMATION AND BROADCASTING

47. *Shri B. Shiva Rao: Will the Honourable Minister of Information and Broadcasting be pleased to place a statement on the table of the House giving:

(a) the number of officers and assistants on the staff of the Publications Division (i) now and (ii) on the corresponding date in 1947; and

(b) a list of publications undertaken by the Publications Division and their aggregate cost?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). Statements are laid on the table of the House

STATEMENT I

Showing the number of officers and staff as on 1st August 1948 and on 1st August, 1947

	Number of Officers and staff on 1st August 1948	Number of Officers and staff on 1st August, 1947
1. Gazetted Officers	22	22
2. Non-gazetted staff (including technical staff)	136	122
3. Press Staff	42	35
TOTAL	200	179

STATEMENT II

Aggregate cost of publications undertaken by the Publications Division during the year ending 31st March, 1948.

Rs. 3,48,997

List of publications undertaken by the Publications Division.

A. MAGAZINES*

Name	Language	Periodicity	Aggregate cost (Paper and Printing)
			Rs.
1 Ajkal	Urdu	Monthly	51,523
2 Ajkal	Hindi	Monthly	66,307
3 Foreign Review	English	Monthly	12,189
*4 Heyday	English	Monthly	6,005
5 Nau Nihal	Urdu	Monthly	5,144
*6 Onward	English	Monthly	9,797
*7 Dunya	Gujrati Hindi Pusto-Urdu English-Tamil English-Chinese English-Russian	Monthly	29,539
*8 Indian Trade Bulletin	English	Fortnightly	4,986
*9 Perspective	English	Monthly	7,746
10 New India	English- Chinese	Bi-Monthly	13,179
11 Bugle (Al Nafir)	Arabic	Monthly	89,984
12 March of India	English	Bi-Monthly	7,788
			3,04,167

*These magazines have since been discontinued.

†Transferred to Commerce Ministry in June, 1947.

B. PAMPHLETS —

1 15th August Special Number	English		3,500
2 Mahatma Gandhi's post prayer Speeches			Rs.
Vol. 1 }			5,800
Vol. 2 }	Hindi		5,800
Vol. 3 }			4,970
3 Our Merchant Seaman	English		2,993
4 King Cotton	English		5,079
5 Spotlight on South Africa	English		1,583
6 Labour in India	English		6,480
7 Burma Souven	English		2,136
8 Ceylon Souvenir	English		6,489
		TOTAL	44,830

ROAD ACCIDENTS IN DELHI

48. *Shri B. Shiva Rao: Will the Honourable Minister of Home Affairs be pleased to state:

(a) the number of road accidents in Delhi, New Delhi and Cantonment area during the first half of 1948; and

(b) the measures taken to minimise the number of such accidents?

The Honourable Sardar Vallabhbhai Patel: (a) The number of road accidents in Delhi, New Delhi and Cantonment area during the first half of 1948 was:

	Delhi	New Delhi	Cantt.
Military vehicles	5	12	2
D. T. S. Buses	4	4	..
Other vehicles	28	61	1
Motor Cycles and Cycles	9	..	..
TOTAL	46	77	3

(b) Measures taken to minimise the number of such accidents are (i) introduction of one-way traffic in certain areas, (ii) construction of roundabouts on important crossings, (iii) reduction of speed limit in Delhi and New Delhi areas, (iv) blocking of certain roads to all kinds of vehicles traffic, (v) better lighting arrangements on important traffic points, (vi) all motor cars and bus headlights are now required to be painted black on the top half portion, (vii) a bigger and more efficient traffic staff is now employed on traffic duties, and (viii) efforts are being made through the medium of the Press to develop the road sense of the motoring public pedestrians and cyclists.

Shri B. Shiva Rao: May I ask whether any steps have been taken to enforce the measures which the honourable member has just outlined?

The Honourable Sardar Vallabhbhai Patel: Efforts are being made to strictly enforce these rules. They are not meant for keeping them on paper.

Shri B. Shiva Rao: Have there been any convictions for violations of any of these measures?

The Honourable Sardar Vallabhbhai Patel: I cannot give you the number. There have been convictions. If the honourable member would ask for the information it can be supplied.

Shri H. V. Kamath: Is the Honourable Minister aware that even today a number of motor vehicles ply on the road at night without the partial black-out of their headlights as required by the recent regulations?

The Honourable Sardar Vallabhbhai Patel: I cannot say that.

Shri H. V. Kamath: Have any prosecutions been launched?

The Honourable Sardar Vallabhbhai Patel: I can give the information that during the period of five years preceding the average number of accidents was 241 while during the present period it is 126.

Dr. B. Pattabhi Sitararayya: May I know what arrangements have been made in order to post the Police at unseen places to enable them to measure the speed of a vehicle in motion, so that they may regulate the speed of the motor?

The Honourable Sardar Vallabhbhai Patel: What is the question?

Dr. B. Pattabhi Sitaramayya: I am asking if any special arrangements have been made and equipment has been provided to the Police so as to enable them to detect the speed of a motor vehicle in motion?

The Honourable Sardar Vallabhbhai Patel: The object of providing the speed limit is to check the speed and detect it. Proper arrangements have been made to detect the speed.

Shri H. V. Kamath: Do Government propose to take action against cyclists who ply their vehicles without lights?

The Honourable Sardar Vallabhbhai Patel: Any breach of these regulations is an offence and Government takes steps accordingly.

GRANT TO TATA SCHOOL OF SOCIAL SCIENCES

49. *Shri Lakshminarayan Sahu: Will the Honourable Minister of Education be pleased to state;

(a) the amount of grant sanctioned for the Tata School of Social Sciences, Bombay, and under what conditions;

(b) whether the proposal to give this grant was placed before the University Grants Committee and approved, as grants to other institutions are approved by this body;

(c) if not, whether Government propose to reverse the orders and place the matter before the Grants Committee; and

(d) whether Government will consider the cancellation of the grant to Tata School and the diversion of the funds to the building of our own Institute in accordance with the approved needs of the nation?

آنریبل مولانا ابوالکلام آزاد : (a) ۱۹۴۸-۴۹ کے لئے سالانہ گرانٹ پچاس ہزار کے اندر ملے ۱۹۴۹-۵۰ کے لئے ستر ہزار کے اندر اور ۱۹۵۰-۵۱ کے لئے ایک لاکھ کے اندر منظور کی گئی ہے۔ تھیک تھیک رقم کہا ہوگی اسکا فیصلہ سکول کا حساب دیکھنے اور حانتہ کے بعد کہا جائیگا۔ ایک نیا ڈیکورنگ گرانٹ بھی منظور کی گئی ہے جو سات لاکھ روپیہ سے زیادہ نہیں ہو سکتی۔ لیکن یہ روپیہ اُس وقت دیا جائیگا اگر آگے چلکر معلوم ہو کہ سکول کی زمین اور بلڈنگ کے لئے جو بوس لاکھ کی رقم سکول کے پاس ہے وہ کام کے لئے کافی نہیں ہوئی اور جو کمی رہ گئی ہے وہ اُن تمام ذریعوں سے بھی پوری نہیں کی جا سکتی جو سکول کو حاصل ہیں۔ جیسے پرانے دیسی دیہاتوں اور ٹاٹا ٹرسٹ کے ڈونیشن۔

یہ گرانٹ جن شرطوں کے ساتھ دی گئی ہے وہ ایک سٹیٹمنٹ سے معلوم ہو سکتی جو میں ہاؤس کے ٹیبل پر رکھ رہا ہوں۔

(b) نہیں۔ یونیورسٹی گرانٹ کمیٹی کے سامنے یہ فیصلہ نہیں کیا۔ کیونکہ جس وقت گرانٹ دینے کا فیصلہ کیا گیا ہے۔ اُس وقت یہ معاملہ کمیٹی کے سامنے نہیں جا سکتا تھا۔ یونیورسٹی گرانٹ کمیٹی جو پورا نا تھیارتمنٹ آف ایجوکیشن - ہلڈنگ - ہلڈنگ نے بنائی تھی وہ صرف تین سیکرٹریوں کے لئے بنائی گئی تھی۔

دوسرے انسٹی ٹیوشنوں کے معاملوں سے اسکا کوئی لگاؤ نہ تھا۔ نئی ایجوکیشن سلسلہ نے اپنے ریپورٹوں میں 14 دسمبر 1947 کے ذریعہ کمیٹی کو نئے سرے سے آرگنائز کیا اور یہ بات تھرائی کہ تین سنگل یونیورسٹیوں کے سوا دوسرے انسٹی ٹیوشنوں کی گرانٹ کے معاملوں پر بھی اسے ایڈوائز دیلی چاہئے۔ ٹاٹا سکول آف سوشل سائنس کا معاملہ بھی کمیٹی کے ہلے سے پہلے اٹھایا گیا تھا۔ اس سے گرانٹ دیلے کا فیصلہ ایک انٹر ڈیپارٹمنٹل کمیٹی نے 5 دسمبر 1947 کو کیا۔ خیال ہے کہ اسوقت یہ سوال اٹھ ہی نہیں سکتا تھا کہ یہ معاملہ یونیورسٹی گرانٹ کمیٹی کو بھیجا جائے۔

ساتھ ہی آپریٹل ممبر کو یہ بات بھی سامنے رکھنی چاہئے کہ یونیورسٹی گرانٹ کمیٹی ایک ایڈوائزری باقی ہے۔ گورنمنٹ اس سے ایڈوائز لیتی ہے۔ لیکن معجز نہیں ہے کہ ہر معاملہ میں ضروری ہی ایڈوائز لے۔

(c) نہیں گورنمنٹ اپنے فیصلے میں کوئی تبدیلی نہیں کرنا چاہتی۔

(d) گرانٹ کے لئے جو شرطیں لگائی گئی ہیں۔ وہ نہایت مضبوط ہیں اور

گورنمنٹ کے انٹرسٹ کا پوری طرح بچاؤ کر لیا گیا ہے۔

میں اس موقع پر یہ بات بھی کہ دوں کہ گورنمنٹ کے سامنے ایک آل انڈیا کونسل آف سوشل سروس قائم کرنے کی تجویز موجود ہے۔ امید ہے کہ جلد اسے قائم کر سکیں۔

The Honourable Maulana Abul Kalam Azad: (a) A recurring grant not exceeding Rs. 50,000 in 1948-49, Rs. 70,000 in 1949-50 and Rs. 1,00,000 in 1950-51 (to be finally fixed after scrutinizing the accounts of the Institute) and a non-recurring grant not exceeding Rs. 7 lakhs to meet any uncovered balance of the total cost of the land and buildings (Rs. 20 lakhs), after taking into account all possible donations from other sources like the various Provinces, Indian States, Tata Trust etc. have been sanctioned by the Government of India for the Tata Institute of Social Sciences. The conditions under which the grant has been made have been embodied in a statement which is laid on the table.

(b) No, the grant was not placed before the University Grants Committee because of the following reasons:

(i) The question of giving a grant to this Institute was decided at an Inter-Departmental meeting held on the 5th December, 1947. The University Grants Committee at that time was concerned only with the Central Universities of Aligarh, Benares and Delhi. It was by this Ministry's Resolution of the 16th December, 1947, that the scope of the University Grants Committee was widened to include other Universities and institutions of higher learning. As such, when the question of grants for the Tata Institute was decided that Institute did not fall under the purview of the University Grants Committee, and it was not necessary to place the question of its grant before the University Grants Committee.

(ii) The University Grants Committee is only a Consultative and Advisory Body (regarding Education, Health and Lands Department Resolution of 4th June, 1945) and it is not obligatory on Government to take its advice on each and every matter.

(c) No. Government of India do not propose to reverse their orders and place the question before the University Grants Committee for reasons already stated above.

(d) The conditions imposed for payment of grants are strict and provide adequate safeguards for the Government. I may add that the Government of India propose to establish an All-India Council of Social Services to advise Government on all matters relating to Social Welfare Organisations and grants to them from public revenues.

STATEMENT

The conditions under which the grant to the Tata Institute of Social Sciences, Bombay, is payable

1. The Institute should train about 50 candidates a year in Industrial Selections and Labour Welfare subjects.
2. The Institute should train a reasonable number of medical social workers.
3. The Government of India will have the right to nominate if necessary upto a maximum of 15 students every year.
4. The plans and estimate of the buildings proposed to be constructed by the Institute will be submitted to the Government of India for prior approval.
5. The audited account and the annual report of the Institute should be regularly submitted to the Government of India for the period the Institute is in receipt of grants from the Government of India.
6. The Government of India will have the right to nominate a representative to serve on the Governing Board of the Institute for the period that the Institute is in receipt of grants from the Government of India.
7. Out of the non-recurring grant of Rs. 7 lakhs, a sum not exceeding Rs. 8,50,000 will be paid during 1948-49 subject to conditions 1-6 above but the balance will be paid only when the additional buildings are completed and a certificate to that effect from the Central Works Department is furnished to the Government of India.

श्री लक्ष्मीनारायण साहू : कंडीशन्स (conditions) क्या हैं जिन पर ग्रांट

दी गई ?

Shri Lakshminarayan Sahu : What were the conditions for the payment of grant?

آنریبل مولانا ابوالکلام آزاد - جن کنڈیشن پر گرانٹ دی گئی اس کے لئے تو میں

ایک سٹیٹمنٹ رکھ رہا ہوں - اس سے معلوم ہو جائیگا کہ کیا شرطیں ہیں -

The Honourable Maulana Abul Kalam Azad : I am placing on the table a statement which embodies the conditions under which the grant was given. It mentions the conditions.

श्री लक्ष्मीनारायण साहू : स्टेटमेंट (statement) अभी पढ़ दीजिए, मालूम हो जायगा ।

Shri Lakshminarayan Sahu : Will the Honourable Minister please read out the statement for information?

Mr. Speaker : It is no use taking the time of the House.

CURRICULUM OF INDIAN ADMINISTRATIVE SERVICE TRAINING SCHOOL

50. ***Shri Lakshminarayan Sahu** : Will the Honourable Minister of Home Affairs be pleased to state:

(a) whether the curriculum of the Indian Administrative Service Training School has been drawn up so as to bring it into line with practices followed in other countries of the world;

(b) whether any instruction and practical training are given in the principles and methods of research in public administration by properly qualified persons, who are not officials of the Indian Civil Service;

(c) whether there is any arrangement for giving instruction in the principles of Indian sociology and the Indian civilization to the future administrators of our country; and

(d) if the answers to parts (a), (b) and (c) above be in the negative, how Government propose to make up the omission?

The Honourable Sardar Vallabhbhai Patel: (a) Yes.

(b) The trainees at the School are given training in the principles and practice of public administration but not in methods of research in public administration. Instruction is given by properly qualified persons who include officers of the Indian Civil Service.

(c) Yes.

(d) Does not arise.

Prof. N. G. Ranga: May I know how many people are expected to be trained here, Sir, every year?

The Honourable Sardar Vallabhbhai Patel: At present for the last two years we have been training about 60 or 65.

Shri M. Ananthasayanam Ayyangar: Arising out of answer to clause (a), in order to bring into line with practices followed in other countries of the world, may I know what are the other countries whose model is sought to be copied?

The Honourable Sardar Vallabhbhai Patel: The head of the organization has gone round to the various countries and made enquiries and the lessons learnt from his visit are being adopted in the curriculum.

Shri M. Ananthasayanam Ayyangar: Arising out of clause (b), Sir, may I ask the Honourable Minister if care is taken to see that the Indian Civil Service, who were trained to rule, do not teach the people to rule, but to serve.

The Honourable Sardar Vallabhbhai Patel: The lessons learnt during the period of one year are quite enough for the trainees to know that from the 15th of August the service has to serve and not to rule.

Shri H. V. Kamath: Among the trainers and teachers of the school, how many are members of the Indian Civil Service and how many are non-I.C.S. men?

The Honourable Sardar Vallabhbhai Patel: I cannot say off-hand what non-official staff is, but I can say this that several distinguished persons have been invited on several occasions such as (1) Dr. Tara Chand gave lectures on social and political history, (2) Mr. Humayun Kabir on the same subject, (3) Mr. P. R. Naik on nationalization of industry, (4) Mr. S. C. Joshi on Labour Legislation, (5) Mr. S. C. Joshi on working of labour organizations and (6) Mr. M. R. Bhurgave on Social Insurance.

Shri H. V. Kamath: Are there any distinguished non-officials on the permanent staff of the School?

The Honourable Sardar Vallabhbhai Patel: I will enquire if the honourable member wants it.

Prof. Shibban Lal Saksena: May I know the period for which training is given?

The Honourable Sardar Vallabhbhai Patel: It is a period of one year.

INTRODUCTION OF PROHIBITION IN DELHI AND AJMER-MERWARA

51. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable Minister of Home Affairs be pleased to state:

(a) what steps, if any, Government have taken since the last session of the Legislature to implement their policy of prohibition in the centrally administered areas of Delhi and Ajmer-Merwara;

(b) if no steps have been taken, the reasons therefor;

(c) whether the sale of liquor has increased or decreased in these areas during the period between the last and the present session of the legislature;

(d) whether Government have formulated any scheme for introducing prohibition in the centrally administered areas; and if so, whether they propose to place the same on the table of the House; and

(e) if not, the reasons therefor and the time by which they propose to draw up such a scheme?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). Chief Commissioners have been informed of Government's decision to introduce prohibition in the centrally administered areas. They have been asked to consider the Prohibition Schemes of the Governments of Bombay and C. P. and to suggest what modifications are necessary in the application of these Schemes to the Centrally Administered Areas.

(c) I place on the Assembly Table two Statements showing the sale of liquor in Delhi and Ajmer-Merwara.

(d) and (e). When the views of all the Chief Commissioners are received, a prohibition scheme for these areas will be drawn up and introduced. A copy of the scheme will be placed on the table of the House.

STATEMENT I

Showing sale of liquor in Delhi

Name of month	Country liquor Bulk Gallons	Foreign Liquor and Wines Bulk Gallons	Beer Bulk Gallons	Total Bulk Gallons
March, 1947	15,312	3,730	15,706	34,748
April, 1947	7,556	4,516	25,885	37,957
May, 1947	8,276	4,138	29,792	42,206
June, 1947	8,099	3,178	30,443	41,720
TOTAL	39,243	15,562	1,01,820	1,56,631
March, 1948	19,891	6,232	10,476	36,599
April, 1948	12,069	4,018	18,633	34,720
May, 1948	12,895	3,760	22,662	39,317
June, 1948	11,361	3,245	19,260	33,866
TOTAL	56,216	17,255	71,031	1,44,502

STATEMENT II
Showing sale of liquor in Ajmer-Merwara

Months	1945 Bulk Gallons	1946 Bulk Gallons	1947 Bulk Gallons	1948 Bulk Gallons
March	14,210	20,017	21,866	23,159
April	13,420	14,232	20,860	21,249
May	18,978	17,255	18,963	25,151
June	12,871	17,463	15,127	21,770
July	13,426	14,374	15,465	9,226

Up to 24th July, 1948.

CHECK ON AGENTS OF AND ECONOMIC SANCTIONS AGAINST HYDERABAD

52. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable Minister of States be pleased to state:

(a) whether the attention of Government has been drawn to the fact that a number of Hyderabad State Agents are at work among Muslim subjects of the Indian Union and are trying to induce doubtful elements to enter Hyderabad State and to join the Hyderabad armies or to indulge in acts of plunder, loot and arson of Hindu property in the Hyderabad State? If so, what steps, if any, have Government taken to stop such persons from indulging in unlawful activities in the Indian Union territory; and

(b) what economic sanctions, if any, have been applied by Government so far against the Hyderabad State and with what result?

The Honourable Sardar Vallabhbhai Patel: (a) Yes. Provincial Governments are keeping a close watch on the situation and taking appropriate action whenever necessary.

(b) It will be wrong to describe the measures adopted by the Government of India as economic sanctions. What they have done is to ensure that arms and ammunition and other materials which may assist the war preparation of the State do not find their way into Hyderabad. For this purpose entry of such commodities into Hyderabad without a permit has been prohibited. Care has been taken to ensure that adequate supplies of essential commodities such as salt, medicines and chlorine etc. are made available to Hyderabad.

Seth Govind Das: Is it a fact that inspite of the efforts of the Government of India that no arms and ammunitions enter Hyderabad, they are being smuggled there even now?

The Honourable Sardar Vallabhbhai Patel: It is impossible to stop smuggling of arms on a wide border of a State like Hyderabad.

Seth Govind Das: Is it a fact that reports have been circulated here in various parts of the country that some aeroplanes visited Hyderabad from Pakistan which carried arms and ammunitions there?

The Honourable Sardar Vallabhbhai Patel: We have seen the reports and the public must have also seen these.

Seth Govind Das: Have the Government found out whether these reports are correct?

The Honourable Sardar Vallabhbhai Patel: Some of them are correct.

Shri Suresh Chandra Majumdar: Is Government aware that lots of people of questionable *bona fides* are arriving at the Port of Chittagong in Eastern Pakistan and through West Bengal going over to Hyderabad?

The Honourable Sardar Vallabhbhai Patel: They are not included in this question of arms and ammunitions.

Shri H. V. Kamath: Have the security and precautionary measures in regard to the movement of persons across the Indo-Hyderabad border been tightened of late?

The Honourable Sardar Vallabhbhai Patel: They have been considerably tightened, but in order to cut short the series of questions that are being put, I would say for the information of the House that I am placing before the House a White Paper, which will give all the information on the subject.

Mr. Speaker: The question hour is over.

(b) WRITTEN ANSWERS

SMUGGLING OF ARMS AND AMMUNITION INTO HYDERABAD BY BRITISHERS

53. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable Minister of States be pleased to state:

(a) whether it is a fact that aircrafts registered in the United Kingdom and manned by British personnel are engaged in illicit import of arms and ammunition into the Hyderabad State; and if so, the extent to which this illicit traffic has been or is being carried on; and

(b) what steps, if any, Government have taken or propose to take in future to put an end to this?

The Honourable Sardar Vallabhbhai Patel: (a) Some aircrafts, registered in the United Kingdom and manned by British personnel, have, we have reason to believe, been engaged in illicit import of arms and ammunition into Hyderabad. No information is available of the exact quantities.

(b) It is not in the public interests to disclose the steps being taken to deal with this traffic.

RETURN OF LANDS REQUISITIONED BY DEFENCE DEPARTMENT DURING LAST WAR

54. *Shri Mahavir Tyagi: (a) Will the Honourable Minister of Defence be pleased to state whether it is the policy of Government to return to the peasants, in various provinces, their lands which had been taken over by the Defence Department during the last war for temporary use—for army camps, landing grounds, target shooting, dairy farms and other purposes?

(b) If so, have any lands, which are no more in military use, been already returned to the peasants?

The Honourable Sardar Baldev Singh: (a) Yes, it is the policy of the Government to return to the peasants lands requisitioned from them when they are no longer required by the Defence Services.

(b) Yes, Sir.

DEPARTMENTS OF AND ATTACHED OFFICES OF GOVERNMENT OF INDIA.

55. *R. B. Lala Raj Kanwar: Will the Honourable Minister of Home Affairs be pleased to state:

(a) the names and total number of Departments of the Government of India; and

(b) the names and total number of offices attached to the various Departments of the Government of India?

The Honourable Sardar Vallabhbhai Patel: (a) A statement containing the required information is laid on the table of the House.

(b) Information is being collected and will be laid on the table of the House when it is complete.

Statement

Showing the names and total number of Departments (Ministries) of the Government of India.

1. Ministry of Home Affairs.
2. Ministry of External Affairs and Commonwealth Relations.
3. Ministry of Defence.
4. Ministry of Commerce.
5. Ministry of Communications.
6. Ministry of Finance.
7. Ministry of Transport.
8. Ministry of Railways.
9. Ministry of Education.
10. Ministry of Health.
11. Ministry of Agriculture.
12. Ministry of Food.
13. Ministry of Industry and Supply.
14. Ministry of States.
15. Ministry of Law.
16. Ministry of Works, Mines & Power.
17. Ministry of Labour.
18. Ministry of Information & Broadcasting.
19. Ministry of Relief and Rehabilitation.
20. Ministry without Portfolio.

Total No. 20.

PLANS FOR INTRODUCTION OF PROHIBITION THROUGHOUT INDIA

56. *E. B. Lala Raj Kanwar: Will the Honourable Minister of Home Affairs be pleased to state:

(a) the names of Provinces, Districts, or other areas and Indian States in which prohibition has already been introduced; and

(b) whether Government have formulated or propose to formulate a plan and a programme on an All-India basis for the introduction of prohibition throughout the country and if so, in how many years this objective is to be achieved?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). No plan or programme for the enforcement of prohibition on an All-India basis is under the consideration of the Government of India. The subject is wholly provincial.

U.P. PAY COMMITTEE SCHEME OF CONTRIBUTORY PROVIDENT FUND *cum* PENSION *cum* INSURANCE

57. *E. B. Lala Raj Kanwar: Will the Honourable Minister of Finance be pleased to state:

(a) whether Government are aware that the United Provinces Government have recently adopted for their employees the combined scheme of contributory provident fund *cum* pension *cum* insurance suggested by the U. P. Pay Committee; and

(b) if so, whether the Government of India have considered the feasibility of adopting a similar scheme for their own employees?

The Honourable Shri B. K. Shanmukham Chetty: (a) Yes.

(b) The feasibility of adopting a similar scheme for employees of the Central Government is being examined along with other recommendations of the Central Pay Commission in regard to retirement benefits.

DETENTION OF R.S.S. AND OTHER WORKERS IN CENTRALLY ADMINISTERED AREAS

58. *Shri Mahavir Tyagi: (a) Will the Honourable Minister of Home Affairs be pleased to state the number of persons under detention, at present in the Centrally Administered Areas?

(b) How many of them belong to the R. S. S. and how many to other organisations declared illegal?

(c) Were they individually suspected of any violent activities?

(d) Have the cases of all these individuals been scrutinised or reviewed by any judicial authority?

The Honourable Sardar Vallabhbhai Patel: (a) 205.

(b) 24 to R.S.S. and 1 to Muslim League National Guards.

(c) No.

(d) No, Sir.

ARRESTS OF HYDERABAD AGENTS IN U. P.

59. *Mr. Z. H. Lari: (a) Will the Honourable Minister of Home Affairs be pleased to state whether Government are aware that arrests are being made in U. P. on the ground that the persons arrested are in league with Hyderabad State?

(b) If so, have these arrests been made in pursuance of any order from the Central Government?

The Honourable Sardar Vallabhbhai Patel: (a) Some persons have been arrested in the United Provinces for activities connected with the Razakar organisation of Hyderabad. They have enlisted recruits, collected money for the Razakars and attempted to persuade people to join hands with the Razakars when they attack India.

(b) No, Sir.

APPOINTMENT OF CLASS II INCOME-TAX OFFICERS PRIOR TO JUNE, 1947

60. *Mr. Z. H. Lari: (a) Will the Honourable Minister of Finance be pleased to state whether it is a fact that prior to June, 1947 a number of persons were selected for appointment as temporary Income-Tax Officers in grade II?

(b) Were all the persons, so selected, appointed? If not, why not?

(c) What is the number of persons appointed and also of those not appointed?

The Honourable Shri B. K. Shanmukham Chetty: (a) On the assumption that the honourable member means Class II and not grade II, the answer is in the affirmative.

(b) No; because (i) the number of vacancies was reduced consequent on the partition of India, and (ii) after the partition, the Government of India decided that all appointments should be made strictly on the results of competitive tests with reservation only for Scheduled Caste candidates.

(c) 168 and 12.

SHIFTING OF OFFICE OF CONTROLLER OF MILITARY ACCOUNTS FROM POONA TO SOUTH

61. *Dr. V. Subramaniam: (a) Will the Honourable Minister of Finance be pleased to state whether it is a fact that the Controller of Military Accounts, Eastern Command, Meerut has got a Junior Controller of Military Accounts at Patna?

(b) Do Government contemplate to open an office with a Junior Controller of Military Accounts in the South on the same lines as for the Junior Controller of Military Accounts, Patna, in view of the large area coming under the audit control of the Controller of Military Accounts, Southern Command, Poona?

(c) In order to relieve the congestion and in view of the fact that Tiruchirappalli and Bangalore are going to be first rate cantonments, do Government propose to consider the desirability of shifting one of the Controllers' Offices from Poona to the South?

The Honourable Shri R. K. Shanmukham Chetty: (a) The reply is in the affirmative.

(b) and (c). The reorganisation of the Military Accounts Department is at present under consideration. The question of the formation of new sub-offices and their location, as also the location of the existing offices is also being considered.

EMPLOYMENT OF RETRENCHED STAFF OF MILITARY ACCOUNTS DEPARTMENT

62. *Dr. V. Subramaniam: (a) Will the Honourable Minister of Finance be pleased to state what steps Government propose to take to give employment to the retrenched staff of the Military Accounts Department?

(b) What is the proposed strength of the peace time Military Accounts Department?

(c) Instead of direct recruitment of clerks from among people fresh from school, do Government propose to transfer the surplus staff of one branch or department of the Government of India to other branches where there are deficiencies in view of their experience gained in Government service?

(d) What is the position of "A" grade clerks? In view of their having qualified in Departmental tests, do Government propose to consider the advisability of transferring them to other departments as Assistants?

The Honourable Shri R. K. Shanmukham Chetty: (a) Retrenched personnel can register themselves with the employment exchanges. Such personnel, who are graduates, who have had more than 8 years' experience in a Central Government office and whose services have been certified by their previous employers as meriting consideration are also allowed to register themselves with the Transfer Bureau, set up under the Ministry of Home Affairs. The Military Accountant General is also making efforts to find alternative employment for retrenched clerks of the Military Accounts Department.

(b) The question is under consideration; no final decision has yet been taken in the matter.

(c) Other things being equal retrenched temporary employees are given preference in the matter of appointment over raw recruits.

(d) Since recruitment of "A" Grade clerks in the Military Accounts Department was made on the results of a departmental test and that of such clerks to other departments of the Government of India was on the results of a competitive examination held by the Federal Public Service Commission, the former are not eligible for transfer to the latter offices as "Assistants".

RECOMMENDATIONS OF CHOPRA COMMITTEE ON AYURVEDIC SYSTEM OF MEDICINE

63. *Dr. V. Subramaniam: (a) Will the Honourable Minister of Health be pleased to state the action taken by the Government of India so far to investigate the usefulness of Ayurvedic Medicine, to make arrangements for its proper teaching and research by opening Ayurvedic hospitals?

(b) What are the recommendations of the Committee (Chopra Committee) appointed by Government for that purpose?

(c) Has the report been published? If so, when? If not, when will it be published?

The Honourable Dr. Syama Prasad Mookerjee: (a), (b) and (c). The question of the Indigenous Systems of Medicine, including Ayurveda, has been considered by a Committee set up by Government. The Report of that Committee has just been received. It will be published shortly. The action to be taken will be decided after Government have considered the recommendation of the Committee.

ATTACK ON GURDWARA HAZUR SAHIB IN HYDERABAD BY MUSLIMS

64. *Sardar Bhopinder Singh Man: (a) Will the Honourable Minister of States be pleased to state whether it is a fact that Gurdwara Hazur Sahib at Nader in Hyderabad State has been attacked by Muslims in the month of June and July, 1948 and if so, how many times?

(b) Was there any damage done to the building or to the inmates living in the Gurdwara?

(c) Is it a fact that the Sikhs now living in the Gurdwara are not allowed to move outside freely and that Razakars have surrounded the Gurdwara?

(d) If so, what steps do Government propose to take for the safety of this historic Gurdwara?

The Honourable Sardar Vallabhbhai Patel: (a) No.

(b) Does not arise.

(c) Government have no information.

(d) Does not arise.

FIFTH COLUMN ACTIVITIES OF MUSLIM LEAGUES IN INDIA

65. *Sardar Bhopinder Singh Man: (a) Will the Honourable Minister of Home Affairs be pleased to state how many persons engaged in fifth column and subversive activities have been arrested so far in India?

(b) Is it a fact that most of them belonged to Muslim League persuasions?

(c) What is the motive behind these subversive activities—communal or financial?

(d) Is it a fact that many such people are still at large in India?

(e) If so, what steps have Government taken to watch or apprehend them?

The Honourable Sardar Vallabhbhai Patel: I regret I am unable to furnish the information asked for as it would not be in the public interests to disclose it.

JUNIOR COMMISSIONED OFFICERS OF I. A. O. C.

66. *Giani Gurmukh Singh Musafir: (a) Will the Honourable Minister of Defence be pleased to refer to the answer given to starred question No. 16 put by Dewan Chaman Lall on 30th January, 1948, regarding the retrenchment of V.C.Os., M.A.S.K. and state what was the pre-war strength of the Officers and B.O. Rs. and what will be the post-war strength of J.C.Os. and officers of the I.A.O.C.?

(b) What percentage of the J.C.Os. of I.A.O.C. has been accepted in short service and regular commission in the I.A.O.C. and out of how many vacancies?

(c) Have all the vacancies caused by the departure of the B.O.Rs. been allotted to J.C.Os. of the I.A.O.C., who were specially recruited to replace B.O.Rs. in the I.A.O.C.?

The Honourable Sardar Baldev Singh: (a) The pre-war strength of officers of the I.A.O.C. was 152. Separate figures for B.O.Rs. are not available; the total number of O.Rs., including civilian Assistant Store-keepers and Indian Warrant Officers, was 578. As regards post-war strength, the detailed strength and composition of the post-war army is yet to be decided.

(b) 4 per cent. (*i.e.*, 60) of the serving J.C.Os. (Office and Store) have been granted Commissions. The number of vacancies on 1st July, 1948 was 224.

(c) No. Though a certain percentage of B.O.R. vacancies were allotted, during the war, to J.C.Os., it is not correct to say that J.C.Os. were specially recruited to replace B.O.Rs.

DETENTIONS UNDER PUBLIC SAFETY ACTS IN DELHI AND OTHER CENTRALLY ADMINISTERED AREAS DURING FIRST HALF OF 1948

67. *Dr. Bakshi Tek Chand: Will the Honourable Minister of Home Affairs be pleased to state:

(a) the number of persons arrested under the Public Safety Act or other similar laws and detained without trial from 1st January to 30th June 1948, in Delhi Province and other Centrally Administered Areas;

(b) the number of such persons released (i) within one month of their arrest; (ii) after one month, but on or before the expiry of three months from their arrest; (iii) after three months from their arrest but before the 30th of June 1948;

(c) the number of such persons who are still under detention; and

(d) whether cases of such detenus are reviewed periodically and if so, by what agency?

The Honourable Sardar Vallabhbhai Patel: (a) 1,285.

(b) (i) 623, (ii) 442, and (iii) 35.

(c) 205.

(d) Yes; the cases are reviewed by the District Magistrates and by the Chief Commissioners.

POLICY *RE* BASIC EDUCATION UNDER WARDHA SCHEME

68. *Shri B. P. Jhunjhunwala: (a) Will the Honourable Minister of Education be pleased to state the policy of Government regarding basic education as enunciated in the Wardha Scheme?

(b) Do the Government of India propose to give special impetus to this system of education?

(c) If the answer to part (b) above be in the affirmative, what steps are Government taking and have taken till now in this direction?

The Honourable Maulana Abul Kalam Azad: (a) The policy of the Government of India regarding Basic Education is based largely on the Report of the Central Advisory Board of Education on Post-War Educational Development, copies of which are available in the Library of the House. Basic Education, advocated by the Central Advisory Board of Education, embodies the main principles of the Wardha Scheme of Education, especially the principle of 'learning through activity,' and the Government of India have persuaded the Provinces to introduce this (Basic) system gradually.

(b) Yes, because educationally it is a sound system.

(c) As already stated, the Government of India have persuaded the Provinces to introduce the Basic System of Education. The Provinces in their turn have incorporated 'establishment of Basic Schools' in their Post-War Development Plans and are receiving grants for the purpose from the Centre. The Central Advisory Board of Education have set up a Basic Curriculum Committee which is preparing the syllabus for Basic Schools and a Handbook for teachers. The Government of India have further arranged with the authorities of the Viswa-Bharati, Santiniketan and Jamia Millia, Delhi to give training to teachers in Basic System of teaching. A Committee to find ways and means to finance educational development, especially Basic Education, has also been set up.

MEASURES TO CHECK ADULTERATION OF FOOD STUFFS

69. *Shri B. P. Jhunjhunwala: (a) Will the Honourable Minister of Health of Health be pleased to state whether Government have made inquiries as to the various kinds of adulteration in eatable materials and their effects on health, especially adulteration in wheat products, milk products, ghee products and edible oils?

(b) If the answer to part (a) above be in the affirmative, what are the results of such inquiries?

(c) Have Government given their special attention to stop such adulteration? If so, what special steps have Government taken in the matter?

The Honourable Dr. Syama Prasad Mookerjee: (a), (b) and (c). The prevention of adulteration of foodstuffs is a subject falling within the sphere of the Provincial Governments under the Government of India Act, 1935. Acts are however in force in all the Provinces for controlling the evil of adulteration. The Government of India have drawn the attention of the Provincial Governments and Local Administrations to the need for vigorous enforcement of the existing laws concerning food adulteration.

ATROCITIES BY RAZAKARS ON HINDUS IN HYDERABAD

70. *Babu Ramnarayan Singh: Will the Honourable Minister of States be pleased to state whether Government are aware that as a reaction to the atrocities committed by Razakars against the Hindu population of Hyderabad, great resentment is being felt by the people all over the country and if so, what steps have Government been taking to stop those atrocities?

The Honourable Sardar Vallabhbhai Patel: Yes. This has been repeatedly brought to the notice of His Exalted Highness the Nizam's Government. The Honourable Member is perhaps aware that one of the points on which there is absence of agreement between the governments of Hyderabad and India is the demand for the disbandment of the Razakars and formation of a truly representative government in the State. Government is fully alive to the situation in Hyderabad and to its reaction in India and is taking all possible measures to restore peaceful conditions.

ACTION UNDER INDIAN INCOME-TAX ACT AGAINST OFFICERS OF STERLING AND DOLLAR COMPANIES

71. *Shri B. P. Jhunjhunwala: (a) Will the Honourable Minister of Finance be pleased to state whether any action under section 51 of the Indian Income-tax Act was taken against the principal officers of the sterling and dollar companies, having their offices in India in the years from 1940 to 1947? (b) If the answer to part (a) above be in the affirmative, against how many such officers was action taken, and with what results?

The Honourable Shri R. K. Shanmukham Chetty: (a) No.

(b) Does not arise.

REFUND TO SHARE HOLDERS OF STERLING AND DOLLAR COMPANIES

72 *Shri B. P. Jhunjhunwala: Will the Honourable Minister of Finance be pleased to state the total amount in each year refunded to the share-holders of the sterling and dollar companies for having their offices in India, whose income was below the taxable income in the years 1940 to 1947?

The Honourable Shri R. K. Shanmukham Chetty: The information has been called for and will be laid on the table when received.

LOSS DUE TO INCURSIONS INTO INDIAN TERRITORY AND ACTION AGAINST HYDERABAD

73. *Shri S. V. Krishnamurthy Rao: Will the Honourable Minister of States be pleased to state:

(a) the number of incursions made and names of places in the Union territory into which such incursions were made by (i) the Military, (ii) Police and (iii) Razakars of Hyderabad, either jointly or severally;

(b) the estimate of loss of life and property;

(c) the number of cases in which the Indian Army and Police repulsed the attacks; and

(d) what action has been taken against the Hyderabad Government for these incursions?

The Honourable Sardar Vallabhbhai Patel: (a) to (d). According to the information available with the Government of India there have been 197 raids into Indian territory involving the death of 73 persons, injury to 107 persons and abduction of 41 persons. The total estimated loss of property comes to about Rs. 9 lakhs in the raids, of which reports have been received. The raids have taken place all along the borders of adjoining Provinces, viz. Madras, Bombay and C.P. and Berar. In all cases where our police and/or military were within reasonable distance the attacks were repulsed and the raiders were driven back in time. Protests have also been lodged with the Hyderabad Government, but since these have proved ineffective, we gave instructions to our police and military to pursue the raiders right inside the Nizam's territory, if necessary. As the honourable members must have read in the papers, these instructions are being implemented.

TRAINING OF INDIAN MUSLIMS IN FIFTH COLUMNIST ACTIVITIES BY RAZAKARS IN HYDERABAD

74. *Shri S. V. Krishnamurthy Rao: Will the Honourable Minister of States be pleased to state whether Government are aware that batches of Muslims from States and provinces of the Indian Dominion are taken to Hyderabad, trained under Razakars in their methods and sent back to their places to create trouble as fifth columnists?

The Honourable Sardar Vallabhbhai Patel: Government have received some reports to this effect. Provincial Governments are keeping a close watch on the situation and taking appropriate action against the individuals concern whenever necessary.

INSTITUTIONS FOR EDUCATION OF THE BLIND

75. *Shri S. V. Krishnamurthy Rao: Will the Honourable Minister of Education be pleased to state:

- (a) the number of institutions in India for the education of the blind;
- (b) the number of students studying in them;
- (c) the subjects taught and the standard up to which they are taught; and
- (d) how many institutions there are in India for imparting higher education to the blind and where they are situated?

The Honourable Maulana Abul Kalam Azad: (a) According to available information, the total number of institutions for the blind in this country is 88, out of which 80 institutions are in the Provinces and 8 in the States which have acceded to the Dominion of India.

(b) The exact number of blind children receiving education is not readily available, but reports from the various institutions indicate that approximately 1,200 students are receiving education and training in these 88 institutions.

(c) Almost all the institutions impart education upto the primary standard through Braille and special tangible apparatus and appliances used for the education of the blind. As a rule, all subjects taught in the ordinary primary schools are taught in the schools for the blind. There are, however, a few institutions where only vocational training is given. The Calcutta Blind

School, Calcutta and the Dadar School for the Blind, Bombay, and the Patna Blind School prepare meritorious students for the Matriculation Examination in co-operation with other schools in the neighbourhood. Music as a rule, is taught in all the schools. In addition every school trains pupils in a few handicrafts such as cane-work, wicker-work, card-board-box-making, elementary leather work, gardening, hand-loom-weaving, knitting, etc.

(d) There is no institution exclusively for the blind which imparts higher education. Meritorious blind students after passing the Matriculation Examination, may be admitted into St. Paul's College, Calcutta and Wilson College, Bombay, for higher education. For post-graduate studies, they may join the Universities.

AREA CLEARED OF RAIDERS IN KASHMIR AND CASUALTIES INFLICTED ON THEM

76. *Shri S. V. Krishnamurthy Rao: Will the Honourable Minister of Defence be pleased to state:

(a) the area from which the raiders have been driven out by the Indian Army in Kashmir;

(b) the number of (i) dead, (ii) wounded and (iii) captured; and

(c) how many of them are from (i) Pakistan Army and (ii) among Pakistan Nationals?

The Honourable Sardar Baldev Singh: (a), (b) and (c). It would not be in the public interest to disclose this information at present.

RESULTS OF ANTI-CORRUPTION DRIVE

77. *Shri Kishorimohan Tripathi: Will the Honourable Minister of Home Affairs be pleased to give details of the results achieved by Government's anti-corruption drive during the six months ending with 31st July 1948?

The Honourable Sardar Vallabhbhai Patel: The honourable member is presumably referring to the result of the working of the Delhi Special Police Establishment. I lay a statement on the table of the House.

Statement

From the 1st February 1948 to the 31st July 1948, this Establishment registered 231 fresh cases relating to bribery, corruption, cheating, etc., of these 17 cases are under trial, one case has ended in acquittal, 5 cases are now ripe for prosecution and 12 others are pending sanction for prosecution, while 7 cases have been reported for departmental action and 4 cases dropped for want of proof. The remaining 185 cases are still under investigation.

The total number of cases against Government servants was 198, 51 Gazetted or Commissioned Officers are involved in such cases, of whom four have since been placed on trial. The case against one other is now ready for prosecution, and those against nine are pending sanction for prosecution. The case against another has been recommended for departmental action. A case against one officer has been dropped for want of proof. Cases against the remaining 35 officers are under investigation.

The total of fines imposed by courts in Special Police Establishment cases during the period comes to Rs. 6,99,885; besides property worth Rs. 11,461 stands forfeited under orders of court. The work of investigation of reported cases and their disposal in courts is being speeded up by taking special measures in that connection.

RELIEVING AN ALLAHABAD HIGH COURT JUDGE OF HIS DUTIES

78. *Mr. Z. H. Lari: (a) Will the Honourable Minister of Home Affairs be pleased to state whether it is a fact that a judge of the Allahabad High Court was relieved of his duties in January last?

(b) If so, why?

(c) Is it a fact that the learned judge has been drawing his pay since then?

(d) If the reply to part (c) above be in the affirmative, why has the matter been pending so long and not finally decided?

The Honourable Sardar Vallabhbhai Patel: (a) It is a fact that since January last a Judge of the Allahabad High Court has not been allotted any work by the Chief Justice.

(b) There were allegations of grave misconduct against the Judge. After making a preliminary inquiry into them the Chief Justice came to the conclusion that formal proceedings for the removal of the Judge under clause (b) of the proviso to sub-section (2) of section 220 of the Government of India Act, 1935, would have to be taken, and that pending the outcome of such proceedings, it would not be desirable to allow the Judge to perform his duties.

(c) Yes.

(d) A reference has recently been made to the Federal Court under the statutory provision mentioned in (b) above. Time was required to conduct a thorough investigation into the allegations, sift the evidence so obtained, and prepare the reference in proper form.

RESTRICTION ON RETURN OF MUSLIMS FROM PAKISTAN AND RESTORATION OF MOSQUES IN DELHI

79. *Mr. Z. H. Lari: (a) Will the Honourable Minister of Home Affairs be pleased to state the approximate number of Muslims who have returned to Delhi after Mahatma Gandhi's fast?

(b) Have Government placed any restriction on the return of those who migrated to Pakistan on account of insecurity of life in Delhi in September, 1947?

(c) If the reply to part (b) above be in the affirmative does it violate any of the conditions on the basis of which Mahatma Gandhi broke his fast?

(d) What is the number of mosques that have been restored to Musalmans and what is the number of those which are still in unlawful possession?

The Honourable Sardar Vallabhbhai Patel: (a) 30,000 approximately.

(b) and (c). I would invite attention, to the Press Communiqué dated the 14th July, 1948, issued by Government introducing the permit system for entry into India from Western Pakistan in order to ensure that the return of minorities does not result in one way traffic only. Conditions in Delhi have been normal and peaceful for the last several months and Government presume that all those who had left Delhi on account of general insecurity prevailing last year in the month of September have already returned. The residue must be taken to be those who left Delhi to settle permanently in Pakistan. The question in part (c) therefore does not arise.

(d) 233 and 100 respectively.

Tuesday
10th August, 1948

CONSTITUENT ASSEMBLY OF INDIA

(LEGISLATIVE) DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Official Report

Volume VI, 1948

(9th August to 31st August, 1948)

THIRD SESSION

OF THE

CONSTITUENT ASSEMBLY OF INDIA
(LEGISLATIVE)

1948



CONTENTS

Volume VI,—8th August to 31st August, 1948

MONDAY, 8TH AUGUST, 1948—	Pages
Death of Mr. Damber Singh Gurung	1
Governor-General's Assent to Bills—	1-3
Papers laid on the Table—	
Report of India Delegation to Fifth Session of Economic and Social Council of United Nations	2
Summary of Work done by Geological Survey of India during past Five years	3
White Paper on Sterling Balances Negotiations	3
Allotment of a day for discussion on Hyderabad and Kashmir	3
Election to Standing Committee for Ministry of External Affairs and Commonwealth Relations	3, 18
Diplomatic and Consular Officers (Oaths and Fees) Bill—Introduced	4
Indian Merchant Shipping (Amendment) Bill—Introduced	4
Census Bill—Introduced	4
Continuance of Legal Proceedings Bill—Introduced	4
Indian Matrimonial Causes (War Marriages) Bill—Introduced	4
Indian Registration (Amendment) Bill—Introduced	5
Displaced Persons (Institution of Suits) Bill—Introduced	5
Taxation on Income (Investigation Commission) (Second Amendment) Bill—Introduced	5
Reserve Bank (Transfer to Public Ownership) Bill—Introduced	5
Gandhi National Memorial Fund Donations (Companies) Bill—Introduced	5
Estate Duty Bill—	
Presentation of Preliminary Report of Select Committee	6
Extension of time for presentation of Report of Select Committee	6-18
Declaration by Members	18
Factories Bill—Presentation of Report of Select Committee	19
Banking Companies Bill—Referred to Select Committee	19-30
Electricity (Supply) Bill—Discussion on motion to consider as reported by Select Committee—Not concluded	30-46
 TUESDAY, 10TH AUGUST, 1948—	
White paper on Hyderabad—Laid on the Table	47-48
Elections to—	
Central Advisory Committee of National Cadet Corps	48
Central Committee of Tuberculosis Association of India	49
Electricity (Supply) Bill—Consideration of Clauses—Not concluded	49-92
Appendix	92-164
 WEDNESDAY, 11TH AUGUST, 1948—	
Resolution re—	
Abolition of entries of caste and religion etc., from Government registers, forms and records—Withdrawn	165-68
Measure to check rising prices of necessary commodities—Discussion not concluded	166-216
 THURSDAY, 12TH AUGUST, 1948—	
Elections to—	
Employees' State Insurance Corporation	217
Committee on Public Accounts	217
Standing Finance Committee	218
Standing Committee for External Affairs and Commonwealth Relations	218
Hindu Code—Presentation of Report of Select Committee	218-19
Gandhi National Memorial Fund Donations (Companies) Bill—Passed	219-22
Electricity (Supply) Bill—Consideration of clauses—Not concluded	222-31
Demand for Supplementary Grants 1948-49—Discussion not concluded	231-59
Demand No. 99-A—Capital Outlay on Sterling Pensions—Discussion not concluded	231-59
Failure of Government to secure Protection against scaling down of Sterling Balances—Discussion not concluded	245-59
Demand No. 101—Defence Capital Outlay—Discussion not concluded	233-59
Priority of Payment and Defence Stores Policy of Government Discussion not concluded	245-59

FRIDAY, 13TH AUGUST, 1948—

Page

Paper laid on the Table—	
Declaration of Exemption under the Registration of Foreigners Act	262-66
Election to—	
Central Advisory Committee of National Cadet Corps	265
Central Committee of Tuberculosis Association of India	265
Mine and Mineral (Regulation and Development) Bill—Introduced	266
Income Tax and Business Profit Tax (Amendment) Bill—Presentation of Report of Select Committee	266
Demand for Supplementary Grant—1948-49— <i>Concid.</i>	266-210
Demand No. 99-A—Capital Outlay on Sterling Penion— <i>Concid.</i>	266-210
Failure of Government to secure Protection against loading down of Sterling Balance— <i>Concid.</i>	266-210
Demand No. 101—Defence Capital Outlay— <i>Concid.</i>	266-210
Propriety of Payment and Defence Stores Policy of Government— <i>Concid.</i>	266-210

MONDAY, 16TH AUGUST, 1948—

Resolution re Indian Parliamentary Group of Inter-Parliamentary Union—Adopted	311-17
Durgah Khawaja Sahab (Amendment) Bill—Introduced	318
Indian Army (Amendment) Bill—Introduced	318
Coal Mine Provident Fund and Bonus Scheme Bill—Introduced	318
Indian Telegraph (Amendment) Bill—Introduced	318
Census of Refugees Bill—Introduced	318
Electricity (Supply) Bill—Passed as amended	319-42
Mine and Mineral (Regulation and Development) Bill—Referred to Select Committee	342-56

TUESDAY, 17TH AUGUST, 1948—

Statement by Shri R. K. Shanmukham Chetty on his Resignation as Minister for Finance	357-60
Elections to—	
Employees' State Insurance Corporation	360
Committee on Public Accounts	360
Standing Finance Committee	360
Central Silk Board Bill—Referred to Select Committee	360-69
Bombay, Calcutta and Madras Port Trusts (Constitution) (Amendment) Bill—Passed as amended	369-92
Indian Railway (Second Amendment) Bill—Discussion on motion to consider and to refer to Select Committee—Not concluded	392-99

WEDNESDAY, 18TH AUGUST, 1948—

Banking Companies Bill—Extension of time for Presentation of Report of Select Committee	401-03
Cantonment (Amendment) Bill—Introduced	403
Indian Railway (Second Amendment) Bill—Referred to Select Committee	403-12
Continuance of Legal Proceeding Bill—Passed	413-16
Displaced Persons (Institution of Suits) Bill—Consideration of clauses—Not concluded	417-24
Indian Registration (Amendment) Bill—Passed	424-29
Indian Matrimonial Cause (War Marriages) Bill—Passed	426-29
Census Bill—Passed as amended	429-42

FRIDAY, 20TH AUGUST, 1948—

Imperial Library (Change of Name) Bill—Introduced	443-44
Indian Cotton Cell (Amendment) Bill—Introduced	444
Displaced Person (Institution of Suits) Bill—Passed as amended	444-55
Diplomatic and Consular Officers (Oath and Fee) Bill—Passed	455-59
Indian Merchant Shipping (Amendment) Bill—Passed	459-70
Durgah Khawaja Sahab (Amendment) Bill—Passed	460-62
Indian Army (Amendment) Bill—Passed as amended	462-72
Indian Telegraph (Amendment) Bill—Passed	472-73
Coal Mine Provident Fund and Bonus Schemes Bill—Passed	473-86
Factories Bill—Discussion on motion to consider—Not concluded	486-88

Business laid on the Table—

Authenticated Schedule of Authorised Supplementary Expenditure for 1948-49—

Other than Railways	488
Bombay Public Security Measure: (Delhi Amendment) Bill—Introduced	490
Imperial Army Bill—Introduced	490
Payment of Tax: (Transfer of Property) Bill—Introduced	490
Factories Bill—Motion to consider—Adopted	490-492

TUESDAY, 24TH AUGUST, 1948—

Factories Bill—Consideration of clauses—Not concluded	533-80
Indian Railways (Second Amendment) Bill—Presentation of Report of Select Committee	540

WEDNESDAY, 25TH AUGUST, 1948—

Panel of Chairmen	581
Committee on Petitions	581
Mines and Minerals (Regulation and Development) Bill—Presentation of Report of Select Committee	581
Banking Companies Bill—Extension of time for presentation of Report of Select Committee	581-82
Child Marriage Restraint (Amendment) Bill—(Amendment of Sections 3, 4, 5, 6 and 10)—Referred to Select Committee	582-613
Child Marriage Restraint (Amendment) Bill—(Amendment of Sections 2 and 4)—Referred to Select Committee	582-613
Child Marriage Restraint (Amendment) Bill—(Amendment of Sections 10 and 11)—Referred to Select Committee	582-613
Indian Penal Code and the Code of Criminal Procedure (Amendment) Bill—Motion to refer to Select Committee—Not moved	614
Criminal Tribes (Repeal) Bill—Motion to refer to Select Committee—Not moved	614
Indian Penal Code (Amendment) Bill—(Amendment of Section 124A)—Motion to Consider—Not moved	614
Provincial Insolvency (Amendment) Bill—Withdrawn	614
Indian Companies (Amendment) Bill—(Amendment of Section 86 F)—Motion to refer to Select Committee—Not moved	615
Indian Bar Councils and the Legal Practitioners (Amendment) Bill—Withdrawn	615
Code of Criminal Procedure (Amendment) Bill—(Amendment of Sections 496 and 497)—Motion to refer to Select Committee—Not moved	615
Indian Companies (Amendment) Bill—(Amendment of Sections 25, 31, 32 etc.)—Motion to refer to Select Committee—Not moved	615
Special Marriage (Amendment) Bill—Motion to refer to Select Committee—Not moved	615
Calcutta Port (Amendment) Bill—Motion to refer to Select Committee—Not moved	616
Bombay Port Trust (Amendment) Bill—Motion to refer to Select Committee—Not moved	616
Madras Port Trust (Amendment) Bill—Motion to refer to Select Committee—Not moved	616
Workers' Provident Fund Bill—Motion to refer to Select Committee—Not moved	616
Prevention of Free or Forced or Compulsory Labour Bill—Motion to consider—Not moved	616
Hindu Marriages Validity Bill—Motion to refer to Select Committee—Not moved	616
Code of Criminal Procedure (Amendment) Bill—(Amendment of Sections 4, 29A etc.)—Motion to consider—Not moved	616
Motor Vehicles (Amendment) Bill—Motion to consider—Not moved	617
Indian Judicial Procedure Bill—Motion to consider—Not moved	617
Indian Bar Councils and the Legal Practitioners (Amendment) Bill—Motion to consider—Not moved	617
Criminal Tribes (Repeal) Bill—Motion to consider—Not moved	617
Civil Marriages Bill—Introduced	617-18
Dentists (Amendment) Bill—Introduced	618
Code of Criminal Procedure (Amendment) Bill—(Amendment of Section 488)—Introduced	618

THURSDAY, 26TH AUGUST, 1948—	Pages
Change in Date for non-official Business in Assembly	619
Supply of Answers to Questions in advance to Members	619-20
Elections to—	
Standing Committee for Ministry of Defence	620
Standing Committee for Ministry of Communications	620-21
Exchange of Prisoners Bill—Introduced	621
Central Silk Board Bill—Presentation of Report of Select Committee	621
Factories Bill—Consideration of Clauses— Not concluded	622-62
FRIDAY, 27TH AUGUST, 1948—	
Indian Income-tax (Amendment) Bill—Introduced	663
Indian Navy (Discipline) Amendment Bill—Introduced	668
Factories Bill—Passed as amended	664-707
MONDAY, 30TH AUGUST, 1948—	
Elections to—	
Standing Committee for Ministry of Works Mines and Power	709
Standing Committee for Roads	709-10
Indian Central Coconut Committee	710
Standing Committee for Ministry of Defence	710
Standing Committee for Ministry of Communications	710
Income-Tax and Business Profits Tax (Amendment) Bill—Passed as amended	711-62
Taxation on Income (Investigation Commission) (Second Amendment) Bill—Passed	762-64
TUESDAY, 31ST AUGUST, 1948—	
Request for allotment of time for Debate on Hyderabad and Kashmir	765-66
Papers laid on the Table—	
Notifications under section 38 of Central Excises and Salt Act, 1944	766-69
Cinematograph (Amendment) Bill—Introduced	769
Indian Tariff (Amendment) Bill—Introduced	769-70
Indian Tariff (Second Amendment) Bill—Introduced	770
Essential Supplies (Temporary Powers) (Amendment) Bill—Introduced	770
Motion re Procedure in making Rules to regulate the Procedure and Conduct of Business in the Assembly—Adopted	770-75
Hindu Code—Postponed	775-81
Cantonments (Amendment) Bill—Passed	781-83
Imperial Library (Change of Name) Bill—Passed	782-800
Bombay Public Security Measures (Delhi Amendment) Bill—Passed	800-01
Mines and Minerals (Regulation and Development) Bill—Passed	801-17

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)
DEBATES

(PART II— PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Tuesday, 10th August, 1948

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

QUESTIONS AND ANSWERS

(See Part I)

11-45 A.M.

WHITE PAPER ON HYDERABAD

The Honourable Sardar Vallabhbhai Patel (Minister for Home, Information and Broadcasting and the States): With your permission, Sir, I lay before the House a White Paper* on Hyderabad.

Honourable members will have followed in the Press the course of the long and protracted negotiations between the Government of India and the Nizam's Government. They are already aware of the terms on which negotiations were based; and they also know why these negotiations were unsuccessful. To understand the problem of Hyderabad however it is necessary not only to have a knowledge of the events as they took place from day to day, but also correctly to appraise the background against which the negotiations were conducted. In the White Paper which I have placed before the House therefore, an attempt has been made to present in their proper setting all the various problems, geographical, historical, economic and others, that govern the situation. All material not strictly necessary for this purpose has been excluded and the appendices comprise essential documents only. There has been a considerable amount of correspondence between the Nizam's Government and the Government of India on the various issues, and it is intended to publish this correspondence separately very soon.

The Paper before you will make it clear that the Government of India have done everything in their power to reach a friendly and amicable settlement. Indeed, in their anxiety to secure goodwill and avoid all cause of bitterness, Government were willing to make concessions to the Nizam which they would have found it difficult to justify to Rulers of other Indian States who have so readily acceded to the Indian Union. It causes me great regret that all our friendliness and desire for goodwill have been frustrated by the negative attitude of the Nizam and his Government. It must be a source of profound concern to all of us that those in control of affairs in Hyderabad should have found it necessary to shape their policies more and more to suit the wishes of a bellicose and rabidly communal organisation which shrinks from no crime to maintain its ascendancy in the State.

The failure of Sir Mirza Ismail's recent efforts undertaken at the instance of the Nizam is another proof of the utterly unhelpful and hostile attitude of the Nizam and his Government and of their determined opposition to all proposals for a friendly settlement. In a recent statement, Mir Laik Ali, the Prime

*Printed as Appendix to the day's Debates—Ed. of D.

[Sardar Vallabhbhai Patel]

Minister of Hyderabad has presaged a five year period of turmoil throughout the length and breadth of India. One would normally ignore wishful thinking of this kind and I am referring to it here merely because this statement shows the line of thought that is animating those who guide the destinies of Hyderabad at the moment. Mir Laik Ali's hopes will be completely falsified, but one cannot stress too often the vital need for eliminating the communal virus from the body politic; and I therefore take this opportunity to appeal, with all the earnestness I am capable of, to all sections of the country not to be led away by propaganda of this kind but to stand solidly by the Government.

Sir, the attitude of Government is clear and definite. An independent Hyderabad pursuing its own policies is a standing threat to the progress and prosperity, indeed to the very existence of the Indian Union. Accession and responsible Government are the only solution—accession which will bring Hyderabad within the ambit of all-India policy on the essential subjects of Defence, External Affairs and Communications, and which at the same time preserves the internal autonomy of the State in other matters. There can be no compromise about this, for compromise will mean suicide.

Meanwhile, the internal situation inside Hyderabad is rapidly deteriorating and the depredations of the Razakars on our borders is taxing our patience increasingly. I may not attempt to put any gloss on the seriousness of the situation. It is causing Government a very great deal of anxiety. But honourable members may rest assured that we are watching the situation very carefully and that we are well prepared to meet all possible eventualities. I would have liked to tell the House something more definite, but I am sure the House will appreciate that it would be unwise to disclose our policy and plan in advance. I can only ask the House to trust us and assure honourable members that we shall not be found wanting.

Shri H. V. Kamath (C.P. and Berar: General): May I request the Speaker to make arrangements for the early distribution of the White Paper to the members?

Mr. Speaker: They will be distributed tonight.

Mr. Tajamul Husain (Bihar: Muslim). Will the Government.....

Mr. Speaker: No questions on the Statement.

Mr. Tajamul Husain: I only want to raise a point. Will the Government consider the desirability of having a debate on a day on this secretly in the House?

Mr. Speaker: That point was disposed of yesterday.

ELECTION TO CENTRAL ADVISORY COMMITTEE OF NATIONAL CADET CORPS

The Honourable Sardar Baldev Singh (Minister for Defence): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Speaker may direct, two members to serve on the Central Advisory Committee of the National Cadet Corps in accordance with Section 12 of the National Cadet Corps Act, 1948."

Mr. Speaker: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Speaker may direct, two members to serve on the Central Advisory Committee of the National Cadet Corps in accordance with Section 12 of the National Cadet Corps Act, 1948."

The motion was adopted.

**ELECTION TO CENTRAL COMMITTEE OF TUBERCULOSIS
ASSOCIATION OF INDIA**

The Honourable Dr. Syama Prasad Mookerjee (Minister for Industry and Supply): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Speaker may direct, two persons from among their numbers to sit on the Central Committee of the Tuberculosis Association of India."

Mr. Speaker: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Speaker may direct, two persons from among their numbers to sit on the Central Committee of the Tuberculosis Association of India."

The motion was adopted.

Shri T. T. Krishnamachari (Madras: General): May I ask the Honourable Minister what the Industry and Supply Ministry has to do with the Tuberculosis Association?

The Honourable Dr. Syama Prasad Mookerjee: I have moved this on behalf of the Honourable Minister for Health.

Mr. Speaker: 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
Central Advisory Committee of the National Cadet Corps.	12-8-48.	16-8-48.
Central Committee of the Tuber- culosis Association of India.		

The nominations for these Committees will be received in the Notice Office upto 12 Noon on the date mentioned for the purpose. The elections, which will be conducted by means of the single transferable vote, will be held in the Assistant Secretary's Room (No. 21) in the Council House between the hours 10-30 A.M. and 1 P.M.

ELECTRICITY (SUPPLY) BILL—contd.

Mr. Speaker: We may now proceed with the legislative business, further consideration of the motion moved by the Honourable Shri N. V. Gadgil yesterday, namely:

That the Bill to provide for the rationalisation of the production and supply of electricity and generally for taking measures conducive to the electrical development of the Provinces of India, as reported by the Select Committee, be taken into consideration.

Shri K. Santhanam (Madras: General): Mr. Speaker, I had the privilege of serving on the Select Committee on this Bill, and I have no doubt that from the point of view of the future of India, this is one of the most important and constructive Bills that have been introduced in this legislature. It is also a very difficult and complicated Bill, especially in the schedules. The Select Committee went through every clause with great trouble and have tried to put them in a manner conducive to the progress of electrification in this country,

Sir, I regret that the actual contents of the Bill have been to some extent misrepresented by the two speakers before me.

[Shri K. Santhanam]

My honourable friend Mr. Das contended that this Bill had nothing to do with nationalisation and said something about its being a national Bill, while Mr. Ayyangar contended that somehow the question of nationalisation had been compromised by this Bill. I do not think that either statement is correct. I will try to summarise the principles of this Bill as briefly as possible. The first principle adopted in this Bill is that all future electricity undertakings should be undertaken by the State, and it is only where the State for any reason is either unable or unwilling to take it up that it may give it to private industry and on such conditions as it likes, with a proviso that it may be resumed by the State whenever it likes. The second principle of the Bill is that all the existing electricity undertakings may be immediately controlled and when they are not working satisfactorily they can be purchased by the boards to be set up. The third principle is that to the extent that private enterprise is allowed to run electricity undertakings they shall run them on the principle of public utilities and not as private undertakings.

These are the three fundamental principles adopted so far as electrification is concerned and I suggest that it is not possible for any State to go further in the attempt to nationalise any industry. These are the essential basic principles which have to be adopted when we want to nationalise any industry, specially with the limited resources at our disposal. It was suggested that the setting up of a board somehow detracted from the principle of nationalisation. The provisions of the Bill show that the board is to consist of not less than three and not more than seven members appointed by the provincial Government and all members of the board shall be full-time members. This will be as much a national authority as a High Court or a civil court or any organ of the provincial Government. There is to be no representation of any kind of private interests. And all the members will not only be appointed by the provincial Government; the board as a body shall be subject to the directions of the provincial Government in all matters of policy. Sir, I suggest that under this constitution it is an absolutely national board and I do not think any further step is to be taken for nationalisation. I do not think it is correct to say that departmental management of industry is a better form of nationalisation than management under a separate authority. What are the British Government doing? They have set up a separate Coal Board, they have put up a separate transport authority, they have set up separate Electricity Commissioners. Then again even in America when they wanted to start a national undertaking they established a Tennessee Valley Authority. These democratic Governments knew what nationalisation meant; they knew that these industrial undertakings should not be left to the vagaries of ministerial changes. Ministries may change, and changing Ministers may have changing policies; but the day to day administration of industrial undertakings should be continuous and should not be disturbed by political considerations. It is on that sound principle that nationalisation in this country should proceed and unless that principle is adopted in this country all talk of nationalisation will be moonshine. Industries will be started by one ministry and as soon as the ministry is changed it will be scrapped by another ministry. I think it is a very unsound principle to take up industries and nationalise them and run them as departments. No, mental concerns. Therefore it is in the interest of nationalisation of electricity that this Bill has been conceived and the Select Committee has tried to adopt it only from that standpoint.

Then, Sir, it may be asked why the Bill did not start with a complete taking over of all the private interests. Those who have studied the facts about electrification in this country tell us that we are not even infants in the matter of electrification. The *per capita* consumption of electricity in India is only 10.5 units, and the corresponding figures are 806 for the United Kingdom and 1540 for the U.S.A.

An Honourable Member: Is it per annum?

Shri K. Santhanam: I am not sure about that but I think it is so.

The U.S.S.R. has 300 units. Therefore our electrification is only $1\frac{1}{2}$ per cent. of that of Britain which has very few waterfalls and where the entire electricity is to be produced from coal.

Of this very little electricity that is produced here 44 per cent. of the entire power and 46 per cent. of the entire production is confined to the big urban areas like Calcutta, Bombay and Madras. The entire country is a virgin field for electrification and as such I think it will be an absurd proceeding to put all the capital that our provincial Governments can manage to get into the old undertakings. Was it not a proper policy to see that the old undertakings are run on our terms, on terms of a public utility, and then divert all capital that we can lay hold of towards starting new concerns and developing new electricity? And wherever the old concerns come into conflict with the new policy of any provincial board the provincial board is given absolute power to stop those generating stations and, where necessary, to take over and purchase those generating stations. Therefore the powers of these boards are more or less absolute so far as the electrification of the province is concerned.

Then, Sir, it was suggested that by pleading in the Select Committee and shedding crocodile tears the private interests had got unduly favourable terms. I do not think that is a correct statement at all. The Select Committee was very sympathetic but it did not yield a single inch on any material point. What have the private interests got? They have got 5 per cent. on the effective capital sunk in the industry. It is not all capital; we have tried to exclude all bogus capital—it is only the actual assets and the reserves which have been invested, and it is only when they prove that they could not have possibly invested a certain part of the reserves of the undertaking that it is added to the capital. Otherwise only the actual plant and machinery and the working capital are to be taken. And even of the plant and machinery it is only the depreciated value; and to this is to be added up that part of depreciation which is again re-invested.

Therefore I think this 5 per cent. margin is a margin to which we should insist that the Boards should work up. So we thought it reasonable that this margin must be allowed in order to let private enterprise function on a reasonable scale. If owing to miscalculations any private electricity undertaking charges higher costs and makes good profits, it has been suggested that all those profits should be utilised for reducing the cost in the next revision and they should be funded. Only in certain circumstances, if the error is not more than 80 per cent. then what has been allowed is that $7\frac{1}{2}$ per cent. may be permitted and the rest will be impounded.

Therefore, I suggest that this Bill is a Bill for nationalization of electricity and on that basis deserves the whole-hearted support of this House.

Then I may say a few words about the amendment given by my friends, Shri Ananthasayanam Ayyangar and Shri T. T. Krishnamachari about making the Board obligatory for all provinces.

Shri Ayyangar made one constitutional mistake, which he does not usually do. He said that this was only for the purpose of incorporation that the Central Legislature was asked to bring this Bill. Electricity is one of the Concurrent Subjects and it is a matter in which the Legislature has got full jurisdiction to pass the legislation. Just as we provided in the employees' State Insurance Bill that that Bill shall prevail over the whole of India, it is also necessary that we should do so because unless the electrical development of the country is on a strong basis, many parts of the country will be left out altogether. My friends have been obsessed by what they thought were the interests and rights of the Province of Madras. I claim that I am as much interested in the future electrification of Madras as my friends, and even for Madras, the provisions made will contribute to greater electrification than if

[Shri K. Santhanam]

things are managed as at present. It is true that under the Department, State electrification has proceeded to a considerable extent in Madras, but in actual quantity it has not been very much. It is 100,000 KW. If you look at the new schemes like the Damodar Valley and Kosi Schemes, you will find that the amount of electricity to be produced in each of them is four and ten times as much. Therefore, there is no use of exaggerating the achievement of the Government of Madras. Now and then one Minister after another has tried to dabble with it, but if such a Board had been established in Madras 25 years ago, it would not be 100,000 KW but it would have been 1 million KW that would have been produced for Madras. Therefore, if the Madras Government sets up this new Board, which will have no other political or other distractions but will concentrate on expanding the electric services of the Province, I am sure the rate of progress in the province will be greater than it has been in the last 25 years. If we give an option to every province, what will happen? Many provinces will neither start the Board nor take to electrification themselves. They will be left as they are. As it is there are provinces which have no electrification at all. In Orissa, for instance, there is no public installed generating capacity. Similarly in Bihar, the total capacity is only 27,450 KW, less than what they have in any single city in Europe or America. Sir, whole provinces are now left undeveloped and we do not want to give the right to provinces to sleep over it again for another generation. We want that every province should take steps, and if a Board is established, that Board will have to give an account year after year, e.g., what work it does, why it did not expand and so forth. And there will be competition between provinces and a healthy rivalry. Why should Madras have 100,000 KW and Bihar only 25,000 KW? Each Legislature instead of being distracted over ministerial factions, will insist that its Board should function properly. It is for that purpose that this Board has been set up and the whole value of the Bill will be destroyed if my friend's amendment is adopted and the Provincial Governments are left alone. In the matter of food, education and the distribution of cloth, where under the Constitution the Provincial Governments have the power, they come to the Centre and say: Why don't you help? Why don't you control? Why don't you regulate? They want orders from the Centre. But in a matter which is under the concurrent list and is to be developed on a national basis, unless you have some kind of a common system in all the provinces it will not be possible to have a proper electricity system. We may have to establish common joint councils in provinces for two neighbouring areas. For all such circumstances, unless you have a uniform system of administration, no development will be possible. So I suggest that this Bill as it has emerged in a wholly nationalization Bill. As such it deserves to be adopted as a whole and it should not be mutilated.

Shri H. V. Kamath (C.P. and Berar: General): We are living today in the transition from the electric age to the atomic age. But unfortunately as the advent of the electric age coincided with the advent of slavery in our country, we have not been able to reap the full benefits of electricity in our country. To-day, Sir, I do not propose to go into the vexed question of rationalization or nationalization, but I believe that all of us are agreed, as rational beings, that electricity, just like any other power, must be utilised for the benefit of the whole nation: and the whole nation, Sir, at least in India, lives in its hundreds of thousands of villages and to my mind the value of this scheme will be judged by its utility to the poor—the common man: the rural man.

How far will he be benefited by this Electricity Act? The one country in the world today from which we can take some lesson in this particular regard, apart from its politics, is Russia. Russia soon after the consummation of its revolution in 1922 achieved the electrical development of practically the entire

country is less than 10 years. And Lenin once when he was asked what Communism meant—because Lenin aimed at the establishment of Communism in Russia—to bring the point home to his questioner said: Communism is Soviet plus electrification. It was partly in jest but partly in earnest too. The point he wanted to make out was the importance of electrification in the present day.

When I am on this subject, I would also like to say that Mahatma Gandhi himself was all in favour of electrification. I myself once had a little talk with him about charkhas being driven by electric power and he said if the poorest man, the lowliest and the lost gets electricity in his own home to run the charkha, then he for one would have no objection to the electrification of India. But he was particular to stress this point that if electrification meant benefiting only the rich and urban classes, then he for one would not be in favour of the scheme. But in so far as the rural people, the villager today, who is today practically a beast of burden in our country, could get the benefit of the electrical scheme, then he would favour such a scheme in our country.

Sir, it is in the fitness of things that this should be so; this electric energy is ubiquitous. It was not something invented by a particular man. It has been there in the world, in the universe, in the atmosphere since the beginning of time and it was only harnessed by certain discoverers who found that this power could be utilised for doing the work and labour of mankind and inasmuch as this power is ubiquitous, since it pervades the universe, so also I want that this power should reach every nook and corner of the world. We here are working for India and we want that it must reach every nook and corner of India and be available to every villager in India.

My friend Mr. Santhanam referred to the departmental running of the electricity schemes. The argument that he put forth was that when a new Government comes into being it is liable to change its entire policy and accordingly the department will also function in a new orientation. But this same argument applies to the boards or other extra-departmental authorities that might be constituted by the Government of India or the provincial Governments. When a new Government comes in and lays down a new policy the board will only carry out that policy. As Mr. Santhanam himself said the Board so constituted will carry out the policy of the Government and the Government will have the final say in laying down the policy for these boards. This argument therefore that he put forth as regards departmental running *versus* extra-departmental management does not, to my mind, hold water and if as in Madras the departmental functioning and management have been efficient, as my other friends from Madras have said, I do not see why that system should be interfered with at present. However, as regards nationalisation we have got to bear another aspect of the thing in mind and that is that nationalisation depends upon how far the nation has been integrated, how far the nation has constituted itself into a strong State. If the State which represents the nation is itself inefficient or weak, then all efforts at nationalisation are bound to fail: but if the state is integrated and strong then every one of us will go all out for nationalisation. In our own country we have the railways as the major nationalised industry. But, as was pointed out on former occasions in this House, unfortunately our railways have not been functioning as efficiently as we would wish them to and at times they have acted as a damper on our further efforts at nationalisation. So when we plead for an all out effort at nationalisation I for one would say that at the same time we must see that the State has a strong and efficient machinery to carry out and implement whatever nationalisation schemes might be put into operation.

[Shri H. V. Kamath]

Lastly, there is one point which I wanted to stress and I would repeat it, *viz.*, that unless the poorest villager benefits by the Electricity Bill it might as well go on the scrapheap. Today the world has entered the age of atomic energy and we as a backward nation have got to leap and skip over so many stages. But it has been the experience of history that when a backward country goes forward it learns from the experiences of other countries, from their failures and their successes and it is always likely to skip over so many stages in its evolution. Let us therefore take our lessons from other countries in the world who have already advanced far enough on the road to electrification. Let us learn from them how far they have been able to succeed and through what schemes they have been able to bring this great all pervasive power to every nook and corner of their country and within the reach of the poorest rural citizen.

I would only end by saying that we wish all success to the scheme and I hope that within the next few years we would be able to electrify not merely literally but also metaphorically all our towns and villages, to the benefit of our urban as well as our rural compatriots and we would be able to run our industries more neatly, efficiently and comfortably with the aid of electricity in town as well as country, and that it will contribute to the progress, wealth and happiness of India.

Prof. Shibban Lal Saksena (U.P.: General): Sir, I have very carefully listened to the elaborate elucidation on the Bill by the Honourable Minister and I thank him for having improved the Bill so much in the Select Committee. But I cannot help saying that the main features of the Bill still remain as they were and as he himself admitted they have not been changed. New electrical enterprises will not be all nationalised. My friend Mr. Santhanam just now gave a very eloquent description of this Bill when he said that it was really a nationalisation Bill and he said that henceforth all new undertakings will be public undertakings and only in cases where the Government feels that it cannot take up an undertaking it shall give it to some private licensee. I think it is just there where there is a snag.

The other day our Prime Minister announced the industrial policy of the Government and while he said that for ten years we shall not take over any old undertakings, yet he assured us that new undertakings in the key industries shall be State enterprises. I therefore think that this power which is given under Sections 88 and 89 should not be given and all new undertakings should be state enterprises. The argument advanced by the Prime Minister was that we could not squander our resources on taking over the old concerns. I do not agree with that view. My feeling is that we should take over the key industries at least immediately and for two reasons. First of all the argument that we shall have to squander money is fallacious. We are taking over the zamindari system in U.P. It will cost us several crores of rupees but we have so scheduled the payment that it can go on for a period of 30 years. We can pay off the costs and in the meanwhile probably earn more than what we pay by the abolition of zamindari. Again, we know that England has nationalised its electricity, coal and some other industries. In their Electricity Act they have provided for compensation to present manufacturers. I do not think England today is abounding in wealth. She has to keep her life going today with the help of America and yet although the country is in such bad days she has taken over the key industries. I think India is much more solvent than England and she can afford to take over these concerns and pay compensation to the owners of the companies by spreading it over a number of years, during which the income from nationalisation will be higher than the amount of compensation that will be paid. There are some very interesting sections in the British

Electricity Act in this connection and I think I may read at least one of them to show how they have arranged for compensation to companies. In section 25 they say:

"25.—(1) Every composite company shall be entitled to be paid by the Central Authority, by way of compensation for the vesting in that Authority or in any other Electricity Board of property and rights of the company, and in lieu of any other compensation in respect of that vesting, an amount calculated as follows :—

- (a) the aggregate value of all the securities of the company shall be ascertained in accordance with sub-sections (2) to (8) of section twenty of this Act, subject to the modification that for the references in sub-sections (6) and (7) to the stockholders' representative there shall be substituted references to the company;
- (b) there shall be ascertained the proportion which the average net revenue earned by the electricity undertaking in respect of the last three complete financial years before the tenth day of January, nineteen hundred and forty-seven, bears to the average net-revenue earned in respect of those years by the company's undertaking as a whole;"

That means they calculate the average income for the last three years. I think some such device could be made here also and the companies can be given an amount equal to their net average annual income of three years. It is not something which could not be done in our country when England, which is not in a very prosperous condition today, can do it. The reason for my saying so is this. My experience of the sugar industry has been such that I feel that the capitalists, whenever they get an opportunity, will try to get money and will not care for national interests. Recently we have seen in the cloth trade also the same phenomenon in the soaring prices of cloth, and all appeals to patriotism failed and the consumers have been hit very hard. We cannot therefore trust that such key industries will be able to fulfil the demands of our national development schemes under the control of these capitalists.

When the Bill was first introduced my honourable friend Mr. Patil referred to the difficulty in getting personnel for running these industrial schemes. He referred to his own case, of the Bombay Corporation. I personally think that if we adopt the methods of the industry we can get the same personnel which these companies are able to employ. The personnel is there whether we employ them or a company employs them. And I am sure if Government employs them they will be much happier under Government and will work with more devotion than they would do elsewhere. So I do not think that argument has got much validity.

I think that the special plea of my honourable friend Mr. Santhanam that this Bill provides for a nationalised industry is not correct. In many places where the vested interests are powerful they will take over the electrification schemes and the Board will say that it is much better that these experienced industrialists should carry them out because they have the experience, personnel, money and all that. I therefore think that the clauses 88 and 89 as they stand at present are very dangerous.

Leaving this question of nationalisation I now come to the Bill itself. I think that the task before us is stupendous. The other day the Honourable Minister told us how low is our consumption of electricity. Even that is confined to three or four cities. If we look to the development of electricity in other countries we would be surprised to find how much they could do in four or five years' time. In fact in Russia, to which my honourable friend Mr. Kamath just referred, the development of electrical power from 1932 to 1937 was from 1340 crores of kilowatts hours to 8800 crores of kilowatts hours. That means in five years time they could develop electricity to this extent. I want

[Prof. Shibban Lal Saksena]

to know if our Minister is sure that with this Bill he will be able to develop our resources to that extent. I have carefully analysed the Bill and I find that the Central Authority is not clothed with any real powers. What power has been given has been given practically to the Boards. The Central Authority shall only plan and recommend. I think that this is a fatal defect in the Bill. If we want to develop electricity all over the country according to a comprehensive national plan, it can only be done by Central initiative. Of course we must secure the fullest co-operation of the provincial Governments and fully harness the resources of the provinces. The Central Authority must be clothed with full powers to use all its resources and all its influence to make the provincial Boards function with the necessary speed and energy. I think the provinces are not so rich as to be able to invest all the money required for big schemes. And I do not find any provisions in this Bill for subventions from the Centre to the Provincial Boards. I have tabled some amendments suggesting that the Central Authority should be the final sanctioning authority for all big electrification schemes, so that there may be all round development according to a comprehensive national plan for the production and supply of electricity and all provincial schemes may fit into it. As the Bill at present stands, the Central Authority can only give its recommendations about some provincial schemes and it is left to the provincial Boards and ultimately to the provincial Governments to accept or reject the recommendations. I think it is not proper. The Central Authority must be the sanctioning authority for all big schemes. If there is any scheme which does not fit in with the national plan, it must be rejected. If the Central Authority thinks that the scheme cannot be taken up by the province for lack of money, it must finance it and supply technical personnel etc. In this Bill you have not made the Central Authority strong enough to carry out a comprehensive national plan for development of electrical energy and power.

I tried to compare the powers of the Central Authority here with those in England also. The Central Authority, I find, is much more powerful there and it is the Authority which is the moving power and which can make the regional boards function. I think this is a defect in our Bill and it should be removed. The Central Authority should be made all powerful and given power to help the Boards financially. I think the provinces will not grudge this. We will then be able to carry out the plan, which will be coming before us, for the industrial planning and development of our country.

In regard to the penal clause I was surprised to find that there is a fine of Rs. 500 only if any licensee violates any of the provisions of this Act. This is something ridiculous. They can violate the conditions and make crores of rupees of profit and just pay Rs. 500 only! This provision must be changed. They must be given at least one year's imprisonment in the beginning, and if the offence is repeated the punishment must be severer. And the fine must be equal to the amount of profit which they make by their breaking the law.

On the question of taxation, yesterday also a friend said that taxation of nationalised industries is not proper. I join him and I would like to say that when we are starting an industry which will try to cater for the welfare of the millions of villagers—as my friend Mr. Kamath reminded us, Mahatma Gandhi was in favour of every hut having electrical power to run its spinning wheel—then certainly this cannot be done by taxing this Authority in the very beginning. The Central Authority or the Board, whosoever runs this machine, will not make any profits. It will really try to give the benefit to the country and you cannot judge its success by taxing it in the manner of a company which runs for profit. I therefore think that this handicap at the very outset will kill this

undertaking. The capitalists will then come forward and say "you have tried nationalisation and failed". I think that like the railways we should nationalise electricity. I am also opposed to the transfer of funds from the Railway Fund to the General Revenues. I think that all the income derived by this undertaking should be spent on the undertaking itself with a view to develop it to the maximum extent until it can be said to be completely developed when we can take away the income for the State. But we are just beginning and before we have even begun we should not say "it shall be taxed, it shall pay super-tax and all that". I think the provision must be revised. It must be allowed to develop with the best wishes of us all and the Honourable Minister should see that whatever expense is involved in it we must be prepared to spend.

As my friend Mr. Kamath reminded us, Lenin had said, Communism meant Soviet plus Electricity. I agree. If we have full development of electric power, then certainly we will be able to provide work and employment to all, and people will be happy and there will be none who will equal us in the world.

We are in population the greatest nation. But we have no petroleum stocks and we have no other power. So we will have to depend on water power and electric power. We must be able to do everything to develop this water power and electric power, and for that reason we must not put limits on the development of this venture by imposing income-tax and super-tax and all that on it.

These are some points which I wish to present for the consideration of the Honourable Minister. I hope he will accept these essential amendments so that the Central Authority will become strong enough to give the energy and drive, and initiative and directive, which he personifies in himself, to all the provinces.

The provinces have been allowed two years within which to fall in line with this Bill. In five years Russia could multiply her electricity production by three times. I think if the provinces take two years to fall in line it would be too big a period; within six months every province must fall in line and if it does not the Central Authority and the Honourable Minister must make it do so, so that in four or five years we may be able to make at least similar progress as the other countries have made.

Sir, with these remarks I support the motion.

Shri T. T. Krishnamachari (Madras: General): I have risen to correct some misapprehensions that might be formed by members of this House as a result of the speech of my honourable friend on my right. In a Bill of this nature, it was essentially as a compromise that it emerged from the Select Committee. It is quite open for one member to feel that this is the last word on the subject. It is equally open for another member to say that it is a very halting measure. But what I want the House to understand is that the Select Committee, charged as it was to produce a workable Bill, has compromised with the powerful interests to the extent that it was absolutely necessary, and it would be wrong and untrue to say that we have not compromised. We did give a lot of opportunity to the vested interests to represent their case. We tried to meet them so that we could carry them with us instead of provoking an opposition from those vested interests. And if I agreed to such a compromise, I agreed because it was necessary in the best interests of the country as things are today. My own feeling was that placed as we are, placed as this Government is today, it is not in a position to brush aside vested interests completely and take over the entire problem of not only generation but also distribution of electricity and also pay the compensation that is necessary. It has therefore been necessary not merely to give them certain concessions, but also give them certain valuable concessions in the matter of compensation to be afforded to existing electrical undertaking which are taken over.

[Shri T. T. Krishnamachari]

Sir, I agree with Mr. Santanam that it is the first step and a fairly big step in the direction of State control of generation of electricity and also control in regard to its distribution. I will not say it is the last word on the subject. We do not ask for the gratitude of the people that we have done something very big or that it is actually nationalization as understood by various people. There was much that Mr. Santanam said in regard to the working of nationalized concerns by means of Boards, with which I am in agreement. There I think we have blazed the trail for future nationalization. These things will be done by Boards and not by Departments. At the same time I cannot claim that it is perfect or complete nationalization, or anything which by a stroke of the pen could be turned into nationalization of electricity industry, because there is this difference which I would like the House to understand. In the province of Madras—my own Province—95 per cent. of the generation is in the hands of the State and the State is now moving very rapidly towards control of distribution as well. Very possibly, as soon as this measure becomes law and is on the Statute Book, the provincial Government will enact a measure to enable them to take over the distribution of electricity in areas where it is now in the hands of private people.

I would also say this is contradiction to what my friend on my right has said, that in Madras the progress has been fairly rapid considering the conditions under which work was started; the mere fact of the existence of a Board would not have made any difference whatever to the pace of the province. Actually I remember that for one of the major hydro-electric works started—the Mettur Project—Government had to canvass for industries to be started by the side of the project so that the power could be consumed. Of course the war and the rise in the standard of living, and the requirements of the people in electric current, have made a very big change in the capacity consumed, and it might be that today the total amount of electricity generated in Madras is not adequate to meet the need, or even meet half the demand of the people of Madras. But as conditions were prior to the war, the existence of a Board would not have made the slightest difference. And I am very proud to say in this House that the Department of Electricity in Madras is as good as any Board can possibly be, and the change that will be effected so far as the Madras portion of the structure is concerned would be practically a change in nomenclature rather than a change in either the personnel or in the management. We are in a position of advantage, and I therefore believe firmly that if it is possible to create conditions similar to what obtain in Madras all over India, nationalization would be a very easy matter.

But we did find in the course of our talks with the vested interests in the Select Committee that the position is not on all fours with what exists in Madras. There are powerful vested interests in one or two places which it would be unwise for us to displace now. Take the Tata interests; it would be very unwise straightaway to displace it. It would be much better to get a corporation of that nature with its semi-impersonal character to help us in going ahead with our programme of developing electricity rather than tell them, "We are going to take you over", and find ourselves faced with all the difficulty that would ensue in regard to management and personnel. I do not think, Sir, that it is quite right to say that the Central Government is not faced with problems in regard to getting adequate personnel. They will find that problem a very serious one when they have to man this Central Authority; it is so difficult to get adequate personnel in this country and if our friends do not want to get foreign personnel, it would be all the more difficult. So, what my friend Mr. Patil said at the time this Bill was referred to the Select Committee happens to be a fact and a fact which would prove more in actual practice when we find that we cannot get adequate men to meet our needs.

With regard to my honourable friend Mr. Santhanam's criticism in regard to an amendment proposed by my friend Mr. Ananthasayanam Ayyangar and myself, I shall deal with it at the appropriate occasion. But I have to say one or two words about the remarks that fell from my friend Professor Shibban Lal Saksena. I do not say that I disagree with what he said—I say I do agree. I also agree to the charge that this Bill is not as good as it ought to be, as we all want it to be, and also the conditions under which we have to work. He raised one particular point in regard to compensation. I am familiar with literature on this subject and have particularly read the measure in the United Kingdom which has nationalized electricity. The question of compensation as he says must be based on the net income. Yes, the people in the United Kingdom have agreed to the compensation being based on the net income, because the net income is something very big and the compensation will consequently be very big. In our country the net income is not quite so large and naturally our vested interests would not like to base compensation on the net income. It is merely a question of the vested interests in U.K. agreeing because it was to their advantage and here our vested interests do not agree because it is not to their advantage. It is not that the people in England have scored any point over their vested interests and we have failed to score a similar point. It is merely a question of the two sets of things, the two sets of facts being different in the two countries. So I do not think he could praise the Labour Government in the U.K. for paying a lesser compensation than what we seek to by means of this Bill. Actually, Sir, my experience has been that the scale of compensation set by the Labour Government in Britain in regard to all industries which they are nationalising will make it impossible for a poor country like India to follow suit. The compensation they are paying is very high and my honourable friend will find that if at any time we nationalise an institution like the Imperial Bank and we follow the terms that have been conceded to the Bank of England, we shall find ourselves probably a loser in the bargain. So the analogy is not on all fours with conditions that exist in this country.

The second point which my honourable friend made was: he was dissatisfied with the provisions of Sections 38 and 39. The two Sections relate to the provision of new generating stations and operation of Board's generating stations. If we legislate for all time and say that a Board should not use any private undertaking for the purpose of running a generating station, even if it be uneconomical for the Board to run that station itself, well, it would be that the Board will have to employ high grade technical personnel and spend money on an uneconomical project. What Sections 38 and 39 really do is to empower the Board where a particular station is uneconomical to use local material, resources, talent and technical capacity available and it is merely an enabling provision rather than a mandatory provision. My honourable friend Prof. Shibbanlal Saksena who is a student of legislation—a very keen student and whose diligence I sometimes envy—has made just a little slip in trying to understand the provisions of Sections 38 and 39. The real operative Section is 44. —

Prof. Shibban Lal Saksena: What is the guarantee that it will not be misused?

Shri T. T. Krishnamachari: The guarantee that it will not be misused is Prof. Saksena's continuing to be in the Central Legislature. That is the real thing. Actually, my honourable friend will understand that there could be no legislative guarantee against anything being misused and it is only that if we have good popular Government it would not be misused. But an enabling provision is necessary as any businessman will understand that if it is possible to

[Shri T. T. Krishnamachari]

get a thing done by contract or by somebody else and it is very cheap at that, there is no use trying to do it yourself and putting the tax-payer to a lot of loss, except the fact that you get the notional satisfaction that this is a nationalised concern.

Now, the operative Section in relation to this particular thing is Section 44. Section 44 more or less lays an embargo on any new generating stations being in charge of private individuals. The State has to take over the new generating stations except in so far as the stations visualised in Sections 88 and 89 are concerned. So you find that in regard to one particular fact, namely, generation of electricity, more or less all new concerns will be undertaken by the Provincial Boards.

One other matter which the Professor made which I also see is due probably to a slip because he has not thought out the problem in all its aspects is the power that has been conceded to the Central Electricity Authority. He would like the Central Electricity Authority to have mandatory power to see that these Provincial Boards do this or that and to get every scheme scrutinised. But there is the constitutional aspect of it to which I would like to draw my honourable friend's attention. The provisions of this Bill as they are today are just on the margin because though electricity happens to be a concurrent part the Central Government cannot create authorities which can act in an executive capacity in the various Provinces. That distinction is there. So in regard to clothing the Central Electricity Authority with certain powers you have really to try to see that we do not offend the provisions of the Government of India Act and probably some future Acts which may take its place. So if my honourable friend in the constitution that is going to be framed sees that electricity is no longer a concurrent part, surely we can clothe the Central Electricity Authority with all the powers that are necessary, but as it is, the constitutional hurdle has to be climbed and we have tried to be even clever to give the Central Electricity Authority that amount of power which won't actually bring it into clash with provincial autonomy.

The second factor is the actual physical factor. I had a talk with people in my Province in regard to vesting this Central Electricity Authority with greater power in regard to its duties *vis-a-vis* the minor Provinces or the backward provinces. Actually people in Madras resent the amount of power given to the Central Electricity Authority for a very valid reason, because they are progressive. The amount of money that they want to spend without previous consultation with the Central Electricity Authority is sometimes very big and they will be held up in the carrying out of bigger projects when they have to refer to the Central Electricity Authority, unless it is going to be an Authority which is absolutely alive to all the needs of the situation and is able to transmit telegraphically its concurrence or otherwise of a particular project. So you find that there is a physical problem of control being exercised from Delhi which will impede rapid progress in an industry which all of us want to see progress very rapidly. That aspect of it I would like to urge on Prof. Shibbanlal Saksena. I myself am a person who feels that the Central Electricity Authority must be a powerful one, so that it can put a check on anything that the Boards might do which is not correct and also help the backward provinces to get a move on but as the constitutional position is one and the position of the provinces who are progressive is another factor which stand in the way: so we have to compromise on this and the Central Electricity which we have now created has been given powers which happens to be a compromise which will probably, in practice, be found to be a workable compromise.

Sir, one other matter which my honourable friend Prof. Saksena mentioned was in regard to penalty. Penalty in a thing like this is just a token penalty. Actually the Board and the Provincial Government and the Central Government are not without resources to bring to heel any licensee who is going to be refractory and who will not fall in line with the requirements of the Board. This is not the only Act by which they are going to control it. There is the Indian Electricity Act. Still nobody today can really afford to run counter to the wishes of the Provincial Government and the Central Government because you can stop fuel, you can stop many other amenities if they do not fall in line. So it is merely a question of punishment of individuals. It may be that such individuals will say, "Oh, the Company does it and the Company will bear the brunt of my mistakes. So why should I worry?" It is to bring those who are responsible to heel that this penalty clause has been introduced and actually the vested interests did sort of tug at it and they said the penalty is rather severe.

I would like to say this finally, that we are still inundated with a lot of communications from various people, but I should say that the communications are not what they used to be. They are not able to find many clauses in this Bill from the point of view of vested interests to which they can take exception. It is just toning down, which I think is a tangible proof that the Bill is not quite so bad as it is pictured to be so far as the vested interests are concerned. And in regard to the interests of the tax-payer and the State I have already said that there are limitations. The limitations are obvious. We are conscious of the limitations and we have agreed to this measure in the full responsibility that this is not a measure which means complete nationalisation and we have necessarily to admit a compromise in view of the fact that the development of the various provinces in this country is not more or less even and we have to bear in mind the resources and the help that we need from private enterprise perhaps in the present set-up when we have left a private sector in the industry to help to improve the position so far as electricity is concerned.

Sir, in regard to the other two matters on which I probably agree with Mr. Ayyangar, I shall speak at the appropriate time, but otherwise I think the Bill is a good compromise and the House will have no objection to passing it with such minor amendments as may be necessary.

Shri S. V. Krishnamurthy Rao (Mysore State): This Bill is to be supported only as a compromise between private enterprise and complete nationalization. I cannot agree with the Honourable Mr. Santhanam that production and electricity cannot be run successfully as a state department. In fact, honourable Mr. Krishnamachari has spoken about Madras. Coming to Mysore I wish to say how Mysore Government has been able to run this Department to the benefit of the State. Beginning in 1902 it had only an installation for production of 10,000 H.P. and within the course of 40 years Mysore is now producing 93,000 H.P. and if the Mahatma Gandhi Jog Electrical Works are completely developed, we will be able not only to meet the needs of the entire state, but also supply electricity to the neighbouring districts of Madras and Bombay Presidencies. In fact Mysore has been supplying power to Tunghabhadra Project in the Madras Presidency and negotiations are going on to supply about 10,000 H.P. to the neighbouring districts of Bombay Presidency. The entire personnel is manned by Mysoreans and the entire profits of the department go to the coffers of the State. Nearly one tenth of the income of the State, more than a crore of rupees, is the income that the State gets from the electrical department. The industries' progress of Mysore I may assert is mainly due to the progressive policy that the Government of Mysore has followed in the complete nationalization and a distribution of electricity in the State. Today 225 towns

[Shri S. V. Krishnamurthy Rao]

and villages are electrified and we have got a plan to start about 80 distribution centres from where all the villages within a radius of 50 miles will be electrified. Electricity is being supplied below cost to some of the industries and electricity is being supplied to agriculturists at 6 pies per unit.

The industrial progress of Mysore has been mainly due to the progressive policy pursued by the Government of Mysore. Sir, it is the agreed policy of the Congress also that all public utility concerns, especially production of power should be run by the Government. We need not go to England or any other country to get an example. Here is a small unit of 29,000 square miles—Mysore State—which has followed this policy to a successful conclusion and very shortly most of the towns and villages there will be electrified; we have large schemes of industrialisation and I hope this measure which is before the Parliament, as a compromise admittedly, as my friend Mr. Krishnamachari said, between complete nationalization and private capital, will be a step for the complete nationalization of the production of electricity.

It is only from that view I have to support this Bill.

Mr. Speaker: I think we might begin at 2-30 now.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

Shri Ajit Prasad Jain (U.P.: General): Mr. Speaker, I am afraid I have not been able to give sufficient thought to an important measure of this kind that it deserves. Nevertheless, the speeches that I have heard in this House and a cursory perusal of the Bill shows that the Bill does not deserve the condemnation that has been made by some members of the House. It is true that electricity is a special kind of enterprise; it partakes of the nature of a monopoly and it is capable of standardisation to an extent which many industries are not. Therefore, it has been found possible to run electrical enterprises by the State much more efficiently than other industries which require individual judgment and change of decisions from time to time. Moreover, it is a key industry upon which the industrialisation of the country depends and there is a good case for making electricity an out and out State concern. The Bill falls short in that respect. It does not touch the existing enterprises. It also leaves scope for private enterprise in some cases in the future. The speeches that have been made in this House show that the criticisms fall under three heads, namely, first'y that this Bill leaves the present electrical enterprises intact, secondly that the Central Electrical Authority proposed to be set up by this Bill is a weak body. It will not be responsible for the execution of the schemes undertaken and lastly that the Bill still leaves scope for the Provincial Boards to allow private enterprise to start or undertake the management of new generating stations. The honourable member from Mysore has criticised the scheme on the ground that in Mysore electricity is being run as a State Department. It has run very successfully. It has gone to a large number of towns and that Mysore hopes to extend Electricity almost to every conceivable place where it is required.

No doubt, experiments in Russia have shown that electricity and electrical concerns can be run as efficiently by the State as by private enterprise. But the experience of democratic countries has shown us that it is a better method of working to create autonomous Boards. This is exactly what this Bill contemplates. There is a difference between our State and Russia. Russia is as much a political State as an economic State. It is true that in British India, some of the big electrical concerns; for instance, the Hydro-electric in the U.P. is being run by the State, yet it must be admitted that our State is a mere infant in managing commercial enterprises. Further the principles governing a commercial enterprise are very different from the principles which govern a State department. Management through State department leads to regimentation, to bureaucratisation and if we set up a separate Board for the management of electrical concerns, there will be continuity of policy which will always be wanting if this electrical enterprise is run by a State department. In America for the development of the Tennessee Valley, they have set up a Tennessee Valley Authority which has been vested with full powers. Therefore I welcome the provision for setting up a Central Electrical Authority and Provincial Boards.

Another feature of the Bill which has given rise to a certain amount of criticism by my friend Mr. Shibban Lal Saksena is that the Central authority will be only a co-ordinating and guiding authority in matters of policy. It will not be responsible for the actual conduct of the electrical schemes. To him it appears to be a defect; to me it appears to be a great virtue of this scheme. It is impossible to govern the whole of India in economic matters from Delhi. Over-concentration in politics is a bad thing; over-concentration in economic matters is worse. Any attempt to control the different enterprises from Delhi will, I am afraid, meet with disaster. The Bill has, therefore, very rightly entrusted the work of executing the schemes and the actual conduct of the electrical enterprises to the provincial boards. I would go a little further and submit that we should not stop at the provincial boards, but strong, independent and autonomous bodies should be set up for the areas which come under the scheme. We should try to establish something like what the Americans call 'grass-root democracy' in our economics that is, the conduct of the business and the decision of day to day matter must be entrusted to the local bodies, to the men on the spot, who can understand the difficulties and can conduct the business. The higher authorities should be concerned more or less with measures of policy, co-ordination, control and supervision. This Bill has, therefore, the virtue of having taken that principle into account. The Central authority for the whole of India will only be a co-ordinating and guiding authority. I hope the Ministry will entrust the actual execution to regional boards or local authorities for each of the schemes. The Bill has made provision for local Boards; but their powers and working have been left to the rule making power. I only hope that in putting the provisions of this Bill into operation, the Ministry will keep in mind that there should not be over-concentration.

Professor Shibban Lal Saksena has again criticised this Bill on the ground that it leaves scope for future enterprises to be established and managed by private persons. He has referred to clauses 86 and 87; but the cumulative effect of those two clauses and clause 44 is that in an area for which a scheme has been prepared no new generating station will be allowed to be established by private persons. The provincial board will ordinarily set up its own generating station, but if for one reason or another it finds that it is not in the public interest to set up its own generating plant, it may either permit a licence to set up a plant and run it or it may hand over the management of a plant set up by the Board. I do hope that this authority will not ordinarily

[Shri Ajit Prasad Jain]

be exercised and all new generating plants will be set up and managed by the Provincial Boards themselves. Regarding existing enterprises which are in any area for which a scheme is prepared, the generating stations will come under what is known as a controlled scheme. As a result quite drastic powers will be vested in the provincial board to guide and control these stations, even to ask them to conduct their business in a particular manner or increase or replace the plans. The Bill also restricts the profits of the private enterprises during such period as they continue to be run by private hands. It also makes a provision for compulsory depreciation fund, so that the latest equipment and machinery may be substituted for old and inefficient plants. It shows a lack of faith on our part that because we are not going in for out and out nationalisation today, we shall not go in for it when conditions are matured. Statistics have been quoted in this House to show that the *per capita* consumption of electricity in our country is near about 10 units whereas in America it is 1500 units and in the U.S.S.R. it is 800 units. It would be foolish for us to spare or to neglect any of the sources, whether private or public, which may go to increase the production and consumption of electricity in our country. We need it for industrial development and we cannot afford to neglect any of our resources. Therefore, Sir, I accept it as a compromise to begin with that whatever capital and whatever skill and resources may be available to the State should in the first instance be utilised for electrical development. Later on if sufficient public resources are available to us, we can acquire any and every private enterprise that may be running at the time. There is nothing to debar us from doing that. During the interim period when private enterprises are allowed to be run there must be a rigid control on them. More depends on how things are done than on how they are written on paper. The control over private enterprise must be rigid and any private enterprise which shows the least dereliction or contravention of any of the rules or bye-laws or any of the provisions of law should be drastically dealt with. It worked in that spirit I hope this measure will lead to a quick electrification and thereby to a speedy industrialization of the country. I welcome this measure and I hope it will be worked in a manner which will make it possible for us to eliminate private enterprise at the earliest possible moment and make electricity a concern owned by the public, managed by the public and run for the public.

An Honourable Member: The question may now be put.

Mr. Speaker: The question is;

"That the question be now put."

The motion was adopted.

The Honourable Shri N. V. Gadgil (Minister for Works, Mines and Power): Sir, I am extremely obliged to the honourable members who have participated in this discussion. Most of the points covered by them were anticipated by me in my speech and sufficiently answered. I do not think any detailed reply is necessary and in order to save the time of the House I will make no further speech.

Mr. Speaker: The question is:

"That the Bill to provide for the rationalisation of the production and supply of electricity, and generally for taking measures conducive to the electrical development of the Provinces of India, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. Speaker: Before we proceed to take up the amendments, I wish to invite the attention of Mr. Naziruddin Ahmed to the convention which we sought to establish last time that so far as punctuation or grammatical construction or

small and capital letters are concerned, we shall invite the attention of the Draftsman and it will not be necessary to move these as amendments here. In the matter of punctuation, many of them would perhaps be even called printer's mistakes. Therefore, I do not propose to call upon the honourable member to move these amendments. A list of these has already gone to the official draftsman but the honourable member also may supply a list of those amendments to which he wishes to invite his attention, and we will therefore proceed to the other amendments now.

Mr. Naziruddin Ahmad (West Bengal: Muslim): Sir, before you take up those other amendments I wish to say a few words with regard to amendment No. 1 which deals with the marginal notes. I shall not move it but only make some comments to show how dangerous the tendency is to show the marginal notes as parts of the section.

Mr. Speaker: So far as I am concerned and this House is concerned, we have always held the view that marginal notes do not form part of the section. Of course, as I said on a previous occasion, a different view is taken in Bombay. But I stick to my view that these marginal notes do not form part of the section.

Mr. Naziruddin Ahmad: I agree with that point of view but my objection is that they are printed as part of the section. That is leading to anomalous situation which I was going to point out. I submit instead of these being printed at the beginning of the sections, they should be relegated to the margin. I agree that they are not part of the section. But they are being printed as such and they are leading to misunderstanding. There are some people who take these things as part of the section, and they are trying to interpret sections with the help of these marginal notes. My point is that it is a question of printing device. They should have been removed from the region of the section into the margin.

It was said this was due to the exigencies of the war. There was some economy of paper and that was responsible for this. But the war has ceased and before another world-war starts, we should resume our normal practice. I submit this should be remembered in connection with this Bill by the Department.

I may point out that this tendency of printing marginal notes as part of the section appears also in some of the latest printed Acts. In the Evidence Act which has been printed, in Section 32, the marginal note relates to eight clauses. But they have been separated and put as part of different clauses, and it is leading to a large number of printing errors, and it has a tendency of being regarded as part of the section. This dangerous tendency I was resisting. So I hope some direction will be given to the Departments to see that in future these are printed apart from the section. I was rather respectfully enforcing your own ruling.

Mr. Speaker: The Honourable Minister, under whom also comes 'Printing' has heard the honourable member's comments. I am told that this is done for facility of printing and that there are some difficulties about printing machines. It is correct to say that a marginal note should be in the margin and nowhere else.

Shri K. Santhanam: That is the case. As a matter of fact a part of the page will be lost.

Dr. B. Pattabhi Sitaramaya (Madras: General): It is not a question of a page being lost but the printing will be more difficult.

Mr. Naziruddin Ahmad: Sir, I move:

"That part (1) of clause 2 of the Bill be omitted and the subsequent parts be re-numbered accordingly."

[Mr. Naziruddin Ahmad.]

Part (1) of clause 2 relates to the definition of the word "Authority". In fact the definition says that "Authority" means the Central Electricity Authority which is set up under clause 3. I beg to submit that the word "Authority" is not a very happy or a suitable word to imply this complex idea. The economies effected are no real economies and the word "Authority" does not indicate the thing clearly. There has been the use of the word "Board". The word "Board" is a well understood expression, but the word "Authority" is not so well understood. In fact, we should rather say the "Central Authority" or the "Electricity Authority" or the "Central Electricity Authority" as a whole. I beg to submit that the use of the word "Authority" in some of the places stands just like *in vacuo* and creates an impression of a gap or emptiness. I do not think the word sounds well. My submission is that the whole expression Central Authority or Central Electricity Authority or Electricity Authority should be used. That would be more tolerable to the ear. So I have suggested alternative amendments in suitable places, that where the word "Authority" occurs, the words Central Authority or Electricity Authority be used. Whatever may be the actual expression which may be used in the text, it should be indicated in those places, and if that is so, the definition of the word "Authority" is needless. But if at any rate my suggestion is accepted either in whole or in part, it will serve the purpose. So this definition is not necessary.

Mr. Speaker: That will dispose of No. 8 and a number of other amendments also. At any rate, No. 9 is practically the same.

Amendment moved:

"That part (1) of clause 2 of the Bill be omitted and the subsequent parts be re-numbered accordingly."

The Honourable Shri N. V. Gadgil: I cannot accept it.

Mr. Naziruddin Ahmad: In that case I beg leave to withdraw.

Mr. Speaker: Has the honourable member the permission of the House to withdraw?

The amendment was, by leave of the Assembly, withdrawn.

Shri K. Santhanam: Sir I move:

"That in part (2) of clause 2 of the Bill, for the figure '3', the figure '5' be substituted." It is a mere printing error.

Mr. Speaker: The question is:

"That in part (2) of clause 2 of the Bill, for the figure '3', the figure '5' be substituted."

The motion was adopted

Mr. Naziruddin Ahmad: Sir, I move:

"That in part (4) of clause 2 of the Bill, for the word 'generation', the word 'generating' be substituted."

I think it is either a printing or a clerical error.

The text says: "'controlled station' means a generation station". The author means, probably, generating station. In the next sub-section the words "generating station" occur twice and this is so in other places. This is what is intended. So I submit that this should be accepted.

The Honourable Shri N. V. Gadgil: I accept it.

Mr. Speaker: The question is:

"That in part (4) of clause 2 of the Bill, for the word 'generation', the word 'generating' be substituted."

The motion was adopted.

Mr. Naziruddin Ahmad: Sir, I move:

"That in part (5) of clause 2 of the Bill, the words 'in any case', be omitted."

The words seem to be absolutely redundant. The text says:

".....dams and other hydraulic works, but does not in any case include any sub-station."

If we say 'does not include a sub-station' it means it does not include in any case a sub-station. If we take away words in any case the remaining words are sufficiently explicit and the addition of the words will weaken the section rather than strengthen it. The words are absolutely unnecessary without them the clause is sufficiently explicit, strong and clear.

Dr. B. Pattabhi Sitaramayya: Not merely unnecessary but mischievous because it means that the significance of the provision expressed is wider than the terms enumerated there.

The Honourable Shri N. V. Gadgil: That is why I cannot accept it.

Dr. B. Pattabhi Sitaramayya: It is a matter of English.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Speaker: The question is:

"That in part (5) of clause 2 of the Bill, the words 'in any case', be omitted."

The motion was negatived.

Mr. Speaker: I find that there are many supplementary lists of amendments and it is just possible that I might miss calling some of the amendments. I would ask honourable members to be alert so far as their amendments are concerned.

I was considering why we should not call marginal notes as headlines instead of marginal notes. Headlines do not form part of the statute. That would obviate the printing difficulties and would also satisfy Mr. Naziruddin Ahmad.

Mr. Naziruddin Ahmad: In that case something should be said in the General Clauses Act. A marginal note is sufficiently well known. We do not improve the situation by merely changing the name to "headlines".

Sir, I beg to move:

"That in part (6) of clause 2 of the Bill, for the words 'but the provisions of section 26 of this Act notwithstanding', the words 'but notwithstanding the provisions of section 26', be substituted."

The original text is written in a poetic style in blank verse! It is far better and simpler, more logical and consistent with actual practice to say "notwithstanding the provisions of section 26". It is the universal expression. In the circumstances I submit that we should observe some amount of uniformity in the matter of draftsmanship.

The Honourable Shri N. V. Gadgil: I cannot accept the amendment.

Mr. Speaker: The question is:

"That in part (6) of clause 2 of the Bill, for the words 'but the provisions of section 26 of this Act notwithstanding', the words 'but notwithstanding the provisions of section 26', be substituted."

The motion was negatived.

Mr. Speaker: Amendment No. 14 is a matter of singular and plural and the draftsman will consider it. It is not a substantial amendment.

The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Mr. Naziruddin Ahmad: Sir, I move:

"That in sub-clause (1) of clause 3 of the Bill, the words 'prescribe or' be omitted."

The word "prescribe" has been defined in part (9) of clause 2. "Prescribed" means prescribed by a rule made under section 17. In clause 78 rule-making power is given to the Provincial Government. So "prescribed" according to the definition means prescribed by the Provincial Government under clause 78. Under clause 3 the Central Electricity is being set up by the Central Government and therefore the word "prescribed" unless it is specifically defined applies to rules made by or orders of the Central Government. Clause 3 has been introduced or probably redrafted in the Select Committee and so the word "prescribe" came in without its implication being sufficiently realised by the draftsman. The text says "as the Central Government may prescribe or direct". If we remove these words the sentence will be all right. It will read "as the Central Government may direct". These words are not only unnecessary but are totally inapplicable in the context. In these circumstances I submit the words should be removed or the text should be rearranged. If these words are removed the text will be all right.

The Honourable Shri N. V. Gadgil: Sir, I cannot accept the amendment.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 3 of the Bill, the words 'prescribe or' be omitted."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Mr. Naziruddin Ahmad: Sir, I move:

"That in sub-clause (4) of clause 5 of the Bill, for the words 'or other', the words 'or any other', be substituted."

It is only a drafting improvement.

The Honourable Shri N. V. Gadgil: Sir, I do not accept the amendment.

Mr. Speaker: The question is:

"That in sub-clause (4) of clause 5 of the Bill, for the words 'or other', the words 'or any other', be substituted."

The motion was negatived.

Mr. Naziruddin Ahmad: I move:

"That in sub-clause (4) of clause 5 of the Bill, for the word 'utility', the words 'utility concern' be substituted."

The word 'utility' as it has been used here, is used in the sense of public utility concern. It certainly means other public utility concern or organisation or undertaking. The word 'utility' is used in the adjectival sense without any corresponding noun. So 'public utility concern or business or undertaking' should be there. I have suggested 'concern' just to initiate a discussion on the conservation of the text. Without any such word the text remains incomplete.

The Honourable Shri N. V. Gadgil: I do not accept the amendment.

Mr. Speaker: The question is:

"That in sub-clause (4) of clause 5 of the Bill, for the word 'utility', the words 'utility concern' be substituted."

The motion was negatived.

Mr. Naziruddin Ahmad: I move:

"That in sub-clause (6) of clause 5 of the Bill, for the words 'A person shall be disqualified from being appointed', the following be substituted:

'No person shall be eligible for being appointed'."

The text is rather indirect. It says "A person shall be disqualified from being appointed". This is not the way in which these things are expressed. If a mandatory section is to be introduced, it should be "No person shall be eligible for being appointed". It is more direct and more in conformity with the usual practice. I therefore suggest this as a drafting improvement.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Speaker: The question is:

"That in sub-clause (6) of clause 5 of the Bill, for the words 'A person shall be disqualified from being appointed', the following be substituted:

'No person shall be eligible for being appointed'."

The motion was negatived.

Mr. Naziruddin Ahmad: I move:

"That in sub-clause (6) of clause 5 of the Bill, for the words 'being a member' the words 'remaining a member' be substituted."

This is a disqualifying passage. It disqualifies a man from being a member. But the words "remaining a member" would be a continuous bar—not only in his being elected but in his remaining a member. This is the more comprehensive word and therefore this should be accepted because this is what is implied in the text.

The Honourable Shri N. V. Gadgil: I am not accepting it.

Mr. Speaker: The question is:

"That in sub-clause (6) of clause 5 of the Bill, for the words 'being a member' the words 'remaining a member' be substituted."

The motion was negatived.

Mr. Naziruddin Ahmad: I shall move the alternative amendment. I have suggested two alternatives; at least one should be accepted. I move:

"That in sub-clause (6) of clause 5 of the Bill, for the words 'being a member', the words 'continuing as a member' be substituted."

That is what the sense indicates.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Speaker: The question is:

"That in sub-clause (6) of clause 5 of the Bill, for the words 'being a member', the words 'continuing as a member' be substituted."

The motion was negatived.

श्री गोकुलभाई दौलतराम भट्ट : सभापति जी, मेरी तरकीब यह है :

"That in sub-clause (6) of clause 5 of the Bill, the words 'or within the twelve months last preceding has been', be omitted."

यह संशोधन रखने की जरूरत इस लिये हुई कि मैं समझ नहीं सकता हूँ कि जब इस बिल में कई धाराएँ ऐसी हैं जिसमें यह लिखा गया है 'जिसका हित संबन्ध (interest) होगा, वह इसका (Central Electric Authority) सदस्य प्रान्तीय संचालन बोर्ड का सदस्य नहीं हो सकेगा, तब सिर्फ बारह महीने के अन्दर अन्दर के प्रान्तीय धारा सभा के या वरिष्ठ (central) धारा सभा के सदस्य इस बोर्ड में नहीं रह सकते हैं और अगर बारह महीने हो जाय और उसके पहले के हों तो वे बोर्ड में

[श्री गोकुलभाई दौलतराम भट्ट]

रह सकते हैं यह थोड़ी विचित्र सी बात मालूम होती है। मैं मानता हूँ कि जब कई पाबन्दियाँ इस बिल में लगाई गयी, और उन पाबन्दियों में यह सब चीज आगयी है कि अगर डायरेक्टली (directly) या इनडायरेक्टली (indirectly) उसका कोई भी सम्बन्ध है तो वह इस बोर्ड में नहीं रह सकते हैं तब बेचारे धारा सभा में बैठे हुए आदमी चाहे वह छः महीने पहले बैठे हों, नौ महीने पहले बैठे हों, ग्यारह महीने साँढ़े उनतीस दिन तक बैठे हों, वह इस में नहीं रह सकते हैं। इस प्रकार की पाबन्दी रखने का मतलब यह हो जाता है कि हम धारा सभाओं के सदस्यों के बारे में कुछ हिकारत से देखते हैं। हम यह समझते हैं कि धारा सभा के सदस्य ऐसी चीज है, जो गवर्नमेंट खरीद सकती है, या धारा सभा के सदस्य और कोई रीति से लाभ उठाने वाले हैं। मैं मानता हूँ कि इस से उनकी इज्जत बहुत नहीं रहती है। इस असम्बली में जहाँ कि हम बैठे हैं, हम धारा सभा के सदस्य हो कर बैठे हैं, वहाँ मैं मानता हूँ, इस तरह की धारा इस में नहीं आनी चाहिये, कतई नहीं आनी चाहिये। यह हमारा एक प्रकार से अपमान होता है। दूसरी बात मैंने बतलादी है। जो चीज पेश करना चाहता हूँ, जिस चीज को रखना चाहता हूँ वह यह है कि जो कोई एक आदमी किसी को पीछे से तंग करे, या कोई अपना स्वार्थ सिद्ध करे इस लिय पाबन्दी होनी चाहिये। वह कई धाराओं से, धारा नौ या दस से लगा सकते हैं। तब मैं मंत्री महाशय से बिनती करूँगा कि यह इस क्लॉज़ में से हटा दिया जाय जिस से इसकी शोभा बढ़ जाय और हम लोगों की भी इज्जत हो।

(English translation of the above speech)

Shri Gokulbhai Daulatram Bhatt (Eastern Rajputana States): Sir, I beg to move:

"That in sub-clause (6) of clause 5 of the Bill, the words 'or within the twelve months last preceding has been', be omitted."

My object in moving this amendment is that I fail to understand the necessity for making this provision in the Bill, as it embodies many such clauses which preclude a person who has any direct or indirect interest in a concern from being appointed a member of the Central Electric Authority or the Provincial Electricity Board. It looks somewhat strange that those who have been members of the Provincial or Central Legislatures within the twelve months last preceding should be disqualified from being appointed as members of the Board, but if they were members twelve months before, then their appointment can be made. I find that many restrictions have been imposed in this Bill which *inter alia* debar a member from being appointed to the Board if he has any direct interest. As a corollary to this, those who have been members of the Legislatures during the last 6 months, 9 months and even 11 months and 29½ days cannot be appointed to the Board. The provision of such restrictions obviously implies that we bring into contempt members of the Legislatures. We have the notion that either the members of the Legislature can be bought by the Government or they are likely to reap benefit in some other manner. I believe this does not

add to their dignity in this House where all of us are sitting as members. I, therefore, emphasize that such a provision should not be made at all.

Another thing which I would like to say is that provision should also be made to cover such cases where a person may either indirectly harass another or manipulate to achieve his own selfish aims. This can be done under Clauses 9 and 10. I would, therefore, request the Honourable Minister that these disqualifying words should be omitted from the clause. This would not only make the clause look dignified but will maintain our prestige.

Mr. Speaker: Amendment moved:

"That in sub-clause (6) of clause 5 of the Bill, the words 'or within the twelve months last preceding has been' be omitted."

Dr. B. Pattabhi Sitaramayya: We shall be obliged, Mr. Speaker, if the Mover of the Bill would kindly tell us what he means. Does he say that 'having been a member' means 'is not still a member'? 'Has been' means 'is still'. 'Is still' is covered by 'being'. You are unnecessarily introducing a period of twelve months there. Therefore it ought to be omitted. I hope I have made myself clear.

आनरेबल श्री एन० वी० गाडगिल : मैं इस तरकीब को स्वीकार नहीं करता हूँ और उसकी वजह यह है। ऐसा हो सकता है कि जब एपायन्टमेंट (appointment) का सवाल आजाता है तब फौरन आदमी इस्तीफा दे देगा और फिर एपायन्ट (appoint) हो जायगा। इसके रखने से ऐसा नहीं हो सकता। और चूँकि यह ठीक रहे और इसकी इन्टेग्रिटी (integrity) रहे और बिल्कुल अच्छा मामला रहे, इस लिये मैं इस सुझाव को नहीं मानता हूँ।

The Honourable Shri N. V. Gadgil: I do not accept this amendment, for the reason that when the question of an appointment arises, a person will resign forthwith and then get himself appointed. The existing provision words would prevent this. In the interests of the integrity, efficiency and smooth working of the Board, I do not accept this amendment.

Dr. B. Pattabhi Sitaramayya: Then it must be "had been" and not "has been".

Shri K. Santhanam: "Has been" means "was and is not".

Mr. Naziruddin Ahmad: "Has been" means continuing.

The Honourable Shri N. V. Gadgil: For the words "has been" I am prepared to accept "was" if the honourable member moves such an amendment.

Shri K. Santhanam: I beg to move:

"That in sub-clause (6) of clause 5 of the Bill for the words 'has been' the word 'was' be substituted."

Mr. Speaker: Before I put that amendment to the House, we will dispose of Mr. Bhatt's amendment.

श्री गोकुलभाई दौलतराम भट्ट : मन्त्री महाशय ने जो खुलासा दिया है, वह खुलासा वास्तव में बहुत संतोषकारक तो नहीं मालूम होता है तो भी मैं यह मानता हूँ कि वे ज्यादा तजुबेकार हैं और इस लिये मैं अपना संशोधन वापिस लेता हूँ।

Shri Gokulbhai Daulatram Bhatt: Although the explanations given by the Honourable Minister who has vast experience do not appear to be quite satisfactory, yet I withdraw my amendment.

Mr. Speaker: Has the honourable member leave of the House to withdraw his amendment?

The amendment was, by leave of the Assembly, withdrawn.

Mr. Speaker: The question is:

"That in sub-clause (6) of clause 5 of the Bill for the words 'has been' the word 'was' be substituted."

The motion was adopted.

श्री गोकुलभाई दौलतराम भट्ट : सभापति जी, मेरी तरफ़ीम यह है.:

"That in sub-clause (6) of clause 5 of the Bill, the words 'or any local authority' be added at the end."

वहां मैंने सेंट्रल (Central) या प्राविन्शियल (Provincial) लेजिस्लेचर के बाद लोकल एथारिटी (Local authority) यह शब्द रखे हैं क्योंकि धारा १० में लोकल एथारिटी (Local authority) का सदस्य होना अयोग्यता मानी गई है। यहां भी वह चीज़ आनी चाहिये।

Shri Gokulbhai Daulatram Bhatt: Sir, I beg to move:

"That in sub-clause (6) of clause 5 of the Bill, the words 'or any local authority' be added at the end."

I have inserted these words after the words "Central or of any Provincial Legislature", because in Clause 10, membership of a local authority has been treated as a disqualification. Similar provision should, therefore, also be made here.

The Honourable Shri N. V. Gadgil: I am prepared to accept it.

Mr. Speaker: The question is:

"That in sub-clause (6) of clause 5 of the Bill, the words 'or any local authority', be added at the end."

The motion was adopted.

Mr. Nasiruddin Ahmad: Sir, I beg to move:

"That in sub-clause (7) of clause 5 of the Bill, for the word 'merely', the word 'only' be substituted."

Sir, the text says:

"No act done by the Board shall be called in question on the ground merely of the existence of....."

The Honourable Shri N. V. Gadgil: Sir, I accept it. I will accept this "only"!

Mr. Speaker: The question is:

"That in sub-clause (7) of clause 5 of the Bill, for the word 'merely', the word 'only' be substituted."

The motion was adopted.

Mr. Nasiruddin Ahmad: Sir, I beg to move:

"That in sub-clause (7) of clause 5 of the Bill, for the words 'or any defect', the words 'or of any defect' be substituted."

Sir, this is only a drafting change.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Speaker: Acceptance or rejection does not make much difference. Need I put it to the House?

Mr. Nasiruddin Ahmad: No, Sir.

Mr. Speaker: The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Mr. Nasiruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 6 of the Bill, the word 'following' be omitted."

Sir, the text says, "subject to the following provisions of this section". This is at the commencement of the clause. I submit that whatever remains of the clause, apart from this passage, certainly constitute "following" provisions. If we say, "subject to the provisions of this section" it certainly means subject to the following provision, that is, the whole Section. Therefore, there is no point in saying, "subject to the following provisions of this section". It is never said in any other context.

The Honourable Shri N. V. Gadgil: Sir, I accept this.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 6 of the Bill, the word 'following' be omitted"

The motion was adopted.

Mr. Nasiruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 6 of the Bill, after the words 'provisions of this section', the following words be inserted.

'the Governments of two contiguous Provinces may, after they have issued notifications under sub-section (4) of section 1, instead of forming separate Boards under section 5, enter into an agreement to provide a joint Provincial Electricity Board to exercise the functions of a Board for both the participating Provinces, or.'

Sir, the text merely says that when one Province forms a Board a contiguous Province may accept that Board as the Board for the latter Province. But it may be that it would be more convenient for two contiguous Governments to form a joint Board. In fact, the advantage in this would be that the Members from both the provinces would be on the Board. Instead of accepting a Board formed by one Government it would be more convenient to form a Board jointly by the two Governments. The text does not have this arrangement. The present arrangement is less convenient and might be difficult to both the Governments.

The Honourable Shri N. V. Gadgil: Sir, I do not accept it.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 6 of the Bill, after the words 'provisions of this section', the following words be inserted:

'the Governments of two contiguous Provinces may, after they have issued notifications under sub-section (4) of section 1, instead of forming separate Boards under section 5, enter into an agreement to provide a joint Provincial Electricity Board to exercise the functions of a Board for both the participating Provinces, or.'

The motion was negatived.

Mr. Nasiruddin Ahmad: I beg to move:

"That in part (a) of sub-clause (3) of clause 6 of the Bill, the word 'Provincial' be omitted."

Sir, here "Governments" means Provincial Governments. The word "Provincial" is absolutely unnecessary. When we speak of a participating Government in the context, it is the Government of a Province and not the Centre at all; the Centre comes into the picture only under Clause 3 in constituting the Central Electrical Authority. In the present context and in the rest of the Bill the Governments are all Provincial. So this is unnecessary and it is for this reason that I ask for the deletion of this.

Mr. Speaker: Amendment moved:

"That in part (a) of sub-clause (3) of clause 6 of the Bill, the word 'Provincial' be omitted."

The Honourable Shri N. V. Gadgil: I am not accepting it.

Mr. Naziruddin Ahmad: Sir, I beg leave of the House to withdraw my amendment.

Mr. Speaker: Has the honourable member leave of the House to withdraw? The amendment was, by leave of the Assembly, withdrawn.

Mr. Speaker: The question is:

"That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clauses 7 and 8 were added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 9 of the Bill, for the words 'or any fuel', occurring in line six, the words 'or of any fuel' be substituted."

This is only a drafting change.

Mr. Speaker: Is this necessary?

Shri K. Santhanam: I think it is a wrong amendment, because the word "supplying" qualifies fuel also.

Mr. Speaker: So I need not put it to the House.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 9 of the Bill, for the words 'if he, under any will or by succession or gift becomes entitled for his own benefit to any such interest', the following be substituted:

"if he becomes entitled for his own benefit to any such interest under any will or by succession or gift."

I beg to submit that the original text is a little roundabout and somewhat poetic. Mine is only a re-arrangement of the words but it will improve and strengthen the text. It is simple and on the orthodox line.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 9 of the Bill, for the words 'if he, under any will or by succession or gift becomes entitled for his own benefit to any such interest', the following be substituted:

"if he becomes entitled for his own benefit to any such interest under any will or by succession or gift."

The motion was negatived

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 9 of the Bill, for the words 'he shall sell the same within three months after becoming so entitled thereto', the following be substituted:

"he shall, in the case of a will or succession, sell the same within three months after he obtains probate of the will or a succession certificate in respect of the succession, as the case may be, and, in other cases within three months after becoming entitled thereto."

Sir, the original text is that if a member of the Board is entitled to certain shares or interests in properties in which he should not have interest, then he should sell it within three months but three months might be too short in some cases. If a man obtains it by a will, then in order to be able to sell, he must first of all obtain a probate. That may take six months or a year or more. In case of succession, a man cannot sell unless he takes out the succession certificate. In these circumstances, in these two cases where the preliminary formalities

or requisites may take some time, it should be three months after the obtaining of the probate or the succession certificate. In other cases, it may be three months after he becomes entitled thereto. I have only interposed the time taken for the necessary formalities in obtaining the probate or the succession certificate. I submit therefore that this amendment is absolutely necessary and it would remove the gap.

Mr. Speaker: Unless I am committing a mistake, I think a probate or a succession certificate does not give title to property, but the expression "entitled" is there clear enough. So there seems to be some apparent conflict in the amendment itself. Would the honourable member consider his position?

Mr. Naziruddin Ahmad: I am entirely in the hands of the House.

Mr. Speaker: That means I should put the amendment to the House and the House may reject it.

The question is:

"That in sub-clause (1) of clause 9 of the Bill, for the words 'he shall sell the same within three months after becoming so entitled thereto', the following be substituted:

'he shall, in the case of a will or succession, sell the same within three months after he obtains probate of the will or a succession certificate in respect of the succession, as the case may be, and, in other cases within three months after becoming entitled thereto.'

The motion was negatived.

Mr. Speaker: I will now put Clause 9 to vote. The question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That for part (a) of clause 10 of the Bill, the following be substituted:

'(a) in the opinion of the Board is a lunatic or has become of unsound mind; or'

Sir, the text will create some difficulties and will land the Board into some legal troubles. It says that a member ceases to have office if he is found to be a lunatic or becomes of unsound mind. Who is to find a man to be a lunatic? I think, Sir, almost every man has some amount of lunacy. If a man is sufficiently angered he discloses this mentality. So I submit it is a question of personal opinion. The Board may say that a man is a lunatic but he says "I am not a lunatic" then who is to decide the issue? So I have placed the matter entirely in the discretion of the Board. If it is not intended that the matter should be thrashed out in a court of law and it will come to the Federal Court and take several years, the best way to deal with the situation is to give the Board the power. So, I have said: "in the opinion of the Board is a lunatic or has become of unsound mind." It absolutely removes the question from the jurisdiction of the Court.

Shri H. V. Kamath (C. P. and Berar: General): I submit, Sir, the Board should not be invested with absolute discretion in the matter of determining lunacy. I would suggest that the amendment should be recast to read: "if he is found to be lunatic by a competent authority".

Mr. Speaker: That also would seem to be unnecessary because clause (b) says "is adjudged insolvent". That means adjudged by competent authority. Although this is not specifically mentioned in regard to (a), it applies to (a) by implication. "Adjudged" is the expression used.

Shri H. V. Kamath: Who is to adjudge?

An Honourable Member: Naturally the court.

Mr Naziruddin Ahmad: I think the amendment of Mr. Kamath would make it absolutely clear.

Mr. Speaker: I think the Provincial Government will decide. In any case, the Board will not sit as a medical Board.

Mr. Naziruddin Ahmad: Already there are I see doubts in the House.

Mr. Speaker: What does the member want? Shall I put his amendment to the House?

Mr. Naziruddin Ahmad: Mr. Kamath's would be better.

Mr. Speaker: But he has not submitted any amendment.

Shri H. V. Kamath: I merely suggested.

Mr. Speaker: Yes, he has suggested but I am not permitting it. There is no notice of it. So I will put Mr. Naziruddin Ahmad's amendment to the House.

The question is:

"That for part (a) of clause 10 of the Bill, the following be substituted:

'(a) in the opinion of the Board is a lunatic or has become of unsound mind; or.'

The motion was negatived.

Mr. Speaker: The question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Clauses 11 to 14 were added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in clause 15 of the Bill, for the words 'as may be required', the words 'as the Board may consider necessary' be substituted."

Here again a similar situation arises in which the Board may have to decide something. The text says that the Board may appoint a Secretary and such other officers and servants as may be required. I beg to submit that it leads to some doubt as to in whose opinion it may be required. "As may be required" is an abstract expression. Is it "as may be required" by the Court or other authority or as the Board may require? In these circumstances I have said the combined effect of the amendment would be the Board may appoint a secretary and such other officers as the Board may consider necessary or as it may consider necessary.

The Honourable Shri N. V. Gadgil: I do not require any change.

Mr. Speaker: The question is:

"That in clause 15 of the Bill, for the words 'as may be required', the words 'as the Board may consider necessary' be substituted."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 was added to the Bill.

Clauses 16 and 17 were added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in clause 18 of the Bill,—

- (i) before the word 'Subject', the brackets and figure (1) be inserted;
- (ii) the word 'and' occurring in line six, be omitted; and

(iii) before the word 'without' occurring in line six, the brackets and figure '(2)' be inserted."

Sir, the amendment provides that the clause be divided into two parts. Usually a clause like this is always divided into two sub-clauses (1) and (2), but the clause has been drafted to be one. The first part of the clause says:

"Subject to the provisions of this Act, the Board shall be charged with the general duty of promoting the co-ordinated development of the generation, supply and distribution of electricity within the province in the most efficient and economical manner, with particular reference to such development in areas not for the time being served or adequately served by any licensee,"

I submit up to this it is one complete subject and it should be the subject-matter of one sub-clause. Then the second part which I wish to separate is this: "Without prejudice to the generality of the foregoing sections it shall be the duty of the Board" to do certain things. In rule-making powers the general power is given in sub-clause (1). Then it is said that without prejudice to the generality of the foregoing provisions, the Board will have the following powers and so on. This is the usual way for separating the two and I have merely attempted to divide the clause into sub-clause (1) and sub-clause (2) in the orthodox style. This amendment may be accepted for drafting reasons.

The Honourable Shri N. V. Gadgil: I do not accept.

Mr. Speaker: The question is:

"That in clause 18 of the Bill,—

- (i) before the word 'Subject', the brackets and figure '(1)' be inserted;
- (ii) the word 'and' occurring in line six, be omitted; and
- (iii) before the word 'without' occurring in line six, the brackets and figure '(2)' be inserted."

The motion was negatived.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in part (a) of clause 18 of the Bill, for the words 'carry out when sanctioned schemes under Chapter V', the following be substituted:

'carry out schemes when sanctioned under Chapter V'."

I beg to submit that the original text is more poetically expressed than prosaically expressed as it should have been. It says "carry out when sanctioned schemes under Chapter V". I say "carry out schemes when sanctioned under Chapter V". This is simpler and therefore better.

Shri K. Santhanam: That may be accepted.

Mr. Speaker: He is prepared to accept the amendment with the following words: "carry out schemes sanctioned under Chapter V". This is an improvement on an improvement.

The question is:

"That in part (a) of clause 18 of the Bill, for the words 'carry out when sanctioned schemes under Chapter V', the following be substituted:

'carry out schemes, sanctioned under Chapter V'."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 18, as amended, stand part of the Bill."

The motion was adopted.

Clause 18, as amended, was added to the Bill.

Mr. Speaker: May I suggest one another way. It will be better for the honourable member if he goes through with the Honourable the Minister in charge of the Bill, his various amendments, so that he may move only those as are acceptable and drop out the others, unless the honourable member thinks,

if the amendment is not accepted, that it is of such importance that it must be put to the House. That will save us time and energy also.

Mr. Naziruddin Ahmad: The Honourable Minister is a very busy man and his time is more valuable than mine. I am practically a legal vagabond, but it will not suit the Honourable the Minister.

Mr. Speaker: I am sure it will suit him; it will be saving the time of the House and from that point of view I am making this suggestion.

Shri H. V. Kamath: By your leave, Sir, the amendment which is accepted does not convey the intention of the clause. It will mean, if accepted, "will prepare and carry out schemes sanctioned under Chapter V"; the last phrase will qualify preparing also.

Mr. Speaker: That will be arguing on a matter which was settled in the House. If it is so very inconvenient, an amending Bill may be brought.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (2) of clause 19 of the Bill, for the words 'competent to supply', the words 'competent for the Board to supply' be substituted."

The words, for the Board, are to my mind, necessary.

Mr. Speaker: I may point out a difficulty to the honourable member. When such drafting or verbal amendments are considered in the House, one is unwilling to accept them unless one considers them as essential. Because it is a matter of drafting, merely at the sight of the thing, it would be difficult to understand its implications. The change ostensibly may be verbal; but still it may affect the draft of the Bill. If an amendment is accepted, if it is good it is well and good; otherwise, there is some mischief. If a good amendment is rejected because of this nervousness as to whether that would fit in with the draft, even then, the legislation does not come out as best as it should. It is from that point of view, apart from the point of view of saving the time of the House, that I suggested that such amendments should be carefully gone through by the member proposing the amendment with the Honourable Minister. We shall thereby be really improving the Bill, avoiding pitfalls and saving the time of the House. That is how I feel about it; it is not merely the idea of saving time.

:May I know which of the amendments are acceptable to the Minister?

The Honourable Shri N. V. Gadgil: I am not accepting any of these verbal amendments.

Mr. Naziruddin Ahmad: Let them be moved and rejected, Sir.

Mr. Speaker: Then, I shall put them to the House.

The question is:

"That in sub-clause (2) of clause 19 of the Bill, for the words 'competent to supply' the words 'competent for the Board to supply' be substituted."

The motion was negatived.

Mr. Naziruddin Ahmad: I beg to move:

"That in sub-clause (2) of clause 19 of the Bill, for the words 'the provisions of his licence notwithstanding', the words 'notwithstanding the provisions of his licence' be substituted."

Sir, this is open to objection on the same ground. I am treading on orthodox lines; these are new lines of draftsmanship with which we have never been familiar.

Mr. Speaker: The question is:

"That in sub-clause (2) of clause 19 of the Bill, for the words 'the provisions of his licence notwithstanding', the words 'notwithstanding the provisions of his licence' be substituted."

The motion was negatived.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (3) of clause 19 of the Bill, for the word 'licence' the words 'or the terms of his licence' be substituted."

Sir, the amendment makes it more explicit.

Mr. Speaker: The question is:

"That in sub-clause (3) of clause 19 of the Bill, for the word 'licence' the words 'or the terms of his licence' be substituted."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 20 of the Bill, for the words 'in accordance with any regulations', the words 'subject to any regulations' be substituted."

Sir, the context shows that the expression should be used in this way: that the Board shall act with a certain amount of freedom subject to the provisions of any regulations. That is why I have attempted to express it in this way.

The Honourable Shri N. V. Gadgil: I am not accepting the amendment.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 20 of the Bill, for the words 'in accordance with any regulations', the words 'subject to any regulations' be substituted."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 20 stand part of the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in clause 21 of the Bill, for the words 'as are necessary', the words 'as the Board may think necessary' be substituted."

This amendment gives the discretion to the Board rather than leaving it to be decided by any arbitration or court.

The Honourable Shri N. V. Gadgil: Not accepted.

Mr. Speaker: The question is:

"That in clause 21 of the Bill, for the words 'as are necessary', the words 'as the Board may think necessary' be substituted."

The motion was negatived.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in the Proviso to clause 21 of the Bill, for all the words occurring after the words 'under a licence' to the end, the following be substituted:

"The Board shall give the licensee notice to show cause why the Board shall not take such measures and shall give the licensee an opportunity of being heard thereon and shall, before taking the proposed measures, consider the cause shown by him, if any."

Sir, the text is rather involved and is not very clear. That is why I have attempted to re-arrange the expression and put it this way.

The Honourable Shri N. V. Gadgil: I do not accept the amendment.

Mr. Speaker: The question is.

"That in the Proviso to clause 21 of the Bill, for all the words occurring after the words 'under a licence' to the end, the following be substituted:

'the Board shall give the licensee notice to show cause why the Board shall not take such measures and shall give the licensee an opportunity of being heard thereon and shall, before taking the proposed measures, consider the cause shown by him, if any.'

The motion was negatived.

Mr. Speaker: The question is:

"That clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill.

Clause 22 was added to the Bill.

[At this stage Mr. Speaker vacated the Chair, which was then occupied by Shri K. Santhanam (one of the panel of Chairmen)].

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub clause (1) of clause 23 of the Bill, for the words 'make loans', the words 'grant loans' be substituted."

The Honourable Shri N. V. Gadgil: I accept the amendment.

Shri H. V. Kamath: I oppose the amendment. If accepted, it will read "grant loans or advances". Usually, it is 'grant loans or make advances'.

The Honourable Shri N. V. Gadgil: 'Grant loans or advances' is perfectly correct.

Mr. Chairman: The question is:

"That in sub clause (1) of clause 23 of the Bill, for the words 'make loans', the words 'grant loans' be substituted."

The motion was adopted.

Mr. Naziruddin Ahmad: Sir, I move:

"That in sub clause (2) of clause 23 of the Bill,—

(i) for the word 'expand', the word 'extend' be substituted; and

(ii) for the word 'expansion' wherever it occurs the word 'extension' be substituted."

The cause speaks of expansion, but there is a lot of difference between expansion and extension. Expansion means that something is made by inflation to appear bigger than what it is, as a small rubber balloon is made to expand when one blows into it. But extension means going beyond the limits of the business and increasing or strengthening it. So in my view "extend" and "extension" would be more appropriate than "expand" and "expansion".

The Honourable Shri N. V. Gadgil: Sir, I do not accept it.

Mr. Chairman: The question is:

"That in sub-clause (2) of clause 23 of the Bill,—

(i) for the word 'expand', the word 'extend' be substituted; and

(ii) for the word 'expansion' wherever it occurs the word 'extension' be substituted."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 23, as amended, stand part of the Bill."

The motion was adopted.

Clause 23, as amended, was added to the Bill.

Shri T. T. Krishnamachari: Sir, I move:

"That for clause 24 of the Bill, the following be substituted:

"24. *Power to Board to contribute to certain association.*—The Board may, subject to any regulations made in this behalf,—

- (1) pay such subscriptions as it thinks fit to any association for the promotion of the common interests of persons engaged in the generation, distribution and supply of electricity and the members of which consist mainly of such persons;
- (2) contribute such sums as it thinks fit to the funds of any recognised society the object of which is to foster the development and use of electricity or promotion of knowledge and research in respect of electricity or electrical appliances."

The need for this amendment is that the clause as it now stands is somewhat obscure and the amendment clarifies the position.

The Honourable Shri N. V. Gadgil: Sir, I accept it.

Mr. Chairman: The question is:

"That for clause 24 of the Bill, the following be substituted:

"24. *Power to Board to contribute to certain association.*—The Board may, subject to any regulations made in this behalf,—

- (1) pay such subscriptions as it thinks fit to any association for the promotion of the common interests of persons engaged in the generation, distribution and supply of electricity and the members of which consist mainly of such persons;
- (2) contribute such sums as it thinks fit to the funds of any recognised society the object of which is to foster the development and use of electricity or promotion of knowledge and research in respect of electricity or electrical appliances."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 24, as amended, stand part of the Bill."

The motion was adopted.

Shri T. T. Krishnamachari: Sir, I move:

"That in clause 25 of the Bill, for the words 'subject to the prior approval of the Provincial Government', the words 'subject to such conditions as may be prescribed' be substituted."

These words "subject to the prior approval of the Provincial Government" were inserted by the Select Committee; but on further reflection it seems that there will be a lot of complications if the Provincial Governments have to be consulted at every stage. On the other hand the feeling is that if rules are made in regard to the regulation of the appointment of Consulting Engineers by the Provincial Government the situation will be adequately met. That is why this amendment is moved.

The Honourable Shri N. V. Gadgil: Sir, I accept the amendment.

Shri H. V. Kamath: Sir, I oppose this on the ground that after all the conditions to be prescribed would be prescribed by the Provincial Government, and there is no harm in going to the Provincial Government for approval to the appointment of Engineers under this Act.

Mr. Chairman: The question is:

"That in clause 25 of the Bill, for the words 'subject to the prior approval of the Provincial Government', the words 'subject to such conditions as may be prescribed' be substituted."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 25, as amended, stand part of the Bill."

The motion was adopted.

Clause 25, as amended, was added to the Bill.

Clauses 26, 27 and 28 were added to the Bill.

Shri T. T. Krishnamachari: Sir, I move:

"That in sub-clause (3) of clause 29 of the Bill,—

(i) for the words 'Central Technical Power Board' the word 'Authority' be substituted; and

(ii) for the words 'that Board' the words 'the Authority' be substituted."

The Honourable Shri N. V. Gadgil: Sir, I accept this.

Shri H. V. Kamath: Sir, what is the importance or significance of this amendment?

Mr. Chairman: It is consequential on the setting up of the Central Electricity Authority; it was an oversight of the Select Committee.

The question is:

"That in sub-clause (3) of clause 29 of the Bill,—

(i) for the words 'Central Technical Power Board' the word 'Authority' be substituted; and

(ii) for the words 'that Board' the words 'the Authority' be substituted."

The motion was adopted.

Prof. Shibban Lal Saksena: I have an amendment to move to this Clause. It is on the typed list.

Mr. Chairman: When was the notice given?

Prof. Shibban Lal Saksena: It was given this morning.

Mr. Chairman: Then, I cannot give you permission to move it.

Prof. Shibban Lal Saksena: Can I speak on the Clause itself? ●

Mr. Chairman: Yes, you can speak.

Prof. Shibban Lal Saksena: I had pointed out earlier that the Authority had not been given sufficient powers to discharge its duties. At present it is a kind of recommending Authority only. I want that the Authority should have the power to sanction schemes. I also want that all schemes which cost more than rupees five lakhs should be submitted to it for sanction before they are carried out.

This morning my friend Mr. T. T. Krishnamachari pointed out certain sections of the Government of India Act. The present Act which we are passing is an Act for a new and free India and the Government of India Act should not stand as shackles on our feet. This Authority should have the power to take the initiative and give a drive to its schemes. I hope that when the new Constitution is passed we will take into account all these difficulties. All planning for key industries should be in the hands of Parliament at the Centre and I do not think that Parliament and the Provincial Legislatures will be fighting with each other in these matters. I am sure that with the Honourable Mr. Gadgil here as Minister in Charge in the Parliament at the Centre, Madras and any other provinces will be only too eager to co-operate with him. I, therefore, hope that he will accept my amendment even though it has not been formally moved, and see that the Central Authority is clothed with more power. If you refer to the British Act, you will find that there the entire power is given to the Central Authority. Here I find that all the power is given to the Regional Boards. I think this is a very big lacuna which should be removed. I hope the point I have raised will be considered by the Honourable Minister and though my amendment cannot be formally moved, I hope he will accept its substance.

Shri T. T. Krishnamachari: In this connection there is one instance which has come to my knowledge. The Madras Government had sanctioned the purchase of two portable generators for the City of Madras. Actually they had to have a Cabinet meeting very hastily and had the project sanctioned because the seller's market was only open for a week.

So if it happens that in a major scheme you have to refer to the Central Technical Authority before you place the order, you can take it that you will not be able to get the goods. As a matter of fact the two generators cost Rs. 90 lakhs but their cost would have gone up in the region of Rs. 150 lakhs if there was delay. The former cost stood at Rs. 25 lakhs though that had been raised to Rs. 50 lakhs by the Select Committee. Such a procedure will merely put a shackle in regard to the development of major provinces and I feel that there is no substance in the suggestion made by my friend, the Professor.

Mr. Chairman: The question is:

"That clause 29, as amended, stand part of the Bill."

The motion was adopted.

Clause 29, as amended, was added to the Bill.

Clauses 30 to 36 were added to the Bill.

Shri M. Ananthasayanam Ayyangar (Madras: General): Sir, I move:

"That in part (a) of sub-clause (1) of clause 37 of the Bill, after the words 'station or', occurring in the last line, the words 'undertaking or' be inserted."

I believe it is a slip, an omission, and it is to bring it in line with the isolated portion.

The Honourable Shri N. V. Gadgil: I accept it.

Mr. Chairman: The question is:

"That in part (a) of sub-clause (1) of clause 37 of the Bill, after the words 'station or', occurring in the last line, the words 'undertaking or' be inserted."

The motion was adopted.

Mr. Nasiruddin Ahmad: Sir, I move:

"That in part (b) of sub-clause (1) of clause 37 of the Bill, for the words 'average of the Reserve Bank rates between the said dates', the words 'the Reserve Bank rates for the said days' be substituted."

In calculating interest it has been provided that between the date of the lending and the date of repayment, the average of the Reserve Bank rate should be the basis and one per cent. over it should be charged. But it would be difficult to calculate between two dates what would be the average Bank rate. It would be simpler to charge the Bank rates for particular dates which are known and one per cent. above it. In fact, if the Reserve Bank rate is two per cent. for a few days and three per cent. for the rest of the days, the effect would be that the charge for this loan would be three per cent. for the earlier days and four per cent. for the later days, instead of calculating the average of those days, which would depend upon a large number of uncertain factors. In fact the rates prevailing on particular dates should be taken into account in finding out the average. Even then the matter would not be a simple affair. Instead of that we should charge for particular days the Reserve Bank rate for those days plus one per cent. more. This would be simpler and easier.

Mr. Chairman: May I point out that if there are 100 days you would have to calculate separate interest.

Mr. Nasiruddin Ahmad: In finding out the average rate one has to go through the same procedure.

Mr. Chairman: The rate is taken as the average and then they calculate it. However, if the member wants I will put it to the House.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Chairman: The question is:

"That in part (b) of sub-clause (1) of clause 37 of the Bill, for the words 'average of the Reserve Bank rates between the said dates', the words 'the Reserve Bank rates for the said days' be substituted."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 37, as amended, stand part of the Bill."

The motion was adopted.

Clause 37, as amended, was added to the Bill.

Prof. Shibban Lal Saksena: Sir, I have an amendment.

Mr. Chairman: I am afraid I cannot allow amendments at this stage unless they are purely verbal. No substantial amendments can be allowed without proper notice.

Prof. Shibban Lal Saksena: Sir, I have drawn the attention of the House this morning to clauses 38 and 39. I have suggested that all the words beginning with the words "but the Board may" to the end be omitted. This morning my friend Mr. T. T. Krishnamachari said that we would be there in the Constituent Assembly to prevent an abuse of these clauses. When we ourselves give this power after full debate and deliberation to the Board, we cannot complain later on if it is abused. The clause as it runs at present says:

"but the Board may with the sanction of the Provincial Government, make arrangements with any licensee or other person for its operation, if in the opinion of the Board it is desirable to do so."

If we are honest and sincere that in future no new industrial establishment should be privately owned, then this part must be removed. In fact I wonder how after the announcement of the industrial policy by the Honourable the Prime Minister that no new undertakings or industries shall be privately owned we could allow this. My suspicion is based on experience. This is what will happen. Wherever vested interests are strong they will persuade the Board to say that it is not very feasible for the Government to undertake the work in which these vested interests are interested. They will say that they have got the experts, the necessary capital and a big plant ready at hand and that they would undertake the work. The result would be that after sometime they will control the entire electrical industry and the Government will not be able to own the industry. Besides unproductive enterprises will be taken up by nobody, unless the State takes them up. Other interests will not do it. What I suggest is that this part of the clauses should be removed. It must be said in this Bill that the new enterprises shall be taken over by the Board and none of them shall be given to the private capitalists. This will at least show that at any rate in this industry we mean that no private enterprise should come in. In fact we sometimes forget that we are living in times when nations are moving at a very fast speed. Everybody is trying to multiply production of electrical energy and power double-fold and treble-fold and yet we are going on at this slow pace. I do not know when we will be able to catch up with them. Unless we realise this and try to develop our potential strength in the near future we will not be able to stand up in this world. At least in the matter of electricity, it is all important that the Centre must plan, co-ordinate and take the initiative. There must be no scope for private enterprise in this field and all electrical development of the country must be done by the State in a manner that the whole country might develop to the maximum of its power resources and might become the equal of any other country in the world in this matter.

Prof. N. G. Ranga (Madras: General): I suppose when you say Government you include the Provincial Governments also?

Prof. Shibban Lal Saksena: Yes. What I want is that the Central Government and the Provincial Governments must co-operate and work hand in hand and develop the industry. There must be some amendment to these clauses so that the Board may not have the power to pass on schemes to private enterprise. This will be injurious and I hope this amendment will be accepted.

Mr. Chairman: The question is:

"That clauses 38 and 39 stand part of the Bill."

The motion was adopted.

Clauses 38 and 39 were added to the Bill.

Clause 40 was added to the Bill.

Mr. Nasiruddin Ahmad: Sir, I move:

"That for sub-clause (1) of clause 41 of the Bill, the following be substituted:

(1) Where the Board considers it necessary to use any transmission lines of a licensee for any of its purposes, it may, on payment to the licensee of charges calculated in accordance with the provisions of the Fifth Schedule, use such lines to the extent to which the capacity of such lines is or hereafter remains in excess of the requirements of the licensee for the transmission of electricity."

It is only a rearrangement of the different expressions used in different parts into what I consider to be a logical manner. The original sub-clause read:

"Where the Board considers it necessary to use for any of its purposes any transmission lines or main transmission lines of a licensee, the Board shall have power to use such lines to the extent to which the capacity thereof is or thereafter remains surplus to the requirements of the licensee for the transmission of electricity, on payment of charges calculated in accordance with the provisions of the Fifth Schedule."

The weakness in this to my mind is that the words "for any of its purposes" have been misplaced and the last part of the sub-clause "on payment of charges calculated in accordance with the provisions of the fifth schedule" has also been misplaced. If you read this amendment carefully it will be found that it has been rearranged in its natural sequence and would read better as suggested by me. It is with this idea that I have submitted my amendment.

The Honourable Shri N. V. Gadgil: Sir, I do not accept the amendment.

Mr. Chairman: The question is:

"That for sub-clause (1) of clause 41 of the Bill, the following be substituted:

(1) Where the Board considers it necessary to use any transmission lines of a licensee for any of its purposes, it may, on payment to the licensee of charges calculated in accordance with the provisions of the Fifth Schedule, use such lines to the extent to which the capacity of such lines is or hereafter remains in excess of the requirements of the licensee for the transmission of electricity."

The motion was negatived.

Mr. Nasiruddin Ahmad: Sir, I move:

"That in sub-clause (1) of clause 41 of the Bill, for the words 'surplus to', the words 'in excess of' be substituted."

The context says "the capacity thereof is or thereafter remains surplus to the requirements of the licensee". The words "surplus to" seem to be inappropriate.

Shri T. T. Krishnamachari: How does it seem inappropriate?

Mr. Nasiruddin Ahmad: To my mind it appears so. It is the mind of a single man. "Surplus to" may be appropriate in any other context but not in this.

Mr. Chairman: Amendment moved:

"That in sub-clause (1) of clause 41 of the Bill, for the words 'surplus to', the words 'in excess of' be substituted."

The Honourable Shri N. V. Gadgil: Sir, I do not accept the amendment.

Mr. Naziruddin Ahmad: Sir, I wish to withdraw my amendment.

Mr. Chairman: Has the honourable member the permission of the House to withdraw his amendment?

The amendment was, by leave of the Assembly, withdrawn.

Mr. Naziruddin Ahmad: I move:

"That in sub-clause (2) of clause 41 of the Bill, for the word 'agreed', the words 'agreed upon' be substituted."

I think this amendment would be accepted by the Honourable Minister. This expression appears not only in this sub-clause but also in other places, especially in clause 48.

Mr. Chairman: There is also the expression "upon such terms" in the sub-clause. The word 'upon' is already there. Unless the honourable member removes it the word 'upon' will occur twice.

Shri H. V. Kamath: It must be "agreed to".

Mr. Naziruddin Ahmad: I should then like to have it as "agreed to".

Mr. Chairman: Even in that case unless you remove the word "upon" in the existing sub-clause it will not read properly. You may have to say ".....for such time and such terms as may be agreed to" or "agreed upon".

Shri H. V. Kamath: It has got a different meaning there. "The Board may.....use.....upon such terms as may be agreed to". That is perfect English.

Mr. Naziruddin Ahmad: The same expression appears in clause 48, sub-clause (2), line 2. There the wording is "agreed upon" and the word "upon" was introduced by an amendment in the Select Committee. The Select Committee accepted the word "upon" as a necessary part of "agreement". It also appears in sub-clause (1) of clause 48, and it should be "agreed upon". In the present context, however, the words "agreed to" would be better. I would quite accept the suggestion of Mr. Kamath and would say that the words should be "agreed to" rather than "agreed upon". That amendment would just fit in with the context.

The Chairman: Amendment moved:

"That in sub-clause (2) of clause 41 of the Bill, for the word 'agreed', the words 'agreed to' be substituted."

The Honourable Shri N. V. Gadgil: I am not accepting it. Let the clause remain as it is.

Mr. Chairman: The question is:

"That in sub-clause (2) of clause 41 of the Bill, for the word 'agreed', the words 'agreed to' be substituted."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 41 stand part of the Bill."

The motion was adopted.

Clause 41 was added to the Bill.

Mr. Nasiruddin Ahmad: I move:

"That for clause 42 of the Bill, the following clause be substituted :

"42. Where provision in such behalf is made in a sanctioned scheme for the placing of any wires, poles, wall-brackets, stays, apparatus and appliances for the transmission and distribution of electricity, or for the transmission of telegraphic or telephonic communications necessary for the proper co-ordination of the works of the Board, the Board shall, notwithstanding anything contained in sections 12 to 16 and 18 and 19 of the Indian Electricity Act, 1910 (IX of 1910), but without prejudice to the requirements of section 17 of that Act, have all the powers which the telegraph authority possesses under Part III of the Indian Telegraph Act, 1885 (XIII of 1885) with regard to a telegraph established or maintained by the Government or to be so established or maintained."

I beg to submit that this is a rearrangement of the words of the section. There are so many clauses and sub-clauses with exceptions and 'buts' in a most confusing order. If the amendment is accepted the different conditions are placed therein in a proper order.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Chairman: The question is:

"That for clause 42 of the Bill, the following clause be substituted :

"42. Where provision in such behalf is made in a sanctioned scheme for the placing of any wires, poles, wall-brackets, stays, apparatus and appliances for the transmission and distribution of electricity, or for the transmission of telegraphic or telephonic communications necessary for the proper co-ordination of the works of the Board, the Board shall, notwithstanding anything contained in sections 12 to 16 and 18 and 19 of the Indian Electricity Act, 1910 (IX of 1910), but without prejudice to the requirements of section 17 of that Act, have all the powers which the telegraph authority possesses under Part III of the Indian Telegraph Act, 1885 (XIII of 1885) with regard to a telegraph established or maintained by the Government or to be so established or maintained."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 42 stand part of the Bill."

The motion was adopted.

Clause 42 was added to the Bill.

Mr. Nasiruddin Ahmad: I move:

"That for sub-clause (1) of clause 43 of the Bill, the following sub-clause be substituted :

"(1) The Board may enter into an agreement with any person producing electricity within the Province, on such terms as may be agreed upon, for the purchase by the Board of any surplus electricity which that person may be able to dispose of."

It is only a rearrangement of the words.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Chairman: The question is:

"That for sub-clause (1) of clause 43 of the Bill, the following sub-clause be substituted :

"(1) The Board may enter into an agreement with any person producing electricity within the Province, on such terms as may be agreed upon, for the purchase by the Board of any surplus electricity which that person may be able to dispose of."

The motion was negatived.

Mr. Nasiruddin Ahmad: I move:

"That in sub-clause (1) of clause 43 of the Bill, for the word 'arrangements' the words 'an agreement' be substituted."

The text says that the Board may enter into arrangements with either Government or any person etc. The word 'agreement' would be better.

Shri M. Ananthasayanam Ayyangar: 'Arrangement' is different from 'agreement'. Arrangement is by agreement.

Mr. Naziruddin Ahmad: 'Arrangement' is a loose expression, but 'agreement' is a precise expression meaning a proposal, acceptance and contract which is enforceable in law. Arrangement deals with smaller matters.

The Honourable Shri N. V. Gadgil: I do not accept it.

Mr. Chairman: The question is:

"That in sub-clause (1) of clause 43 of the Bill, for the word 'arrangements' the words 'an agreement' be substituted."

The motion was negatived.

Mr. Naziruddin Ahmad: I move:

"That in sub-clause (1) of clause 43 of the Bill, for the word 'agreed', the words 'agreed upon' be substituted."

Mr. Chairman: Here the word 'on' is there in the sub-clause. That is the real difficulty.

Mr. Naziruddin Ahmad: Then it may be 'agreed to'.

Mr. Chairman: But it has been rejected before.

Mr. Naziruddin Ahmad: That was in a different context.

The Honourable Shri N. V. Gadgil: I oppose the amendment.

Mr. Chairman: The question is:

"That in sub-clause (1) of clause 43 of the Bill, for the word 'agreed', the words 'agreed upon' be substituted."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 43 stand part of the Bill."

The motion was adopted.

Clause 43 was added to the Bill.

Shri M. Ananthasayanam Ayyangar: Sir, I beg to move:

"That in sub-clause (1) of clause 44 of the Bill, after the word 'Government', the following be inserted:

'or any Corporation created by legislation enacted by the Central Legislature.'

Mr. Chairman: Amendment moved:

"That in sub-clause (1) of clause 44 of the Bill, after the word 'Government', the following be inserted:

'or any Corporation created by legislation enacted by the Central Legislature.'

The Honourable Shri N. V. Gadgil: I am going to accept it.

Shri M. Ananthasayanam Ayyangar: Sir, I know the Honourable Minister in charge of this Bill will accept it. But I want him to consider if I may add the words "Provincial Government" also. The object is this.....

Mr. Chairman: A Corporation cannot be set up by a Provincial Government according to the Constitution.

Shri M. Ananthasayanam Ayyangar: The object of the Section is this:

"Notwithstanding anything contained in any other law for the time being in force or in any licence but subject to the provisions of this Act, it shall not be lawful for a licensee, or any other person not being the Central Government except with the previous consent in writing of the Board, to establish or acquire a new generating station or to extend or replace any major unit of plant or works pertaining to the generation of electricity in a generating station."

It is not for the purpose of establishing a Corporation. This clause as it stands prohibits all but the Central Government from establishing any generating station except with the consent of the Board. My amendment which has been accepted by the Honourable Minister implies that this right to

establish, without the permission of the Board, any generating station is given not only to the Central Government but to any Corporation established by law by the Central Legislature.

I want to add further the right of the Provincial Government also to establish a generating station whenever it is necessary, without seeking the consent of the Board. My friend Mr. T. T. Krishnamachari told me that there is another provision here which always enables the Provincial Government to give directions; but I am not able to find it. When any Board is constituted, thereafter even the Government will have to be at the mercy of the Board. We very often put questions here as to what has been done with the grant to the Industrial or Technical Research Board and then they say it is an autonomous body. The very parent which creates a body subsequently becomes a slave to that body! If somebody is taken and put into jail, the Home Department says, "We are absolutely helpless; you go to the Provincial Government"! Let us not create a ghost and become a prey to that ghost; this is something like *Bhasmasura*. So far as the Central Government is concerned we were anxious to give power to the Board to establish power stations. We wanted to enlarge the scope for any corporation established. (Interpretations).....

My friend the Minister I suppose accepts the addition of the words "or a Provincial Government".

The Honourable Shri N. V. Gadgil: I am not accepting the addition.

Shri M. Ananthasayanam Ayyangar: But let me explain.....

Mr. Chairman: The honourable member has moved his original amendment.

Shri M. Ananthasayanam Ayyangar: You cannot accept my statement in part and reject it in part; it is accepted as a whole or rejected as a whole.

Mr. Chairman: But the amendment seeking to add the words "or a Provincial Government" is not on the Order Paper. He will have to give notice; unless the Government Member and others accepted it he cannot move an amendment which is not on the Order Paper.

Shri M. Ananthasayanam Ayyangar: My only point is, why should they plug their ears even before they understand the rationale of it?

Mr. Chairman: That is between you.

Prof. N. G. Ranga: On a point of order, Sir, my honourable friend, if I understand him aright, has only started with a sort of an explanation asking for permission from the Minister in charge of this Bill.

Mr. Chairman: I know that, but the amendment has been moved.

Shri M. Ananthasayanam Ayyangar: Sir, may I ask this on a point of order? When a person moves an amendment, you allow him to move the amendment and make a speech also. While he is interrupted by another member he sits in his seat. Then is it the right of the Chair to.....

Mr. Chairman: The honourable member had sat down.

Prof. N. G. Ranga: I was rising on a point of order!

Mr. Chairman: All right, then I will give you an opportunity of speaking further, but I do not allow you to amend the amendment.

Shri M. Ananthasayanam Ayyangar: That is all right.

Mr. Chairman: You are free to speak. Whether I shall put the amendment or not, I shall decide.

Shri M. Ananthasayanam Ayyangar: I am requesting the leave of the House to allow this to stand over so that I may discuss this matter with my friend and then bring it before the House. I am trying to make a very reasonable suggestion and a request to the House. Why should it not consider it? You know it restricts even a Provincial Government like Madras which has started the electricity undertakings and distribution even long before this Act can come into force. I want that in such cases provision should be made to exempt the Provincial Governments from the Provisions of this Act. This amendment is in consonance with my speech on the motion for consideration of this Bill. Now inadvertently those words have escaped notice and therefore I want to convince my friend if possible so that we may take a decision if we can. The House will agree with me that it is not as if I am introducing a novel thing. I spoke yesterday and took nearly one hour of the time of this Honourable House and tried to say that this kind of compromise is a half-way house between State and private enterprise. State enterprise is there in Madras. These are experiments going on—one is a child and the other is grown up. Take these three and find out which is suitable for our country. I do not mean to say that straightaway you must start nationalizing with this industry, nor do I say that it must be given over to private enterprise.

These are all experiments and one experiment has already thrived so far as Madras is concerned. Under these circumstances it is not as if I am trying any novel arrangements just for the time being. It is rather unfortunate that while we are trying to clothe the Central Government with power over the head of a Board which we are creating, Provinces are not given power to establish Boards as autonomous bodies for the purpose of establishing generating stations etc. carrying power to the very doors of the villagers. We are creating a Central Board; we are creating an exception in the case of the Central Government; the Central Government can, without the consent of that Board and over the head of the Board, establish wherever it likes a generating station; in emergency it will have power to do so. But this amendment which the honourable Mover has accepted introduces one other institution also. That is that not only is power given at present to the Central Government to override the powers of the Board but by this amendment which I have moved and which has been accepted, power is given to any corporation established by the Central Legislature. Corporation does not have the same status and representative character as the Central Government, which is based upon the vote of this House. Therefore for a lesser entity we are giving the power. Why should I place the Provincial Government in a worse position than even a Corporation established by the Central Government? For instance, the Damodar Valley Corporation—can it pretend to be much bigger than the Bihar Government when it is established? You are denying the Bihar Government the right to establish generating stations whereas you are trying to confer on the Damodar Valley Corporation the right to establish a generating station without consulting this Board. How on earth does my honourable friend feel that the amendment that I have moved is improper or otherwise not acceptable? It may be that he may not accept it, but I crave the leave of the House to keep this over and if it comes to that I will divide upon this matter and I appeal to you, honourable members of this House. This is a very important matter and I am not going to yield. If the honourable member consents to let it stand over well and good. There are so many other provisions; so many other schedules which have to be considered. Therefore I crave leave to allow this amendment to stand over till tomorrow or the next day on which this will come up. If permission is not granted, I shall make my few more submissions on this and then appeal to the House to vote for this amendment.

Mr. Nasiruddin Ahmad: May I submit that this is a reasonable prayer that the motion do stand over till the Honourable Minister is in a position to consi-

der the matter. It involves a very large question of principle and nothing will be lost by its standing over. Therefore, the request should be allowed.

The Honourable Shri N. V. Gadgil: I am prepared to accept the suggestion made by the honourable member that this clause may stand over till day after tomorrow. Meanwhile, other clauses may be taken up.

Mr. Chairman: Then we shall go on to Clause 45.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 45 of the Bill, for the word 'stations' occurring in line one, the word 'station' be substituted."

I am well aware that the plural includes the singular and *vice versa*, but in choosing the singular or the plural the context must be respected and in this context the singular is indicated.

The Honourable Shri N. V. Gadgil: I accept it, Sir.

Mr. Chairman: The question is:

"That in sub-clause (1) of clause 45 of the Bill, for the word 'stations' occurring in line one, the word 'station' be substituted."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 45, as amended, stand part of the Bill."

The motion was adopted.

Clause 45, as amended, was added to the Bill.

Shri M. Ananthasayanam Ayyangar: Sir, I beg to move:

"That in sub-clause (5) of clause 46 of the Bill, for the words 'the price which would have been payable for any equivalent portion', the following be substituted:

'the average price which would have been payable.'"

The amendment is very reasonable. I expect the House will kindly accept it.

Mr. Chairman: The question is:

"That in sub-clause (5) of clause 46 of the Bill, for the words 'the price which would have been payable for any equivalent portion', the following be substituted:

'the average price which would have been payable.'"

The motion was adopted.

Mr. Chairman: The question is:

"That clause 46, as amended, stand part of the Bill."

The motion was adopted.

Clause 46, as amended, was added to the Bill.

Clauses 47 to 52 were added to the Bill.

Shri T. T. Krishnamachari: Sir, I beg to move:

"That for sub-clause (2) of clause 53 of the Bill, the following be substituted:

'(2) The Board and any licensee shall each have a right of access at all times to his own property on, in, over and under the property of the other.'"

Sir, this is merely clarifying the present position.

Mr. Chairman: The question is:

"That for sub-clause (2) of clause 53 of the Bill, the following be substituted:

'(2) The Board and any licensee shall each have a right of access at all times to his own property on, in, over and under the property of the other.'"

The motion was adopted.

Mr. Chairman: The question is:

"That clause 53, as amended, stand part of the Bill."

The motion was adopted.

Clause 53, as amended, was added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in clause 54 of the Bill, for the word 'agreed', the words 'agreed upon' be substituted."

Sir, for my authority I shall refer the House to sub-clause (2) of Clause 48 where the words "agreed upon" has been specially introduced. "Upon" has been specially introduced in the Select Committee by way of an amendment. So this mode of draftsmanship is an agreed thing with regard to the Select Committee. If this amendment is not accepted, then of course when the appropriate time comes, I shall move for the deletion of the word "upon" which has already been inserted by the Select Committee.

The Honourable Shri N. V. Gadgil: I do not accept, Sir.

Mr. Chairman: The question is:

"That in clause 54 of the Bill, for the word 'agreed', the words 'agreed upon' be substituted."

The motion was negatived.

The Chairman: The question is:

"That clause 54 stand part of the Bill."

The motion was adopted.

Clause 54 was added to the Bill.

Clauses 55 and 56 were added to the Bill.

The Assembly then adjourned till a Quarter to Eleven of the Clock on Wednesday the 11th August, 1948.

APPENDIX

WHITE PAPER ON HYDERABAD

[vide page 47 ante]

INTRODUCTION

Government of India's approach to problem of States.—The approach of the Government of India to the problem of Hyderabad has been governed by their general policy towards the Indian States. India is not a mere geographical expression but an economic and political entity. The States are an integral part of India. The economic and political unity of India was maintained till the lapse of Paramountcy by the Crown, which operating through the Political Officers, provided the nexus between the Indian States and the Central and Provincial Governments. The pivot of this arrangement was the Viceroy, who represented to the Indian States the suzerainty of the British Crown, while at the same time, he was, in relation to British India, the head of the Government. The Indian Independence Act relieved the States from all their obligations to the Crown and in consequence India's unity was seriously threatened

with disintegration. The Government of India sought to avert this grave threat by negotiating constitutional relationship with the Indian States on the basis of their accession to the Dominion of India on the three subjects of defence, foreign affairs and communications. This was no emotional approach nor any expansionist policy, nor power politics. Highly practical reasons of geography, all-compelling defence and internal security requirements and other equally strong considerations rendered India's organic unification imperative. The following quotation from Sir Reginald Coupland shows very clearly how vital this unity is to the very existence of the Dominion of India:—

“An India deprived of the States would have lost all coherence. For they form a great cruciform barrier separating all four quarters of the country. If no more than the Central Indian States and Hyderabad and Mysore were excluded from the Union, the United Provinces would be almost completely cut off from Bombay, and Bombay completely from Sind. The strategic and economic implications are obvious enough. The practicability of Pakistan must be admitted, but the more the separation of the States from British India is considered, the more impracticable it seems. India could live if its Moslem limbs in the North-West and North-East were amputated, but could it live without its heart?”

Accession of States.—The Rulers of Indian States realised that it was better for both the Provinces and the States “to make laws sitting together as friends than to make treaties as aliens”, and they acceded to the Dominion of India before the lapse of paramountcy and also executed Standstill Agreements. The Nizam dreamt of independence and procrastinated.

Policy of integration and democratisation.—The accession of the States to the Dominion of India was the first phase of the Government of India's policy to fit the States into the constitutional structure of India. The second phase was their consolidation into viable and sizeable units and their democratisation. This policy was based on their recognition of the patent fact that if the States were to find an honourable and lasting place in free and democratic India, their politics must be readjusted on the basis of the supremacy of popular interests. The sincerity of purpose with which the Government of India have pursued this policy is borne out by the fact that within a period of less than a year the inner and external set up of the States has been completely revolutionised and constitutions based upon the principle of full transfer of power to the people are operating in the States and the newly formed Unions of States. The Rulers were quick to appreciate the change and accepted the Government of India's policy of integration and democratisation. The Nizam alone refused to march with the times.

Hyderabad brochure.—In a brochure recently issued by the Nizam's Government it is stated:—“The Nizam feels bound to maintain individual entity of Hyderabad with its special problems, history and traditions.”

It further states:

“Among the 600 Indian States Hyderabad was the largest and its Ruler, the Nizam of Hyderabad and Berar, held a unique and pre-eminent position. The Nizam's dominions are larger than the United Kingdom and about the half the size of France. His subjects number seventeen millions, more than twice the population of any other Indian State and more than Canada, Australia and any other Dominion outside the Indian sub-continent. Hyderabad has its own Government, its own civil service, its own modern army, its own police, university, railways and industries. Its finances are organised on modern lines with a budget and what is in these days abnormal, the budget is surplus.”

Then follows the astounding assertion "Hyderabad, in fact, is a country and is organised as a country."

Hyderabad's so called special problems.—What are Hyderabad's special problems? The main problem would seem to be the perpetuation of Hyderabad's feudal structure. The other problems apparently relate to the mechanics, which include the organisation of militant elements of the minority population to thwart the legitimate aspirations of the people; preparations for an armed conflict, etc.

Hyderabad's History.—The history of Hyderabad is in itself an effective answer to the Nizam's pretensions to independence. Nor are the traditions of Hyderabad such as to admit of being invoked with any measure of pride or satisfaction. Hyderabad historically belongs to that category of the States which were founded by the agents of foreign invaders and is, therefore, relatively of a later origin compared to several other ancient historic States. A special feature of the history of Hyderabad has been that not only did it never enjoy independence but it also never established a legitimate claim to it by making any sacrifices in the cause of independence. The Rulers of Hyderabad were never able to maintain themselves without foreign protection. Even while under the vassalage of the Moghul Emperor the State first came under the military protectorate of the French and later of the British. Yet another feature of the history of Hyderabad has been the readiness of its Rulers to transfer their allegiance to the stronger power. Lastly, an important characteristic of the history of Hyderabad has been the full impact of the paramountcy of the British Crown not only in external affairs of the State but also in respect of its internal affairs.

Hyderabad under paramountcy.—The major part of the history of Hyderabad is linked with British rule in India. During this period, in all the essentials of the feudal system in India, the Nizam stood in the same category as other chiefs. The Paramount Power operated as a standing check on misrule in Hyderabad. The Resident's intervention in State affairs had been practically continuous since 1800 and the Paramount Power intervened more frequently and decisively in Hyderabad than in any other major State. The honorific title of 'Faithful Ally' was of little moment when compared with the historical fact of the position actually accorded to the Nizam by the Paramount Power. The treaty position of the Nizam in respect of non-intervention in internal matters was no better than that of a group of States which included even some 18 gun-salute States. The British Government interposed from time to time its authority in Hyderabad, in the military affairs, in the revenue administration, in the selection and appointment of Ministers and maintaining them in office, in introducing reforms and in reorganisation of the finances; in compelling the Nizam to control his sons and to regulate their education installing the Nizams and investing them with full powers. The British authority was also repeatedly asserted to induce in the Nizam's mind a conception of his position more in accord with history, precedent and with his own interests. Finally, Lord Reading in his letter dated 23rd March, 1926, gave a public burial to the Nizam's claim to revolve in an orbit of his own.

Untenable claim on the basis of ordinary attributes of administrative units.—Geographically, Hyderabad is not the largest, but the second largest State. Numerically, it can claim to be the most populous Indian State, but considering the fact that the civil liberties and rights of the vast majority are ruthlessly curbed and circumscribed, the State would seem to consist politically of its fascist minority alone. Politically Hyderabad is a land of stagnant backwaters and ranks as the most backward among the Indian States as they exist to-day.

The Hyderabad State has no doubt its Government, civil service, police force, budget and industries. Most of the 600 units that were known as States at the lapse of paramountcy, had these attributes of separate administrative entities. Some had Governments, progressive in character such as those of the neighbouring States in the South; others less mediaeval or more compared to that of Hyderabad. All these States have rapidly moved with the times and have now a democratic set up. Hyderabad alone has a Government totally unrepresentative of the majority of the people.

A mere glance at the relative ratio of the minority and majority population in services should be sufficient to condemn the basic structure of the Civil Service of the Hyderabad State. Hyderabad maintains a farcical system of recruitment, which assigns privileged position to certain sections and is based on unmasked favouritism and nepotism. The budget of the Hyderabad State again is a standing condemnation of the system which allows an autocrat to appropriate vast sums from the public exchequer for his personal comforts and idiosyncracies.

Hyderabad has no doubt an army. A number of other States also maintain armed forces with most creditable martial traditions behind them. The forces of the States have a definite place in the over-all defence structure of India. Under their engagements with the British Hyderabad was not entitled to keep an army larger than that of important States such as Gwalior. However, the Hyderabad forces have of late been clandestinely expanded to back the Nizam's bid for power.

The Hyderabad State has a currency. So have several others. This currency has survived only because it is linked with Indian currency at a fixed rate of exchange.

The Hyderabad State has a postal system of its own. Fourteen other States were entitled to maintain a separate postal system. Of these, five known as Convention States including the State of Chamba, which has since been integrated in the Himachal Pradesh, had superior postal rights, in that the mail bearing its over-printed stamps was carried by the postal department of the Government of India all over the country.

A number of States likewise have their own railways, telephone and telegraph lines. The States of Mysore, Travancore and Rajputana have their own universities.

Mask of communal unity.—These ordinary attributes of an administrative unit which Hyderabad retains in common with other States make out no case for Independence. The overriding consideration, the Hyderabad brochure boldly asserts, that weighed with the Nizam in choosing independence, was his desire to maintain Hyderabad's traditions of unity and friendship between all classes of the population which would have been imperilled by his accession to India. It needs some courage to make such a statement on behalf of the Ruler of a State in which the minority monopolises all rights and privileges and the majority has no civil liberties and lives in a State of utter serfdom.

Implications of the lapse of paramountcy.—The Nizam and his apologists have made much of the argument that in the circumstances attending the British Government's declaration of the lapse of paramountcy, it was open to the Nizam to remain independent. This is divorcing the British Government's declaration from its context. The British Government's policy and intentions regarding the lapse of paramountcy are clearly indicated in the Memorandum dated 12th May, 1946, in regard to States Treaties and Paramountcy, which specifically stated that the void created by the lapse of paramountcy will have to be filled either by the States entering into federal relationship with the successor Government or Governments in British India or failing this, entering into particular political arrangements with it or them. These particular

arrangements which were to be the only alternative to federal relationship, could not be in the nature of paramountcy or subordinate association of the States with the successor Governments. The Cabinet Mission's Statement dated 16th May, 1946, also while recognising the principle that paramountcy was not to be transferred to the new Government presupposed the willing co-operation of the States and the plan had as its integral part the accession of the States to the Dominion of India in respect of the three subjects of defence, foreign affairs and communications. Although the Cabinet Mission's plan was superseded by the British Government's Statement of 3rd June, 1947, it undoubtedly embodied their considered policy as regards the position of the States under the future polity of India.

Future of people not governed by legalistic claims of doubtful validity.—The future of political communities and States is not governed by such declarations. An issue like this involving the defence of India, the integrity of her territory, the peace and security of the country and above all the common interests of the State of Hyderabad as well as India could not be allowed to be solved by mere legalistic claims of doubtful validity. The lives of millions of people cannot be trifled with on the dubious ground that one individual claims to acquire such a right through processes affecting paramountcy, which the British themselves claimed to derive not from any treaty or declaration but from the fact of their being the dominant power in India. Whatever the legal implications of the lapse of paramountcy may be, the British declaration of policy did not apply to the Nizam alone; it applied to all the six hundred States. The Nizam alone chose to make himself the sole heir to the rights flowing from this declaration.

The Standstill Agreement.—The Government of India invited the Nizam to accede to India as they believed, accession would give Hyderabad a place of honour and dignity in India's constitutional structure. They had at no time any doubt that linked as Hyderabad is with India the establishment of an organic relationship between the two by the accession of the State on the three subjects would prove to be the only solution of the problem of the Hyderabad State. The Nizam's Government asked for a period of two months for further consideration which was granted, and Lord Mountbatten was entrusted with the task of conducting further negotiations. On 29th November, 1947, the Government of India entered into a Standstill Agreement with the Nizam without the accession of the State to the Dominion of India. This was an exceptional arrangement to which the Government of India had not agreed in the case of any other State. In the case of the Hyderabad State they acquiesced in such an arrangement to accommodate the viewpoint that the Nizam's Government had to overcome some internal difficulties. The Government of India hoped that the agreement would bring Hyderabad closer to India and they believed that given an atmosphere of friendship and cordiality, it would be possible for the Nizam to come to the only right and appropriate decision, namely accession to India. It was also felt that the maintenance for a limited period of the *status quo* between the Government of India and the Nizam on the lines on which his relationship was regulated with the Crown Representative minus paramountcy would promote this end. The events that have followed have belied the Government of India's expectations and they have only proved that concessions to intransigence and dictatorial tendencies solve no problems; the unsolved problems come home to roost.

Government of India's gesture of goodwill.—The Government of India spared no effort to implement the agreement in the spirit in which it was concluded. They had agreed as a part of this agreement to withdraw their troops stationed in the Cantonment of Secunderabad. They carried out that very important part of the bargain. It was a very important part because the Government of

India troops staying in Secunderabad dominated Hyderabad in a military way. Nothing could have been easier than to maintain these forces in the heart of the State and thus control the situation in the State. Yet in their desire to make the agreement a success the Government of India withdrew their troops from Hyderabad. What has been the response of the Nizam's Government to this gesture of goodwill?

Nizam's Government's disappointing response.—While trying to extract the maximum advantage from the agreement and the respite that it gave them to assert the independence of Hyderabad, they have acted in violation of the agreement from the very moment of its conclusion. Even while the agreement was being negotiated they were engaged in a major breach of it in the form of negotiating an advance of a loan to the Pakistan Government. Other serious breaches of the agreement have been made in respect of external affairs, communications and other matters of common concern. As regards matters relating to defence, they repudiated in terms and defied in action their obligations under the Indian State Forces Scheme of 1950, a basic agreement saved by the Standstill Agreement. Under this scheme the Crown—now by virtue of the Standstill Agreement the Government of India—has the power to regulate the strength and the classification of the units of the State forces. They unauthorisedly increased their army, started manufacturing arms and ammunition; purchased war materials and smuggled them into the State; threw out a network of agents throughout India to smuggle arms, ammunition and military equipment from the Indian Provinces.

Preparations for an armed conflict have been going on at high speed. For some months past Hyderabad has been a war camp. Gun-running is being carried on by land and by air. Of the means adopted the recent flight of Mr. Sydney Cotton from Karachi to Hyderabad across the Indian territory in open violation of the Indian regulations may be cited as an instance. A network of hostile propaganda machinery has been organised by the Nizam and his Government both in India and abroad to malign the Government of India.

The most alarming feature of recent developments in Hyderabad which is seriously straining the goodwill and the friendly intentions of the Government of India towards Hyderabad, has been the rapid growth of the Ittehad-ul-Muslimeen and its semi-militarised organisation of the Razakars with the active and sustained support of the Nizam and his Government. The Ittehad and the Razakars have embarked upon a virulent anti-Indian campaign, and are indulging in most provocative anti-Indian activities. In many parts of the State, their savage atrocities culminating in a large number of incidents have brought about a virtual collapse of law and order. The contiguous districts of the three Indian Provinces, Bombay, Madras, Central Provinces and Berar, have been raided again and again. The agents of the Razakars have formed centres in many of the Indian Provinces and States and have been responsible for creating communal tension. These activities of the Razakars carried on under the inspiration and support of the Nizam and his Government have been a grave menace to the public tranquillity of India. In the course of protracted negotiations the Government of India repeatedly drew the attention of the Nizam's Government to the desirability of their taking effective measures for stopping the border raids, disbanding the Razakars and thereby creating a situation in which the tension which was mounting high in the whole country would subside, but the Nizam's Government have persisted in their refusal to cooperate.

Profession of friendship belied by actions.—The Nizam and his Government have been ostentatiously professing a desire to keep friendly relations with India and to enter into a permanent association with her. Inside the velvet glove of these professions stands, however, the mailed fist of the ranting and raving leader of the Razakars who threatens to march to Delhi to fly the Asafia flag

over the Red Fort. The extent to which his hold on the Nizam has been consolidated is evident from the fact that he could stop by show of physical force the Chhattari delegation from proceeding to Delhi to conclude an agreement; he could also secure the resignation of Chhattari Ministry and put into office a Ministry of his choice.

Mr. Razvi's bullying tactics.—Under Mr. Razvi's influence the fascist technique is in full swing in Hyderabad. Thus for instance until recently the Nizam's Government were most vehement in their denouncement of the Communists; in fact, the *raison detre* of the Razakar movement was sought in their role as saviours of the State from the Communist menace. Now the Nizam's pro-Ittehad Government have lifted the five year old ban on the Communists and efforts are being made for an Ittehad-Communist alliance to make common cause against India. The Nizam's Government are pressing into service against India all elements communal, feudal and communist. All that is anti-democratic or anti-Indian is grist to the Ittehad mill.

Rejection of responsible government and plebiscite proposals.—The approach of the Nizam and his Government to the basic issues involved lends no support to their professions of a desire to enter into a permanent association with India. During the negotiations conducted in recent months, the Nizam's Government rejected the suggestion made by the Governor-General on behalf of the Government of India for Hyderabad's accession to the Indian Dominion. They also rejected another suggestion made by the Government of India for the establishment of responsible Government as they apprehended that this would also lead to accession. The Government of India had offered as early as August 1947 facilities to enable the Nizam to test the will of the people by sending British officers to conduct a referendum on the issue of accession but the offer was declined by the Nizam. In a cryptic reply to the Governor-General he asserted that "the problems of the constitutional position of Hyderabad are such that the question of referendum does not arise". It was again suggested on behalf of the Government of India in April 1948 that there should be a plebiscite and that some arrangements should be made for carrying on administration in the State which would ensure a fair and impartial plebiscite. The Government of India persistently emphasized their basic policy that in such matters the will of the people must be the determining factor. The proposal was, however, rejected by Mir Laik Ali, who expressed himself against a plebiscite on the amazing ground that the announcement of the intention to hold a plebiscite will result in the deterioration of the law and order situation in the State. The recent effusive declarations of the Nizam in favour of plebiscite have to be viewed against this background; these declarations conveniently shelve the fundamental issue that a plebiscite in Hyderabad has no meaning so long as a Government hostile to the popular interests is in power and enables the Razakar terrorists to hold a vast majority of population to ransom.

Last phase of negotiations.—Mir Laik Ali suggested that instead of an Instrument of Accession there should be an Instrument of Association. The Government of India agreed for the time being not to press their demand for accession but to enter into an agreement on the basis of the application of the legislation of the Government of India to Hyderabad in respect of the three subjects of defence, foreign affairs and communications. The principle of overriding legislation by the Government of India was first accepted by Mir Laik Ali but was subsequently repudiated. The Government of India in order to meet the wishes of the Nizam deleted the provision and also accepted another important amendment in respect of the provisions relating to the Constituent Assembly. Several other amendments proposed by the Nizam's Government were also agreed to by the Government of India in the interest of peace and in their anxiety to reach a settlement. While the Government of India had thought that the agreement

had been finalised by his delegation, the Nizam again declined to accept it until some other points including the principle of freedom of trade and economic and fiscal arrangements were accepted. This could not be accepted by the Government of India as it repudiated the whole basis on which the agreement was sought to be negotiated. The Nizam also made the allegation, which was subsequently withdrawn, that some alterations had been made in the draft without the knowledge of Mir Laik Ali.

Immediate advantage guide to negotiations.—The manner in which the Nizam's Government have conducted these negotiations prove it beyond doubt that no principle but immediate advantage had been the guide to these negotiations. It is a long story of repeated journeys of the Prime Minister and other Ministers and Advisers of the Hyderabad Government to Delhi and back. They came and went back more than once with provisional agreements, which were subsequently repudiated.

Government of India's effort to accommodate.—In spite of the fact that public opinion in India has been most critical of the Government of India's policy towards Hyderabad, in their anxiety to avert the consequences of a conflict they went to the farthest limit, consistent with the fundamentals governing the issues involved, to accommodate the Nizam's Government. They are now convinced that it will serve no purpose to hold any further negotiations with the Nizam's Government until there is a change on their part in regard to the basis of their approach to the problem. Every move of the Nizam's Government has the avowed intent of emphasising the sovereignty and independence of Hyderabad. This repudiates the very basis of the Standstill Agreement, which required that *status quo* (including the position of Hyderabad as a State in association with India and having no external status) should be maintained.

Hyderabad's independence threat to India's security.—India cannot accept Hyderabad's claim to independence as an independent Hyderabad will be a grave threat to the defence, internal security and economy of India. An independent State completely landlocked within the heart of another is an unheard of proposition. To compare Hyderabad to Switzerland or Austria, on the ground that they are landlocked and have no access to sea, is to turn one's back to elementary history and geography. Switzerland and Austria have common frontiers with more than one State and their politics and economy have accordingly developed on a different basis. If all the Provinces of India were independent States and one of the three Provinces bordering Hyderabad questioned the right of this State to independence on the ground that it was landlocked, the analogy of Switzerland and Austria would hold good. As it is, however, the distinctive and decisive feature of Hyderabad's geographical set-up is that if it makes with a foreign State any defence, economic or other arrangements, which are prejudicial to India's interests, it cannot implement such arrangements without violating India's sovereignty over her own territories. An analogy nearer the mark will be provided if the State of Colorado asserted independence against the U.S.A. and the country of Worcester or Warwick against Great Britain. Even more perverse is the astounding statement that India's demand for Hyderabad's accession is comparable to Canada's demand for the incorporation of Newfoundland, a separate island State, having no geographical link with Canada.

With a vast majority of its population eager to throw off the age-long tyranny of personal rule Hyderabad will be an easy prey to any foreign power. It is protected from external aggression by India and is virtually an Indian protectorate. The Government of India cannot allow the Nizam and his Government to abuse this position and to develop Hyderabad into a base for foreign anti-Indian influence, or vested interests in complete repudiation of the elementary obligations to India inherent in Hyderabad's geographical set-up.

Grave dangers of Hyderabad's policy.—The grave dangers to which an independent Hyderabad would expose India are already beginning to manifest themselves. The Nizam's Government are not only engaging themselves in foreign contacts prejudicial to India's interests but are also disrupting India's economy by trying to divorce the economy of this State from that of India and linking it with other countries. The Ittehad and the Razakars constitute a serious threat to the peace and tranquility of India. Their activities threaten to provoke retaliation from those in India, who sympathise with the unhappy lot of the majority population in Hyderabad. By their constant efforts to appeal to the communal instincts of the Muslim minority in India, the Razakars are trying to subvert the loyalty of the Indian Muslims to the Dominion.

Conflict between democracy and fascism.—The Government of India stand for a democratic and secular India and for an India in which each citizen has freedom to pursue his own religion and has equal rights and opportunities and obligations as the other. India aims at a polity where there would be freedom of opportunities for all, freedom from soul-cramping communalism and the opportunity to grow and to serve oneself while serving others. India has paid the supreme price of the martyrdom of the Nation's Father in her pursuit of that great ideal.

Hyderabad of today, on the other hand, is not only a stronghold of mediaeval feudalism but also a plague spot of militant fascism and communal fanaticism. The political structure of Hyderabad is the very antithesis of democracy; the Razakar ideology, which dominates Hyderabad, is automatically and irrevocably against popular freedom and democratic concepts.

The frontiers of India cannot be insulated against the seepage of the poison which permeates Hyderabad of today. In the same country democracy and militant fascism cannot function in separate compartments. Either one or the other must prevail; either one or the other must go under.

CHAPTER I

HISTORICAL RETROSPECT

The history of Hyderabad is singularly devoid of any distinguishing features which constitute the heritable traditions of a State or a nation. Historically, Hyderabad falls in the category of the States which were founded by the officials of the foreign invaders and consolidated during the emergence of the British power. Neither, therefore, in its origin nor in its achievements does it compare favourably with the historic States like Udaipur, which had established themselves before the main waves of foreign invasions and whose history enshrines glorious deeds of chivalry and sacrifices in the cause of freedom or personal honour. The history of Hyderabad has been one of unprincipled opportunism, abortive quest for power and inglorious and uninterrupted dependence.

Establishment of Ruling house by Asaf Jah; continued allegiance to Delhi.

—The ruling house of Hyderabad was established by Asaf Jah, an officer of the Moghul Emperor, in 1718. Though the Moghul empire was disintegrating, Asaf Jah never renounced his allegiance to Delhi though he ceased making remittances of treasure on the ground that all the financial resources of the country were required to protect it from the Mahrattas. His successors also continued to owe allegiance to Delhi as long as the Moghul Emperor retained his titular sovereignty. Even as late as 1829 Nasir-ud-Dowlah obtained confirmation of his succession from the Emperor and his application was accompanied by a nazar of 101 gold mohars and a pearl necklace. The connection

with Delhi was further maintained by a superscription on the Hyderabad coinage indicating its subordination to the Delhi Emperor. This superscription was continued till 1858 when the British Crown assumed responsibility for the administration of India.

The first Nizam was engaged in a perpetual struggle with the Mahrattas who succeeded in establishing a paramount influence at Delhi, one result of which was that they secured Chauth or the one-fourth of the revenue of the Deccan by an Imperial rescript. Asaf Jah died in 1749.

Nizam's under foreign protectorate.—After Asaf Jah's death, no Ruler of Hyderabad has been able to maintain himself without foreign military aid. The Nizam was always an easy prey to the neighbouring powers and invariably sought shelter under foreign military protectorate. His alliance was governed by the exigencies of times and was transferred from one power to the other with amazing frequency.

The Nizam under French Protectorate.—Two of Asaf Jah's sons after his death fought a minor war of succession. Three years later one of his sons, Salabat Jah with the help of Dupleix, who was then founding a strong French empire in the South, established himself as the Nizam. A keen contest was then going on between the French and the English for the supremacy of South India. The Nizam first threw in his lot with Dupleix who, assisted by Bussey, was then winning brilliant victories against the East India Company. Bussey continued to reside at the Nizam's court protecting him from the Mahrattas in return for the four Northern Circars districts.

Treaty with the British.—In 1759 following the outbreak of war between the French and the British the Circars were seized by a British force and British possession of this territory was confirmed by a Sanad from Delhi in 1765. This led to an invasion of the Carnatic by Nizam Ali, who had ousted his brother in 1762. The Hyderabad forces were repulsed by a British Division and peace was finally concluded by the treaty of 1766, by which the Nizam placed himself under British military protectorate. He was accorded protection against the Mahrattas in the West and against Hyder Ali of Mysore, who had in the meantime emerged as a strong power in the South.

Nizam's bid for independence.—In the following year the Nizam in search of independence broke his treaty with the British and allied himself with Hyder Ali. A united attack was made by the joint forces of Hyder Ali and the Nizam on the British. The attempt failed and by the Treaty of Masulipatam of 1768 the British again succeeded in attaching the Nizam to themselves by imposing a military protectorate over him. From 1778 a British Resident and a subsidiary force were planted in Hyderabad. Despite the new agreement the Nizam in 1779 endeavoured to organise a coalition, to which Hyder Ali of Mysore was invited, with the Mahratta Chieftains to invade the Circars. This plan again failed and a King's officer was deputed to the Nizam's court to keep him loyal and to maintain his precarious existence against the Mahrattas.

Disastrous battle of Kurdla.—A few years later the Mahrattas revived their claim to Chauth against the Nizam. By reason of their treaty with the Peshwa, the British Government declined to interfere. This was followed by the disastrous battle of Kurdla in which the Nizam's forces were defeated and the Nizam was compelled to agree to a humiliating position by which he lost large tracts of territory including most of Berar and in addition was called upon to pay a heavy indemnity as well as arrears of Chauth.

The Nizam under British Protectorate.—This was followed by the Nizam again veering round to the French orbit but in 1798 Wellesley finally got the Nizam to get rid of the French force which was in his pay and to accept an increase in the British subsidiary force at Hyderabad. A year later the power of Tipoo, Hyder Ali's son, was finally broken and his well-governed territories were dismembered, a part of which was given to the Nizam by British good-

will. The rapid deterioration under the Nizam's gross misrule of the lot of the prosperous people whom the British thus handed over to him, has been described by John Malcolm, an eye-witness, as follows:—

"The different quotas to be paid by each inhabitant had been fixed; and every species of torture was then being inflicted to enforce them. Men and women, poor and rich were suffering promiscuously. Some had heavy muskets fastened to their ears; some large stones upon their breasts; whilst others had their fingers pinched with hot pincers; their cries of agony and declarations of inability to pay appear only to whet the appetite of their tormentors."

In the following year the Nizam ceded to the British a part of his territory in order to buy military protection and the strength of the subsidiary force was raised. The area ceded to the British consisted of the whole of the acquisitions from Mysore in the wars of 1790 and 1799. In other words, he purchased military protection from the British with the spoils of war secured through the successes of the British arms.

In 1808 Nizam Ali died and was succeeded by his son Secunder Jah. The same year war broke out with the Mahrattas, the Soindia and Holkar. The Nizam's Government not only failed to implement their part of the obligations in the war but were also guilty of unfriendly acts towards the British. As a result of this behaviour the Governor-General insisted on the Nizam signing an additional article to the treaty agreeing to the admission of British troops into his fortresses. At the close of the war, despite the Nizam's failure to fulfil his obligations, he received from Soindia and the Raja of Nagpur a greater part of Berar lost in the Kurda campaign of 1795.

The advantages gained by the Nizam by his subsidiary alliance with the British were stressed by Lord Wellesley in a despatch in 1799. The Governor-General sternly commanded the Nizam to be awakened to "a just sense of extensive advantages" his connection with the British had brought him. 'His enemies had been destroyed at little expense to him,' added the Governor-General 'from a weak decaying and despised State he has recovered substantial strength.....and resumed a respectable posture among the Princes of India'.

Existence of the State owing to British connection.—The rest of the history of Hyderabad is no more than the perpetuation of its existence under the British protection and repeated interposition of the British authority to save the State from gross misrule. The following extract from an important memorandum of 1926 from the then British Resident at Hyderabad clearly states the extent to which Hyderabad owed its very existence to the British connection for over a century and a half and shows how the British viewed the problem of Hyderabad:—

"There can be no doubt that it (Hyderabad) owes its very existence to the British connection. The Asafia Family had not taken strong root in the Deccan in 1800; in point of fact, it may be said that it has never ceased to be foreign. Without the British, it must have relied on the handful of Muslims domiciled in the State; a forlorn hope against Maratha resurgence. Left entirely to himself it is doubtful if the present Nizam would be able to maintain himself for any length of time.

Three strong currents of political activity converge on Hyderabad: the Maratha, the Andhra and the Kanara movements. The object of these movements is to build up again the old provinces where the various peoples predominated; and their success would mean the disappearance of Hyderabad. Already a subtle campaign of

propaganda is going on from the three directions indicated. Good government is the only antidote to this poison, and it must be regretfully observed that the Nizam's attitude for the past five years leaves but a faint hope that he would, if he realised his dreams of unchecked absolutism consider the welfare of his people in the least degree.

The limitations on internal sovereignty which Paramountcy implies have been shown to exist as fully developed in the case of Hyderabad as elsewhere. The present Ruler desires to revert to the position existing before, in 1798, his ancestor made over to the British the military control of his territories. Such a reversion is impossible so long as he enjoys military protection. Without such protection, a Hindu insurrection would soon sweep away Muslim rule unless the British Government allowed the Nizam to recruit mercenaries and to import the latest military arms and equipment from outside. Would the co-religionists of the Hindus in the State, in Bombay, Madras, and the Central Provinces stand quietly by and see their compatriots massacred? The British Government would unquestionably be involved. It is in fact impossible, treaty or no treaty, to allow an unfettered despotism to be set up in Hyderabad."

This in brief is Hyderabad's history; the Nizam and his enterprising advisers wish to forge it into an instrument of independence.

CHAPTER II

PARAMOUNTCY AND THE POLITICAL STATUS OF THE NIZAM

From what has been stated in the foregoing chapter it is clear that the main part of the history of Hyderabad is closely linked with the advent and consolidation of the British power in India. The so-called pre-eminent position that the Nizam claims for himself could have no historical sanction behind it other than the status that the British accorded to him. The political status of the Nizam under the paramountcy of the British Crown has therefore an important bearing on the Nizam's claim to preferential treatment relative to other States and may be examined in some detail.

Paramountcy Independent of Treaty Engagements.—The theory of Paramountcy had not been elaborated when the Treaty of 1800 was concluded with the then Nizam. As in the case of the treaties with several other States such as Gwalior, Jammu and Kashmir, Baroda, Indore, Bhopal, the Rajputana States, Orchha and the Phulkian States of the Punjab, the treaty of 1800 did not involve surrender of internal sovereignty. However, the Nizams at that time had no claims to sovereign power and were feudatories of Delhi. Their allegiance to Delhi continued till 1858 when the British succeeded in name to the sovereignty and authority of the Moghuls, which they had in actual fact enjoyed since the downfall of the Peshwa in 1818. The political supremacy and paramountcy of the British were inherent in the arrangement that imposed a military protectorate on the Nizam. The most important implication of military protectorate is the political subordination of the protected State to the protecting power. Another implication of such a protectorate which the British urged was the right of the protecting power to ensure a reasonably good government in the protected State. The British as the Paramount Power, therefore, claimed prerogative rights of intervention in Hyderabad as in other States independent of treaty engagements.

Intervention in Hyderabad's Internal Affairs.—This right was repeatedly asserted and exercised by the Paramount Power in respect of the Hyderabad State in complete repudiation of the Nizam's claim to internal independence. The following may be cited as instances of the interposition of such authority:—

(a) In 1835 the Nizam was informed under the orders of the Directors that the British Government could not remain indifferent spectators of disorder and misrule and unless these evils were remedied, it would be necessary to urge him to change his Minister and adopt such other measures as the case might require.

(b) In 1867 after a ministerial crisis the Governor-General informed the Nizam that disorder in Hyderabad might compel his Government to interpose its authority in a manner highly distasteful to the Nizam.

(c) In 1897 the financial collapse in Hyderabad compelled the Government of India to submit to the Secretary of State proposals for very drastic interference and the Secretary of State in approving their proposals said that beyond doubt the depletions of a State's finances would, if not otherwise checked, be a valid reason for authoritative interference and control.

(d) In October 1911, a few months after the accession of the present Nizam, he was warned by Lord Hardinge that "he was on his trial for two years; at the end of which it would be just as easy for the Government of India to appoint a Council of Regency as now".

(e) In 1919, the Nizam was twice warned by Lord Chelmsford, the first time in a letter and the second time in personal interview that the Government of India claimed the right to intervene in cases of misrule. In his letter Lord Chelmsford spoke of intervention by 'friendly advice', but in conversation with the Nizam he spoke more frankly. He said:

"It has always been clearly laid down that I cannot tolerate misrule and results such as I have indicated to you are to my mind clear evidence of personal misrule. It would be impossible for the Government of India to give their support to any Ruler, who permitted the continuance of such a state of things as I have indicated".

It was thus established beyond doubt that while the Paramount Power had full and exclusive control over all external affairs of the Hyderabad State, even in internal affairs the sovereignty of the Nizam was over-borne and limited by the Paramount Power's prerogative of intervention. Apart from the general limitations on internal sovereignty which applied to Hyderabad in common with other States in matters relating to jurisdiction over European British subjects, installations, external loans, telegraphs and telephones, post-offices, railways, manufacture of arms and ammunition, opium, salt, etc., reference may be made to the following specific instances in which the Government of India or the Resident interfered in the internal affairs of Hyderabad in the interests of the State and its people, for the improvement of the administration or the restoration of law and order.

(i) Appointment and removal of Ministers

During the last century and a half of British rule, the Paramount Power offered advice on these matters so frequently that the right to intervene had been recognised both by the present Nizam and by his predecessors. Intervention was made more or less decisively in regard to the appointment of Mir Alam, Raja Chandu Lal, Salar-i-Jung, Salar Jung II, Vikar-ul-Mulk, Sir Krishna Pershad, Sir Ali Imam, Sir Akbar Hydari and in numerous other cases. The late Nizam admitted to the Resident that it was a tradition in his family that the Minister should be appointed with the consent of the British Government and the present Nizam in his memorandum of 28th July, 1918, stated that as regards the appointment of a Minister he had to consult the Resident and obtain the consent of the Government of India. This tradition was rigidly followed right up to the lapse of paramountcy and was a special feature of the Crown's relations with the State which claims for itself a pre-eminent position. No other major State suffered from such perpetual disability in the matter of the appointment of its own Ministers.

(ii) **Removal of undesirables**

There are several cases in which the Paramount Power effectively intervened to rid the Nizam of undesirable influences. Undesirables thus removed included Mahipat Ram (1806-7), Sarwar Jung (1897), Akbar Ali (1900), Lal Khan (1914) and Abdullah Khan (1918).

(iii) **Constitutional Reforms**

The Paramount Power was consulted in regard to all constitutional changes. Thus for instance, the late Nizam obtained the Viceroy's approval to the creation of a Council of State and in 1893 the Qanuncha (rules regarding the constitution of Government) was drawn up in consultation with the Resident and the Government of India.

(iv) **Financial reforms**

In 1899 at Lord Curzon's suggestion the Nizam agreed to limit his demands on the State treasury for personal expenses to 50 lakhs per annum. About the same time, on the advice of the Government, Mr. Casson Walker was appointed Financial Adviser. The Nizam promised to give him all necessary authority but failed to carry out his promise with the result that Lord Curzon again intervened in March 1902.

(v) **Miscellaneous**

In 1862 a Sanad was given to the Nizam by which the British Government bound themselves to uphold any adoption by the Nizam which might be legitimate according to Mahomedan Law. Other matters on which the Paramount Power intervened included the education and upbringing of the Nizam's children. The following extract from the speech of the late Nizam at his Investiture Durbar bears out the practice that had come to be established:—

"I shall ever endeavour in all matters that concern the prospects and prosperity of the State to consult the wishes of Your Excellency and of the Government of which Your Excellency is the honoured head. I am sure that in doing so I shall be consulting the best interests of myself and my subjects."

Lord Reading's Famous Letter.—Finally, Lord Reading in his famous letter dated 27th March 1926, clearly asserted the supremacy of the Paramount Power over the States including Hyderabad and refused to treat as its equal any State, whatever the language in the treaties, and specified the rights which pertain to the Paramount Power as a corollary to this supremacy. Responsibility for the defence and internal security of the country, according to Lord Reading, also gave the Paramount Power the right of intervention in the internal affairs of the State (Appendix I).

Nizam's status no better than that of other Princes.—It is obvious that the status of the Nizam under paramountcy was no better than that of other States and his position was anything but of pre-eminence. Neither in practice nor in principle did the Paramount Power ever concede any special position to the Nizam: On the contrary, by the interposition of its authority in Hyderabad more repeatedly and effectively than in other States, and by negating all claims of Hyderabad to preferential treatment in various authoritative announcements the British did every thing that was possible to disabuse the Nizam's mind of his perverse and erroneous notions.

Hyderabad's Political and Economic unity with India.—As a result of the all-pervading and unifying influence of the Paramount Power Hyderabad came to be administered as an integral part of India in all essential matters of all-India concern such as external affairs, broad economic policies, defence arrangements and other similar matters. Indian army stationed in Hyderabad was maintained not merely for the benefit of the State but for the security of the whole of South India. Under diverse agreements and arrangements, one of the last

and most important of which was the Indian State Forces Scheme of 1939, the Government of India exercised the right among others to increase, decrease or reorganise the Nizam's army; to arm and equip it and secure internal peace and tranquillity. Under these arrangements the Hyderabad State was precluded like other States from importing into Hyderabad weapons of precision and ammunition and the manufacture of such weapons and ammunition except under licences which would only be granted under the dictates of the Government of India. The Hyderabad State was likewise under the obligation to cooperate with the Government of India by promoting everything that the Paramount Power determined to be necessary for the efficient discharge of its duty to protect the State; the State was also under the obligation to cooperate by abstaining from every course of action that may be dangerous to the general security of India. The Paramount Power was also entitled to secure what was necessary for strategical purposes in regard to roads, railways, posts, telephones and telegraphs, and wireless, cantonments, passage of troops and the supply of arms and ammunition.

In the field of external affairs the Hyderabad State had no international status and the State territory and the State subjects were in the same position as British territory and British subjects. The State could not negotiate or communicate with any foreign State. The arterial communications connecting the North of India to the South like the postal, telegraph and telephonic systems and the railways and airways were all led through Hyderabad by the Government of India and the policies in relation thereto were also framed and enforced by them. Several other agreements closely linking Hyderabad to India were also entered into or evolved by custom, usage or acquiescence.

By the Government of India Act, 1935, the powers exercised by the Political Department of the Government of India under the Act of 1919 were to be exercised by the Crown Representative; the person holding this office also held the office of the Governor-General. In consequence in matters of common concern the Crown Representative ensured full cooperation of the Nizam as the Ruler of a dependent protected State. In substance and in fact Hyderabad remained under the British rule an integral part of, and subordinate to, the political system established by the British in India.

CHAPTER III

HYDERABAD—A PART OF INDIA

Geographical Unity.—Sir William Barton in his book 'Princes of India' stated; "Flung almost completely across the Indian peninsula, the great State of Hyderabad holds a strategic position of the first importance both from the political and from the military point of view. In an emergency it could practically isolate the South from the North. The country is a series of vast rolling uplands with an average elevation of 1,200 feet above sea-level. Two of the mightiest rivers of the Deccan, the Godavari and the Krishna, traverse part of the State". Hyderabad is the second largest State in India. Its frontier of over 2,600 miles touches the three Indian Provinces of Bombay, Central Provinces and Berar and Madras. The extent of Hyderabad is about 2/3rd of the Province of Madras, a little more than that of Bombay and a little less than that of the Province of C. P. and Berar. Its population is less than that of each of the three adjoining Provinces and is about 1/3rd of the largest of these, namely, Madras. No natural barriers separate the border areas of Hyderabad from the contiguous areas of India. Hyderabad is entirely dependent upon India for its railways, and postal, telegraphic and telephonic and air communications. Landlocked, it has no access to the outer world except through India.

Cultural Unity.—The population of Hyderabad, numbering 16½ million, is completely homogeneous with the population of the surrounding Indian Provinces. It consists of 86½ per cent Hindus, 12½ per cent Muslims and 1 per cent Christians and others. The population falls into three linguistic groups, the Telegu-speaking (over 7 million), the Marathi-speaking (over 4 million) and the Kanarese-speaking (over 2 million). These groups, socially and culturally form part of the corresponding larger language groups speaking respectively Telegu, Marathi and Kanarese, which inhabit the contiguous provinces of Madras, Bombay and Central Provinces and Berar. Ethnically the people of Hyderabad are the same as those in the surrounding Provinces.

Economic Dependence.—Economically Hyderabad has never been an independent entity, but has always been an integral part of India. The periods of prosperity or scarcity in India have been reflected in favourable or adverse reactions on the economic life of Hyderabad.

During the food crisis, India recognised and fulfilled its responsibility to feed the people of Hyderabad. Although Hyderabad is normally self-sufficient in food-grains, it passed through a period of severe scarcity in the year 1946-47 and large allotments of food-grains were made by the Government of India, Hyderabad being treated on an equal basis with other States and Provinces.

Hyderabad is surplus in cotton, but its production of cloth and yarn is very low, and more than 75 per cent of its requirements of cloth and yarn are met by imports from India. In the matter of allotment of cloth and yarn also, the Government of India treated Hyderabad on a par with the Provinces and States in India.

Hyderabad depends upon India for supplies of such essential commodities as salt, gur (unrefined sugar), fruits and vegetables, wheat and rice to a large extent, iron and steel, chemicals and medicines, tea and tobacco, and other raw materials for industries, and manufactured products. Besides all imports into Hyderabad of foreign goods like petrol, diesel oil and other fuel and lubricating oils, kerosene, machinery and plant, machine tools and spare parts and several other raw materials and products essential for the maintenance and development of industries pass through Indian ports and system of communications.

Hyderabad is surplus in pulses, cotton, groundnut, linseed, castorseed, coal and cement, and to a certain extent in manufactured paper; but Hyderabad depends for their disposal on India as the latter is the only customer for almost all these commodities, except oilseeds, which partially enjoy a foreign market. But these are also exported through India. Hyderabad has never had any direct or 'in bond' trade with foreign countries, nor is this feasible in view of the closely interlinked economy of Hyderabad and India. As India treats Hyderabad fairly and justly in the allotments of foodgrains, cloth and yarn and other essential commodities like steel, petrol and kerosene etc., India has similarly a justifiable right in the surpluses of Hyderabad in pulses, cotton, oilseeds, coal, cement, paper etc. India has, however, other vast resources of these commodities and is in no way dependent upon Hyderabad, whereas Hyderabad is entirely dependent on India for its essential needs.

Popular Aspirations.—The people of Hyderabad have been influenced by the same political ideologies and aspirations and collective impulses as those in the rest of India. When diarchy was established in British India by the Government of India Act 1919 there was agitation for representative institutions in Hyderabad. When the Khilafat movement brought about Hindu-Muslim unity in India, it had an exuberant expression in the Khilafat agitation in Hyderabad. When the Round Table Conferences were at work in 1930-1932 the people of the State started a movement for responsible government. When the Government of India Act 1935 was passed, "The Nizam's subjects League" was founded to secure the establishment of responsible government in Hyderabad. When about 1937 the movement for democratic

institutions took root in other Indian States, the Hyderabad State Congress was formed with the object of "attaining responsible government under the aegis of H.E.H. the Nizam by peaceful and legitimate means". When India was on the threshold of freedom an overwhelming majority of its subjects, like subjects of the States, wanted Hyderabad to accede to the Indian Dominion and to participate in the Constituent Assembly of India.

Currency and Foreign Exchange.—Nominally Hyderabad has a separate currency, but it has been always linked with Indian currency at a fixed rate of exchange. The State has never followed an independent currency policy of its own; nor is this possible, because if Hyderabad were to break its currency link with the Indian rupee, the price and wages structure in Hyderabad would collapse. Further the paper currency of Hyderabad is not backed by any bullion reserve, but by Indian rupees and securities. The volume of currency in circulation in Hyderabad is only 3 to 4 per cent. of the currency in circulation in India. The trade balance of Hyderabad was only slightly favourable in the past, and in fact for the last two years Hyderabad is undergoing a period of unfavourable trade balance. Indian currency flowed freely through Hyderabad both for purposes of trade, and also for several internal transactions. Only recently have the Nizam's Government attempted to stop the free use of Indian currency in Hyderabad by promulgating an Ordinance. This has adversely affected the currency position of Hyderabad and has resulted in exodus of capital and sale of Hyderabad securities. This policy, together with the wasteful and extravagant expenditure of the Nizam's Government has been responsible for the shrinkage in the investments and foreign resources of Hyderabad at a rapid pace, so much so that the Nizam's Government had to sell Indian securities held by them to the extent of over 20 crores in the last few months and, but for the intervention of the Government of India to stop the sale of these securities the external resources of Hyderabad would have soon come to an end and the process would have jeopardised the future development of industries and the reconstruction of Hyderabad's economy.

Banking.—In banking too, Hyderabad is entirely dependent on India. Almost all banks functioning in Hyderabad are branches of Indian banks and are scheduled with the Reserve Bank of India. So are the branches of the Hyderabad State Bank in India. Before the formation of the Hyderabad State Bank, a few years back, the whole of Government and other banking transactions of Hyderabad were put through by the Imperial Bank of India. Even now the business of the Hyderabad State Bank is closely linked with and dependent upon the Imperial Bank of India and the Reserve Bank of India, in respect of banking operations, remittances, holding of balances, foreign-exchange dealings etc.

The economic dependence of Hyderabad on India is more marked because of the absolute dependence of Hyderabad's communications on India. Hyderabad has nominally a separate railway and postal system, but it cannot function except as a part of the all-India railway and the Post and Telegraph system.

CHAPTER IV

PRESENT SET UP IN HYDERABAD

(1) Political Structure

Mediaeval and reactionary.—The political structure of Hyderabad is mediaeval and reactionary. At its apex is the Nizam who receives Privy Purse of Rs. 50 lakhs a year, in addition to other miscellaneous allowances and his annual revenue of Rs. 3 crores from his personal jagirs called Sarf-i-Khas and a vast hoard estimated at several hundred crores amassed by means to which the head of a State can have recourse only under a feudal system. Besides, his two sons

and the members of his family receive large sums for their maintenance and upkeep. Till lately his absolutism was subject only to the control of the British Resident. The present Nizam is credited with the belief that he is the heir of the Moghul Emperors and with the ambition of attaining unrestricted personal sovereignty. He has, therefore, discountenanced every idea of modern political progress and has succeeded in concentrating all power in himself.

In 1914, he took over the administration without the assistance of a Minister. Four years later, under the pressure of the British Government, an Executive Council was constituted to assist him in the administration; but the Nizam continued to have things his own way. He is reported to have interfered with details of administration, including even minor appointments, so that from time to time British Residents had to intervene to support the authority of the Ministers against him. The Nizam naturally resented this control and when the British declared their intention to withdraw paramountcy he felt that the day of his complete autocracy had dawned.

The Nizam has a vast crowd of courtiers and a net-work of spies which penetrate every sphere of public life. To quote Sir William Barton: "Intrigue is in the air at Hyderabad—a vigorous survival from Moghul, and still earlier, times. It is with some people almost a pastime. Often the methods are clumsy and easily seen through; on the other hand, there is frequently a delicacy of touch, a finesse worthy of the trained and cultured brain behind it, the whole constituting a drama very interesting to watch at when it unfolds."

Reactionary Constitution.—Till recently Hyderabad had a Legislative Council consisting of 20 members of whom only four were elected, the rest being *ex-officio* or nominated members. Its functions were purely advisory. For several decades all attempts to introduce a representative element in the Legislature was frustrated mainly by the influence of the Nizam. In 1937 the Ayyangar Committee was appointed to make proposals for an expanded and more representative Legislature with a mandate that it should be mainly on a functional, not territorial, basis. The Committee recommended a Legislative Assembly of 70 members, exclusive of the President and the members of the Executive Council who were to be *ex-officio* members. Out of 70, thirty-three were to be elected and the remaining thirty-seven were to be nominated. The membership was so adjusted to give the privileged sections a majority. The recommendations of the Committee, in spite of the fact that they were not very progressive, were not put in force till 1946. In that year the Hyderabad Legislative Assembly consisting of *ex-officio*, nominated, appointed and elected members was constituted. The members of the Executive Council, all nominated by the Nizam, were to be *ex-officio* members of the Assembly, but the President of the Executive Council, who is styled the Prime Minister, is not a member of the Legislative Assembly. Exclusive of the *ex-officio* members the Legislative Assembly consists of 122 members of whom 76 are elected, the next being nominated directly or indirectly by the Nizam. Elections to the Legislative Assembly are on the functional basis. Among the elected members, majority and minority communities are equal in number, on the whole, the minority community has a majority of 10 over the majority community in a House of 132, and are therefore in a permanent majority.

Elections boycotted.—The constituencies and the method of voting were so manipulated that a candidate without official support would find it difficult to succeed. In view of the reactionary nature of the composition of the Assembly and of the method of elections to it the Hyderabad State Congress boycotted the elections.

Under this farcical constitution the Nizam's rule, untampered by the intervention of the British Resident, is absolute in character.

(ii) Administrative set-up

For administrative purposes the State is divided into 4 Subas (Divisions) each under a Commissioner. These four Subas are further divided into 16 districts. Each district is in its turn divided into Taluqas totalling over 100. The number of villages in the State is 22,500. The Khalsa lands occupy 58.5 per cent. of the total area and the rest is the Sarf-i-Khas (Jagirs, etc., belonging to the Ruler). The Jagirs in the State comprise an area of 12,000 square miles and the Jagirdars enjoy judicial and administrative powers. Tenant ownership is conspicuous by its absence. Where it does not belong to the Nizam as his personal property, land is held under a feudal Zamindari system. Absentee landlordism, an army of landless labourers, rackrenting, serfdom, forced labour and countless inhuman and corrupt practices are the features of agrarian life. Industry is in the hands of a few capitalists, who, with easily bought official connivance, treat labour with little consideration.

The facade of the prosperous looking towns of Hyderabad and Secunderabad with very good roads and buildings serves to screen the appalling poverty of the vast majority of the people, who live in a condition of utter misery and serfdom.

(iii) Services Personnel

The officialdom is traditionally corrupt and seldom kind or sympathetic to the masses. Recruitment to services is not on merits. The representation of the communities in the services is in inverse proportion to their numbers. The representation of the majority population in the key services, namely the Army, the high executive services, is negligible. The minority dominates all departments as will be seen from the table below:—

<i>Departments</i>	<i>Muslims</i>	<i>Hindus</i>	<i>Others</i>	<i>Total</i>
1. Secretaries	10	1	1	12
2. Additional Secretaries	2	1	1	4
3. Joint Secretaries	3	..	...	3
4. Deputy Secretaries	9	3	...	12
5. Assistant Secretaries	55	8	...	63
6. Head of Departments	40	6	1	47
7. Subedars	4	...	...	4
8. Collectors	14	2	...	16
9. Revenue Board	2	...	...	2
10. Sub-Collectors	50	19	2	71
11. Tehsildars	75	40	4	119
12. High Court Judges	8	5	...	13
13. Magistrates and Munsifs	147	33	...	180
14. Police (D.S.P., A.S.P. & Circle Inspectors)	73	12	6	91
15. Education Officers	237	65	27	329
16. Supply Officers	25	7	1	33
TOTAL	754	202	43	999
Percentage	75%	20%	3%	100%

The police and the military are a virtual monopoly of the elements helpful to the Nizam in crushing the political awakening in the State. The army and Police have recently been increased and there has been considerable recruitment from outside the State.

Inequitous Taxation System.—The financial structure of Hyderabad is feudal. The taxation system is inequitous, the revenues being derived mainly from Land Revenue, Excise and Customs. The incidence of taxation thus falls almost entirely on the poorer classes, there having been no taxes on income until very recently. The expenditure of the State is also top-heavy. A substantial portion of the present expenditure goes in payments to the Nizam's family and on Mansabs and other grants of a personal or feudal nature. The following extract from a dispatch of 1926 from the Resident at Hyderabad makes an interesting reference to the feudal practices for extorting money:—

"It may be noted that the mean and sordid practice of making forced sales of worthless articles at fabulous prices to litigants, nobles, officials and others still goes on. Even people in a position like Sir Afsar-ul-Mulk have to submit to this indignity."

Uncontrolled Expenditure.—There is no proper control over Government expenditure in Hyderabad State as the budget is not subject to the sanction even of the predominantly nominated legislative assembly. The Government have over-riding powers to sanction amounts in excess of the budgeted figure during the course of the year. Administrative, financial and even audit control over expenditure is necessarily ineffective as vast amounts are kept as secret funds for which no accounts are rendered.

Costly Military Preparations and Propaganda.—A large proportion of the State revenue is spent on army, police and generally for military preparations. The Razakar organisation is also financed by the Hyderabad Government in the guise of expenditure on the so called refugees. Publicity and propaganda are another source of heavy drain on the State's finances. Several thousands of pounds have been spent abroad not only for publicity purposes but also for the smuggling of arms, ammunition, wireless equipment and other articles necessary for military preparations. Large sums of money have been paid to certain foreigners for rendering service to Hyderabad in negotiating for the purchase of or provision of special facilities at Goa, for the creation of an air-force for Hyderabad and other similar purposes.

CHAPTER V

THE STANDSTILL AGREEMENT

The growth of political consciousness.—The Ittehad-ul-Muslimeen, otherwise called the Ittehad, was founded in 1926 by the Director of the State Ecclesiastical Department under the inspiration of the Nizam. Its real purpose was to organise the aggressive elements in the minority community to buttress the Nizam's feudal rule. After the promulgation of the Government of India Act, 1935, the wave of political consciousness throughout India spread to Hyderabad. As a result the "Nizam's Subjects' League" was formed by one Nizam Jung with the object of securing responsible government for Hyderabad. As a counterblast the Ittehad introduced an additional item in its creed: "The Ruler's person and Crown is the symbol of the political sovereignty of Muslims and Muslim culture". The Nizam's Subjects' League yielded no results. In 1937 the Nizam appointed the Ayyangar Reforms Committee "to report on suitable alternatives for the more effective association of the different interests in the State with the Government". This was found unsatisfactory both by leading Hindus and Muslims and the Hyderabad Peoples' Convention was formed under the Chairmanship of Mr. Abdul Hassan Sayed Ali.

Hyderabad State Congress; First Satyagraha.—In July 1938 the Hyderabad State Congress was founded, with the object of attaining 'responsible government under the aegis of His Exalted Highness the Nizam by peaceful and legitimate means and with the motive of national unity'. Its membership

included both Hindus and Muslims. The State Congress was, however, banned on October 24, 1938, when members of the Committee were arrested and sentenced. Satyagraha (civil disobedience movement) followed and about 400 Congressmen were sent to jail.

State Congress: the second Satyagraha.—Endless negotiations were conducted in order to induce the Nizam's Government to lift the ban on the State Congress. In the meantime it had been affiliated to the All India State Peoples' Conference, then presided over by Pandit Jawaharlal Nehru. As the ban on the State Congress was not lifted, it started another civil disobedience movement. Meanwhile an understanding had been reached between some of the leaders of the Congress and the President of the Ittehad, Mr. Abdul Hassan Sayed Ali, for a common programme of political advancement. Mr. Ali, however, had to pay the price for this understanding, and Mr. Kasim Razvi, an obscure lawyer from a district town, notorious only for his rabid communalistic attitude, was elected President in his place with the approval of the Nizam. Negotiations with the Congress were dropped.

The State Congress Ban lifted.—The State Congress started another campaign of Satyagraha. During the brief tenure of Sir Mirza Ismail as Prime Minister of Hyderabad, the ban on the State Congress was lifted. Provincial Conferences were incorporated into the Congress which emerged as the most powerful political organisation in the State. During all this time the strictest restrictions on civil liberties were imposed on all democratic and popular movements while the Ittehad was left free to carry on its most aggressive fascist and communal activities.

Pre-August Situation.—Early in 1947 the situation in India was pregnant with changes. The British had decided to quit; India was to be divided; the States were to be relieved of their obligations to the British Crown and *vice versa*. The Political Department of the Crown Representative was busy winding up Residencies in Indian States.

The Nizam by his *firman* dated 26th June 1947 declared his resolve not to participate in the Constituent Assembly and not to join the Union. He also declared that the removal of British Paramountcy entitled him to declare his independence. The Ittehad, under the Presidentship of Mr. Kasim Razvi, also declared itself against accession to India, responsible Government, or share in public life on the basis of population. The Razakars, a quasi-military organisation, was founded in support of these aims and their demonstrations in favour of an independent Hyderabad came to be staged with increasing frequency. The Nizam's Government banned the flying of the flag of the Indian Union in the State. Thus the Nizam and the Ittehad were ranged not only against the State Congress but also against the Indian Union.

Negotiations for accession.—Under pressure from reactionary elements the Nizam had secured the resignation of Sir Mirza Ismail from the office of Prime Minister as his desire to enter into friendly relations with the Indian Dominion did not appeal to the Nizam who then appointed the Nawab of Chhattari as Prime Minister. In July, when the Government of India was negotiating with Rulers of all Indian States, a delegation consisting of the Nawab of Chhattari, Sir Walter Monckton, Sir Sultan Ahmed and Nawab Ali Yavar Jung came to Delhi on behalf of the Nizam to negotiate with the Government of India. By 15th August 1947, no agreement however had been reached. At the request of the Nizam, the Government of India gave him an extension of two months within which to find an amicable settlement. Negotiations were later resumed by the Chhattari Delegation sent by the Nizam with H. E. the Governor-General, Lord Mountbatten, with the concurrence of the Dominion Cabinet. In the course of the discussions it was represented by the Chhattari Delegation that in view of the premier position of Hyderabad,

its association with the Indian Dominion should be different from that of the other Indian States. Representations were also made by the delegation that if a Standstill Agreement for one year was accepted by the Government of India, a happier atmosphere would be created in Hyderabad in which terms of a more permanent association could be successfully negotiated.

Standstill Agreement.—As a result of the negotiations conducted by the Chhattari Delegation a draft agreement was finalised on 18th October 1947. On 27th when the delegation was to fly back to Delhi after obtaining the signature of the Nizam on the agreement, the house where the members of the delegation resided was surrounded by the Razakars, apparently the police being in full co-operation with them and they were prevented by show of physical force from leaving for Delhi. The Nizam called in Mr. Kasim Razvi on 28th October, for consultation. The old Delegation was dissolved under pressure from the Ittehad and a new one appointed; it included Nawab Moin Nawaz Jung and Mr. Abdur Rahim, the two members of the old Executive Council who had voted against the Standstill Agreement. The Nawab of Chhattraï resigned on 1st November 1947. The new Delegation attempted to secure from the Government of India some changes in the draft Standstill Agreement, but failed. The leading advisers of the Nizam, however, impressed upon him the advisability of a temporary agreement in order to get 'a full and comparative peace during which, as we have often said, we can see how the two Dominions get along and how far we can *prepare ourselves for a more genuine display of independence later on*'.

This motive, as is now clear from subsequent developments, influenced the Nizam and the ruling group around him to accept the Standstill Agreement as it stood, but without any intention of fulfilling it. The Standstill Agreement was ultimately signed on 29th November 1947. (Appendix II).

CHAPTER VI

NEGOTIATIONS WITH INDIA

About this time the Nizam set up a new Ministry under the advice of Ittehad leaders, pledged to carry out its policy. Mr. Laik Ali, a leading industrialist of Hyderabad, was appointed Prime Minister.

Thus the Standstill Agreement which the Government of India negotiated with the Chhattari Delegation and accepted in a spirit of friendliness with every intention to implement it, was left to be worked by the Ittehad Ministry which was determined not to implement it in the spirit in which it was concluded.

Withdrawal of the Indian Army from Hyderabad.—The Government of India began to implement the Standstill Agreement in the spirit in which it was concluded by ordering the withdrawal of the Indian Army stationed in Hyderabad State. Though they knew that by so doing they would remove the most powerful sanction which they had to secure the implementation of the Standstill Agreement by the Nizam's Government, they did not hesitate to fulfil their part of the agreement. They did so however, in the expectation that the Nizam's Government would play their part honourably. Little did the Government of India suspect at the time that the Nizam and his advisers conceived the Standstill Agreement only as a ruse to gain time and to secure the elimination of the Indian Army which was a serious obstacle to the operation of their plans. Hyderabad's motives in seeking the Standstill Agreement, since revealed, provide the background for subsequent developments.

Negotiations for Implementing the Standstill Agreement.—Negotiations first opened on 22nd January, 1948 by Mir Laik Ali with Mr. K. M. Munshi, India's Agent-General at Hyderabad, for implementing the Standstill Agreement. Mir Laik Ali pressed for an early fulfilment by Government of India of the assurances contained in the Collateral Letters by:—

- (a) removing the Indian Army stationed at Bolarum as quickly as possible;
- (b) allowing free flow to Hyderabad of goods of every description, including military equipment, which the Nizam's Government had purchased on a large scale in India;
- (c) supplying arms and ammunition for its army;
- (d) transferring to them the control of postal, telegraph and telephonic communications which pass through Hyderabad connecting South India with North India.

On the other hand, on the question of implementing the obligations of the Nizam's Government, they adopted a very unhelpful attitude; thus for instance they totally repudiated their obligations under the States Forces Scheme of 1939 which was the basic agreement in relation to Defence saved by the Standstill Agreement, and declined to accept the appointment of a States Military Adviser, declaring that the whole scheme had lapsed. They also committed breaches of the Standstill agreement by negotiating an agreement with the Pakistan Government for advancing a loan of Rs. 20 crores and by promulgating an Ordinance banning Indian currency in Hyderabad.

March Conference at Delhi.—In the month of March a Hyderabad Delegation, consisting of Mir Laik Ali, Sir Walter Monckton and Nawab Mohi-ud-Din, Nawab Jung, came to Delhi to discuss the possibility of coming to a permanent arrangement with the Government of India. It was suggested by His Excellency the Governor-General on 4th March 1948, that the Razakars' Organisation, being a danger to security, should be banned; but no assurance in that direction was forthcoming. Mir Laik Ali, however, left New Delhi after giving an assurance that, in order to create the proper atmosphere for negotiating a permanent settlement, he would immediately set up a more representative Ministry in Hyderabad. On his return to Hyderabad Mir Laik Ali formally announced that he was going to convene a Round Table Conference of party leaders. The President of the Ittehad, Mr. Kasim Razvi, who has been always working in close collaboration with him, promptly announced that he would not take part in any such conferences. No steps were taken by the Nizam's Government to release Swami Ramanand Tirtha, the President of the State Congress, then in jail. Nothing further was done to implement the assurance that he had given to the Government of India.

Immediate supply of arms demanded.—Thereafter, Mir Laik Ali recommenced negotiations with Mr. K. M. Munshi, in the course of which it was found that the only anxiety of the Nizam's Government was to secure from the Government of India an immediate supply of modern arms and equipment for 25,000 troops and 85,000 police and a free flow of army disposals and military stores which the Nizam's Government had purchased in large quantities all over India. At the end of the discussions Mir Laik Ali informed India's Agent-General that they would not like to proceed to Delhi unless the States Minister was favourably disposed towards the proposals which they had made in the course of the discussions with the Agent-General.

Government of India's Demands.—In the meantime border incidents had assumed grave proportions and the Razakars had been very active. The Government of India came to the conclusion that the first essential for

resuming fresh negotiations was that the Nizam's Government should take appropriate action to put an end to the conditions of insecurity and disorder in the State and on its borders caused by the activities of the Razakars. Accordingly the Government of India addressed a communication to the Prime Minister of Hyderabad dated March 23, 1948, pointing out the breaches of the Standstill Agreement committed by the Nizam's Government and asking them to take immediate action to ban the Ittehad-ul-Muslimeen and the Razakars.

Nizam's Government's Reply.—On April 5, 1948, Mir Laik Ali addressed a reply to the Hon'ble Pandit Jawaharlal Nehru. In the course of the reply the Nizam's Government made countercharges against the Government of India and tried to justify the acts which constituted the charges made against them. In particular the Nizam's Government persisted in their refusal, (a) to be bound by the Indian State Forces Scheme of 1939 which was, as mentioned, the basic agreement relating to Defence saved by the Standstill Agreement, and (b) to consider the question of disbanding the Razakars.

Mir Laik Ali's Assurances not carried out.—Following the letter Mir Laik Ali came to Delhi and saw the Prime Minister and the Deputy Prime Minister of India. The position was made clear by the Prime Minister of India and accepted by Mir Laik Ali that in order to ease the tension prevailing in Hyderabad and to pave the way for further discussions the Razakars should be brought under control and, as a first step, their processions, public meetings, demonstrations and speeches should be banned; the leaders and members of the State Congress should be released; and a new and representative interim Government should be immediately formed. However no effective action was taken by the Nizam's Government to fulfil these conditions.

Government of India's terms.—In the meantime the activities of Razakars were mounting in intensity and violence. The Government of India felt that the forbearance, which they had been showing in the face of openly provocative activities was being taken as a sign of weakness. On May 15, 1948, therefore, they called upon the Nizam's Government by a letter, among other things, to declare illegal and disband the Razakars' Organisation. The Nizam's Government did not comply with this demand. In order to prevent the incursions of the Razakars into the Indian territory, Indian troops had to be stationed on Indian borders.

Agreement in place of Accession agreed to.—The last phase of the negotiations in May and June 1948 is illustrative of the intentions and the policy of the Nizam as regards his State's permanent association with the Dominion of India. At a conference on 26th May, Mir Laik Ali agreed to the principle that the legislation by the Government of India in respect of the three subjects (Defence, External Affairs and Communications) should automatically apply to Hyderabad, should the Nizam's Government fail to pass corresponding legislation. After his return to Hyderabad, however, Mir Laik Ali, on 30th May, wrote to say that he wished to modify the statement that he had agreed to the principle of overriding legislation. In reply to this it was pointed out that he had categorically and unequivocally agreed to the principle of overriding legislation by the Government of India. On 6th June Mir Laik Ali returned to Delhi with Sir Walter Monckton to continue the negotiations. Draft heads of agreement and a draft firman were prepared. (Appendix III). The Delegation thereafter left for Hyderabad with the drafts for obtaining full powers to come to an agreement. Sir Walter Monckton returned to Delhi on June 12, and reported that the Nizam and his Executive Council approved of the two drafts with the exception of the following two main points (some others being subsidiary):

- (a) over-riding legislation by the Government of India; and
- (b) the composition of the Constituent Assembly.

In order to meet the Nizam's wishes and those of his Government, the Government of India modified the provision relating to over-riding legislation and omitted any reference to the composition of the Constituent Assembly.

The original Draft Firman contained a provision that the Hindus and Muslims should have an equality of seats in the interim government. The Government of India, however, objected to any reference to parity in connection with the interim government and suggested an alternative provision to the effect that the interim government would be formed in consultation with the major political parties. On this being agreed upon, Sir Walter Monckton invited Mir Laik Ali to come to Delhi with plenipotentiary powers to settle outstanding points.

More Concessions sought and made.—The Hyderabad Delegation accordingly arrived on June 14, when Sir Walter Monckton pointed out to Mir Laik Ali the alteration which the Government of India wanted to make. The same day the Hyderabad Delegation pressed for amendment of the drafts in their favour in the following respects:—

- (i) permission for Hyderabad to maintain, apart from a regular army of 20,000 and the ceremonial and household guards, an additional irregular Force of 8,000 men;
- (ii) a modification of the clause for the disbandment of the Razakars by a qualification that the process would take three months, although rallies, parades and demonstrations would cease forthwith; and
- (iii) the State of emergency was to be qualified by the inclusion of the words "under Section 102 of the Government of India Act, 1935".

The Government of India, in the interests of peace and in their anxiety to reach a settlement, agreed to all these amendments without exception.

A new point raised by Mir Laik Ali.—A point was raised at this stage by Mir Laik Ali in connection with economic and fiscal freedom for Hyderabad and the Governor-General suggested that the Prime Minister of India should address a letter undertaking that the Government of India would examine the question.

Yet another point raised by Mir Laik Ali.—On 15th June Mir Laik Ali raised a further point that an arbitration clause should be inserted. As arbitration was not appropriate in respect of some of the points covered by the Agreement, the Government of India did not agree to the suggestion. And when Mir Laik Ali left for Hyderabad on 15th June, it was made clear to him that no further amendments would be entertained by the Government of India.

Allegation and its withdrawal.—On 16th June, the Nizam sent a telegram refusing to accept the agreement unless the fresh points suggested by him were accepted. In the telegram the Nizam also alleged that some of the amendments to the draft had been made on the copies of the firman towards the end of the meeting the previous day and that Mir Laik Ali did not discover them until his return to Hyderabad. On 17th June, Sir Walter Monckton went to see the Nizam with a note from His Excellency the Governor-General in reply to the points raised by the Nizam. His Excellency pointed out that the allegation that some alterations had been made without the knowledge of Mir Laik Ali was not true, that they had been made known to Sir Walter Monckton on the morning of Monday, 15th June, and explained by him to Mir Laik Ali the same day. His Excellency further pointed out that the amendments so made did not make any material alterations and that the position in regard thereto had been accepted by Mir Laik Ali. The attitude of the Government of India with regard to Hyderabad's claim for freedom in respect of economic and trade matters was again explained. By his telegram dated 17th June the Nizam withdrew the allegation that the changes in one of the two drafts had not been made

known to his representative until the last moment. He, however, reiterated his objection to the omission of the principle of freedom in trade and economic and fiscal matters and the principle of arbitration. An additional objection was raised by the Nizam for the first time regarding the stationing of troops in Hyderabad in an emergency. A provision had been made in the heads of agreement to the effect that the Government of India would not station their armed forces inside Hyderabad State except in an emergency. Subsequently at the Nizam's Government's suggestion it was agreed that such an emergency should be defined by the inclusion of the words "under Section 102 of the Government of India Act, 1935". This was also repudiated by the Nizam. The Government of India naturally could not accept terms which repudiated the whole basis on which negotiations had proceeded so far.

Lord Mountbatten's last effort :—

On 18th June, three days before he left India, Lord Mountbatten sent a long private and unofficial telegram to the Nizam finally appealing to the latter to accept the draft agreement drawn up by India after long and protracted talks with Hyderabad's representatives.

Lord Mountbatten stated that he was anxious beyond words for the peace and prosperity of the whole of South India.

The Nizam replied regretting that he was unable to change the unanimous decision already taken by his Council.

The extraordinary points chosen by the Council, which was the creation of the Nizam and was responsible to no one but him, to advise the rejection of the provisional agreement are illustrative of their negative attitude.

The first and the most serious point on which the Council advised the Nizam to break off negotiations with all the human misery which such action is bound to entail, was in connection with the addition of the words "on a basis which I shall consider later" in sub-para. 1 of Paragraph II of the draft Firman, (Appendix III) which provided for the introduction of responsible government in Hyderabad and the establishment of a Constituent Assembly early in 1949. The Government of India were absolutely at a loss to understand by what process the Council could come to the decision that this was a breaking point. The fact that the basis of the Constituent Assembly was going to be decided at a later date was inherent in the omission of the mention of that basis in the Firman. To call this a material alteration was nothing short of ridiculous.

The second point raised by the Nizam's Council related to an alteration in the wording of sub-para. II of the Firman, so as to provide for the setting up of the interim Government in consultation with the leaders of the major political parties. This was an elastic and unexceptionable substitute for the wholly unjustifiable provision for parity between the majority (86½ per cent) and minority (12½ per cent) communities. In any case it could hardly be seriously suggested that any such change of wording could amount to a reason sufficient to justify the breaking of negotiations.

The third point on which the Council based their recommendations for the rejection of the terms was the demand for freedom in trade, economic and fiscal matters. The importance attached to this point by the Hyderabad Government was not disclosed to the Governor-General up to the morning of Tuesday, 15th June. Until then this matter had been covered by a footnote. The Government of India undertook to consider Hyderabad's request sympathetically.

The fourth point which the Council put forward as a reason for breaking off the negotiations concerned the absence of a provision regarding arbitration. It was made clear on behalf of the Government of India that the arbitration provision in the Standstill Agreement would continue to be in force for all the existing arrangements and agreements covered by it. The decision to break off negotiations because an arbitration clause was not included in the heads of agreement appeared to ignore that:—

- (i) an arbitration clause was in any event inappropriate to some of the provisions of the agreement as the Hyderabad Delegation had admitted;
- (ii) arbitration was in general an unsatisfactory alternative to goodwill as a means of ensuring the proper implementation of agreements of this kind.

It was inconceivable that a settlement which had taken so much effort to reach would be rejected for the amazing reasons put forward by the Nizam's Council. The Government of India could draw from it no other conclusion than that the Council's reasons were a disingenuous subterfuge to avoid the honest admission that they were unwilling to undertake the other steps for which the agreement provided including, for instance, the disbandment of the Razakars.

CHAPTER VII

RAZAKARS: A MENACE TO SECURITY

The Razakars as Instrument of the Nizam.—Since July 1947, the Ittehad, under the Nizam's inspiration, has been converted into a shock brigade for creating conditions in which the much-coveted theocratic and totalitarian State may come into existence. With this end in view a quasi-military organization known as the Razakars, has been built up. Militarist demonstrations are a part of their daily routine; and military training is being imparted to them in Hyderabad and Secunderabad. A Razakar, on enrolment, pledges his life to the Ittehad, to Hyderabad and to his Leader and vows "to fight to the last to maintain the supremacy of the Muslim Power in the Deccan". The headquarters of the Razakars are in Hyderabad City, but its ramifications cover the whole of the State. Seventy thousand men, women and children have undergone training; 1,50,000 members are on the rolls, and recruitment is going on briskly to reach the target figure of five lakhs of Razakars.

Activities of the Razakars.—The activities of the Razakars may be classified as follows:—

- (a) Staging frequent demonstrations all over the State
- (b) Terrorising individuals connected with movements which seek the accession of Hyderabad to the Dominion of India or the introduction of responsible government in the State.
- (c) Organising border raids into the Indian Dominion territory.
- (d) Inflicting reprisals, with or without the Police or the Military, on villages or individuals suspected of being pro-State Congress or obstructive to the Razakars.
- (e) Taking upon themselves the duties of Customs Officers in searching the luggage and belongings of railway and road passengers.

- (f) Preventing unofficial investigations by agencies or individuals into the internal situation in Hyderabad.
- (g) Overawing the public by staging marches of uniformed volunteers with spears, swords, or muzzle-loaders on cycles, in buses and lorries, by firing empty shots into the air.
- (h) Infiltrating into Indian Dominion territory in order to carry on espionage work; to smuggle arms and ammunition into the State; to recruit volunteers from Dominion territory for the Army, the Police and other services and to create disaffection among the Muslims of India and to rouse them against the Government of India; and to carry on a Jihad (religious war).

Transport.—The Razakars possess several 8-ton lorries, dozens of Jeeps and one-ton lorries, in addition to the transport which they command freely over the Nizam's State Railway, and road transport services from willing or unwilling private owners. In spite of severe restrictions of petrol supplies to the civil population the Razakars have always had liberal supplies of petrol from the Nizam's Government.

Arms.—They are fully armed and not only do they have a large number of looted and locally manufactured guns but also some modern weapons.

Publicity.—The Ittehad runs one English daily, 7 Urdu dailies and 6 Urdu weeklies. In the Nizam's Radio they have another powerful instrument of propuganda, always at their service. These organs, day after day, attack the Indian Dominion and the leaders of India.

Special training is given to Razakars in espionage and propuganda and selected Razakars are given training to masquerade as Brahmins and priests.

Finances.—The organization which spends not less than 10 to 30 thousand rupees a day is maintained by direct contributions forcibly recovered from the villages or merchants, by levies etc. collected by Government on exports and by donations and shares of profits from persons who have advanced in their careers through Party influence. Most of the gold and silver looted by the Razakars from the helpless people also goes to the Party Funds. The Ittehad is also in receipt of very large sums for the maintenance of the so-called refugees.

Anti-Indian Propaganda.—The Razakars have not been reticent about their objectives. Their pronouncements are characterised neither by responsibility nor sobriety. The Dominion of India and its Government and leaders are the targets of their repeated virulent attacks by the publicity organs of the Razakars. The following two extracts are illustrative of their objectives and the offensive and incendiary nature of their utterances:—

"Hyderabad will shortly recover the ceded districts and the day is not far off when the waves of the bay of Bengal will be washing the feet of our sovereign who will be called not only the Nizam of Hyderabad and Berar but also of the Northern Circars."

"We are re-writing the map of India by bringing together a union of Jumna and Musi. We are the grandsons of Mohd. Gazni and the sons of Bahar. When determined we shall fly the Asafjahi flag over the Red Fort (in Delhi)."

Threat to communal peace in India.—Another serious aspect of the Razakar activities, in which they have the support of the Nizam's Government, has been the two-fold threat to communal peace and amity in India. In their

endeavour to convert the minority into a majority in the State, they are engaged in inducing the Muslims from India to emigrate to Hyderabad and to terrorise and force the majority population to migrate to India. To achieve this objective they send out agents all over India to induce Muslims to leave their homes in India and come and settle down at Hyderabad. These are not strictly refugees, for the conditions in the Indian Provinces do not warrant such emigration. Muslims from other Provinces, mis-called refugees, are however, drawn by the lure of money and employment or by propaganda for Jihad against the Indian Dominion. Elaborate arrangements are made for these purposes; large finances are placed at the disposal of the agents touring throughout India. There are Razakar centres in various parts of India which act as recruiting agencies and rallying points of anti-Indian elements fomenting communal hatred.

These invitees incited by the Razakars have been one of the main factors in disturbing the law and order in the State. Many instances have been reported of the so-called refugees harassing people, unlawfully extorting money, breaking into houses, occupying them and committing robbery.

Collapse of Law and Order in the State.—The internal conditions of Hyderabad State have become a scandal and the majority population has to suffer terrorism of the worst type. There is wide-spread panic and disorder throughout the State. Life in the villages has become so insecure that thousands of persons have fled to the Indian Provinces for safety. A number of villages have been burnt down in several places. Hundreds of persons have been killed, wounded or beaten. Villagers have also come down to Hyderabad City or Secunderabad for refuge. Razakars are seen daily leaving Hyderabad in trucks openly shouting slogans and returning with plenty of loot. The majority population throughout the State has been systematically disarmed. Large tracts of cultivable land are lying fallow, as the villagers have deserted their homes.

The Nizam's Government and the Razakars put innumerable difficulties in the way of independent investigations into the actual state of affairs in the State. Yet the atrocities of the Razakars have been attested by many independent observers of standing. Ministers have gone on tours to the affected villages and testified to the prevailing conditions. Photographs of burning houses have been obtained. Mr. J. V. Joshi, who was until recently a Minister in the Hyderabad Government and has resigned has stated in his letter of resignation that complete terror prevails in some districts which he visited (Appendix IV). He describes scenes of devastation, people being killed and their eyes taken out, women raped and large number of houses burnt down. The statement that this Minister of the Hyderabad Government has made is a final condemnation of the gangsterism that has overtaken the State.

Hyderabad City is the centre of the Ittehad and the G.H.Q. of Razakars. The power of Razakars is demonstrated night and day by drills and parades in uniform, by armed rallies, by public processions on foot, on cycles and in trucks. Razakars take the law into their own hands on the slightest provocation. On such occasions the police never appear on the scene, but even if they do, they prefer to be silent spectators.

In the districts, far away from the gaze of press correspondents, Razakars have staged their reprisals. In Bidar district, for example they have devastated 129 villages, burnt about 1,000 houses, looted property worth crores, killed 70 to 100 men and women and committed rape on about 50 women. Eye-witnesses and victims and unofficial enquiry committees have testified to the woeful conditions prevailing in the District. The Nizam's Government have naively denied all these allegations.

The incident at Gorta, enquired into by an unofficial enquiry committee which visited the scene, may be cited as a typical example, as it throws light on the gruesome fate which overtook it. This village with all its inmates, both human and animal, was burnt down to a heap of ashes on May 10, 1948. Even the details of the tragedy were not forthcoming till a small enquiry committee had visited the ruined village. Except for a lonely male and three wailing old women there was absolutely no trace of life in the village when the Committee visited it. The stench of decomposing corpses filled the air. Many half-burnt human corpses and a number of skeletons were lying about. The Committee was led to believe that about 200 persons were burnt to death in the village.

Warangal District.—The Warangal district is another centre of Razakar atrocities. Lakhs of inhabitants of this district have been forced to seek refuge in the neighbouring Province of Madras. Four separate investigations were made by different sets of people, all of which tally in all material particulars.

The same story, with more or less variation, has come from other districts. In all districts of Hyderabad the Razakar rule prevails, often supported by police and the military, and in all cases connived at by them. No Razakar has been known so far to have been brought to book for any atrocity, however violent and unlawful. As a result of the unchecked terrorism of the Razakars a large number of people are migrating from the State to the territories of the Indian Dominion.

CHAPTER VIII

BORDER INCIDENTS

The disorder and insecurity in the State created by the terrorist activities of the Razakars have for the past several months disturbed the peace and security of the surrounding districts of Bombay, Madras and the Central Provinces and Berar. There is no natural boundary, except in a few places, between the villages of Hyderabad and those of the Indian Provinces. There are a very large number of Indian enclaves in Hyderabad territory, varying from a solitary village to a whole Taluka. This has made it easy for the raiders from Hyderabad State to adopt hit-and-run tactics and on several occasions, to cut off road communication with the enclaves. Moreover, owing to the contiguity of India and Hyderabad, the atrocities committed in the villages on the Hyderabad side of the border have their repercussions on the Indian side. In most of the raids the raiders are accompanied by the Nizam's Police and/or military. A very large number of instances can be cited, of the loss of life and property resulting from these raids. In several cases, Indian Police Officers have been carried away to Hyderabad territory or have been either shot or confined in jails. (Appendix V).

The raids, which began in order to terrorise those border villages which offended the Razakars and the State under the leadership of the Hyderabad State Congress, have now become a perpetual feature disturbing the peace and security of all the three Provinces.

Without going into details of the incidents, some principal characteristics of these raids may be summarised—

Firstly, the raiders are composed partly of Razakars and partly of what may be described as 'official agents of the Nizam's Government', *e.g.*, Arabs in the State Service, armed Sepoys from the 'State Forces, etc.

Secondly, the incursions into the Dominion territory were ostensibly in search of "undesirable characters" alleged to have taken shelter in the Dominion territory. For example, on 4th December 1947, the State Military personnel camping at Nelugal on the Bombay border entered the limits of Kanmanhal in Dharwar District of the Bombay Province and took away three villagers to their base in State territory. Again, on 24th December 1947, about 60 sepoys from the State forces, entered Ainapur in the Bijapur district of the Bombay Province, threatened the Police Patil at the point of the bayonet and unlawfully searched his house for certain Congress workers said to have fled from Hyderabad.

Thirdly, the motive for these raids was in most cases extortion of money. In these raids, even villagers from the Hyderabad side joined with guns, swords and lathis. Men with means are carried away and released only on payment of ransom.

Fourthly, taking advantage of the contiguity of the borders and the necessity of having to pass through State territory in having access to the Indian enclaves, the Nizam's Customs Officers, Police and Military, the Razakars and even pro-Razakar villagers search and harass Indian citizens in transit through State territory. In most of the cases, in the course of the search, property was looted or ransom extracted.

Fifthly, raids are being organised in order to cause panic among the villagers within the Indian borders. Cases are known of Arabs in the State service entering Dominion territory, shouting slogans, brandishing swords, chasing and abusing villagers, and molesting women.

These characteristics only relate to incidents of a serious nature. Besides there have been innumerable instances of cattle-lifting, assault on and harassment of Indian subjects, robbery in Dominion territory by small bands of Razakars, of the State Police or the Military operating from their camps in the State territory close to the border. The operations are also in most cases organised and premeditated. Of late, on the Bombay side, the object has not been, as in the earlier period merely to cause harassment, extort money, and create panic: it is systematically to destroy the life and property of the border villagers by shooting at random and by setting fire to houses and stacks of hay and corn, and by driving away herds of sheep, goats and other milch animals.

Nanaj Incident.—A typical example of the campaign of violence indulged in by the Razakars is provided by the recent attack on a party of Indian troops near the Hyderabad village of Nanaj. The Indian military convoy was taken by surprise and had to suffer some casualties but the attack was repulsed with the arrival of the remaining portion of the convoy. The attack was entirely unprovoked and there was unmistakable evidence that preparations for attack and defence were being made in the village by digging huge trenches and loop-holing houses. The villagers, who ran away from Nanaj the previous evening, on their return, testified how a party of about 50 Razakars, Police and Pathans occupied the village fully armed with the intention of attacking the Indian Army units which were known to be proceeding that way on the routine duty of exchanging patrols. After the first attack which took place late in the evening of July 24, 1948, the Razakars made two more attacks but were driven away easily. On July 26, 1948, Lt.-Col. Weston, a senior British officer of the Hyderabad State Forces, visited the scene of incident and after enquiries confirmed the Indian Army version of the incident. (Appendix VI).

CHAPTER IX

PLEBISCITE AND BLOCKADE CRY

Dictatorships attribute to those, who do not fall in line with them, motives and intentions that do not exist. It helps to win friends at home and abroad to find a scapegoat for the evils of megalomania and self-regarding policies. The propaganda agents of the Nizam, whose personal ambition and obstinate absolutism are dragging his State towards a disaster, are trying to depict him in the role of the proverbial innocent and peaceful lamb. An aggressive wolf is necessary to complete the set-up and the Government of India come in handy for the purpose.

The main planks of the malicious propaganda that is being conducted against the Government of India are:—

Firstly, that the Government of India insisted on unconditional surrender of Hyderabad's sovereignty even without ascertaining the wishes of the people of the State by a free plebiscite.

Secondly, that Hyderabad has been put under an economic blockade which is depriving the State of essential commodities, drugs, chemicals, etc.

Government of India's suggestion for an impartial plebiscite.—The plebiscite cry is the latest addition to Hyderabad's propaganda armoury. It is a glaring instance of the Goebbels technique of harping on a big lie in the hope that some ignorant folk would swallow it. The suggestion to hold a plebiscite to decide the issue of Hyderabad's accession was made as early as 27th August, 1947, by the Governor-General of India in his telegram to the Nizam; the relevant part of this telegram reads as follows:—

"Should it be impossible to carry on negotiations without delay, my Government would not be prepared to consider any solution other than your signing the Instrument of Accession in the same way as all other States similarly situated have now done but they would be prepared to offer facilities to enable you to test the will of the people by sending British Officers to conduct a referendum on this issue in the same way as was recently arranged in the N.W.F.P."

This telegram was based on the Hon'ble Sardar Vallabhbhai Patel's letter to Lord Mountbatten, dated 24th August, 1947, in which it was stated:—

"If, however, the Nizam's Government are still unable to decide their course in the only right direction in which it lies, His Exalted Highness must agree to submit the issue to the judgment of his people and abide by the decision. We on our side will be content to accept whatever might be the result of such a referendum."

The offer of the Government of India was made in all earnestness; its categorical rejection by the Nizam is typical of his and his Government's negative attitude. In his telegraphic reply to the Governor-General of India he made the astounding assertion "I should also like to point out that the problems of the constitutional position of Hyderabad are such that the question of referendum does not arise."

The spirit behind this telegram has been the keynote of the Nizam's approach to the question of accession, establishment of responsible government and plebiscite. It has been the Government of India's policy that in all matters affecting their future the will of the people should prevail. The suggestion to hold plebiscite was, therefore, again repeated to Mir Lalk Ali by the Secretary, Ministry of States on 17th April, 1948. The suggestion was summarily rejected

by him. He expressed himself against plebiscite as he thought that the announcement to hold a plebiscite will adversely affect the law and order situation in the State. The proposal was repeated on behalf of the Government of India from time to time but evoked no response from the Nizam's Government. Now we see the miracle of the Nizam—who has all his life thwarted the legitimate aspirations of his people—turning a champion of their right of self-determination. The reason for this change of front is provided by the course of negotiations which shows that the game of the Ittehad-dominated Nizam's Government has been to gain time and to extract concessions up to a point which would frustrate the very purpose for which association between India and Hyderabad was sought.

Plebiscite without suitable interim arrangements a farce.—The Nizam's offer of plebiscite, which now comes with a beat of drum, is dis-ingenuous since it is made with no intention to ascertain the real views of the people in a peaceful atmosphere and in an impartial manner. Hyderabad's right of self-determination in the present set up, in which a vast majority of the people are treated as hostages, means no more than a licence to the militant sections of the minority to exterminate the majority population. When, therefore, the Nizam and his Government complain against the so-called denial of self-determination, they mean in fact that a small clique of unscrupulous fanatics should have unfettered power to dominate the masses. The Nizam's Government wish to hold a plebiscite under the conditions in which a small militant group controls the destinies of the people and the Razakars are left free to terrorise the people into submission. Plebiscite without an interim government representative of and satisfactory to the majority population in Hyderabad will only be a fraud on the people.

Nizam rejects the proposal.—The proposals for a plebiscite on the issue of accession and interim arrangements formed a part of the Government of India's latest offer to the Nizam which was negotiated with his Prime Minister, but was rejected by the Nizam from Hyderabad. This fact should be enough to give a quietus to the baseless allegation that the Government of India denied the people of Hyderabad the right of self-determination.

No economic blockade.—As regards the allegation of economic blockade it may be stated that no embargo has been placed on the export to Hyderabad of any of the necessities of life, such as foodstuffs, salt, chlorine and medical supplies. As a matter of fact, the Nizam's Government have been trying to build a reserve of these articles to last for about two years and by extensive purchasing and unlawful smuggling reserve stocks are being built up. Whenever special permission has been asked for from the Governments of the surrounding Provinces, permits have always been given for quantities in the light of normal requirements in the past. The Provincial Governments have refused to permit the exports only when they had strong reasons to suspect that the articles were not for normal use but had been acquired in India by unfair means and are being consigned on false description. Commodities such as food, salt and chlorine, are freely flowing into Hyderabad. The facts in respect of these supplies are as follows:—

Food.—A fixed import quota of 20,000 tons of foodgrains has been allotted for Hyderabad for the year 1948 on the same principles as apply to other Provinces and States in India. Of this quantity, 14,838 or more than half the year's requirements have already been despatched to Hyderabad in the period January to June, 1948.

Medicines.—There is no ban on the export of medicines and medical stores to Hyderabad. Medical stores usually go to Hyderabad from Bombay and Calcutta. No separate statistics have hitherto been kept of each kind of drug going from these two markets to

each Province or State. Supplies, however, from these two cities have continued to Hyderabad. In fact, there have been such heavy purchases by agents of Hyderabad from these markets recently, in addition to large-scale smuggling, that it has been necessary to regulate their exports so as not to disturb the supply position in Bombay and Calcutta. Even so, there has been no restriction on the normal quantities required by Hyderabad.

In the second week of June, one firm alone wanted to export Rs. 15 lakhs worth of medical stores to Hyderabad from Bombay. They were allowed to export one wagon load valued between two and three lakhs of rupees. Figures of normal monthly requirements of medicines and medical stores have since been worked out in consultation with trade associations and supplies to Hyderabad upto these limits are being allowed.

During the three months—April to June—Madras exported 178 maunds of medical stores to Hyderabad, West Bengal for the same period 14½ maunds and C. P. & Berar 51 cases; ampules, vaccines, tubes etc., of medicines weighing 900 lbs were exported by the Bengal Chemical and Pharmaceutical Co., Ltd.

Chlorine.—In consultation with experts and the Imperial Chemical Industries Ltd. a monthly quota has been fixed for supply to Hyderabad. From Bombay city alone, 1668 pounds of chlorine have recently been exported to Hyderabad. Not a single application for the supply of chlorine to Hyderabad has so far been rejected.

Salt.—There has been no restriction whatever on the movement of salt to Hyderabad. In respect of salt as well as medicines and other commodities some difficulty has been experienced in the matter of transport. This difficulty is not peculiar to movement to Hyderabad but general to all parts of the country. In May 1946, when difficulties of transport of salt were pointed out, special arrangements were made and 190 wagons of salt were despatched from Bombay to Hyderabad early in June. During the period April to June, 251,000 maunds of salt were despatched to Hyderabad from Madras and Central Provinces and Berar.

The above facts will make it clear that the allegation that the Government of India are starving Hyderabad of essential commodities like foodgrains, medicines, etc., is without foundation. Indeed the Government of India could not adopt such a course as it would only bring misery and hardship to the vast Hindu population and poor Muslims of Hyderabad and would cause no discomfort to the Nizam and his self-seeking advisers.

A factor that has adversely affected transport facilities in respect of the commodities consigned for Hyderabad has been the reduction in Hyderabad's train services. This has been necessitated by the frequent armed attacks of the Razakars on the trains running through Hyderabad territory. No train now runs across Hyderabad borders without an armed escort, which has to be provided by the Indian forces. If the free movement of wagons has been hampered by this development the terrorism of the Razakars and the inability or the unwillingness of the Nizam's Government to stop the repeated train hold-ups are responsible for it.

CHAPTER X

THE CHOICE FOR THE NIZAM

The foregoing chapters make it abundantly clear that Hyderabad is an integral part of India and that the Nizam's pretensions to independence rest on no foundation other than his own ambition for unchecked absolutism in which he is supported by the Razakar terrorists and a handful of India's enemies. Neither the basic compulsions of geography nor the history and traditions of the State lend any support to these pretensions.

Hyderabad under British Rule, a part of feudal system.—For a period of over 150 years Hyderabad was a part of the feudal system in India and stood precisely in the same category as the other Indian States. The British never recognised its claim to any preferential treatment. If anything, the exercise of paramountcy in relation to Hyderabad was characterised by greater rigour than in the case of other States.

No coherence without States.—Whatever political and legal rights flowed to the States from the lapse of paramountcy were common to all of them. If all the States had elected to declare independence on the basis of the Nizam's logic of unfettered freedom of choice, the independence of India would have proved still-born. In the words of Sir Reginald Coupland such an India "would have lost all coherence". Inevitably, an India with hundreds of independent States would have lapsed into a chaotic condition. Such an India would have proved only a menace to world peace. This threat to India's integrity was averted by the Rulers' acceptance of the organic unity of their States with India on a federal basis.

Claim to independence untenable.—The fundamentals governing the Government of India's approach to the problem of States apply as strongly to Hyderabad as to other States. If anything, the Nizam's case for independence is even weaker than that of several other States because firstly Hyderabad has never enjoyed independence; secondly unlike several maritime and border States it is completely enclosed within the Indian territories; and thirdly an overwhelming majority of the people are strongly opposed to the Nizam's claim. The Government of India accordingly invited in all friendliness and with the best of intentions the Nizam also to an honourable partnership with India on a federal basis.

Difference of approach.—During the protracted negotiations that followed, the Government of India examined in a spirit of the utmost accommodation the various proposals made by the Nizam's Government with a view to finding a formula which would meet the wishes of the Nizam's Government without subverting the basic policy of the Government of India. They made a departure from their general policy in accepting from the Nizam's Government a Standstill Agreement without accession of the State to the Dominion of India. The barren course of these negotiations has convinced the Government of India that the basis of approach of the Nizam's Government to the problem is directly opposed to that of the Government of India, in that, whereas the latter hoped that the Standstill Agreement and other arrangements would lead to the only solution of the Hyderabad issue, namely its accession, the Nizam and his Advisers wished to make every move an instrument for the assertion of Hyderabad's independence and a ruse to cram more power into the Nizam's repressive machine.

Dangers inherent in Hyderabad's independence.—Independence of Hyderabad is incompatible with India's independence; the two are mutually exclusive. The dangers inherent in the assertion of Hyderabad's independence are

already beginning to manifest themselves in all their grave potentialities. In his misguided quest for unchecked absolutism, the Nizam is converting Hyderabad into a potential foreign base. With the help of a very small group of the militant section of the minority and his personal wealth he seeks firstly to suppress all democratic movements in the State, and secondly to develop an independent theocratic fascist State in the heart of India which, with its military force and allied irregulars dominated by the militant section of the minority community, is intended to form a base for subverting the loyalty of the Muslims in India to the Indian Dominion.

In order to achieve these objectives the Nizam has his instruments in the Ittehad-dominated Ministry, the Razakars and the Ittehad security services. The Ittehad has declared itself against responsible Government. This militant organisation is out to perpetuate the Nizam's feudal rule against the tide of times by methods reminiscent of Hitler's Germany. In India, on the other hand, democracy has been firmly established and all over, in the Provinces as well as the States, the people are enjoying full freedom. This conflict has its natural repercussions on the 800 millions Indians who must resent the ruthless suppression of the political aspirations of their compatriots in Hyderabad.

The second problem created by the policy of the Nizam's Government is equally serious. The Razakars' atrocities are directed against the majority population in the State and they naturally arouse great indignation in India. The determined effort of the Razakars to arouse communal tension constitutes a grave threat to communal peace in India. In spite of the repeated denunciation of the Razakars' activities by prominent Muslims including some of the Muslim Leaguers, a large number of the secret agents of the Razakars are touring all over the country contacting Muslim leaders, inviting Muslims from Indian Provinces to migrate to Hyderabad, and establishing hostile centres in all Provinces, all of which create communal tension in several parts of India. Today the Razakars propaganda and activities are potentially the most dangerous factor in the communal situation.

The growing communist activity in the Razakar-infested Hyderabad is yet another menace to India's peace and security. In the first instance feudal Hyderabad with its glaring maddening disparity between the privileged position of the handful at the top and the appalling poverty of the vast population provides a prolific source of communism. Until recently communism developed in Hyderabad and the bordering Indian Dominion areas as an antithesis of the Razakar movement, and clashes between the Razakars and the communists were a frequent occurrence. Of late, however, the Razakars have sought an alliance with the communists in their crusade against India and democracy. This has greatly contributed to the rapid growth of communism in Hyderabad and the State is indeed now a hot-bed of communism.

Defence responsibility.—In the crisis through which India is passing at present the supreme responsibility of the Government of India is to defend her borders and to maintain internal peace. In its own interests it should be Hyderabad's direct concern not to do anything that would impair India's capacity to defend it. If Hyderabad's frontiers are intact, it is only because Hyderabad enjoys the protection of India. On the due and prompt discharge by India of her responsibility in respect of defence rests not merely the existence of India but also the maintenance of peace in Asia so essential to world peace.

In discharging this responsibility the Government of India have to strain every nerve. Friendship with Pakistan has been maintained inspite of grave provocations. Vigorous measures have been taken to restore communal peace

and order. Powerful disruptive elements and quasi-military organisations have been suppressed. The policy pursued by Hyderabad Government is a serious obstacle in the way of the Government of India's discharging this important responsibility.

Accession and democratisation the only solution.—All this clearly indicates that there is only one way of resolving the Indo-Hyderabad political deadlock, namely, the State's accession to India and the democratisation of its administration. Any other make-shift arrangements made with the Nizam's Government, who cannot be depended upon for implementing them in the right spirit, must be a brittle affair which will crack at the first stress. To adopt such a course is to submit to blackmail; it will be a breach of faith with the other Indian States and a betrayal of the interests of the millions of the people of Hyderabad.

Paramountcy independent of treaty engagements.—Hyderabad's claim to independence is mainly based on the lapse of paramountcy of the British Crown. Paramountcy was not derived from any treaty engagements but was claimed independently of them. It was contended by the British that paramountcy rested "on a moral obligation inherent in our protectorate". Of the responsibilities it implied, the gravest, it was claimed, was the duty of preserving peace and good order throughout India.

Sovereignty vests in people.—Paramountcy had two important aspects. The British as the paramount power in India were responsible for the defence and general security of the country as a whole. They claimed all the rights necessary to discharge this responsibility. Linked with these rights was also the right to intervene in the personal and dynastic affairs of the Ruler and the internal affairs of the State. In so far as the paramountcy related to intervention in the internal administration of the States, the Government of India have no intention of exercising it. They are, however, firmly of the view that whatever sovereign rights reverted to the States on the lapse of paramountcy, they vest in the people and conditions must be created in every State for a free and unfettered exercise of these rights.

Fundamentals governing paramountcy.—As regards the operation of paramountcy in relation to essential matters affecting the well-being of the country such as defence and security, although paramountcy has lapsed, the fundamentals on which it rested still remain.

The basic feature of the whole arrangement was not that the British possessed paramountcy rights and were, therefore, paramount, but that they were paramount and therefore had paramountcy rights. It is inherent in the geographical set up of Hyderabad that it is a protectorate. If the Government of India assume the responsibility of protecting Hyderabad against external aggression, as they must, they must also have the right to ensure that Hyderabad does not impair India's defence arrangements and also does not develop into a threat to India's peace and security. The British very rightly held the view "the unity of Indian empire would be imperilled if orgies of misrule could be enacted unchecked under British military protection". The essential defence and security requirements of the country and geographical compulsions have not ceased to be operative with the end of the British rule in India. If anything, they have become more imperative.

The Government of India cannot afford to be helpless spectators of orgies of misrule in Hyderabad. If the law and order situation there, which already shows signs of collapse, further deteriorates and thereby imperils peace and good order in India, the Government of India would unquestionably be involved.

In the age of bullock-cart, when small States could live in isolation and feudalism could flourish, Hyderabad was either a satrapy or a military protectorate under the dominant power in India. Not only it has had no status in external affairs but even its internal sovereignty was over-borne and limited by the overriding British authority.

In the age of aeroplane, when feudalism and petty sovereignties are an anachronism, the Government of India as the dominant power in India responsible for the defence and general security of the country cannot be expected to admit the Nizam's claim to independence; more so when it has no sanction of the will of the people behind it and comes only from the Nizam—whose "attitude", to quote from the British Resident at Hyderabad in 1926, "leaves but a faint hope that he would, if he realises his dreams of unchecked absolutism, consider the welfare of his people in the least degree"—and the handful at the peak of his feudal pyramid.

APPENDIX I

Letter from the Viceroy and Governor-General of India to His Exalted Highness the Nizam of Hyderabad, dated Delhi, the 27th March, 1926

Your Exalted Highness,

Your Exalted Highness's letter of 20th September, 1925, which has already been acknowledged, raises questions of importance, and I have, therefore taken time to consider my reply.

I do not propose to follow Your Exalted Highness into a discussion of the historical details of the case. As I informed you in my previous letter, your representations have been carefully examined, and there is nothing in what you now say which appears to affect the conclusions arrived at by me and my Government and by the Secretary of State. Your Exalted Highness's reply is not in all respects a correct presentation of the position as stated in my letter of 11th March last, but I am glad to observe that in your latest communication you disclaim any intention of casting imputations on my distinguished predecessor, the late Marquis Curzon.

I shall devote the remainder of this letter to the claim made by Your Exalted Highness in the second and third paragraphs of your letter and to your request for the appointment of a commission.

2. In the paragraphs which I have mentioned you state and develop the position that in respect of the internal affairs of Hyderabad, you, as Ruler of the Hyderabad State, stand on the same footing as the British Government in India in respect of the internal affairs of British India. Lest I should be thought to overstate your claims, I quote Your Exalted Highness's own words: "Save and except matters relating to foreign powers and policies, the Nizams of Hyderabad, have been independent in the internal affairs of their State just as much as the British Government in British India. With the reservation mentioned by me, the two parties have on all occasions acted with complete freedom and independence in all inter-Governmental questions that naturally arise from time to time between neighbours. Now, the Berar question is not and cannot be covered by that reservation. No foreign power or policy is concerned or involved in its examination, and thus the subject comes to be a controversy between the two Governments that stand on the same place without any limitations of subordination of one to the other."

3. These words would seem to indicate a misconception of Your Exalted Highness's relations to the Paramount Power, which it is incumbent on me as His Imperial Majesty's representative to remove, since my silence on such a subject now might hereafter be interpreted as acquiescence in the propositions which you have enunciated.

4. The Sovereignty of the British Crown is supreme in India, and therefore no Ruler of an Indian State can justifiably claim to negotiate with the British Government on an equal footing. Its supremacy is not based only upon treaties and engagements, but exists independently of them and, quite apart

from its prerogative in matters relating to foreign powers and policies, it is the right and duty of the British Government, while scrupulously respecting all treaties and engagements with the Indian States, to preserve peace and good order throughout India. The consequences that follow are so well known, and so clearly apply no less to Your Exalted Highness than to other Rulers, that it seems hardly necessary to point them out. But if illustrations are necessary, I would remind Your Exalted Highness that the Ruler of Hyderabad along with other Rulers received in 1862 a Sanad declaratory of the British Government's desire for the perpetuation of his House and Government, subject to continued loyalty to the Crown: that no succession in the Masnad of Hyderabad is valid unless it is recognised by His Majesty the King-Emperor: and that the British Government is the only arbiter in cases of disputed succession.

5. The right of the British Government to intervene in the internal affairs of Indian States is another instance of the consequences necessarily involved in the supremacy of the British Crown. The British Government have indeed shown again and again that they have no desire to exercise this right without grave reason. But the internal no less than the external, security which the Ruling Princes enjoy is due ultimately to the protecting power of the British Government, and where Imperial interests are concerned, or the general welfare of the people of a State is seriously and grievously affected by the action of its Government, it is with the Paramount Power that the ultimate responsibility of taking remedial action, if necessary, must lie. The varying degrees of internal sovereignty which the Rulers enjoy are all subject to the due exercise by the Paramount Power of this responsibility. Other illustrations could be added no less inconsistent than the foregoing with the suggestion that, except in matters relating to foreign powers and policies, the Government of Your Exalted Highness and the British Government stand on a plane of equality. But I do not think I need pursue the subject further. I will merely add that the title "Faithful Ally" which Your Exalted Highness enjoys has not the effect of putting Your Government in a category separate from that of other States under paramountcy of the British Crown.

6. In pursuance of your present conception of the relations between Hyderabad and the paramount power, you further urged that I have misdescribed the conclusion at which His Majesty's Government have arrived as a "decision," and that the doctrine of *res judicata* has been misapplied to matters in controversy between Hyderabad and the Government of India.

7. I regret that I cannot accept Your Exalted Highness's view that the orders of the Secretary of State on your representation do not amount to a decision. It is the right and privilege of the Paramount Power to decide all disputes that may arise between States, or between one of the States and itself, and even though a court of Arbitration may be appointed, in certain cases, its function is merely to offer independent advice to the Government of India, with whom the decision rests. I need not remind you that this position has been accepted by the general body of Indian Rulers as a result of their deliberations on paragraph 308 of the Montagu-Chelmsford Report. As regards the use of the term *res judicata*, I am, of course, aware that the Government of India is not, like a Civil Court, precluded from taking cognizance of a matter which has already formed the subject of a decision, but the legal principle, of *res judicata* is based on sound practical considerations, and it is obviously undesirable that a matter which has once been decided should form the subject of repeated controversies between the same parties.

8. I now pass on to consider your request for the appointment of a Commission to enquire into the Berar case and submit a report. As Your Exalted

Highness is aware, the Government of India not long ago made definite provision for the appointment of a Court of Arbitration in cases where a State is dissatisfied with a ruling given by the Government of India. If, however, you will refer to the document embodying the new arrangement, you will find that there is no provision for the appointment of a Court of Arbitration in any case which has been decided by His Majesty's Government, and I cannot conceive that a case like the present one, where a long controversy has been terminated by an agreement executed after full consideration and couched in terms which are free from ambiguity, would be a suitable one for submission to arbitrations.

9. In accordance with Your Exalted Highness's request your present letter has been submitted to His Majesty's Secretary of State, and this letter of mine in reply carries with it his authority as well as that of the Government of India.

Yours sincerely,
(Sd.) READING.

APPENDIX II

STANDSTILL AGREEMENT

Agreement made this Twenty-ninth day of November Nineteen Hundred and Forty-seven between the Dominion of India and the Nizam of Hyderabad and Berar.

WHEREAS it is the aim and policy of the Dominion of India and the Nizam of Hyderabad and Berar to work together in close association and amity for the mutual benefit of both, but a final agreement as to the form and nature of the relationship between them has not yet been reached;

AND WHEREAS it is to the advantage of both parties that existing agreements and administrative arrangements in matters of common concern should, pending such final agreement as aforesaid, be continued:

Now, THEREFORE, it is hereby agreed as follows:—

Article 1.—Until new agreements in this behalf are made, all agreements and administrative arrangements as to the matter of common concern, including External Affairs, Defence and Communications, which were existing between the Crown and the Nizam immediately before the 15th August 1947 shall, in so far as may be appropriate, continue as between the Dominion of India (or any part thereof) and the Nizam.

Nothing herein contained shall impose any obligation or confer any right on the Dominion

- (i) to send troops to assist the Nizam in the maintenance of internal order, or
- (ii) to station troops in Hyderabad territory except in time of war and with the consent of the Nizam which will not be unreasonably withheld, any troops so stationed to be withdrawn from Hyderabad territory within 6 months of the termination of hostilities.

Article 2.—The Government of India and the Nizam agree for the better execution of the purposes of this Agreement to appoint Agents in Hyderabad and Delhi respectively, and to give every facility to them for the discharge of their functions.

Article 3.—(i) Nothing herein contained shall include or introduce paramountcy functions or create any paramountcy relationship.

(ii) Nothing herein contained and nothing done in pursuance hereof shall be deemed to create in favour of either party and right continuing after the date of termination of this agreement, and nothing herein contained and nothing done in pursuance hereof shall be deemed to derogate from any right which, but for this agreement, would have been exercisable by either party to it after the date of termination hereof.

Article 4.—Any dispute arising out of this agreement or out of agreements or arrangements hereby continued shall be referred to the arbitration of two arbitrators, one appointed by each of the parties, and an umpire appointed by those arbitrators.

Article 5.—This Agreement shall come into force at once and shall remain in force for a period of one year.

In confirmation whereof the Governor-General of India and the Nizam of Hyderabad and Berar have appended their signatures.

MIR OSMAN ALI KHAN,

Nizam of Hyderabad and Berar.

MOUNTBATTEN OF BURMA,

Governor-General of India.

COPY OF A LETTER FROM HIS EXALTED HIGHNESS THE NIZAM TO HIS EXCELLENCY THE GOVERNOR GENERAL, DATED NOVEMBER 29, 1947.

I regret that we have not been able to reach a final agreement as to the eventual nature of the association between Hyderabad and the Dominion of India. As Your Excellency knows, I have not been prepared to contemplate accession to either Dominion, but short of this, I have been ready to negotiate with your Government upon any other basis. I am now enclosing a Standstill Agreement which I am prepared to execute if Your Excellency's Government are also prepared to sign it. It is a disappointment to me that after such protracted negotiations we are unable to do more for the present than carry on existing arrangements subject to such changes as the departure of paramountcy imposes. On the other hand it is essential to put an end to the present state of uncertainty and the fact that the Agreement now to be executed is to endure for a year means that both Governments will be able to turn their attention more fully to the problems of administration without constant preoccupation with the question of our constitutional relationship. To that question we shall eventually have to return, but I am confident that if during the next year our association in accordance with the terms of the Standstill Agreement is marked by goodwill on both sides, we shall be more likely at the end of that period to reach a satisfactory agreement as to the nature of our long-term association. I regard this Standstill Agreement accordingly as founded upon the principle of good neighbourliness and I am sure that Your Excellency and your Government will approach it in the same spirit. By executing this Standstill Agreement I am in no way permanently prejudicing my rights as an independent sovereign, but I am of course conscious that I am in some important respects suspending the exercise of certain of these rights during the currency of the agreement.

2. It is plain that an Agreement in this general form will necessitate a good deal of adjustment in regard to particular arrangements. In this connection I learn that your Government is prepared as soon as possible to negotiate with mine arrangements for the posts, telegraphs and telephones within Hyderabad to be worked as a Hyderabad system in harmony with the Dominion system. There are, in addition, problems about the Hyderabad Forces, both in regard

to the troops and their equipment, which our Governments will need to discuss in the light of the fact that on the 15th August 1947, the Hyderabad Forces and Police available for the maintenance of internal order could no longer rely upon the backing of the troops stationed in and near the State by the Paramount Power. This question has already been discussed with the late Military Adviser-in-Chief and with his successor and I have no doubt that Your Excellency's Government will have no objection to making any necessary adjustments in these respects and indeed in other cases of the same character (having their origin in the exercise of paramountcy functions), which are already apparent or which may come to light in giving effect to the general provision contained in Article I of the Standstill Agreement. So far as arms and equipment are concerned, I understand Your Excellency's Government are ready and willing to provide Hyderabad with the necessary requirements of its Forces and Police. It is only if for any reason the Dominion Government cannot supply such requirements within a reasonable time that I shall approach other sources of supply, and then only after previous intimation to your Government.

3. There is also the question which has been much discussed between my Delegation and the representatives of your Government about diplomatic and trade representatives for Hyderabad abroad. I am prepared to execute the Agreement on the understanding that the Government of the Dominion will take no objection to the maintenance of the Hyderabad Agent-General in United Kingdom or to the appointment of similar representatives in any other country. I shall be prepared to arrange for the complete co-ordination of the work of those representatives with the diplomatic and commercial representatives of the Dominion of India in such countries and to inform you in advance of any representatives whom I may decide to appoint I am confident that Your Excellency's Government will be equally ready to co-operate with mine in regard to the import and export trade of Hyderabad.

4. There are several matters which have been outstanding between us for some time and which I should like to see cleared out of the way as soon as the agreement comes into force:—

- (I) No Paramountcy functions remain to be exercised nor was the Hyderabad Residency retained except as a house for the British Resident when there was one in the past. In these circumstances I should be glad if your Government would now hand it over to Hyderabad. Suitable arrangements can be immediately made about the Treasury and your Treasury Officials.
- (II) It is urgently necessary that arms, equipment and, in particular, ammunition should be immediately made available to Hyderabad. We have had no supplies since July and the shortage is interfering with the training of the Hyderabad Army.
- (III) In the same way there has been difficulty in securing the importation of "soft" vehicles for the use of the Army and, in the special circumstances of Hyderabad you will appreciate the importance of mobility having regard to the areas to be covered.
- (IV) I understand that the last of the Dominion troops stationed in Hyderabad will be removed in the course of the next month and I shall be glad of confirmation on this matter.
- (V) The transfer to Hyderabad of all jurisdiction within the State was agreed in principle before the 15th August 1947 and was largely effected before that date and has continued since. There are however, some points still outstanding in this regard in relation to Police jurisdiction on part of the Railways which run through the State. I assume that such jurisdiction will be immediately restored to Hyderabad.

5. It is of course manifest that my rights in regard to such matters as currency, coinage and postal rights are in no way impaired by the Standstill Agreement, but I should be glad if Your Excellency would give me an express assurance that the rights to which I have just referred continue undiminished.

6. I shall like to take this opportunity of suggesting that, in relation to passports, the Dominion of India should agree, as a matter of convenience in a question which is becoming urgent, to the Chief Secretary of my Government or some other appropriate officer issuing passports to Hyderabad subjects which would be countersigned by the Dominion.

7. I am sure that in entering into this Agreement both our Governments intend to do all they can to prevent and discourage subversive movements and propaganda in the territory of the other.

8. I know well Your Excellency's interests in all steps taken to abate communal antagonism. It may therefore be of interest to you to know that, in conformity with earlier declarations on my part, I propose to issue a Firman in the immediate future expressing my firm resolve to protect the lives, right and interests of all my subjects, alike, irrespective of caste or creed.

COPY OF LETTER FROM HIS EXCELLENCY THE GOVERNOR-GENERAL TO HIS EXALTED HIGHNESS THE NIZAM, DATED THE 29TH NOVEMBER 1947.

I acknowledge with thanks the receipt of Your Exalted Highness's letter dated 29th November and the Agreement. While my Government and I note that Your Exalted Highness has no intention of acceding to Pakistan, we very much regret that you should have been unable to execute an Instrument of Accession with India. Both my Minister for States in his Statement of the 5th July and I myself in my speech of the 25th July to the representatives of the States have made it clear that it is the earnest desire of the Government of India to maintain the sovereignty of the States and to work with them as full partners in the administration of the three subjects proposed for accession. My Government cordially reciprocate your hope that, given good-will on both sides the working of the standstill agreement will provide a basis for a satisfactory long term solution. Placed as Hyderabad is, its interests are inextricably bound up with those of India; and my Government hope that before the present agreement expires it will be possible for Hyderabad to accede to the Dominion of India.

2. My Government will be prepared to discuss with your representative as soon as possible the question of handing over the posts, telegraphs and telephones; and also the future strength and equipment of the Hyderabad Forces.

As regards the supply of arms and equipment, the Dominion Government will be able to supply your legitimate requirements.

3. My Government have no objection to your maintaining an Agent-General in London and appointing similar representatives elsewhere, if necessary. In this connection they are very glad to have your assurance, to which you will appreciate that the Government of India attach great importance, that the activities of such representatives will be fully co-ordinated with those of the representatives of the Dominion of India and will be confined to matters properly relating to trade and commerce.

The Government of India are certainly prepared to co-operate with Hyderabad fully in regard to its import and export trade.

4. As regards the points raised in paragraph 4 of your letter, my Government have authorised me to say as follows:—

- (1) My Government gladly agree that the Residency buildings at Hyderabad will be returned to your Government as soon as alternative accommodation promised by you is made available for our Treasury and officials employed there.

- (2) My Government will take the necessary action in regard to the early supply of arms and ammunition for which an indent has been received from your Government.
- (3) My Government will help your Government in securing the vehicles that they require.
- (4) It is the definite intention of my Government that the troops at present stationed inside Hyderabad territory should be progressively withdrawn according to an agreed programme and that the withdrawal should be completed by the end of February 1948 at the latest.
- (5) On the points remaining to be settled regarding the retrocession of jurisdiction, these can be discussed with my Government by your representative as soon as he is appointed.

5. I am authorised to assure Your Exalted Highness that your rights in regard to currency, coinage and postal matters will in no way be impaired by the standstill agreement.

6. My Government will take up the question of passports mentioned in paragraph 6 of your letter. They are fully prepared to assist you in this respect.

7. With reference to paras. 7 and 8 of your letter, the Government of India desire to assure Your Exalted Highness that it is their earnest desire to promote communal harmony and to maintain peace and security, and they will co-operate wholeheartedly with you to that end.

8. I enclose the agreement duly signed by me.

AGREEMENT WITH HYDERABAD

SARDAR PATEL'S STATEMENT IN THE ASSEMBLY

New Delhi, November 29, 1947.

With your permission, Sir, I should like to make a statement on the result of the negotiations with the Hyderabad Government on the future relationship between that State and the Government of India. The House will recall that I stated on the floor of this House that this was the last phase of these negotiations. I am happy to say that an agreement has been reached and I lay on the table of the House a copy of the Agreement, signed this morning as well as a copy of the Collateral letters exchanged between H. E. H. and H. E. the Governor-General.

As the House is aware, it was in July last that we initiated negotiations with the States for their accession to the Dominion of India, which due to the spirit of co-operation evinced by the Rulers resulted in the accession before the 15th August of all States except Hyderabad, Kashmir and Junagadh. We had negotiations with representatives of His Exalted Highness the Nizam also at the same time. I do not wish to take the House through the many phases of the negotiations. I need only say that when 15th August came no agreement could be reached. At the same time, His Exalted Highness the Nizam was anxious not to break off negotiations and accordingly at his request we decided to give him an extension of two months within which to finalise his attitude. When the negotiations were resumed, His Excellency the Governor-General, with the concurrence of the Cabinet, undertook to

continue them on our behalf. He had several meetings with the Delegations sent by His Exalted Highness and about a month ago a complete agreement had resulted but owing to Developments of which the House is aware the old Delegation resigned and a new one was sent by His Exalted Highness the Nizam in its place. During the negotiations with the new Delegation we adhered to be stand we had already taken up and finally the agreement which we have now succeeded in obtaining from the present Delegation is exactly the same as we had negotiated with the old one

Under this settlement, all agreements and administrative arrangements on matters of common concern which formerly existed between the Crown Representative and the Hyderabad State, except the Paramountcy functions, are to be continued as between the Government of India and the Hyderabad State for a period of one year. These agreements and arrangements cover a wide variety of matters including the three subjects on which accession of all the States has been accepted, viz., Defence, External Affairs and Communications.

I know that Hon'ble Members would have been much more gratified if as a result of these talks His Exalted Highness had found it possible for the State of Hyderabad permanently to accede to the Indian Dominion. Such an accession would have been in accord not only with our cherished desire but also with the interests of both the Indian Dominion and the Hyderabad State. We, however, fully appreciated the internal difficulties in the State and consistent with our policy to secure agreement, not by coercion, but as far as possible with the maximum degree of goodwill on both sides and with due regard to the overall position in India, we felt that an agreement of this nature, even for a limited period, would have considerable advantages over the absence of any agreement whatsoever. The period of one year would enable both of us to forge closer relations and would it is hoped, pave the way for a permanent accession.

The settlement makes it clear that Hyderabad does not propose to accede to Pakistan. This, if I may say so, is only right, for placed as Hyderabad is, its destiny is inextricably bound up with that of India.

I fully realise that Hon'ble Members of this House as well as the public outside have been considerably concerned over the happenings in the State in recent months. Now that accord has been reached, I am sure it will have a wholesome effect on the existing situation and will exercise a beneficial influence in the relations between the two communities, both in the State and outside. We can thus put these happenings back in the past and look forward to a relationship in which amity and cordiality will prevail. An atmosphere will thus be created which will enable people who have left the State to return to their homes. I am also certain that as this settlement is intended to serve as the basis of friendly and cordial relations it will be worked in that spirit. We on our part will do our best to secure this end.

I would also like to refer briefly to the fact that proposals for constitutional reforms are now engaging the attention of His Exalted Highness. On this as well as on the question of final accession, I hope he will readily agree that in the ultimate analysis it is the will of the people that should guide his judgment. There are unmistakable signs in several other States of the triumph of this principle and I feel certain that His Exalted Highness will, as becomes a Ruler of his pre-eminent position, set an example which others can follow.

Finally, I am sure the House would like me to place on record our sense of appreciation of all that His Excellency the Governor-General has done in bringing about such a happy conclusion to the prolonged negotiations.

APPENDIX III
HEADS OF AGREEMENT

1. *General.*—The Nizam's Government agree that they will, on the request of the Government of India, pass legislation similar to the legislation of the Government of India, on any matter enumerated in the schedule attached.

2. If the Nizam's Government fails to pass the required legislation with due despatch, the Nizam himself will forthwith pass the necessary ordinance under his own powers.

3. *Defence.*—The Dominion Government agree to fix the strength of the Hyderabad Army at a figure not exceeding an overall strength of 20,000. The provisions of the Indian State Forces scheme of 1939 will apply *mutatis mutandis* to these Forces and the Government of India undertake to supply arms, ammunition and equipment on the scales and conditions laid down in the Scheme. The Government of India will have the right of periodical inspection and the Nizam's Government will also give all facilities in regard to such inspection and furnish such information and returns as they may be requested to do by the Government of India from time to time.

4. The Nizam's Government agree to limit their irregular forces to 8,000 in addition to ceremonial and household guards. The Hyderabad Government agree that all other formations of a military character shall be disbanded. Progressive steps will be taken for the disbandment of the Razakars within three months; rallies, parades, demonstrations and speeches by Razakars will cease forthwith.

5. It is agreed that the Government of India will not station their armed forces inside Hyderabad State; but, if in an emergency the Government of India wish to station their Forces inside the State for the period of a state of emergency declared in India by the Government of India under Section 102 of the Government of India Act, 1935, this will be agreed to by the Hyderabad Government. In such an event it is further agreed that the Government of India will be willing to pay to Hyderabad nominal compensation for the occupation of buildings in the State and for other services.

6. If, in any emergency as above, Indian Army units are stationed in the Hyderabad State they will be subject to the appropriate Dominion law governing the armed forces of the Dominion.

7. *External Relations.*—It is agreed that Hyderabad's external relations with any foreign country shall be conducted by the Government of India. Hyderabad will, however, have freedom to establish trade agencies in order to build up commercial, fiscal and economic relations with other countries; but these agencies will work under the general supervision of, and in the closest co-operation with, the Government of India. Hyderabad will not have any political relations with any country.

8. *Continuance of existing agreements and arrangements.*—Subject to the above paragraphs, the existing agreements and administrative arrangements in regard to matters of common concern shall continue and will be given effect to by both sides. The said agreements and arrangements shall not cease to have effect on 29th November, 1948, as was provided in Article V of the Standstill Agreement of 29th November, 1947.

On behalf of the Government
of India.

On behalf of the Government
of Hyderabad.

SCHEDULE

A. Defence.

1. Any armed forces raised or maintained by Hyderabad, whether within or without the State.

2. Naval, military and air force works.

3. Arms; fire-arms; ammunition.

4. Explosives.

B. External Affairs.

1. External affairs; the implementing of treaties and agreements with other countries; extradition.

2. Admission into, and emigration and expulsion from, Hyderabad, including in relation thereto the regulation of the movements in Hyderabad of persons who are not Hyderabad subjects.

3. Naturalisation.

C. Communications.

1. Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.

2. Railways of the Government of India in the State; the regulation of the Nizam's State Railways in respect of safety, maximum and minimum rates and fares, station and service terminal charges, interchange of traffic and the responsibility of railway administrations as carriers of goods and passengers; the regulation of other railways in the State in respect of safety and the responsibility of the administrations of such railways as carriers of goods and passengers.

3. Aircraft and air navigation; regulation and organisation of air traffic and aerodromes; provisions for the safety of aircraft; carriage of passengers and goods by air.

FIRMAN

1. After protracted discussions between my Government and the Government of India, I am now in a position to announce the lines of my policy. I am most anxious to put an end to the uncertainties which prevail as to the nature of the relationship between Hyderabad and the Dominion of India. The views of the Dominion of India have been made clear to me and mine are well known to them. I have now decided to consult the will of my people upon the question whether Hyderabad should accede to India. I shall, therefore, take a plebiscite in Hyderabad on the basis of adult franchise. In order to ensure that the plebiscite is fairly conducted, I shall arrange for it to be held under the supervision of some impartial and independent body. I shall accept the result of the plebiscite whatever it may be.

2. But I am satisfied that more is required than the holding of a plebiscite, in order to restore confidence and tranquillity. I have, therefore, decided to instruct my Government to proceed in accordance with the following principles. In doing so, they will appreciate that the re-establishment of good-will between India and Hyderabad is the object of my policy and is of greater importance than the terms of any agreement which may be reached between India and Hyderabad in accordance with these principles.

(i) It is my intention to introduce responsible Government in Hyderabad and to that end to establish a Constituent Assembly early in 1949.

(ii) In the meantime, there should be a reconstitution of my Government as a result of which a new Interim Government will be formed, in consultation with the leaders of the major political parties.

- (iii) My Government has been able to reach agreement with the Government of India on the nature of the interim relationship between Hyderabad and India pending the holding of the plebiscite. This agreement, which involves some modification of the existing Standstill Agreement, has been embodied in a separate document signed by my Prime Minister.

APPENDIX IV

MR. J. V. JOSHI'S LETTER TO THE PRIME MINISTER OF HYDERABAD

My dear Mir Laik Ali,

During my recent tour of Jalna, Aurangabad, Parbhani and Nanded districts numberless incidents of woe caused by the bad elements in Razakars were dinned in my ears repeatedly by victims as well as respectable persons whose integrity I can safely vouchsafe. I am therefore pained to recount below some of the glaring atrocities for your information, I am also convinced from the statements made to me and my personal scrutiny, that the police and the military who are paid from the public revenue to maintain law and order and to protect the lives and properties of the people of the State pay little heed to curb the ever-growing atrocities of life, property, honour or liberty for the peace loving Hindus in these places nor are the latter given even the least assistance by the local authorities to stop the menace. On the other hand, Hindus notwithstanding their possession of licences for firearms are deprived of their weapons by the police even without acknowledgement. Instances are also not lacking where the police joined the Razakars in their depredations of loot, arson, murder, rape and molestation of womenfolk. As a result most of the people have in their despair sought shelter outside the State.

To be brief, let me plainly say that if no firm action is taken by the Government at once to put an end to these terrorist activities, it is as much as the Government has abdicated its powers.

In the Cabinet meeting you protested against my delivering certain speeches in Aurangabad District, particularly the following:—

“There is no denying the fact that some mischievous elements who have entered the Razakars for their selfish ends, have gone out of control and discipline and are taking undue advantage of the situation. I shall not accept the plea that Hindus, congressites or communists are committing these atrocities in the guise of Razakars. It is better we realise our mistakes before it is too late, and try to rectify them. The fears of Hindus are not illfounded, it is these incidents and actions that have shaken the confidence of your Hindu brothers. Mere assurances shall no longer serve”,

In my Parbhani speech I said as follows:—

“I am loyal, and loyalty demands recognising facts to remedy them before it is too late. Hindus are afraid of the Muslims. They have lost confidence and are leaving their homes. They are today sore. The suspicion is due to the events of loot, arson, and murders that are happening in the country today. At Pathri Hindus are looted and are afraid of their lives. At Sailu, the property of Hindus is being given over to Muslims. Wherever I have gone, in these districts, I have come across sad and pitiable

Hindu faces, who come to me with pitiable tales—either of loss of their lives, property or fear of their lives. Rape and rapine seem to have become common. My Muslim brothers, you have a noble tradition of tolerance—remove this outside plague that has come in. I regret that my Razakar brothers cannot also escape the blame. Self seeking and mischievous elements that have entered the organisation are exploiting for their selfish interests. They seem to have gone out of control. Razakars mean servants of and defenders of the weak and innocent.

Expunge this rot and live upto the noble ideals set for you by your revered leader."

In the course of my speech at Nanded I have said:—

"The Hindus are afraid and are leaving their homes and running away, their misgivings do not seem to be illfounded. Much that has happened in the country has shaken their confidence. Wherever I have gone, whether Sailu, Manwath, Jintur or any other place, complaints poured in of Hindu houses given over to Muslims, their lands forcibly occupied. Worse is the fate in Pathri, where the people are afraid of their lives and honour. Villages are burnt, fields lie deserted. What I have seen in Loha shocks me, the wholesale loot of entire Hindu Monda, gruesome murder of three Hindus, arson, and rape of women have become intolerable. My Muslim brothers, I beg of you to act and act quickly to weed out mischievous elements which are acting in their selfish interest and to cleanse the Razakar movement of these communal virus."

"You hold ninety per cent. of services, police, military and civil. You my Muslim brothers have a vast militant organisation of Razakars. You possess arms. The Hindus are weak, and helpless. They do not possess arms, where they have, even when licensed, they are dispossessed. They have none to look to. Mere words shall not do. Excuses in defence shall not convince. You have to bring back confidence by your deeds by living upto the noble ideals of our great and wise beloved Ruler, and the Asafia kings that of Unity and Peace."

I joined the Government in the hope that I would be able to do some service to bring about communal harmony and progress in the State. On account of my great respect for Kasim Razvi, I continued to believe you and him that the complaints against Razakars were all false, but I have seen things for myself. A complete reign of terror prevails in Parbhani and Nanded districts. I have seen in Loha, a scene of devastation, which brought tears to my eyes—Brahmins were killed, and their eyes were taken out. Women had been raped, houses had been burnt down in large numbers. My heart wrung in anguish.

I threw in my lot with the present Ministry in the hope of being useful to both the communities, but I am convinced that I am duped. I could never imagine that under your Government this would be the condition of the village after village. People came to me, as a Hindu Minister, and told their woeful stories. I cried. I have spent sleepless nights after I saw this sight. Under the circumstances I cannot continue to lend my name to a Government which is powerless to prevent these heart-rending atrocities which I have seen with my own eyes, and hence I submit my resignation herewith.

Yours truly,

(Sd.) J. V. Joshi,

23rd July 1948.

DETAILS OF ATROCITIES

District : Aurangabad

- Village or Town of incident.
- Aurangabad . . . Two Hindus were brutally murdered by Muslims, immediately after my leaving Aurangabad. The Police who took the persons in custody were also threatened. The Subedar Saheb was ultimately forced to release them.
- Bidkan . . . While returning from Pattan to Aurangabad, on my way, at Bidkan, I caught red handed Razakars who were exhorting money from wayfarers.

District Jalna

- Jalna . . . A Hindu watch repairer was shot at blank range by a Pathan, injuring the former seriously. This was without provocation. His condition is serious. Two other persons of the shop have also been reported to be injured. Passengers are being harassed every day and the house of one poor Telanga looted, and the womenfolk molested.
- Ambad . . . Arson and loot committed by the Arabs often in the village.
- Jalna . . . House of Baba Marwadi Sukhapuriwala was looted by Goondas amongst whom were Baba Chau, Hasan Chau and Idroos Chau.

District Parbhani.

- Athon . . . The house and fodder belonging to Kapurchand Kachrulal were set fire to and he is not allowed to cultivate his lands. They demand repayment of loans from the poor cultivators, as if they had been given loans.
- Sailu . . . The lives of Rama Pahlwan and Pathar Pahlwan who were looked to for protection by the villagers were plotted against and the two had therefore to leave the place.
- Sailu . . . Sait Gokuldas being one of the victims of Razakars has decided to leave the place.
- Kalamnuri . . . Hindus of Shivala and Kalamnuri forced to leave their homes due to loot by Razakars.
- Pathri . . . Hindus forced and threatened to leave the village by Razakars with the connivance of the Police Inspector, and their houses and property taken possession of by them.
- Babalgaon and Limbagaon. Abduction of women, forcible possession of lands and property, looting and robbery have become too common here. The local police demand large sums of money for giving protection to the Hindus.
- Hatval (Partur Tq.) Entire property of Achutrao Hatwal robbed.
- Sailu . . . The House belonging to Pusaram Sait Marwari, has been handed over to Muslims who would not allow his servants to remove the grains given from even the other houses. Similar illegal occupation of the houses of Shankarlal Asaram Loya and Mallappa Eshwarappa has been resorted to lately.
- Kekar-Jowla, Bebelgaon and Potola, Sarola, Gopegaon of Pathri Taluqa. Large scale looting has become common in these villages.
- Patoda . . . The lands, houses and property of Govind Laxman Divruju of Patoda village have been looted and his father thrown into the river and beaten.
- Hadgaon . . . All Hindu houses in the village have been looted and the people are in great panic, as the culprits from whom certain properties were recovered have since been released on bail.

- Usod (Jintur Tq.) . Entire property of Hiralal Somani was looted and his house burnt down. He was burnt alive and his family members and children murdered.
- Pangra, Kalamnuri and Ojhar. (Nanded District) Marwari looted and some people killed by Razakars.
- Manwath Ramkiahen Rambaksh was robbed to the extent of Rs. 11,000 by three Muslims on his way to Jalna.
- Kakar Jowla (Pathri Tq.) Marwaris Pannalal, Madanal and Goverdhan robbed of Rs. 50,000 by Razakars.
- Manwath Corrugated sheets were taken away from the house when Baboo, s/o Laxman could not pay Rs. 500 demanded by a Rohilla. His life was also threatened by the Rohilla. Similar demands for fabulous amounts are daily occurring by a number of goondas in these parts.
- Sarola Tq. Manwath . Gold bangles of one Badrinayan were robbed and also his lands taken possession of by two Muslims.
- Borgaon Poor weavers of the village are threatened to pay money at the point of swords.
- Pathri A cart full of Kirana goods belonging to Shankarlal was looted in day light by Razakars.
- Thar, Pathri Taluq . On the 14th and 15th two houses of a Marwadi and a Brahmin were looted by breaking open the locks as the owners had left the place on coming to know in time the planned attack of the Razakars.
- Rampuri, Pathri Taluq Rs. 1,000 has been demanded from Madanal Kachrural and Gopulal Bankatlal falling which the Razakars have threatened to loot the village.
- Pathri, Pathri Taluq . Devai Valji was threatened with death and asked to execute a bond for Rs. 6,000 but he escaped from the place apprehending danger to his life.
- Bhisegaon, (Palm Tq.) Pointing a sword at the neck of his son, Shivalal, s/o Bachulal was demanded Rs. 1,000 which was paid, to the Razakars. They took away the firearms in the house and looted it after harassing the women-folk.
- Pimpri, Parbhani Tq. Property worth about Rs. 4,000 was looted by the Razakars. The Taluqdar who was given prior intimation about the attack did little to prevent it.
- Shari, Mirgapur, Pangra, Katneshwar. Similar attacks by Razakars were made against these villages also.
- Degaon Three persons of whom Mr. Kharkar was one, were shot dead.
- Hingoli Pujari of the temple was brutally murdered.
- Khujda The police on duty to watch a bridge nearby raided the village and shot down three persons for their having declined to send some women.
- Oundha (Nagnath) . A bomb was thrown on the people assembled for the jatra and five killed as a result of firing.
- Gunda The village was looted and burnt with revenge by the Razakars and some people killed because they had resisted the Razakars from raiding the village previous day.
- Talni, Pangra, Vakodi of Kalamnuri Taluqa, and Bamni of Jintur Taluq. These villages were the victims of similar incendiarism.
- Jhari Fifty acres of land cattle and property belonging to Shamrao Bhavrao Deahmukh were taken possession of by three Muslims.

- Jalavpur (Jintur Tq) . Same was the case with Dhangar's property by Rahimkhan Rohilla.
- Jintur . . . Villagers are harassed by the Muslim Gundas and property of Devidas Rao and Sadashivrao were looted and houses and gardens were damaged and burnt.
- Dhaiphel, Jintur Tq . Almost all the houses were looted and burnt.
- Manwath . . . Lands owned by Sham Rao Bapu Rao are damaged and forcibly occupied by Dhers. Similarly those of Murlidhar Abaji are subjected to similar interference.
- Kodagaon . . . Mohanlal s/o Purushotam is prevented from cultivating his land by a Muslim. His house and shop were broken open and looted to the extent of Rs. 15,000.
- Katneshwar . . . House of Maruti Rao looted and property worth Rs. 25,000 taken away by the Razakars.

Nanded District

- Mudkhed . . . Twelve persons were murdered near the Police station. One Chandru was killed and thrown in the jungle.
- Nanded . . . Hindu ladies are treated most indecently by the customs authorities during their search while Muslims are allowed freely.
- Kapsi . . . As a revenge against the resistance offered by the Patel of the village, the Razakars raped and molested several women and looted and burnt the village.
- Tamsi . . . Except three houses out of 150, the rest were given away to the Refugees.
- Kalali . . . 72 people were killed by the Razakars after besieging the Deshmukh's house for 84 Hrs.
- Hadgaon . . . 75 per cent of the villagers have left the place out of fear and their houses handed over to the refugees. The house of Gangaram was looted during his absence and his two guns taken away. While there were only about 50 Muslims houses here now nearly (500) houses are in occupation of the Muslims and similarly lands belonging to Hindus are also usurped by the Muslims.
- Chorparwa . . . Patel of the village was called for by the Police and shot dead. Most of the fields lie waste.
- Himayatnagar . . . More than 200 Hindu houses are given over to Muslims.
- Keni . . . The Razakars looted the entire village.
- Nerli . . . The lands of Mr. Digambar Rao s/o Dhondopant were forcibly taken over and cultivated by the Razakars.
- Kamlej . . . Twenty persons were shot dead.
- Jamli . . . A number of houses were burnt, and one Prabhurao was killed.
- Loha . . . There was a dastardly attack on the village for three days continuously and still it was not prevented by the local authorities who are responsible for law and order. Chamanrao was tied to a wooden pillar and tortured, his eyes pierced and then he was shot dead. Panditrao was also killed. The whole village was burnt and looted. Waman Bhadkamkar received a spear injury and his house looted. Narayan Mediwala's wife was raped by 7 persons in the presence of her relatives.

MR. J. V. JOSHI'S LETTER OF RESIGNATION

My dear Mir Laik Ali,

I hope you will please forgive me if I take this opportunity to explain you the real urge of my inner voice.

You are fully aware that my main aim of life and burning desire is to dedicate myself to work to achieve communal peace and communal harmony. I am a very strong believer in communal unity. I sincerely believe that if a country desires to live in peace and prosperity, and achieve that healthy independence in its true and real form, unadulterated sincere communal peace and harmony is not only most essential but pre-requisite to that end. It was with this desire that I joined the present cabinet.

During the tenure of my office, as you are well aware, in my tours in the districts, I have struggled and struggled hard with all the sincerity of my heart, for that noble cause of achieving and maintaining peace between all communities.

You are aware, that I was continuously offering my most humble services to that effect. It was my misfortune that I could not play that useful role, which I was so anxious to perform. Unfortunately the negotiations with the Government of India seem to have ended for the time being. Everything seems to be in turmoil. Apart from the merits and results of the negotiations with the Government of India, I had always insisted that some sort of internal settlement was absolutely essential. If nothing more, at least the maintenance of law and order to ensure internal peace and harmony, under no circumstances ought to have been overlooked. We can never face both external as well as internal stalemate. I will always wish that internal peace is preserved at all costs to maintain law and order.

It is my misfortune to point out that today I find almost the entire Dominion of our Great Hyderabad in a very disturbed state. Nowhere in the State that idol of peace and harmony is visible amongst the major communities. Internal peace is disturbed. Morale of the people has gone down. Mutual suspicion has ensnared both the communities. During my tours, wherever and whenever I have gone, I have sadly found the lamentable picture of distrust and sorrow. Every Hindu is panic stricken. This panic has to a very great extent not been illfounded. Unfortunately I have noticed every Hindu complaining of inhuman atrocities, arson, murder and loot perpetrated by Goonda elements. Even innocent Hindu women are reported to have been molested. These Goonda elements, in my sincere opinion, have entirely gone out of the control of Government.

As I consider myself the disciple of peace and communal harmony, I consider it to be my foremost duty to satisfy the dictates of my conscience to go amongst the masses and strive with heart and soul to cultivate that noble spirit of communal brotherhood. I think it is my foremost duty to sacrifice even my high post in the Government for this purpose.

During these hard days, social service can be the only factor which can bring about brotherhood, peace and prosperity to our country. When I say I am most loyal to Hyderabad and my beloved ruler, it would become only a pretention, if I failed to act upto that principle. Only he is loyal to the king and country who strives his utmost to attain that communal peace, which is sadly shaken at present in Hyderabad. To this end, I want to devote my entire energy and even at the cost of my life if necessary. I think, therefore that my place is amongst the masses and not in the Government chair.

"WAR" seems to be on the lips of every Muslim brother. But may I know against whom are these preparations of war? Our Hyderabad is surrounded on all sides by the Indian Union. There are hard and fast geographical and historical relations between our Hyderabad and the Indian Union. Almost every Hyderabadi, be he a Hindu or a Muslim, has his social and economic relations in the Union of India, which are and shall ever be inseparable. There will be total destruction of the entire structure of peace and prosperity for both, God forbid, if the Government of Hyderabad and the Government of India have to adopt the course of armed conflict. I under no circumstances, wish to be a party to such a disaster. I will fight to the last to attain the noble goal of communal peace and brotherhood, which I am convinced can only bring happiness to our country. I always love peace. I pray almighty God to give us all the strength and wisdom to see clearly our correct path and to fight the battle of humanity.

I have personally very high regards for your capacity and noble ideals. I assure his Most Exalted Highness of my loyalty. I pray for his long life and prosperity. I request and hope that I will be excused by His Exalted Highness and your goodself, who have all this time proved to be my sympathisers and well wishers. I have no other alternative left but to request you to permit me to tender my resignation of office of Minister which I hold at present in the Government. I shall thank you to relieve me of my office and request my beloved Ruler to accept my resignation, as early as possible. God bless the Nizam and my beloved country Hyderabad.

Yours truly,

(Sd.) J. V. JOSHI,

28-7-48.

H. E. Mir Laik Ali,

Prime Minister, Hyderabad-Deccan.

**STATEMENT BY MR. G. RAMACHARI, DATED THE 22ND
FEBRUARY 1948**

My main object in joining the Interim Government was to pave the way for an early settlement between the Government and the people, as represented by the Hyderabad State Congress, which I have served for the past ten years in one capacity or another. I lost no time in opening the subject, in fact I did press the matter for some definite settlement. But I was, I confess, sorely disappointed by the indifferent and evasive manner in which this most important and urgent matter was dealt with by the Government. They would not put their finger on the wound.

Meanwhile, the situation in the countryside continued to deteriorate rapidly. There has been no security of life or property in the State for those who will not practically be slaves. Forces of violence and goondaism were let loose. Arson, loot and murder formed the normal events of the day. Armed men rode round the country spilling death wherever they went. Village after village was burnt down; several villages were abandoned out of sheer fright. Even in the jail the hand of the goonda was at work.

EVIL FORCES ACTIVE

The Majlis Ittehad-ul-Muslemin has openly taken to a policy of militarism preaching fire and sword. A do-or-die Jihad has been proclaimed against every one who opposed the Majlis goal of the establishment of an Islamic State. As if this is not enough, their leader goes on proclaiming that Hyderabad is to be the home of the four crores of Muslims of the Indian Union. His fascist mind does not think of the people who have created this beautiful country with their affection and toil out of mediaeval darkness.

It is this state of affairs that I could not tolerate. I insisted that we ruthlessly suppress all these forces before we could think of any reform or change. Otherwise we had no right to continue as a Government. A Government which cannot offer security and peace to its people had no right to call itself so.

The Majlis Ittehad-ul-Muslemin having accepted the responsibility of office would, I thought, change its time and work for a peaceful settlement of all matters of contention. Two months have now gone by but the expected has not happened. The Majlis has grown more rabid than ever. It now declares that the Majlis and not the Nizam, is our ruler. Their leader indulges in sabre-rattling every day and preaches hatred and war. This goes on unchecked while loyal subjects who desire that the Hyderabad administration should be modernized and secularized get beaten and pushed behind the bars.

All this requires an iron hand and a temperament of steel to deal with. No one else but the Nizam can do this. A little delay will mean further complication and untold misery to the millions. My resignation is an expression of a deep frustration and an emphatic protest; it is also a poignant request to our beloved ruler to come to the aid of the suffering subjects of his in this hour of peril.

APPENDIX V

Catalogue of Border Incidents in regard to which protests have been lodged with H. E. H. the Nizam's Government

1. BOMBAY BORDER AREA

No. and Date of communication addressed to H. E. H. the Nizam's Government

Details of the Incident

- | | |
|----------------------------------|---|
| 1. No. 1/AG/48.
dated 9-1-48. | <p>(i) On 6-1-48, H. E. H. the Nizam's Military entered Nagur village in the Bijapur District of the Bombay Presidency and intimidated the Patel of that village.</p> <p>(ii) About the 8th of December 1947, H. E. H. the Nizam's Police entered the village of Chavanbhai in the Bijapur District and carried away 48 sheep, which they subsequently released having received a ransom in the sum of Rs. 400 from one Basappa Naikodi.</p> <p>(iii) On 9-12-47, H. E. H. the Nizam's Police entered the village of Wadgari (Akalkot) and took away one Gangappa Chinnayya Somnal.</p> <p>(iv) On 27-12-47, H. E. H. the Nizam's Military took possession of a bus at a place in the Union territory a few miles from Sholapur, scared away the driver and the cleaner by firing a few shots and pushed away the bus to Tamalwadi Naka in the Hyderabad territory.</p> <p>(v) The State authorities encroached on a cart track passing through the village of Bobalad in the Mandargiri Taluq of the Kurundwad (Junior) State by laying a road so as to connect the two State villages of Jeurgi and Mashan.</p> |
|----------------------------------|---|

No. & date of the communication addressed to H.E.H. the Nizam's Government	Details of the incident
2. No. F. 58-P/48, dated the 29-1-48	<p>(i) On or about 31st December 1947, the Nizam's Police attached to the Tamalwadi Toll Station beat one Mr. Sampat Narayan Bagwe, a Police Constable of the Kasegaon out-post Police Station in the district of Sholapur, while returning to Kasegaon, and relieved him of the official documents which he was carrying at the time.</p> <p>(ii) It is further reported that they waylaid the pilgrims who were returning to Sholapur from Tuljapur, and robbed them of their ornaments worth about Rs. 2,000.</p> <p>(iii) Also they abducted two Waddar women belonging to Budhwar Peth in Sholapur.</p>
3. No. F. 58-P/48, dated 29-1-48.	<p>About 7 A. M. on the 5th January 1948, one Ali Mohammed, alias Mamu Rohila, belonging to Malunje in your State fired a shot across the border from the Haibatpur village in the Gangapur Taluka at the villagers in Jainpur village in Newasa Taluka in the District of Ahmednagar, thereby causing injuries to two persons, Zumber Bhulba Bhil and Mathi Bhil. He was at the time accompanied by the Nizam's police.</p>
4. No. D. 177-P/48, dated 13-2-48.	<p>On the 19th December 1947, while 4 persons belonging to Mushi-geri village, Dharwar District, were proceeding to Gudur, they were arrested by H. E. H. the Nizam's Police at Gaggaladoni and relieved of their horses and the bundles of sarees which they were carrying for sale at Gudur. They were, however, released subsequently but their sarees and horses were not returned to them.</p>
5. No. F. 58-P/48 dated 6-2-48.	<p>On the 23rd December 1947 about 50 to 60 soldiers of H. E. H. the Nizam's Military raided the village of Ainapur in Sindgi Taluka, Bijapur District, forcibly entered into the house of the Police Patil of that village expecting to be able to find State Congressmen there, demanded the Police records from him, and wandered about in the village threatening the villagers.</p>
6. No. F. 53-P/48, dated 6-2-48.	<p>(i) At about 8 P. M. on the 8th December 1947, H. E. H. the Nizam's police opened fire at Urni on the villagers of Sirur, Ahmednagar District, about 300 in number, while they were returning home from Takli, where they had gone to attend a meeting addressed by one Mr. Nana Ramji Patil. As a result of the firing one Nathu Gane Gadekar was killed while his companion Shankar Ganesh was injured.</p> <p>(ii) Earlier on the same day, at about 10 A. M. when the villagers of Sirur were proceeding to Takli, they were relieved of their lathis at Urni by the Nizam's police, who promised to restore them on their return from Takli.</p>
7. No. F. 108 (3)-P/48, dated 20-2-48.	<p>(i) About the 12th January 1948, a batch of 9 Arabs belonging to H. E. H. the Nizam's military raided the village of Sonna, Bijapur District, extorted an amount of Rs. 225 from one Gurulingappa Kinagi of that village and also forcibly removed from his house about 3 maunds of gun-powder. They have also intimidated the Hindu residents of that village and extorted from them an amount of Rs. 150.</p> <p>(ii) On the 29th January 1948, two persons, namely Andanappa Kalkappa Kalakareddi and Yellappa Kumber, while they were proceeding from Mundrigi to Gudlanur, were beaten by the State Police while they were still within the limits of the Union territory and relieved of an amount of Rs. 50.</p> <p>(iii) On the 31st January 1948, the Nizam's Military raided the village of Bilawad in Bijapur District, looted the house of the Patel of that village and set fire to Government records therein.</p>
No. 385-P/F. 108, (3)/48, dated 28-2-48.	<p>(i) On the 9th January 1948, one Gollappa Shidramappa Padabetti of Golgeri, Sindgi Taluq, District Bijapur, was manhandled by the Nizam's State Military at Hire-Allapur, a village in the State, where he had been on private business, with a view to obtaining information regarding the police and the Home Guards detailed for Bandobast duty at Golgeri.</p>

No. & date of the communication addressed to H.E.H. the Nizam's Government

Details of the incident

- (ii) On the 17th January 1948, at about 6 P.M., Channappa Madiwalappa Kori, Sharnappa Irappa Balabatti, Imamsa Maktumsab Tangadagi, Maktumsab Imamsab Tangadagi, Manasya Halleppa and Nagappa Ningsappa Shirsagi, villagers of Honmalli, Singi Taluq, were working in a field belonging to one Dastagirsa Darga in the village of Kulgeri in the State, when they found about 40 men belonging to the Nizam's Military including some goondas, advancing towards them. They fled but were soon overpowered by the Military and taken to a Darga situated about 2 to 3 furlongs from Honmalli village, and beaten with a view to obtaining information regarding the activities of the State Congress. To intimidate them, the Military fired two shots in the air. At about 8 P.M., Imamsa Maktumsab Tangadagi and his son Maktumsa Imamsa Tangadagi were released, but the remaining 4 persons were detained till midnight. On the intervention of Dastagirsa Durga, they were later released.
- (iii) On the 13th January 1948, Bandu Kashinath Deshmukh, Taty China Bhavar and Asman Asraji of Sulki village, Taluq Shevgaon, District Ahmednagar, were searched by the Hyderabad State Customs sepoy at Mahar-Takli in the Taluq of Paithan, District Aurangabad. Of these men, Bandu Kashinath Deshmukh was tied and detained whereas the remaining two escaped and fled to Suklu.
- (iv) On the 1st February 1948, some goondas assisted by the State Police raided the village of Tadwal, Sholapur District, shot dead one person and looted some others. When the Sub-Inspector of Pangri arrived on the scene, with his men, the State Police opened fire on them. The raiders visited the village in two buses belonging to the Nizam's State Railway.
9. No. 125-S/48, dated 7-3-48. On the morning of the 2nd March 1948 about 60 men of the Nizam's Police fired on the Bombay Government Armed Police party of 9 men stationed at Halkeri (Gajendragad Police Station) without any provocation and also on villagers. The Bombay Police party exchanged firing till all their ammunition exhausted. In the result, three of the Bombay Policemen were shot dead by the Nizam's Police and their bodies were removed to unknown places.
10. No. 427-P/F 108 (3)/48, dated 10-3-48. (i) On 15th February 1948, while the Tahsildar of Ashti (Nizam's State), camped in the village of Loni, with a party of about 10 Sepoys, in connection with the collection of land revenue, 4 of the Sepoys chased the villagers into the adjoining Union village of Mandve in the Ahmednagar Taluka. While returning from Mandve village, the Sepoys caught hold of one Kesu, a Mahar of that village, and dragged him to the threshing floors of Manaji Krishnaji Nimse and Khashaba Rabaji Nimse, whence they too were forcibly carried away to Loni. Before reaching the village of Loni, one of the Sepoys hit Kesu with a stone who thereupon fell on the ground bleeding profusely. Manaji and Khashaba were taken to Loni and released in the evening. Hardly had they entered the limits of Mandve when they were fired upon by the Sepoys. Khashaba was killed on the spot while his companion Manaji was seriously injured.
- (ii) On the 11th February 1948, 16 men belonging to H. E. H. the Nizam's Police trespassed into the village of Turk Pimpri in the Sholapur District and forcibly carried away (i) Abdul Ambir of Pimpri, (ii) Bhagwant Keshav Patil of Jamgaon and (iii) Bapurao Tuliram Chavan of Jamgaon.
11. No. 1306-P/F. 108(3)/48, dated 15-3-48. (i) On the morning of the 5th April 1948, one Dnyanoba Tetya Naik-wadi who was working in his fields within the limits of Kaudgaon village, Barai Taluq (adjoining Khanapur village in Osmanabad District), was shot dead by some unknown persons, and when the villagers sought to collect the corpse, they were met by showers of bullets fired from across the border.

No. & date of the communication addressed to H.E.H. the Nizam's Government

Details of the incident

- (ii) On the 10th April 1948, at about 4-30 P.M., a party of about 300 armed men from Osmanabad District trespassed into the limits of Kaudgaon village and fired indiscriminately for about 3 hours, using machine guns and rifles. The Union Police stationed in this village repulsed the attack.
12. No. 1470-P/F.
108(3)/48, dated
19-5-48. At about 7-30 A.M. on the 3rd April 1948, three Hyderabad State Police Constables (two in uniform and one in plain clothes) trespassed into the limits of Byadgihal village in Sindgi Taluq, Bijapur District, stopped a bullock cart transporting oil-seeds from the State to the Union territory and forced the cartmen, Ningappa and his brother Sharnappa, to unyoke the bulls. On receipt of this news, the residents of Byadgihal village came out in a body to the spot when the State Police Constables released the cartmen, while the plain clothesman, whose name is reported to be Davalsab Mujavar crossed over into the State border. On seeing their colleague bringing in a party of 10 or 12 State Army personnel to their aid the two Constables fired on the villagers, injuring one Kalyanappa Gangappa Asangihal in the wrist. Meanwhile, the Bombay Province Armed Police on patrol duty arrived at the scene and chased the two Constables into the State territory. The State Military party who had meanwhile taken up positions on the other side of the border then opened fire on them. The exchange of fire lasted for an hour.
13. No. 1616-P/F. (i) At about 2 P.M. on the 3rd April 1948, some Arabs, presumed to be freshly recruited into the State Police, armed with muzzle loading guns, looted 4 carts carrying grocery articles from Dudhani to Hadalgi on the border near Hadalgi and Nimbal.
- (ii) On the 12th April 1948, an armed Police party from Wagholi in State territory, trespassed into the fields within the limits of Yedai in Barsi Taluq and ordered some residents of the State who had come to attend the weekly fair in Yedai and were resting in the fields, to return to their homes and assaulted some of them. The owner of the field, Vishwanath Nilu Deshmukh and his two servants, Daji Hari Deshmukh and Govind Genu Deshmukh, who were working in the fields at the time, were ordered to load the bundles belonging to the State Police, and when they refused to do so they were also assaulted. The bundles were then carted away to the State border and on the way, one of the bulls which was weak and slow was left behind and another belonging to one Anna Bajirao of Yedai was yoked instead. Meanwhile the Union Police stationed in Yedai arrived on the scene and retrieved the bundles and the bull.
- (iii) On the 26th April 1948, some 60 to 70 residents of Dehkri village in State (where arson and murder was alleged to have been committed on large scale) took refuge in Alijapur village in Sholapur District. On the 27th April, at about 8 A.M. fire was opened on the Hindu locality of Alijapur from across the border by some persons (presumably State Military or Police) armed with powerful and long range weapons. As a result, 4 villagers, Laxman Narayan Vanve, Devidas Ramchandra Chandani, Sada Tulshiram Mahar and Hari Ramchand Ghuge, were killed and 4 others, Ramchandra Ghuge, Bhanudas Yesu Vanve, Yeshwant Ramchandra and Sarubai, w/o Narayan Vanve, received injuries. 30 houses and 5 stacks of kadbis were burnt by the raiders.
14. No. 1616-P/F.
108(3)/48, dated
24-5-48. On 14th April 1948, at about 12 noon, the villagers of Sarola in Osmanabad District, close to Kajale in Sholapur District, came to Kajale for shelter as their village was looted by goondas consisting of Razakars, Deendars and Arabs from the State. At 1 P.M. a band of Razakars, State Military and Police personnel came near Kajale and opened fire. The police party belonging to Kajale with 20 to 30 villagers armed with sticks went out to repulse the attack, with the result one Police constable was shot dead by the goondas who were in

No. & date of the communication addressed to H.E.H. the Nizam's Government

Details of the incident

- over-whelming numbers. Fire was opened by the goondas from 3 sides and the villagers and the Police party began to retreat. While retreating, one more Police constable and 6 villagers were shot down. The dead bodies of the two Constables and 4 villagers were taken away by the Razakars in a truck along with the arms and ammunition belonging to the Police. Besides, 4 more villagers of Kajale were injured in the attack and were admitted for treatment in the Barai dispensary.
15. No. 1705-P/F. On the 8th May 1948, 20 cartmen and 6 other villagers (including a woman), all residents of Mangrul, an Union enclave village in the State, while proceeding to Sholapur were detained by the State Police and taken to Tamalwadnaka and their 20 carts containing foodstuffs like jaggery, groundnut, jowar, wheat and groundnut oil were seized. The District Superintendent of Police, Sholapur, deputed on the 10th May 1948 his Deputy Superintendent of Police to enquire into the matter. The Deputy Superintendent proceeded on the same day to Tamalwadi in a police lorry with a party of police constables and, as he neared the naka, signalled his approach to the State Police party stationed there in a manner which they could easily recognise. However, when the lorry was about 150 yards away from the naka, the State Police opened fire and continued to do so despite the Sholapur Police signalling and shouting to stop the firing. As there was no hope of contacting the State Police, the Deputy Superintendent was forced to return to Sholapur.
- 108(3)/48, dated 7-6-48.
16. No. 5016-P/F. (i) On the 1st May 1948, the Police Sub-Inspector at Kanapur Customs naka (in Tuljapur taluq, Osmanabad district) detained a lorry belonging to Mr. B. L. Karadi, an excise contractor of Sholapur while engaged in transporting toddy from Arali, an Union enclave village in State territory, to Sholapur, and removed the lorry and the driver to Osmanabad.
- 108(3)/48, dated 5-6-48.
- (ii) On the 13th May 1948, another lorry belonging to the same contractor (Mr. B. L. Karadi) of Sholapur was detained in similar circumstances and taken to Osmanabad.
- As a result of these unlawful detentions, the contractor has suffered a loss of about Rs. 28,000.
17. No. F. 5013-PF. (i) On the 21st May 1948, one Bhagwan Appa Bhole of Upale, an Union enclave in State territory, who was passing by the Customs naka at Alani, was detained and assaulted by the Police and the Razakars stationed in the Naka.
- 108(3)/48, dated 11-6-48.
- (ii) On the 21st May 1948, 2 she-buffaloes valued at Rs. 300 belonging to one Mahdeo Shirmurti were forcibly taken away by the Razakars stationed in the Customs naka at Dhoki, while they were grazing in the fields of Tadvale village in Barsi Taluq.
- (iii) On the 23rd May 1948, one Indravahan Ratnaji Gire of Mardaj (Sholapur Taluq) and his mother Manjulabai, who were passing the Customs naka at Nanaj, were detained and assaulted by the Police and Razakars stationed in the naka and relieved of Rs. 20.
18. No. 5101-P/F. (i) One Mr. Gopal Shankar Karanur of Kasegaon, Sholapur District who visited Tamalwadi in State territory on the 2nd May 1948 to make enquiries regarding the availability of kerosene oil, was laid hold of by the Razakars, belaboured and taken to the Police Station where the Police Sub-Inspector threatened him with death if he did not reveal the real object of his visit to Tamalwadi. The Razakars then tied the hands and feet of Mr. Karanur, carried him some distance away from the Police Station on the road to Ule village, shot him through the hands and brought him back to the Police Station, where he was detained till the next morning. On the morning of the 3rd May, he was again threatened by the Police Sub-Inspector and Razakars, and taken to a house in Tamalwadi from where he escaped after bribing the Razakars with his wrist watch. On reaching Gangewadi in Kasegaon Taluq, he met an armed party of the Bombay Police who sent him to the Civil Hospital at Sholapur for treatment of the injuries inflicted on him by Razakars.
- 108(3)/48, dated 15-6-48.

APPENDIX

No. & date of the communication addressed to H. E. H. the Nizam's Government	Details of the incident
19. No. 5103-P/F. 108(3)/48, dated 15-6-48.	On the 15th May 1948, an armed party of 30 persons, consisting of Razakars and a State Military personnel, raided Animadu a border village in Sindgi Taluq, Bijapur District, forcibly entered the house of the Police Patil and burnt his records, looted cash and gold ornaments valued at Rs. 915, from the houses of some villagers and forcibly carried away into the State territory 18 persons of whom 15 were subsequently released.
20. No. 5089-P/F. 108(3)/48, dated 15-6-48.	On the 26th May 1948, one Pandurang Gurao of Dudhani village and another merchant of Tolnur village, who were proceeding from Dudhani Bazar to Tolnur in a cart, were set upon by a band of 20 Razakars and robbed of cash and properties valued at about Rs. 1,200.
21. No. 5087-P/F. 108(3)/48, dated 21-6-48.	(i) On the 20th April 1948, an armed party consisting of three State Military personnel and two Razakars ambushed one Laxman Siddappa Hargol of Devangaon village in Sindgi Taluq, Bijapur District, while he was going to the river Bhina with 30 goats, and carried away by force towards Afzalpur in Gulbarga District 5 goats. On entering the State territory the miscreants released four of the goats and took away with them one. (ii) On the 7th May 1948, an armed band consisting of 25 persons from Javali village in the State territory attempted to raid the village of Jalgaon Pra. Kannad in the East Khandesh District, but withdrew when the villagers sought to offer resistance. (iii) At about 9-30 P.M. on the 13th May 1948, an armed band from the Hyderabad State territory opened fire on Bhokangaon village in Chalisgaon Taluq, East Khandesh District, but were beaten back by the villagers who returned the fire.
22. No. 5126-P/F. 108(3)/48, dated 22-6-48.	On the 25th April 1948, some Arabs from Kevad village situated in the Hyderabad State territory on the left bank of the river Sina opened fire on the residents of Undergaon village, situated on the other bank of the river, in Madha Taluk, Sholapur District, killing 3 persons and causing injuries to 4 others.
23. No. 5125-T-1/F. 108(3)/48, dated 22-6-48.	On the 18th April 1948, one Shivling Maruti Mashalkar, who was proceeding from Sholapur to his home in Mangrol Taluq by motor cycle, was arrested by the Hyderabad State Police at Tamalwadi and detained in the Tuljapur Sub-Jail.
24. No. 979-P/F. 151/48, dated 26-4-48.	In April 1948, 13 bags of groundnut, of which 7 belonged to one Kankangouda Malleagouda, Patil of Hirekot in Ron Taluq and the rest to Irappa Balappa Pattar of Hiregoudar in the same Taluq, were seized by the military authorities of the Hyderabad State while being transported by carts from their villages in Ron Taluq of Dharwar District to Gajendragad and Badami. The groundnut in question was the produce of the Bombay Province and it was not possible to export it to Gajendragad or Badami except by the road passing through the Hyderabad State.
25. No. F.151-P/48, dated 7-5-48.	On the 29th April 1948, while 12 persons from Upale village in Sholapur District were transporting 54 bags of groundnut, in bullock carts, to Barsi in Sholapur District, they were waylaid in the intervening State territory by a party of goondas who seized the bullocks, the carts and the nuts and forcibly removed the cartmen to Osmanabad.
26. No. F.151(1)-P/48. dated 22-7-48.	On the 12th May 1948, two motor trucks belonging to one Narashing-rao Shamrao Chakkul of Sholapur, which were returning from Murum in the State territory with groundnut bags, were held up at Nadimgaon by the State Police who unloaded the trucks and drove them away after chasing away the drivers. These two trucks and four others similarly seized by the State Police are now being used by the Razakars for raids on Union villages on the borders of the State.
27. No. 5145-P/F-108, (3)/48, dated 20-6-48.	(i) On the 14th April 1948, one Shankarappa Hanamantappa Chitrali, an oil dealer of Mandargi, who had gone to Belagatti in the State to collect his dues, was arrested by the Sub-Inspector of the State Police at Alawandi, at the instance of one Jandisab Imamsah Jalihal.

No. & date of the
communication ad-
dressed to H. E. H.
the Nizam's
Government

Details of the incident

- (ii) On the 7th May 1948, a party of Muslim goor das from the Hyderabad State territory attempted a raid on Mardi village in the Sholapur District, but withdrew when the Union Police stationed in the village sought to offer resistance.
- (iii) On the 11th May 1948, one Kundalik, younger brother of Govind Pharid Bhalerao of Kasba Tadvale in Barsi Taluq, was abducted by the Hyderabad State Police while he was working in his fields.
- (iv) On the 12th May 1948, about 15 sepoys belonging to the Hyderabad State Army visited Kodaganur in Dharwar District, threatened the residents of Ron and Halkeri villages, who had come there to attend a wedding, fired a shot at the Police Patil of Kodaganur, who however escaped, and broke up the marriage party.
28. No. 5161-P/F.108 (3)/48, dated 29-6-48. (i) On the 29th May 1948, 4 armed Razakars trespassed into the limits of Kakrambe village, an Union enclave forming part of the Sholapur District, threatened and belaboured one Damu Girjappa Bandgar and drove away 32 sheep belonging to one Sopan Devrao Zade of Kakrambe, while they were grazing there.
- (ii) At about 1 A.M. on the 31st May 1948, some Razakars from the Hyderabad State territory attempted to raid Mardi village in Sholapur Taluq, but retreated when the Union Police patrolling the border resisted by opening fire on them.
- (iii) At about 11 A.M. on the 1st June 1948, about 15 armed Razakars from Mashal village in Afzalpur Taluq, Gulbarga District, trespassed into the limits of Tolnur village (under Karjagi outpost, Akalkot Police Station) and drove away 2 bullocks and 1 buffalo belonging to one Nabisaheb Saifansahab and 10 goats belonging to one Sayyad Saheb Dawalsahab, both of Tolnur. The Union Police party which rushed to the spot was fired upon by the Razakars.
29. No. 5225-P/F.108 (3)/48, dated 10-7-48. (i) At about 8-30 A.M. on the 7th June 1948, an armed band of 60 Razakars opened fire on Dudhani village in Sholapur District from a hill near Dudhani railway station; but when the villagers and the Police party stationed in the village sought to offer resistance the raiders beat a hasty retreat towards Nimbal village in Gulbarga District.
- (ii) At about 9-30 A.M. on the 9th June 1948, a convoy of 19 carts loaded with oilseeds and other commodities and accompanied by 30 villagers, proceeding from Hadalgi, an Union enclave in the State territory, to the Dudhani market, was, while crossing the intervening State territory, attacked at a place called 'Arab Nala' by an armed band of Razakars. The Union Police party escorting the convoy returned the fire. The convoy was however broken up and while some of them reached their destination, 7 carts and 9 villagers fell into the hands of the Razakars who took them to Arjungi village but released them later. During the clash, Head Constable Kushab Sitaramd, Constable Nivritti Ghorpade of the Bombay Police received bullet wounds.
- (iii) On the 10th June 1948, the Special Duty Sub-Inspector of Akalkot and 16 policemen of the Bombay Police, returning from Hadalgi, where they had proceeded on duty, were fired upon by Razakars from behind the hillocks on either side of the road at "Arab Nala" mentioned in item (ii) above. The Bombay Police returned the fire and in the encounter one Constable Bajirao Tatyia received a bullet wound.
- (iv) At about 1 A.M. on the 12th June 1948, an armed band of 100 Razakars, raided Tadvale village of Sholapur District, an Union enclave in the State territory situated about one and a half miles from Tuljapur in Osmanabad District from whence the raiders came

No. & date of the communication addressed to H. E. H. the Nizam's Government

Details of the incident

30. No. 5339-P/F.108
(3)/48, dated
19-7-48.

The villagers first moved the women and children to places of safety in the adjoining fields and put up a stout resistance, but had to abandon the fight and take refuge in the fields in the face of heavy firing by the raiders. The Razakars then entered the village and looted the houses and returned to Tuljapur with cash, ornaments, etc., valued at over Rs. 2,000.

(i) On the 8th June 1948, 4 Razakars armed with axes, trespassed into the limits of Honsal village in Sholapur Taluq and forcibly carried away a bull belonging to one Gurubus Maruti Kanade of that village.

(ii) On the 14th June 1948, an armed band consisting of about 100 Razakars and State Police trespassed into the limits of Sangannar under Vairag Police Station, and as they began to carry away about 30 cattle in all, the Union Police stationed in the village opened fire on them. The miscreants exchanged fire with the Union Police for some time but subsequently withdrew into the State territory.

(iii) At about 6 P.M. on the 14th June 1948, an armed band of about 70 Razakars trespassed into the limits of Tandulwadi village in Sholapur Taluq and opened fire on the villagers working in the fields. The Union Police Party which rushed to the spot on receipt of this news was also fired upon by the Razakars, whereupon an exchange of fire ensued. The raiders subsequently withdrew into the State territory under cover of fire.

(iv) At about 9 A.M. on the 17th June 1948, an armed band of about 60 Razakars attacked Kasegaon village, in Sholapur Taluq, when the Union Police party stationed in the village engaged them. On receipt of this news, the District Superintendent of Police, Sholapur, rushed to the spot with reinforcement, but on sighting them, the raiders retreated towards Tamalwadi Naka, firing as they went, and the resulting exchange of fire lasting for about half an hour.

(v) On the 17th June 1948, one Sidram Kalappa Tirthe of Kesarjawaige, an Union enclave in the State territory under Valsang Police Station, was, while working in his fields, abducted by some Razakars and taken to Jange village in Gulbarga District and done to death. His corpse was later found in his fields.

(vi) On the 18th June 1948, an armed band consisting of about 200 Razakars and State Police personnel, raided Musti village under Valsang Police Station, Sholapur District, whereupon the Union Police camping in the village launched a counter-attack on the raiders. After some exchange of fire the raiders retreated towards Itakal village in Osmanabad District.

(vii) At about 1-30 A.M. on the 21st June 1948, an armed gang of about 20 Razakars trespassed into the limits of Yedshi village in Barfi Taluq, but soon fled, when the Union Police who were camping in the village opened fire on them.

(viii) On the 24th June 1948, the Police Sub-Inspector of Akalkot and party, who visited Vegadri village to hold an inquest over three corpses found within the limits of the village, were suddenly fired upon by an armed band of Razakars from the Hyderabad State. The Sub-Inspector returned the fire, whereupon the Razakars retreated towards Hiroli village in Aland Taluq, Gulbarga District.

(ix) On the 1st July 1948, a band of nine Razakars was engaged in lifting cattle from the fields within the limits of Mardi Village in Sholapur Taluq, when a cow-herd boy named Revan Sadashiv Gulve, who noticed this, went to fetch his brother. On his return, the boy was abducted by the Razakars, taken to their camp and shot dead.

(x) At about 11 A.M. on the 30th June 1948, an armed band of Razakars trespassed into the limits of Arali village and while they were driving away some 200 cattle grazing in the fields, the Union Police and the village defence party rushed to the spot when they were fired upon by the Razakars. After some exchange of fire the Razakars fled, leaving the cattle behind.

No. & date of the
communication ad-
dressed to H. E.H.
the Nizam's
Government

Details of the incident

31. No. 5402-P/F.108
(8)/48, dated
22-7-48.
- (i) At about 2 A.M. on the 30th May 1948, the Union Police party stationed in Pimpalwadi Village in Barsi Taluq, on seeing an armed band of Razakars stealthily approaching the village from Yermala in the State territory, challenged them, whereupon the Razakars opened fire. The Union Police returned the fire. At the same time some more Razakars who had entrenched themselves in the fields and hills surrounding the village also opened fire, as a result of which Constable Sakharam of the Sholapur Police was killed, and one Bapur Sopan Dange of Pimpalwadi who was sleeping in the premises where the Union Police were stationed, received serious gun shot wounds.
- (ii) At about 2 P.M. on the 4th June 1948, two Razakars were found lurking in suspicious circumstances on the outskirts of Jategaon village in Ahmednagar District, whereupon the residents of the village and the Union Police stationed there chased them with a view to apprehend them. Four other Razakars who were taking cover in a trench nearby immediately fired on them, but retreated when the Union Police returned the fire.
- (iii) At about 12 NOON on the 6th June 1948, an armed party consisting of Razakars and the Hyderabad State Military and Police personnel raided Bhilwad Village in Bijapur District, looted six houses and carried away cash and some properties.
- (iv) At about 9 A.M. on the 17th June 1948, a party of Razakars and Hyderabad State Military personnel numbering about 40 (including five mounted sowars) pursued some State subjects, from Magangeri village in Gulbarga District into the limits of Khaipur Village in Sindgi Taluq, Bijapur District and opened fire on them while they were in the Union territory causing injuries to one Chandragupta Rajendra. The State Military also fired at Khaipur Village, when the Union Police party stationed in the village retaliated, the raiders, withdrew into the State territory.
- (v) At about 10 P.M. on the 21st June 1948, an armed band of about 150 Razakars from Mahar-Takali Village in the State, trespassed into the limits of Sukali Village in Ahmednagar District, threw a hand grenade and opened fire on the village. When the village defence party sought to offer resistance, the raiders beat a hasty retreat.
- (vi) At about 9-30 A.M. on the 23rd June 1948, an armed party consisting of 60 Razakars from Umbrepur Centre and 10 policemen from Chakal-Amba Police Station in the State territory opened fire without any provocation on Sukali Village in Ahmednagar District from across the border near Mahar-Takali village in the State, but took to their heels on sighting the Union Police and the residents of the village preparing to counterattack them.

2. THE CENTRAL PROVINCES BORDER AREA

1. No. 497-P/F. 108
(1)/48, dated 18-3-48.

On the 20th February 1948, one Dagdu, Constable No. 370 of Basmatnagar Police Station in the Parbhani District was found masquerading as a Sadhu at Rajgaon within the limits of the Basim (Akola Police Station). When accosted, he described himself as a Sadhu from Kanarkheda, Basmatnagar Taluq, Parbhani District. On further interrogation by the local Police, he explained that he was deputed to trace offenders who had escaped from his custody on 8-2-48. He produced his Badge Number as also an appointment certificate which seemed to have been originally issued in favour of one Virasahi, s/o Sheonarain, then changed to Azmat Khan and again overwritten with the name of Gadu, s/o Sadu. He was carrying with him an order purporting to have been issued to him by the Sub-Inspector of Police, Basmatnagar, and directing him to look for absconders Khemaji, s/o Mungaji and Kishan, s/o Tukaram and produce them if found. He has been arrested by the local police, pending verification of his antecedents.

No. & date of the communication addressed to H.E.H. the Nizam's Government.

Details of the incident

2. No. 496-P/F. 108 (1)/48, dated 13-3-48. On the night of the 3rd March 1948, 4 armed men from the State visited the village of Jam, within the limits of Police Station Dhad in Buldhana District, and fired four shots on the villagers while they were engaged in manufacturing gur in their fields. As a result, one Vithoba Syama Maratha was injured in the abdomen and another Kaduba Saduba Maratha on his right wrist. A third bullet hit a bull.
3. No. 49 -P/F. 108 (1)/48 dated 13-3-48. (i) On the 3rd February 1948, five persons namely Vithalrao Deah-mukh, Nathu Maratha, Dajiba Shamji Teli, Baijnath Marwadi and Jairam Marwadi, belonging to the village of Risod in Akola District, visited Jintur in the State to settle the marriage of Jairam's son. Baijnath Marwadi and Nathu Maratha left by train for Risod, on 4th February 1948 via Parbhani, Purna and Hingoli. The remaining members of the party, who left Jintur on 5th February 1948 via Amberwadi and Bamni by bullock cart, were found murdered at a distance of about 2 miles from Bamni.
- (ii) On 2nd February 1948, one Gopalpuri Gisal, a sadhu, resident of Warud Topha within the limits of the Risod Police Station, was beaten by the Nizam's State Military at Gugul Pipari village where he had gone for begging alms. He was presumably suspected to be a spy.
- (iii) In the last week of February 1948, one Dattaram Ekoji of Vyad within the limits of Risod Police Station, visited Ajeegaon in the State where he was assaulted and detained by Kazi, a police Constable and released, the next morning on payment of an illegal gratification of Rs. 15.
4. No. 612-P/F. 108 (1)/48, dated 22-3-48. On the 13th March 1948, at about 11 A.M. two constables, viz. Shek Gafoor, No. 118, and Mahmood Khan of the Kanhergaon outpost of the Hyderabad State, crossed over into Akola District and way laid near Basim a cartman and robbed him of Rs. 6 in cash and two sarees worth Rs. 80, at the point of a dagger. A Sub-Inspector of the Akola District Police, who happened to be camping at Rajgaon at the time, rushed to the spot and apprehended one of them, viz. Gafoor, with the dagger and the stolen property, while his companion, Mahmood Khan, managed to escape.
5. No. 605-P/F. 108 (1)/48, dated 24-3-48. (i) On the 1st March 1948, while Bhagwan, s/o Bhiwans Lohar of Badgaon, P. S. Dhad, Akola District, was returning to his village from Rajani in the Hyderabad State, with his sister Subhadra, two Customs constables of the State searched him and forcibly took Rs. 25 from him at the point of bayonet.
- (ii) On the same date, currency notes to the value of Rs. 2,101 and Rs. 1,900 were seized by the Kanhergaon Customs Office from Abdul Ghani son of Ismail Kachhi, of Basim, and Sitaram, Hiralal Marwadi of Ukli, P. S. Anasing, who were on their way to Hingoli, on the pretence that the notes appeared to be stolen property involved in the Umri Bank Dacoity.
6. No. 566-P, dated 20-3-48. On the night of the 20th December 1947, a police party headed by Mr. Nazimullah, Sub Inspector of Police, Mausपुरi, forcibly entered the hut of Mania Labhani in the village of Dhandarwadi, Buldana District, that the Sub Inspector shot him with a gun and wounded him in the left leg, and that thereafter he was carried away into the State and admitted into the Government hospital at Jalna from which he escaped on the 18th January 1948.
7. No. 952-P/F. 108 (1)/48, dated 22-4-48. On the 10th March 1948, Yedu Singh Rajput of Jamma, and Kisan Buwa of Madh, P. S. Dhad, Buldana District, were, while returning from a visit to Jalna, searched by sepoys of the Hyderabad Army at Waghrul and relieved of annas -/12/- and Rs. 15 respectively at the point of dagger. A sum of Rs. 20 is also reported to have been taken away from them by the Sub Inspector of Police Jalna.

No. & date of the communication addressed to H.E.H. the Nizam's Government	Details of the incident
8. No. 1460-P/F. 108 (1)/48, dated 18-5-48.	(i) At about 10 A.M. on the 17th April 1948, a party of 20 armed muslims and four horsemen crossed the river Painganga and trespassed into the Indian Union territory within the limits of Murli village (Police Station Bittergaon), carried away a pair of bulls worth Rs. 600 and some she-goats valued at Rs. 600 and retreated into the State territory in the direction of Himayatnagar village.
9. No. 108 (1)-P/48, dated 24-5-48.	(ii) On or about the 29th April 1948, a Komti woman named Vornma of Ankisa, Police Station Sironcha, while proceeding to visit her father in Hyderabad State, was detained by the State Police at Medigatta, relieved of Rs. 15 cash and not permitted to proceed on her journey. On the night of the 5th/6th May 1948, fifteen Muslims from Bandi in the State territory armed with muzzle loading guns attacked the house of Mr. Jairam Kunbis in Asola village, Risod Police Station, Akola District, and decamped with property worth Rs. 500.
10. No. 1770-P/F. 108 (1)/48, dated 29-5-48.	(i) On the 26th April 1948, about 35 sepoy of the Hyderabad Army headed by a Tahsildar and some State Police officials visited Ganjapur and opened fire across the river into Yeotmal District on the refugees from the State taking shelter there. The local people returned the fire and the gun battle which ensued lasted for about 2 hours. (ii) On the 1st May 1948, 3 Mahar girls of Mahojabanji in Akola District, who happened to cross the border, were molested by the sepoy of the State Army stationed on the frontier. (iii) On the 8th May 1948, 2 sepoy of the State Army trespassed into the limits of Azisapur village (P. S. Lonar, Buldhana District) and carried away 2 goats valued at Rs. 18, belonging to one Sk. Chandu.
11. No. 5010-P/F. 108 (1)/48, dated 3-6-48.	(iv) On the 12th May 1948, some Muslim goondas from Paradha in the State, fired 7 shots at village Dhamangaon in Buldhana District; in reply the villagers fired 4 shots. On the 19th May 1948, 2 fishermen of Kharbi village in Yeotmal District, while engaged in fishing in the Painganga river, were challenged by a party of 6 or 7 armed men from across the border in Hyderabad State territory, and fired at while they began to run away out of fright.
12. No. 5019-P/F. 108 (1)/48, dated 3-6-48.	(v) On the 11th May 1948, R. S. Chouhan, C. I. D. Inspector of the Buldana District Police, was detained at Amfabad Road Railway Station and his luggage thoroughly searched by the State Police Constable on duty there, although he explained the purpose of his visit and produced a certificate issued by the District Superintendent of Police, Chanda, stating that he was visiting the State in connection with the investigation of a case of forgery involving 4 persons from the State who have since been prosecuted.
13. No. 233-S/48, dated 31-5-48.	On the night of the 28th/29th May 1948, a party of armed raiders from Purad in the Nizam's territory attempted to raid the Dhamangaon village within the limits of the Dhadi Police Station in the Buldana District, but were foiled in their attempt owing to the return of the fire by this Special Armed Force platoon of the Province, stationed in the village.
14. No. 5046 P/F. 108 (1)/48, dated 8-6-48.	At about 1 P.M. on the 27th May 1948, six armed Razakars from Balswangi village in State territory, entered Taradkhed Village (under Police Station Dhad in Buldana District), and fired a shot in the air but soon retreated into the State when they saw the villagers gathering for offering resistance to them. Again, at about 3-30 P.M. on the same day, 60 Razakars armed, with muzzle loading guns trespassed into the limits of Taradkhed village but on seeing that the villagers had prepared themselves to meet the attack withdrew into the State territory after firing a shot in the air.

No. & Date of communication addressed to H.E.H. the Nizam's Government.	Details of the incident
15. No. 5115-P/F. 108 (1)/48, dated 17-6-48.	<p>(i) At about 2 P.M. on the 26th May 1948, about 45 armed Razakars opened fire on Januna Village in Buldana District but withdrew when they saw the villagers prepared to meet the attack.</p> <p>(ii) At about noon on the 1st June 1948, three Muslim residents of Sawangi Village under P. S. Parad in the State territory, namely, Wajid Khan, Namdar Khan and Nyamat Khan, trespassed into the Indian Union territory and forcibly carried away 31 heads of cattle belonging to the residents of Satgaon, Kumbephal and Takli Villages in Buldana District, while they were grazing in the fields of those villages. On the representation of the villagers Wajid Khan first released only 7 cows but as a result of the intervention of the Sub Inspector of Police at Dhad in Buldana District, the Village Officers of Sawangi released the remaining cattle.</p>
16. No. 5165-P/F. 108 (1)/48, dated 29th June 1948.	<p>(i) In the second week of March 1948, one Jiwaji Bajaram Kapewar of Kotagundam (under Police Station Sironcha, Chanda District), while on a visit to Madhopur in the State, was arrested and detained by the State Police who later released him after receiving an illegal gratification of Rs. 25 from one of Jiwaji's relatives who had come in search of him.</p> <p>(ii) On the 17th March 1948, Govinda, s/o Punjaji Dohar and Kisan s/o Bhano Dohar, residents of Sinkhed Baja (under Police Station Kingaon Raja, Buldana District), who were proceeding to Jalna and Partur in the State, were severely belaboured by the Customs Officials at Waghrul in the State and relieved of Rs. 7 and Rs. 10 respectively. Govinda is still confined to bed as a result of the injuries received by him.</p> <p>(iii) On the 30th March 1948, an armed party of 12 persons opened fire from a military truck across the river Wardha on Saknur Village (under Police Station Bhada, Chanda District), situated on the other bank of the river and withdrew after firing some shots.</p> <p>(iv) On the 2nd April 1948, one Shankar s/o Bhikusa Munim, of Deulgaon Raja in Buldana District, who was proceeding to Jalna was robbed of Rs. 5,000 by the State Police.</p> <p>(v) On the 12th April 1948, a party of armed Razakars opened fire at Walseongi on the marriage party of one Gulambeg s/o Usmanbeg of Deolghat in Buldana District, which was proceeding to Fardapur in the State, killing one and causing injuries to several others.</p> <p>(vi) On the 18th April 1948, one Sonaji Baghoji Dhangar of Rajura (under Police station Jaulka, Akola District) was wrongfully searched by some State Officials at Kanhergaon and relieved of Rs. 25.</p>
17. No. 5172-P/F.108 (1) /48 dated 29-6-48.	<p>(i) At about 11 a. m. on the 10th June 1948, five armed Razakars from the State, trespassed into Yewta Village (under Police Station Chikdi, Buldana District) but took to their heels when the villagers began to chase them.</p> <p>(ii) On the 13th June 1948, an armed band of 40 Razakars pursued some of the residents of Walana Village in the State territory up to the border of Akola District from where they opened fire, without any provocation whatever, on the Special Armed Force Platoon stationed on the Union side of the border. The Armed Force Platoon returned the fire, whereupon the attackers dispersed.</p> <p>(iii) On the 16th June, 1948, an armed band of Razakars from the State trespassed into Warudtopha village in the Basim Sub Division and threatened the villagers. A Special Armed Force Platoon rushed to the spot and gave chase to the raiders who however managed to escape.</p>
3. MADRAS BORDER AREA.	
18. No. 1/AG/48, dated 9-1-48.	<p>On the 1st January 1948, H. E. H. the Nizam's police entered the Union territory near Tiruvur in the Kistna District of the Madras Presidency and fired two rounds as a result of which one was killed. They also took into custody and carried away another person belonging to Tiruvur village.</p>

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	A party of armed men unlawfully entered in the Union territory near the village of Bhagavanulapuram, a hamlet of Tunikipadu in the Kistna District, apprehended 3 persons belonging to the family of one Perala Sivaramayya, seized and carried away the paddy which they were carting to Bhagavanulapuram.
3. No. F. 101-P/48, dated 13-2-48. Also Madras Govt's letter No. 8309/47-2-Public (General A), dated 14-12-47.	About the 14th November 1947, two residents of Kurnool, viz. Mr. T. K. R. Sarma, Jt. Secretary, Town Congress Committee, Kurnool and Mr. Pulliah, Office Secretary of the District Congress Committee, Kurnool, were arrested by the Nizam's Government at Atmakurin the Hyderabad State and detained unlawfully.
4. No. F. 108(2)-P/48, dated 20-2-48.	<p>(i) On the 30th January 1948, one Darelli Bichalu of Dundiralapadu (Kistna District), was shot dead by 3 State Reserve constables at Rapalli while he was returning from Nagirikonda in the Hyderabad State where he had gone the previous day to see his eldest daughter.</p> <p>(ii) On the 1st February 1948, the State Police trespassed into Kalvapalli, a village abutting the Miryalagudem-Huzurnagar Road, assaulted a few villagers and abducted three others, who were subsequently released.</p>
5. No. F. 108(2)-P/48, dated 21-2-48.	<p>(i) On the 9th February 1948, about a dozen constables of the State Armed Reserve Police are reported to have trespassed into Podur, a border village in Kurnool District, intimidated the villagers with swords and retreated to Sultanpur, a border village in the State.</p> <p>(ii) On the 10th February 1948, from the same village (Sultanpur), some Ittehad-ul-Muslimeen Volunteers raided the village of Satanakota in Nandikotkur Taluk and carried away 12 sheep.</p>
6. No. F. 108(2)-P/48, dated 21-2-48.	On the afternoon of the 6th February 1948, a band of about 20 men from the Hyderabad State, armed with guns and swords, raided Kodaprakatur village, a hamlet of Morvakonda in Nandikotkur Taluq of Kurnool District, fired a few shots, looted two houses and carried away property worth Rs. 16,000.
7. No. F. 108(2)-P/48, dated 8-3-48.	On the morning of the 25th February 1948, at about 7 A. M. 80 armed men, believed to belong to H. E. H. the Nizam's Military, raided the village of Nadichagi in the Adoni Taluq of the Bellary District. They looted the houses of five persons and carried away properties valued at Rs. 22,990 in all. Further, they inflicted injuries on 14 persons, of whom 6 received serious gunshot wounds. While retreating across the Tungabhadra river into the State territory, two of the dacoits shot at the villagers, as a result of which one Venkamma and another Madibalayya received serious injuries.
8. No. 430-P/F.108 (2)/48, dated 11-3-48.	On the afternoon of the 23rd February 1948, about 50 goondas from the State raided the village of Singavaram in the Nandigama Taluk of the Kistna District, looted 14 houses and carried away properties worth about Rs. 2 lakhs. The raiders attacked the Munsiff of the village and inflicted an incised injury on his left forearm with a sword. With a view to frighten the villagers they also fired a few shots in the air. They also carried away the National Flag which was hoisted on the local Congress Office. The raiders were found retreating in two lorries into the State towards Khammamet.
9. No. 483-P/F.108(2)/48, dated 13-3-48.	About the end of February 1948, one Settippalli Singireddi, a native of Alur, Nandigama Taluq in the Kistna District, was arrested at Jagannadhapuram in the Warangal District, which he visited with a view to see his friends and detained in the Warangal Jail unlawfully.
10. No. 454-P/F.108(2)/48, dated 13-3-48.	On the 23rd February 1948, while Head Constable No. 1052 attached to Jaggayyapet Station (Kistna District) and 5 other constables were proceeding to Panuganchiprolu on bandobust duty in connection with a festival held there, H. E. H. the Nizam's Police detained them at Kodada, made them stand in a row and held an identification parade with a view to find out which of them stopped a car at Nelamarri on the 20th February 1948.

- | No. & date of the communication addressed to H. E. H. the Nizam's Government. | Details of the incident |
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| 11. No. F. 108(2)-P/48, Dated 22-3-48. | On the night of the 15th March 1948, about 40 armed men from the State raided the village of Devamada in the Kurnool District, scared away the villagers by firing shots in the air, looted the house of one Narayana and carried away cash, clothes etc. worth about Ra. 1,000. |
| 12. No. F. 108 (2)-P/48, dated 17-3-48. | On the 2nd March 1948, H. E. H. the Nizam's State Police visited the village of Mulugumadi in Tiruvur Taluq (Kistna District), and kidnapped 18 persons, some of whom are reported to be women. As they left the village, they fired shots in the air with a view to threaten the villagers. |
| 13. No. 584-P/F. 108 (2)/48, dated 24-3-48. | (i) On the 2nd March 1948, the State Military visited the village of Kottapalli in Kistna District and carried away six farm servants of the Karnam of that village to Bhimavaram, where they were interrogated and eventually released. |
| | (ii) On the 5th March 1948, one Vangavati Venkataratnam of Siripuram village (Kistna District) was detained by the Kodada Police and beaten with a view to elicit information regarding the whereabouts of certain State Congressmen and Communists. Not having secured any useful information from him they released him on the 6th March. |
| | (iii) On the 6th March 1948, one Kumarakunta Saidulu, a merchant of Munagala, was detained by the Kodada Police and assaulted by the Jemadar with a view to eliciting information regarding certain Congressmen and Communists who were suspected to be taking shelter in the Union villages. |
| | (iv) On the 14th March, 1948, at about 2 P.M., Sri B. B. Subba Rao, Sub-Inspector, Hospet Town Station and Swamidoss, Police Constable No. 1245, were arrested by the State Police at Koppal, which they visited in connection with the examination of certain witnesses involved in a criminal case. Notwithstanding the fact that they were in uniform at the time and their remonstrances that they were concerned with merely the examination of certain witnesses, the Sub-Inspector, Koppal, chose to arrest them and later produced them before the Asst. Superintendent of Police, Koppal, who ordered their release, after administering a warning that they should not in future enter the State without previous permission. |
| 4. No. 681-P/F. 108 (2)/48, dated 30-3-48. | On the 7th February and again on the 21st February 1948, the State Police and Military stationed at Kodada unlawfully intercepted certain prisoners while being escorted by the Madras Police from Munagala to Jaggayyapet and forcibly took them away. |
| 15. No. 716-P/F. 108 (2)/48, dated 3-4-48. | At about 10:30 A.M. on the 23rd March 1948, Reddiboyina Narasimham and 6 other residents of Guntur District, proceeded in a ferry from Govindapuram, situated on the banks of the river Kistna, on a visit to Chinthirala Village in the Hyderabad State, and that as soon as the boat reached the other side of the river, they came upon a party consisting of 10 men belonging to the State Reserve Police and 40 to 50 goondas. Out of fright, Narasimham and others jumped into the river with a view to swim back to the Madras border, whereupon the State Police fired some shots at them. All of them, except Narasimham, reached the shore safely. The body of Narasimham, who is suspected to have died as a result of the firing, was washed ashore within the limits of Chinthirala Village on the morning of the 26th March, when the villagers buried it under the orders of the State Tahsildar at Raghunathpalle. |
| 16. No. 108 (2)-P/48, dated 6-4-48. | At about 3 P.M. on the 26th of March 1948, while one Ramulu of Thatakulagudem hamlet, Zeelugumilli village of Polavaram Taluk, was grazing his sheep in a field, two men belonging to the State Military accompanied by 20 goondas, trespassed into the field and carried away 16 sheep worth about Ra. 150. Ramulu protested, whereupon one of the Military men jabbed at his back with the butt end of his gun. Ramulu fell down and the 3 military men followed by the goondas retreated into the State territory towards Aswarapet. |

No. & date of the communication addressed to H.E.H. the Nizam's Government.

Details of the incident

17. No. 1001-P/F. 108 (2)/48, dated 22-4-48. (i) On the 7th March 1948, when the special Deputy Superintendent of Police Kanchikacharla, and the Refugee Deputy Tahsildar, Nandigama, were proceeding to Lingagiri, their jeeps were held up by the Hyderabad State Police at Huzurnagar. The two officers protested against this action of the State Police and were allowed to proceed after some delay.
- (ii) On the 15th March 1948, when Mr. Mohammed Ismail, Branch Postmaster, Komarabanda Village, Munagala Pargana, was returning from Jaggayyapet where he had proceeded on official duty, he was detained by the Hyderabad State Police at Kodada and searched. Due to the intervention of the Postal Inspector he was released on bail the next morning. Mr. Ismail states that a pamphlet containing prejudicial literature was foisted on him by the State Police.
- (iii) On the evening of the 8th April 1948, Madras Special Police Constable No. 3686, while travelling in a bus from Jaggayyapet to Munagala was detained by the State Police at Kodada, interrogated about the strength of the Police and the armament position at Munagala, and released the next morning.
18. No. 847-P/F. 108 (2)/48, dated 22-4-48. On the 23rd March 1948, at about noon, a party of five constables of the State Reserve Police trespassed into the Union territory within the limits of Budavada village, Kistna District, lay hold of seven villagers out here hunting in the fields, tied down their hands and forcibly marched them to a place two furlongs away, where another party of 25 constables headed by a Tahsildar and a Tobacco Excise Inspector was stationed. The villagers were interrogated here regarding the whereabouts of certain Congressmen and Communists of the State and subsequently released. The villagers were assaulted with sticks while being marched from the fields to the place of interrogation.
19. No. 1245 P/F. 108 (2)/48, dated 1-5-48. In November 1947, one Kanteti Muttayya of Nidamanur, Bezvada Taluq, when he visited Khammamett for purchasing maize and greengram seeds, was taken into custody as soon as he detained at Khammamett Railway Station and detained in the Nizamabad Central Jail.
20. No. 1436-P/F. 108 (2)/48, dated 8-5-48. At about 1 P.M. on the 21st April 1948, a party of armed Arabs from Huzurnagar in the State, trespassed into the Indian Union territory within the limits of Lakkavaram village in Lingagiri Pargana and carried away by force some buffaloes grazing in the fields. The Arabs, who were given an unsuccessful chase by the Madras Reserve Police and the villagers of Lakkavaram, fired three shots in the direction of their pursuers. The State Officials at Huzurnagar to whom the matter was reported, evaded taking any steps for the return of the cattle, but the Arabs released the cattle after extorting Rs. 400 from the owners.
21. No. 1461-P/F. 108 (2)/48, dated 10-5-48. On the evening of 15th April 1948, when a party of nine pilgrims including 3 women from Velangi village, Ramchandrapur Taluq, East Godavari District, arrived at Borgampahad en route to Bhadrachalam, they were stopped by some State Military personnel, interrogated and searched. As it was nightfall by the time the search was completed, the Military personnel entrusted the pilgrims to a non-descript individual aged about 38 years, to provide them shelter for the night. This person led the party to a solitary building in the village and during the night threatening the pilgrims with a dagger forcibly carried away one of the women, raped her and relieved her of her earrings and Rs. 85 in cash. At day break, he led the party to the river Godavari and warned them that if they complained about the molestation they would be shot. The pilgrims crossed the river and reached Bhadrachalam where they narrated the incident to the local people.

No. & date of the communication addressed to H. E.H. the Nizam's Government

Details of the incident

22. No. 1464-P/F. 108 (2)/48, Dated 20-5-48. On the morning of the 30th April 1948, 2 Constables of the State Police trespassed into the limits of Narsimhulagudem village (in Kistna District), and set fire to the sheds put up in the village by one Nimmaganti Papiiah for providing shelter to the refugees from the State. Next, at about 12 noon, a party of the State Army Personnel under the Command of some Officers, visited the village in 4 trucks and 2 jeeps and exchanged fire with the State Congressmen for about two hours, who offered resistance to them.
23. No. 1623-P/F. 108 (2)/48, dated 24-5-48. At about midnight on the 7th May 1948, some 10 men in khaki uniform (apparently State Police Constables) raided Tholasapuram village in Karnool Taluq, fired some shots in the air when the villagers fled from their houses in panic, assaulted some villagers causing injuries to three, forced their entry into several houses in the village and looted properties valued at about Rs. 1,000 from two houses. The same night, about half a mile away from this village, the raiders waylaid two carts on the Sankesula Road and robbed two persons named Kuruva Jalakanti Chinnanna and Komati Thammayya of cash and ornaments valued at about Rs. 825.
24. No. 1566-P/F. 108(2)/48, dated 24-5-48. At about 7 on the morning of the 8th May 1948, a party of the State armed police from Seethampeta village in the State Territory pursued into the Union territory within the limits of Polampalli village in Nandigama Taluq, some State Congressmen, caught hold of one of them named Surayya, shot him in the chest and left the place. The injured man died at 5 P. M. on the same day while being removed to Polampalli village.
25. No. 1693-P/F. 108 (2)/48, dated 26-5-48. At about 2 P. M. on the 4th May 1948, a party of 3 constables of the Hyderabad State Police in quest of some communists suspected to have abducted three other constables, trespassed into the limits of Lakshampuram village in Lingagiri Pargana and fired two shots in the air. They then assaulted a shepherd woman named Chintalapaty Pichamma and robbed her of a silver bangle worth about Rs. 15 and assaulted and abducted her husband Chintalapathy Rangayya, who was grazing his sheep.
26. No. 1790-P/F. 108 (2)/48, dated 29-5-48. (i) On the morning of the 18th May 1948, a party consisting of about 10 armed Razakars and some State Police Constables, trespassed into the limits of Jayanti Village in the Kistna District and carried away by force 5 sheep. They also kept under restraint for a while one Adavi Gangayya, one of the owners of the sheep and snatched away his axe.
(ii) At about 12 noon on the same day (18-5-48), ten persons of Jayanti village working in the fields within the limits of Yerupalem village in the State territory, were kidnapped by some Razakars with the assistance of the State Police.
27. No. 011-P/F. 108 (2)/48, dated 3-6-48. At about 11 P. M. on the night of 22nd May 1948, a party of 6 Razakars trespassed into the fields within the limits of Chinnakothaliki village in Adoni Taluq, Bellary District, pelted stones at the shepherds guarding some 1,000 sheep pinned there, severely assaulted and wounded in the left thigh one of the shepherds, and carried away two rams and one sheep. Immediately on receipt of this news, the police party stationed at Nagaladinne rushed to the spot where they were attacked by armed bands of 50 to 60 Razakars who had meanwhile gathered there. The police party opened fire whereupon the Razakars retreated into the State territory from where they returned the fire.
28. No. 5187-P/F. 108 (2)/48, dated 2-7-48. At about 6 P. M. on the 10th June 1948, an armed party consisting of 4 State Army personnel and 4 Razakars in pursuit of some State subjects, entered the fields within the limits of Vemulanarva village in Kistna District (opposite to Alaped village in the Hyderabad State) and fired about 47 rounds in the direction of the village. The Razakars apprehended one of the fugitives taking refuge in the fields and made him over to the Military who carried him away into the State territory.

No. and date of the communication addressed to H.E.H. the Nizam's Government

Details of the incident

29. No. 5188-P/F. 108 (2)/48, dated 2-7-48. (i) On the evening of the 15th June 1948, an armed party of the Hyderabad State Police trespassed into the fields within the limit of Sarvavaram village in Lingagiri Pargana and set fire to a cattle shed belonging to a refugee from the State.
- (ii) At about 9 A.M. on the 17th June 1948, an armed party passing along the Aswaraopet-Khammamett road in a State Military truck, got down from the truck near Medisettigudem village in West Godavari District, challenged two constables of the Union Police interrogating in the Union territory a suspicious character, opened fire on them, pursued them upto some distance in the Union territory and withdrew before the Special Armed Police reached the spot.
30. No. 5268-P/F. 108 (3)/48, dated 17-7-48. (i) At about 11 P.M. on the 21st June 1948, an armed band of about 100 Razakars opened fire on Tunikipadu village in Kistna District, but retreated towards Venkatapuram in the State territory, when the Special Armed Police stationed in the village returned the fire.
- (ii) At about 9 A.M. on the 22nd June 1948, an armed party of 18 Razakars from Madhira in the State territory attacked Sivapuram hamlet of Anigandapad village in Nandigama Taluq, Kistna District, by firing some shots at random from its outskirts. The villagers grew panic stricken and began to flee, whereupon they were pursued by the Razakars who stabbed a young dhobi and his child, as a result of which the latter died. They also robbed five villagers of their jewellery and tore off one woman's ear lobes while forcibly snatching her ear-rings. As they withdrew they burnt down two huts belonging to Zali Venkanna and Bandi Lingayya and two hay ricks belonging to Cherukuri Anantiah and Mallela Venkish.
- (iii) On the 22nd June 1948, while the residents of Mote village in the State were fleeing into the adjoining Indian Union territory, the State Police opened fire on them, as a result of which one Bolleddi Ramayya, a Harijan boy, aged about 9 years received a gun shot wound on the left thigh while in the Union territory. The boy has been admitted into the hospital at Munagala for treatment.
- (iv) At about 4-30 P. M. on the 23rd June 1948 an armed band consisting of 100 Razakars and State Police opened fire from Dachinenipalli village in the State territory across the border on Jonnalagadda village in Nandigama Taluq, Kistna District, but withdrew when the Special Armed Police stationed in the village returned the fire.
31. No. 5227-P/F.108(2)/48, dated 17-7-48. On the 18th June 1948, one Mr. K. Chalapati Rao of Linga Samudram village, Kandukur Taluq, Nellore District, while he was proceeding from Hyderabad (where he had come on business) to Nellore, was detained at Jadcherla Railway Station by the Razakars, harassed and relieved of his diamond rings etc. of the total value of Rs. 6,100.
32. No. 5423 P/F.108(2)/48(i), dated 23-7-48. (i) On the afternoon of the 25th June 1948, a party of the Hyderabad State Police trespassed, in four motor trucks, into the limits of Narasimhulagudem, a border village in the Krishna District and besieged the huts in which some refugees from Mote village in the State had taken shelter. The State Police laid hold of five of the refugees, forcibly carried them to Mote village and released them after severely belabouring them. Further, they assaulted three women, also refugees from the State and robbed them of their jewels.
- (ii) At about 4 P. M. on the 27th June 1948, led by the State Tahsildar of Nallabandagudem a party of 18 armed State Police Constables trespassed into the limits of Annasaram village in Nandigama Taluq and forcibly carried away 126 sheep. The District Magistrate of Kistna has already taken up this matter direct with the Takuqdar of Nalgonda, who promised to enquire into it.

No. and date of the communication addressed to H.E.H. the Nizam's Government.	Details of the incident
33. No. 5423-P/F.108(2)/48 (i) (ii), dated 23-7-48.	<p>On the night of the 18th June 1948, Pothanna, a Guage Messenger of the Madras Public Works Department, while returning to Kurnool from the Pagatur village in the Mahabubnagar District of the State whether he had proceeded to take readings on the river Krishna, was arrested by the State Customs Officials at Basawapuram and sent to Alampur for detention by the State Police.</p> <p>(ii) On the morning of the 26th June 1948, Mr. M. I. Daniel, Revenue Inspector, Jaggayyapet and Mr. Venkateswara Rao, Clerk to the Deputy Tahsildar of Jaggayyapet and Mr. Satyaraju, Assistant Inspector of Excise, Bezwada, proceeded on duty from Jaggayyapet, to the Munagala enclave, by the Mail Bus. On the way the Bus was detained at Nallabandagudem Customs out-post within the State territory for an inordinately long time and the Revenue Inspector, who instructed the Bus Driver to restart quickly, was threatened by Bazakars and State Police who also attempted to molest him and Mr. Venkateswara Rao. Later, the State Naib Tahsildar, sent for the Revenue Inspector and threatened him with arrest and other dire consequences. The bus was however, allowed to proceed.</p>

APPENDIX VI

REPORT ON ENQUIRES AT NANAJ ON MONDAY 26th JULY 1948

After meeting Brigadiers BHATIA and GURBACHAN SINGH at TANDALWADI at about 0900 hours today I proceeded with them to SHOLAPUR where we visited the C.C.S. and spoke to 5 wounded soldiers of the Indian Union. Two were seriously wounded and all were suffering from multiple gun shot wounds which could only have been caused by L.M.37, STENS & RIFLE.

From questioning them it was learned that they were in the leading lorry of a convoy which was proceeding to BARSII with rations for the coy there, and which was fired upon at NANAJ village on the morning of 24th JULY 1948.

During questioning, two of the wounded, one Havildar and Naik stated that they heard an order to 'Fire' given by someone at the 'WHITE HOUSE' (A).

We then proceeded to NANAJ village where we were met by Lt. Col. PRITHI PAL SINGH. This officer was proceeding to BARSII on 24th JULY with the convoy when it was attacked

As the leading lorry reached a point just N of the culvert at the S. end of the village burst of fire was opened up from the first white building E of the road A. This building is approx. twenty yards from the road. Further fire came from the next building N (B) and another house W of the road (C). As a result of the opening burst of fire 5 soldiers were killed and 5 wounded. Lt. Col. PRITHI PAL SINGH assures me the firing was intense—particularly from the white house.

These three houses have all been 'built up' in as much that each has an earthen sanger on its roof—each with loopholes, as one expects to see in the N.-W.F.P. districts.

Inspected the white house and there are a great number of .308 empty cases still on the roof.

At the SHOLAPUR end of the village is a chain road stop. Lt.-Col. PRITHI PAL SINGH wishes to emphasise that at the time, in question, this chain was down—offering free passage through the village.

The leading vehicle was riddled with bullets and Col. PRITHI PAL SINGH'S jeep was hit, as were some other vehicles.

A pitched battle then ensued and the troops of the convoy eventually took possession of and occupied the village at 1845 hours of that day. They had no further casualties, but 20 of the party who opened up the attack were killed. Of these seven were definitely Pathans, the remainder were of local origin but all were armed and some had steel helmets.

I was shown the body of a dead man who was killed during an attack on the troops in the village at about 2200 hours on 25/7. He was dressed in normal civil clothing and was armed with a .308 rifle when killed.

All throughout 25th, groups of armed men hovered around the village at a distance of about 1200 yards. These were observed through binoculars and the naked eye. Several were identified as Pathans from their dress and appearance.

I was shown a number of rifles of all types including .308s and 410 muskets, several steel helmets—one of which had POLICE printed on it, several police belts and one sarf-i-khas police belt. A Jemadar's uniform of the N.D.P. and two sam browne belts—and one box .410 ammunition-ball and a broken Sten Gun butt.

With Brig. BHATIA and Lt.-Col. PRITHI PAL SINGH I visited the Grain Store in the centre of the village—the store was intact, and stocked full with sacks of grain. This store was inspected at my suggestion, as I had heard some had been taken away.

The village patel, police patel and customs patel were not present at this moment, neither could we find any person suitable for questioning. Lt.-Col. PRITHI PAL SINGH informs me that the village and police patel were available earlier this morning.

I saw two injured villagers, one woman and a child being treated by the unit Regimental Medical Officer (irrespective of religious, creeds).

Brig. BHATIA is of the opinion that this was a prepared ambush, but whether it was intended for troops or civilians busses it is not possible to say. The troops, however, were sikhs and wearing Olive Green.

K. L. WESTON, Lt.-Col.

26-7-48.

G. B. SINGH, Brigadier,

26-7-48.